

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

REF NO: R/136/18/HH

LOCATION: 107 Worthing Road
Rustington
BN16 3LX

PROPOSAL: Flat roofed rear loft conversion with Juliet balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal relates to the provision of a rear dormer with a Juliet balcony. The dormer would have a flat roof and at deepest point would project 3.1m from the rear roof slope. The dormer would have a width of 4m. The elevations of the dormer would be clad in pewter cedar cladding.
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RELEVANT SITE HISTORY

R/123/12/	New driveway to the front of the dwelling, to include a dropped curb	ApproveConditionally 24-08-12
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

None

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Classified road

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
SDSP1	SD SP1 Sustainable Development

[Rustington Neighbourhood Plan 2014 Policy 2](#)

Housing Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

RDS	Rustington Design statement by Rustington Parish Council
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CONCLUSIONS**PRINCIPLE**

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. In this case the key policies considered are DDM1 and DDM4 of the Arun District Local Plan, Policy 2 of the Rustington Neighbourhood Plan and the National Planning Policy Framework.

The site has no relevant previous planning history and is occupied by a mid terrace two storey dwelling within a residential area with properties of similar styles and designs.

DESIGN AND VISUAL AMENITY

The proposal seeks to construct a rear dormer in the roof slope which extends across most of the width of the roof and incorporates a window and Juliet balcony.

None of the neighbouring properties have rear dormers but it would not be readily visible in the street scene given that the dwelling is a mid terrace property and the extension is to the rear. The dormer would be set down below the ridge line and would be set in from the edge of the roof. These design features ensure that the dormer is not overly obtrusive and appears visually integrated with the host property. Whilst the use of different materials will not match the colour or type of the existing roof covering the grey colour cladding would be an acceptable contrast. The proposed extension is not deemed to adversely impact the character or spatial pattern of the area and accord with DDM1 and DDM4 of the Arun District Local Plan and policy 2 of the Rustington Neighbourhood Plan.

RESIDENTIAL AMENITY

The extension to the rear will serve an additional bedroom with an en-suite and will project 3.1m from the rear roof slope with a flat roof. There are no openings in the adjacent roof slopes. No overbearing effects would therefore result.

With regard to overlooking the Juliet balcony would not result in a material increase in the amount of overlooking that already occurs from the first floor windows in the rear elevation of the dwelling.

The proposal is not considered to give rise to any materially adverse overlooking, overbearing or overshadowing and is therefore in accordance with DDM1 and DDM4 of the Arun District Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plans 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.

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, Block, Floor and Roof Plans 1805181/PL/2 and Elevations 1805181/PL/1 .

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun District Local Plan.
- 3 **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.