

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

REF NO: R/136/19/HH

LOCATION: 84 North Lane
Rustington
BN16 3PW

PROPOSAL: Two storey side extensions, new roof, single storey side extension, single storey front extension and single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to perform various alterations and extensions to the host dwelling. This includes a two storey side extension, a new roof, a single storey side extension, and a single storey front extension, and a rear extension.

RELEVANT SITE HISTORY

R/13/18/HH	Two storey side & rear extensions. Resubmission of R/55/16/HH	Refused 21-05-18
R/55/16/HH	Side & rear extensions & new roof	Refused 21-04-16

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council
Parish Council - No objection.

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary

DEVELOPMENT PLAN POLICIESArun 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
SDSP2	SD SP2 Built-up Area Boundary

Rustington Neighbourhood Plan 2014 Policy 2 Housing Design**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan.

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.

Policy 2 of the Rustington Neighbourhood Development Plan states that development proposals will be supported providing that their scale, density, massing, height, landscape design, layout and materials reflect and enhance the established character of the area.

DESIGN AND VISUAL AMENITY

The application seeks to remodel and modernise the host dwelling, by way of various alterations, and extensions. The locality is host to a wide variety of dwelling designs, types and scales. Therefore, it is considered that the area has a mixed character. Previously refused application R/13/18/HH is noted, however, it is considered that this proposal addresses previous concerns.

The proposed development is considered to result in a change of appearance of the host dwelling, as a result of its scale, but it is not considered to have a significantly detrimental impact on the established character of the host dwelling as a result of its design, and use of materials. The proposed two storey side extension is readily visible from the street scene, as a result of its siting and scale. However, resultant of its relationship with the host dwelling in terms of scale and design, it is considered to be a subservient addition to the host dwelling. Whilst it changes its roof shape, the two storey side extension is not considered to have a harmful impact upon the spatial pattern of the locality, as a result of the inconsistent roof shapes that appear in the area.

The proposed side extension, to be used as a garage, will be visible from the street scene, as a result of

its siting. Whilst the proposal is considered to comprise a change to the appearance of the host dwelling, it is not considered to have a harmful impact on the character of the host dwelling. Due to its configuration, the extension will not extend beyond the existing Easternmost (front) projection of the host dwelling. Resultant of this, and its scale and design, the proposed development is considered to appear well integrated with, and subservient to the host dwelling. Due to the boundary treatment at the front of the site, there will be few views available of the proposed front extension from the public realm. This is considered to allow this element of the proposal to have no significantly harmful impact upon the character of the locality, or the host dwelling.

The proposed development is not considered to conflict with Rustington Neighbourhood Development Plan Policy 2 and D DM4(b) of the Arun Local Plan as well as policy D DM1(1) and (2) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to give rise to any significant impact on the residential amenities of neighbouring dwellings. Whilst the distance between the proposal, on the Southern side, is noted to be reasonably close to the adjacent dwelling, it is not considered that this would have any significantly harmful impact upon the residential amenities, as the proposal slopes down to an eaves height of 2.5m, when adjacent to this boundary. With regard to overlooking, the proposed development is not considered to result in any loss of privacy to adjacent occupiers, in that most of the proposed openings are at ground floor level, and therefore, provide views that are no different to those existing from the application site at current. There are proposed openings are first floor level, however, to the East, and West, these are not considered to result in any change to views available. To the North and South, there is only one window which has potential to result in a loss of privacy, which is shown as obscure glazed, on the submitted plans.

Therefore, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

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

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

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:

- Proposed Block Plan - BBO - 1002 - Rev. 00 - June 2019
- Proposed Site Plan - BBO - 1004 - Rev. 00 - June 2019
- Proposed Floor Plans - 2003 - Rev. 00 - June 2019
- Proposed Elevations - 2005 - Rev. 00 - June 2019
- Proposed Roof and Sections - 2004 - Rev. 00 - June 2019

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 The window on the first floor, Northern elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

- 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.