

PLANNING APPLICATION REPORT

REF NO: LU/3/23/PL

LOCATION: 37 Griffin Crescent
Littlehampton
BN17 7LH

PROPOSAL: Single storey rear extension with balcony, rear dormer and change of use from a single dwelling to two flats (resubmission following LU/242/22/PL). This site is in CIL Zone 2 and is CIL Liable as new flat.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct a single storey rear extension with a balcony, a rear dormer, and change of use from a single dwelling to two flats.

SITE CHARACTERISTICS The site comprises a terrace dwelling of 2 storeys with gardens to front and rear. The site is flat and there are no trees affected by the proposal.

CHARACTER OF LOCALITY The area is part of a residential street comprising a uniform character with terraced and semi detached properties of 2 storeys set in small to medium plots set back from the highway with gardens to front and rear within urban environment.

RELEVANT SITE HISTORY

LU/242/22/PL	Rear extension, rear dormer and change of use from a single dwelling to two flats. This application is in CIL Zone 2 and is CIL liable as flats. (Resubmission of LU/5/22/PL)	Refused 21-10-22
LU/5/22/PL	Conversion of a single dwelling into two flats and rear two storey extension and rear dormer. This application is in CIL Zone 2 and is CIL Liable as flats.	Refused 22-06-22

REPRESENTATIONS

Littlehampton Town Council - Objection:

- Maintained previous objection on the grounds that the development constitutes overdevelopment.
- It is out of character in terms of its appearance compared with existing development in the vicinity.

1 letter of objection received from nearby occupiers:

- Residents in Griffin Crescent have taken to parking in Coomes Way causing parking problems already. It is a small road where parking is difficult at the best of times.
- There is limited access for emergency vehicles.
- Coomes Way was never designed to have parking on both sides of the road.
- Parking should be taken into great consideration.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Environmental Health Officer - No objection subject to conditions regarding unexpected contamination, construction hours, and electric vehicle charging being applied.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal complies with relevant Development Plan policies in that would not have a materially adverse effect on the residential amenities of the adjoining properties and of prospective occupiers.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

BACKGROUND

There have been two applications for similar schemes at this property, LU/5/22/PL and LU/242/22/PL. Both sought a two storey rear extension, dormer, and conversion from a single dwelling into two flats. LU/5 was refused on the basis that the works would bring significant harm to the appearance of the host and be out of keeping with the area; and that its scale would result in significant harm to residential amenity. LU/242 was refused with the same reasons and added that the habitable floor space would result in inadequate quality amenity for future occupiers.

These previous reasons for refusal have been taken into account whilst assessing the current proposal, to ensure that all issues have been sufficiently addressed.

PRINCIPLE

The application seeks permission for conversion of a dwelling in to two flats. The key policies are D DM1 and D DM4 of the Arun Local Plan, and additional guidance outlined in the Arun Design Guide.

Littlehampton has a 'made' Neighbourhood Development Plan, of which Policy 1 is relevant. This policy is concerned with the presumption in favour of sustainable development, where proposals are acceptable subject to compliance with other Development Plan policy.

Policy SD SP2 of the Arun Local Plan encourages development in the built up area boundary which determines the extent of the different settlements built up area boundaries. Arun can currently only demonstrate a 2.36 year housing land supply. The principle of providing one additional unit in the built up area is acceptable'

DESIGN AND VISUAL AMENITY

The proposal seeks to construct a single storey rear extension with first floor balcony, and a rear dormer.

This will provide more internal space to the dwelling, in order to create two new flats. Despite all works being to the rear of Griffin Crescent, the property backs onto Coomes Way and forms part of its street scene. The proposal will be visible from the public realm.

The extension will be a modest scale, projecting 3.5m from the rear elevation, with a width of 6.21m. It will include a flat roof, which although differing to the pitched roof of the host, will not appear unduly out of place or have a significant impact on the visual appearance of the property. This roof will include a balcony with glass balustrade, measuring 2m deep and 3.2m wide. There are no other balconies within the close vicinity. There are no other balconies within the close vicinity, however, given its minimal structure and small scale, the impact to visual amenity will be minor, and as such acceptable. The rear extension and balcony will remain subservient to the design of the host and use materials matching that of the existing. This will ensure minimal intrusion on the visual amenity of the property and allow for sympathetic integration. The scale and massing of this aspect of the proposal is appropriate and will not be unduly dominant or obtrusive to the host. An extension of a similar scale could be constructed under permitted development rights.

The proposal includes a dormer to the rear, which will replace a flat roof dormer. This will project a total depth of 3.15m and have a width of 8m. It will have a flat roof and create a fair amount of bulk to the roof of the property, but this is not of significant enough harm to visual amenity to warrant refusal, given there is a dormer on this roof. It will not appear as an overdevelopment on the property, nor will it obtrude or dominate the appearance of the host dwelling. This dormer will include tile hung cladding, which will also help to integrate it with the existing tiled roof.

Concern has been raised that the works are out of character in terms of appearance, when compared with development in the vicinity. The works will be visible from the street scene of Coomes Way, however there are examples of rear dormers and single storey extensions within the immediate vicinity of Griffin Crescent. There are few examples where both developments have been implemented together on the property, yet the works would not be out of character.

The works would have some impact on the composition and appearance of Coomes Way. This impact would not be of enough harm to warrant refusal. The garage to the rear of the property would obscure most of the rear extension from view, with the dormer being the only aspect visible. Given there is a dormer, the increase in its scale will not result in an unacceptable change to the appearance of the street scene and will have little harm. It will remain in keeping with the general character of the area and have no adverse harm on the visual amenity of the area.

Part M of the Arun Design Guide (ADG) states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. As for roof alterations, these should be located discreetly and unobtrusively, and favour small scale dormer windows with pitched roofs over large, flat box-shaped designs. Despite having flat roofs, the proposal will not have an unacceptable impact to the visual appearance or character of the property and will remain in keeping with the area. This is in accord with the Design Guide.

The applicant has sufficiently addressed the concerns raised within LU/5/22/PL and LU/242/22/PL, in that the amended proposal would not bring significant adverse harm to the appearance of the dwelling, nor be out of keeping with the area. It would create more bulk to the rear of the house, and also increase its footprint, but the subsequent impact on visual amenity would not be unduly harmful, nor appear as an overdevelopment on the site.

The proposal will have no adverse impact on visual amenity, nor the character of the area, and is in accord with D DM1 and D DM4 of the Arun Local Plan, Policy 1 of the Neighbourhood Plan, and the Arun

Design Guide.

RESIDENTIAL AMENITY

The rear extension will be single storey and have a flat roof measuring 2.7m high. It will include a balcony above, which will have a glass balustrade measuring 3.8m high, with taller obscured sides to reduce overlooking, at a height of 4.5m. The extension will retain 0.8m to the west boundary, 15m to the north, and 1m to the east. These distances are acceptable and accord with D DM4 of the Arun Local Plan. The extension will not conflict the 60 degree rule from either neighbouring property, which is recommended for use by the Arun Design Guide, to determine overshadowing impacts. This extension will not result in adverse overbearing or overshadowing of No.35 or No.39 and will have minimal harm to residential amenity.

The rear dormer will be on the second floor and have a flat roof. Due to resulting in no change to the established footprint, this dormer will retain the same distance to boundaries. It will result in slightly more overbearing than the existing dormer, as a result of its larger scale, but this overbearing will not be detrimental to amenity. The scale of the dormer will not result in adverse overbearing or overshadowing and is acceptable. There will be another rooflight installed to the front elevation, in addition to the existing two rooflights. This will not result in any impact to residential amenity.

In addition to this rooflight, the proposal will include changes to the openings and fenestrations of the south and north elevations. This will also include the installation of a door and two windows to the south. This will include the shifting of two windows to the first floor. Being to the front and facing the street, these changes will not result in any overlooking of neighbouring properties and will have insignificant impact on residential amenity or privacy. The alterations to the north elevation will include two new windows to the second floor dormer, a set of patio doors and new window to the first floor, both replacing existing windows, and a new patio door and window to the ground floor. These features are acceptable. They will face onto the rear garden, and although having some visibility of the gardens of No.35 and 39, will not result in any adverse overlooking of neighbouring properties. The balcony to this north elevation will result in some overlooking, however this is limited and managed by the two obscure glass screens to the west and east directions, which will block visibility of No.35 or No.39. As such, this will have no detrimental impact on residential amenity.

The Arun Design Guide states that extensions should not negatively impact, and instead protect, neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings, and respond to existing elevations through the size and positioning of doors and windows. The proposal is in accord with this.

The applicant has addressed the concerns raised in LU/5/22/PL and LU/242/22/PL, with the scale of the proposal no longer posing adverse risk of harm to residential amenity.

The development will not be significantly harmful to residential amenity and is in accord with D DM1 and D DM4 of the Arun Local Plan, and Arun Design Guide.

INTERNAL/EXTERNAL SPACE STANDARD

The conversion of the dwelling will result in the creation of two flats, with internal floor area ranging from 67m² to 94m². Flat 1 will measure 67m² and include two bedrooms, one measuring 10m² and the other 11.5m². The requirement for a 2 bed 3 person flat on a single storey is 61m². As such, this flat meets the requirements of the Nationally Described Space Standards.

Flat 2 will be two storeys, with the first floor measuring 55m², and second 39m². The total internal floor area is 94m². It will have three bedrooms, measuring 9.3m², 12.1m², and 13.5m². The requirement for a 3 bed 5 person flat on two storeys is 93m², and as such this flat meets the requirements of the Nationally

Described Space Standards.

A rear garden area (approximately 5m in length) for each of the flats is proposed. This is sufficient space given the standards for flats in the Arun Design Guide relating to balconies affording outdoor space. The ground floor flat leads directly onto one of the proposed garden spaces, however the garden space for the other flat is not so easily accessible. With only access to external space from the front entrance way, the rear garden space feels removed from the upper flat.

The development provides satisfactory living space in accord with Policy D DM2 of the Arun Local Plan, para. 17 of the NPPF, and Part J of the Arun Design Guide.

TRAFFIC AND PARKING

Arun Local Plan's Policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking.

Para. 110 of the NPPF states: "In assessing specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Para. 111 states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Arun has adopted its own parking standards which require 2 spaces for each 3-bed unit, plus 20% for visitor's car parking spaces. The cycle parking requirement would be 1 per dwelling, therefore requiring 2 spaces. The proposal incorporates a garage for 3 car parking spaces. Whilst the dimensions of this garage do not meet the standard dimensions, and as such cannot be considered to provide 3 sufficient parking spaces, there is off street parking available to both the front and rear of the property. Concern has been raised regarding parking in Coomes Way, yet the proposal will not result in a notable change in the number of vehicles parking at the property than already existing, and as such will have no adverse impact on highways. No electric vehicle charging point is provided, and a condition will be applied. There is ample space to provide for cycle parking spaces.

WSSC Highway Authority has previously commented on a similar proposal at the property (LU/5/22/PL) that it raises no highway safety concerns.

The site is sustainably located, there are alternative modes of transport available to future occupiers. The proposal does not generate significant traffic and parking demand to exacerbate the existing parking condition. The proposal will accord with Policies T SP1 of the Arun Local Plan and the ADC Parking SPD (2020).

SUMMARY

The proposed development accords with relevant development plan policies and would add one dwelling to the housing supply. It would accord with the development plan and paragraph 11c of the NPPF and is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human

Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is CIL Liabe therefore developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan 1049_001 REVA
- Proposed Site Plan 1049_101 REVB
- Proposed Floor Plans 1049_201 REVC
- Proposed Elevations 1049_301 REVD
- Proposed Roof Plans 1049_202
- Garage Floor Plan and Elevations 1049_202

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 Prior to the balcony hereby permitted first being used, a privacy screen (obscure glazed and to minimum height of 1.7m - max 2.0m) on the east and west sides of the rear balcony should be installed. The screen should be permanently retained in perpetuity.

Reason: To safeguard the amenities of the occupiers of neighbouring property in accordance

with policies D DM1 and QE SP1 of the Arun Local Plan.

- 4 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Arun Local Plan

- 5 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays.

In addition to these hours of working the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan

- 6 Prior to occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be installed in accordance with the Arun District Council Parking Standards SPD and shall thereafter be retained and maintained in good working condition. Charge points should be Mode 3, 7kw fast chargers as a minimum and/or meet Building Regs requirements of Approved document S.

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF)

- 7 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

LU/3/23/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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