

REPORT UPDATE

Application No: R/13/26/HH

Reason for the Update / Changes

Officers Comment: An objection has been received concerning overlooking of a nearby occupier. The impact of the proposed development on neighbouring properties, including overlooking impacts, is assessed within the conclusions section within this report.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

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

REF NO: R/13/26/HH

LOCATION: 33 Windmill Drive
Rustington
BN16 3HL

PROPOSAL: Single storey side and rear extension and loft conversion including 1 No. rear dormer and front rooflights and installation of solar panels.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application proposes single storey side and rear extensions, a loft conversion including 1 No. rear dormer, front rooflights, the installation of solar panels, and an open canopy front porch.

It needs to be determined by Planning Committee because the applicant is an Arun District Council employee.

REPRESENTATIONS

Rustington Parish Council - No objection.

No representations received from nearby occupiers to date.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIES

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

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a semi-detached bungalow located at 33 Windmill Drive, located within Character Area 6 of the Rustington Neighbourhood Plan (RNP); therefore, the proposal must also be assessed against Policy 2. This application seeks planning permission for the construction of single storey side and rear extensions, a loft conversion including 1 No. rear dormer, front rooflights and the installation of solar panels, and an open front porch canopy.

The proposed development is sited within a residential area characterised with a wide variety of semi-detached bungalows, and semi-detached and terraced houses of varying bulk; of which many have constructed rear and side extensions.

The proposed single storey side (south east) extension would have a depth of 3.6m and a width of 3.3m. The roof would have a height of 3.7m and an eaves height of 2.3m. It is noted that the proposed single storey side extension would replace an existing conservatory, and the hipped roof design would sympathetically reflect the host dwelling. Part M of the Arun Design Guide (ADG) states side extensions should be set back from the existing house in order to be subservient and be set down from the existing roof ridge height by a minimum of 0.5m and have a building frontage no greater than 70% of the existing building. As such, the proposed side extension would comply and not be of harm to the street scene and therefore would be in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and policy 2 of the RNP.

The proposed single storey rear (north east) extension would have a depth of 4m and a width of 7m. It is noted that the proposed single storey rear extension would exceed ADG depth guidance of 3.3m by 0.7m. However, sufficient garden depth of 16.4m would be retained and the proposed extension is not dissimilar in scale to an extension which could be constructed under permitted development. The flat roof would have a height of 3.2m and an eaves height of 2.8m, containing two rooflights with a height of 3.5m. The rooflights would be in accordance with Part M of the Arun Design Guide (ADG) as they would maintain the privacy of the neighbouring properties.

The proposed loft conversation would include the construction of a rear dormer (north east) with a width of 7m and a depth of 4.1m. The dormer would have a flat roof height of 2.4m and an eaves height of 2.2m. The dormer would be of a size and scale which could be constructed under permitted development rights.

The relevant design guidance, as set out in Part M of the ADG and outlined within policy 2 of the RNP states roof alterations should not detract from the character and appearance of the dwelling or wider area, and that dormers should be proportionate and minimise interference with the original form, appearance, and fabric of the host dwelling. The proposed development would alter the bulk of the

property; however, the main roof ridge height would be retained, and the development would not project beyond the original footprint of the property. These measures would ensure that the proposal minimises visual harm upon the locality and complies with the ADG and policy 2 of the RNP.

Whilst not a subservient addition to the rear roof slope, given the location, design, size, and scale, the proposed rear dormer would not appear incongruous or prominent within the street scene. The neighbouring (west) dwelling has a comparable size rear dormer, and as such, the proposed development would be considered proportionate and of similar scale and therefore be in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and policy 2 of the RNP.

The proposed open front porch canopy would have a depth of 1.2m and a width of 1.6m. The hipped roof would have a maximum height of 3m and a maximum eaves height of 2.3m. The proposal would be finished with half brick and timber post pillars and roof tiles to match the host dwelling. Part M of the Arun Design Guide (ADG) states canopies should provide a threshold space between the interior and exteriors and add emphasis to the entrance, and consideration should be given to the impact on the surrounding street scene.

Given that the proposed open front porch canopy would be in accordance with the ADG depth of 1.5m, and that the host dwelling is set back from the front boundary of the application site, the proposal would not appear incongruous or prominent within the street scene. As such, the proposed open front porch canopy would be acceptable and not of harm to the street scene and would therefore be in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and policy 2 of the RNP.

Fenestration on the front (south west) elevation would reposition the front door 2.2m to the east replacing an existing two-casement window and a full-height glazed conservatory would be replaced with a three-casement window set within the proposed side extension. Within the front (south) roof slope would be three rooflights. It is noted that the neighbouring (west) dwelling has rooflights within the front roof slope. The number of rooflights would be proportionate and would not result in harm to visual amenity.

Proposed fenestration on the side (south east) elevation would be an overall reduction with the removal of the full-height glazed conservatory leaving two windows, whilst fenestration on the side (north west) elevation would be maintained. On the rear (north east) elevation, existing ground floor fenestration would be replaced with a four-panel bi-fold door and at first floor level the proposed fenestration would be two three-casement windows set within the proposed rear dormer. The proposed fenestration would be finished in Black Crittall.

The proposed development would be finished with brick to match the existing dwelling, with all flat roof elements finished in GRP. The proposed dormer and main pitched roof would be finished in grey concrete tiles which would be a variation of the existing brown roof tiles. However, it is noted that re-roofing of the host dwelling could be carried out under permitted development and the alterations to the external materials would not result in significant harm to visual amenity.

The proposal seeks the installation of solar panels to the front (south western) roof slope. The solar panels would be visible from the street scene and would be integrated sympathetically within the roof slope with the use of grey concrete roof tiles. It is noted that there are existing solar panels on the western and southern roof planes of the neighbouring (east) property and as such, the proposal would not out of character with the surrounding area.

Given the varied size and bulk of neighbouring dwellings, the development would not appear unduly dominant nor result in harm to the character, appearance, or visual amenity of the host dwelling or street scene. Therefore, the proposal would be in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and policy 2 of the RNP.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal would be set in from the neighbouring side (south east) boundary by 1m, set back from the rear (north east) boundary by 16.4m and set in from the neighbouring side (north west) boundary by 0.2m increasing to 1.1m to the rear.

The proposed single storey side (south east) extension would reduce the separation distance between the neighbouring south east boundary by 0.7m to 1m. This would comply with the separation distance as set out in Part M of the ADG. Given the spacing maintained between the extension and the neighbour to the south east, and the height and scale of the extension, the proposal would not result in overbearing or overshadowing impacts to the neighbour to the south east.

The proposed single storey rear extension would be set in from the north west (side) boundary by 0.2m extending to 1.1m and set in from the south east (side) boundary by 0.9m at its deepest point. It is noted that the depth of the rear extension would exceed the 3.3m depth guidance for rear extensions as outlined in the ADG. However, it is acknowledged that an extension not dissimilar in scale could be constructed under permitted development and given the existing high boundary treatment and the flat roof design and height the proposed single storey rear extension, the extension would not result in significant overshadowing or overbearing impacts to the neighbouring dwellings.

The proposed loft conversion and rear dormer would abut the neighbour's existing dormer to the west. It is acknowledged that a dormer of a comparable size and scale could be constructed under permitted development and given that the rear dormer would be contained within the existing rear roof slope of the host dwelling, and the spacing maintained between the rear dormer and neighbouring properties, the proposed development would not result in harm to the neighbouring residential amenity by way of overbearing or overshadowing impacts to neighbouring properties.

Overall, the proposed development would not result in overbearing or overshadowing impacts to neighbouring properties and would therefore be in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and policy 2 of the RNP.

Proposed fenestration on the front elevation would have an outlook of the front amenity serving the host dwelling. On the side (south east and north west) elevations, the proposed fenestration would have an outlook of existing high boundary treatments and therefore would not result in overlooking. Fenestration on the rear elevation would have an outlook of the rear amenity of the host dwelling. At first floor level, there would be some increased overlooking towards the rear gardens of neighbouring dwellings from the proposed dormer. However, given the large separation distances any such impact would not be harmful and would not result in unacceptable overlooking or loss in privacy to the neighbouring dwellings.

The proposed development would not result in harm to neighbouring residential amenity by way of overbearing, overshadowing, or overlooking. The proposed development is therefore in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and policy 2 of the RNP.

PARKING

The proposed development would result in the creation of two additional bedrooms (four bedroom dwelling). The application site has parking provision within the frontage for two vehicles. As such, the proposal would result in a parking shortfall of one space. Whilst this shortfall is noted, the proposal would not result in demonstrable harm to highway safety, and the proposal is acceptable in this instance.

SUMMARY

The proposed development is in accordance with relevant development plan policies 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

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 plans:
 - Location Plan S301.
 - Block plan S302.
 - Proposed Floor Plans P201 Rev B.
 - Proposed Elevations P202 Rev B.
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 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).

- 4 INFORMATIVE: This application does not include the installation of an Air Source Heat Pump (ASHP). Should the applicant wish to install an ASHP in the future, they would need to ensure that the development either compiles with permitted development rights as per the General Permitted Development Order 2015 (as amended), or is subject to a separate planning application, as appropriate.
- 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 NPPF.