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

REF NO: R/115/25/HH

LOCATION: 14 Ruston Park
Rustington
BN16 2AD

PROPOSAL: Removal of the existing conservatory. Single storey side and rear extension. New rooflights and rear dormer.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Rustington Parish Council - No objection.

1 letter of objection received from nearby occupier, key points noted below.
- The corner plot of 14 Ruston Park is at a 45 degree angle to 1 Willow Avenue, so any dormer/balcony would be directly facing the garden and affecting the privacy.
- Query the type of glass that would be used for the doors proposed within the rear dormer as this will be a very large opening that would overlook the garden of 1 Willow Avenue directly.
- Dormer section of the bungalow would overshadow the glass canopy roof and glass kitchen door of 1 Willow Avenue resulting in a loss of privacy and a dark kitchen.

Comments noted. The points raised are fully assessed within the conclusion section below.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Within an area with potentially high groundwater levels.

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)

Rustington Neighbourhood Plan 2014 Policy 2 Housing Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site is a detached dwelling located at the corner of Willow Avenue and Ruston Park. This application seeks planning permission for the removal of the existing conservatory and for the construction of a single storey side and rear extension. New rooflights and a rear dormer with a Juliette balcony are also proposed. The side extension will be visible from the street scene.

Following the demolition of the existing conservatory (to the rear), existing side extensions and garage, a single storey side and rear extension is proposed. The side extension proposed to the western (side) flank of the host dwelling would measure 7.6m in width and it would be set back from the front (north) elevation of the dwelling by approx. 0.5m. The side extension would have a flat roof form with a maximum height of 3m. Although the extension would alter the appearance of the building, it is noted that the street scene of Ruston Park is varied in terms of extensions and alterations and the extension would replace existing built form to the west of the host dwelling. The proposed side extension would adjoin the proposed rear extension creating a wraparound extension to the side (west) and rear (south). The walls of the extension would be finished with a white render to match the existing dwelling. 2 No. rooflights are proposed within the flat roof of the side extension. The rooflights would be proportionate in scale and number and would not result in any harm in this regard.

According to the Arun Design Guide (ADG), side extensions should respond to building design in terms of roof pitch and use complementary and integrated materials and elevational design. Although large in scale, the proposed extension would not unduly obtrude on the host dwelling. It would retain the character of the property by featuring materials that match the existing dwelling. It is noted that the flat roof design design of the side extension would not integrate well with the existing dwelling and it would appear as a modern addition to the dwelling. Given that the proposed side extension would feature materials that match the existing dwelling and that it would be set back from the front elevation by approx. 0.5m, the proposed side extension would not result in significant harm to the character of the host dwelling.

The proposed single storey rear extension would adjoin the side extension, and the proposed rear extension would have a depth of 2.6m from the existing rear elevation of the host dwelling. The extension would have a maximum width of 10m, and it would extend in line with the new western flank elevation of the side extension. The extension would have a flat roof form with a maximum height of 3m. The proposal is in accordance with Part M of the Arun Design Guide (ADG) which states that in the case of detached houses, single storey rear extensions should not extend more than 3.3m from the rear elevation of the original dwelling and as such, the scale and depth of the rear extension is acceptable. It is noted that 2 No. rooflights are proposed to the flat roof of the rear extension. The rooflights would be proportionate in scale and number and would not result in any harm in this regard.

The proposed rear dormer would measure approx. 2.9m in depth, 6m in width and 2.6m in height. A Juliet balcony is proposed within the rear elevation of the dormer. The walls of the dormer would feature tile hanging to match the existing roof of the dwelling. The proposed dormer would alter the original character of the property, however the main roof ridge height would be retained, and the proposed dormer would not project beyond the original footprint of the property which would minimise any visual harm upon the locality and complies with the Arun Design Guide (ADG). Furthermore, a dormer of a similar size and scale could be constructed under permitted development. Overall, the proposed works would alter the character of the property, however it is noted that the area features single and two storey dwellings of varying styles and designs, some with dormers serving accommodation within the roof space such that the proposed works would not appear out of character within the street scene. 4 No.

rooflights are proposed to the front roof slope of the dwelling. The rooflights would be proportionate in scale and number and would not result in any harm in this regard.

A Juliet balcony is proposed within the rear elevation of the proposed rear dormer. The Juliette balcony would feature balustrading to a height of approx. 1m. Given the siting of the Juliet balcony to the rear of the dwelling and that a Juliet balcony could be constructed under permitted development, this element of the proposal would not result in harm to the host dwelling.

Overall, the proposed development would result in an increase to the footprint of the host dwelling. The alterations to the dwelling would alter the character of the dwelling in terms of its scale and massing, however given the varied character of the street scene, and that some of the proposed works could be undertaken via permitted development, the proposed development is acceptable. The proposal is therefore in accordance with policies D DM1 and D DM4 of the Arun Local Plan (ALP).

RESIDENTIAL AMENITY

Part M of the ADG states householder extensions should 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.

Given the scale and siting of the proposed side and rear extensions, there would be no intersection of neighbouring 60-degree sightlines and 45-degree light accessibility lines when taken from the closest windows within the rear elevations of the neighbouring dwellings. Additionally, given the presence of the existing boundary fence, the proposed height of the rear extension and the spacing maintained between the side extension and the western side boundary of approx. 0.9m (at it deepest point), the proposed rear and side extensions would not result in demonstrable harm to the neighbouring dwelling by way of overbearing or overshadowing impacts.

Two sets of bi-fold doors and a window are proposed within the rear (southern) elevation which would have an outlook of the private garden amenity space serving the host dwelling and would not lead to any loss of privacy or overlooking impact to neighbouring properties. A door and two windows are proposed along the front (north) elevation which would have an outlook of the front garden amenity space serving the host dwelling and Ruston Park. As such, the ground floor fenestration would not lead to any loss of privacy to neighbouring properties. No new fenestration is proposed within the western flank elevation of the proposed side extension.

The proposed rear dormer would be contained within the existing rear roof slope of the host dwelling and would not result in overshadowing or overbearing impacts to neighbouring properties. A Juliet balcony is proposed at first floor level within the rear elevation of the dormer. The Juliet balcony would have an outlook of the rear garden amenity and given the site orientation, some views of neighbouring gardens would be available from the Juliet balcony, particularly to the west. However, these views would not be significantly different to those available from a rear dormer and Juliet balcony constructed under permitted development and therefore, would not result in demonstrable harm to neighbouring properties by way of overlooking so as to justify the refusal of planning permission in this regard.

The proposed development would not harm the residential amenity of neighbouring properties in accordance with policies D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

PARKING

The Parking SPD outlines that garages should measure 3m x 6m to accommodate a vehicle. The existing garage measures approx. 3m x 5.4m and therefore is not of a sufficient depth to accommodate a vehicle. As such, the loss of the potential for an internal parking space within the garage is acceptable in this instance. The application site is located within Parking Zone 4 and as per the Arun Parking

Standards, the dwelling both as existing and proposed is required to provide 2 parking spaces.

The existing driveway is able to accommodate two parking spaces, and the existing garage is not of a scale that is sufficient to provide any internal parking space under the Parking SPD guidance (3m x 6m), as it is not of sufficient depth. The existing driveway would be retained. Therefore, the loss of the potential for an internal parking space within the garage is acceptable in this instance.

SUMMARY
The proposed development is in accordance with relevant development plan policies and as such 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 not CIL liable.

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 drawing:

- Site Location Plan P001.
- Proposed Block Plan P002.
- Proposed First Floor Plan P010.
- Proposed Roof Plan P011.
- Proposed Elevations P012.
- Proposed Elevations P013.
- Proposed Elevations P014.
- Proposed Ground Floor Plan P009.

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

3 The materials and finishes of the external walls of the side and rear extensions hereby permitted shall match in colour and texture those of the existing building. The materials and finishes of the external walls of the rear dormer hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.