

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: R/106/21/HH

LOCATION: 26 Tennyson Avenue
Rustington
BN16 2PH

PROPOSAL: Erection of single storey rear extension and hip to gable loft conversion with 1 x side dormer

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Demolition of existing conservatory and erection of rear extension measuring approximately 4.5m deep across the back of the property, and the conversion of loft including a flat roof dormer measuring approximately 4.3m wide.

REPRESENTATIONS

Rustington Parish Council - No Objection

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
2km Buffer Zone SSSI
BUAB

DEVELOPMENT PLAN POLICIES

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

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

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
-------	---

CONCLUSIONS

PRINCIPLE

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Rustington has a made neighbourhood plan and policy 2 is of relevance and states that proposals should have regard scale, density, massing, height, landscape design, layout and materials which reflect local architectural and historic character.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, a rear extension should also not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

DESIGN AND VISUAL AMENITY

The proposal seeks a ground rear extension and the conversion of the loft with associated dormer window. The size of the extension is appropriate for its intended use and a suitable scale when compared with the plot size.

The ridge height and eaves heights on the main pitched roof are to be maintained at their existing levels. The eaves to the flat roof extension are to be minimally higher, this is not seen as a reason to refuse the application though. The overall scheme increases the habitable space within the building and the loft conversion is seen as an effective use of the land.

It is proposed to finish the extension with render, currently found on site and composite weatherboard cladding, which is being introduced as a new material. It is noted that both the new dormer and existing front elevation will be clad in weatherboard, so the old and new will be in-keeping with each other.

Having regard to the design and visual amenity, the proposal is not deemed to adversely impact the existing house in accordance with D DM1 and D DM4 of the Arun Local Plan and the Part M Arun Design Guide.

RESIDENTIAL AMENITY

In terms of the extension, it is not thought that this will be overbearing or overshadow the neighbours to the north or south. The extension will not encroach on the separation gap between either neighbour. The extension complies with the 45-degree rule and has adequate rear garden.

The proposed dormer is located on a side elevation, although this is not ideal it is noted that it will be adjacent to the flank wall and roof to the property to the south. Therefore, its bulk will not overbear any of the neighbouring properties amenity space. Additionally, it is formed within the existing footprint of the dwelling.

In terms of overlooking, the rear extension will only have fenestration facing the rear garden of the host

dwelling. There is to be a rear facing juliet balcony at first floor level. The side dormer is to be obscure glazed and have windows fixed shut below 1.7m. No new views will be created other than those already achievable.

It is therefore considered by virtue of being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

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 (dependant 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;

- Block 2277-5 REV 2
- Proposed Floor 2277-1
- Proposed Elevations 2277-2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

- 3 The first floor windows to the south elevation hereby approved shall be non-opening below 1.7m above finished floor level and obscure glazed prior to the first use of the rooms. The windows shall be retained as obscure glazed/non-openable in perpetuity in the interests of protecting the privacy of neighbouring properties.

- 4 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.