

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

REF NO: R/14/21/HH

LOCATION: 7 Worthing Road
Rustington
BN16 3JU

PROPOSAL: First floor enclosure of balcony to form new room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct a first floor enclosure of a balcony to form a new room.
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The materials used to construct this enclosure will include the walls being made from timber framed construction and a rendered finish. The roof of this enclosure will be a grey fibreglass finish flat roof. This enclosure will sit at the rear of the property at the southern boundary and will be 5.51m to the eastern boundary, 11.57 to the south and 8m to the western boundary.

At the west elevation the first floor enclosure to the balcony will 2.32m in height with a length of 1.05m, the flat roof will sit 2.32m below the host dwelling roof. At the east elevation the proposal will be 2.65m in height with a length of 1.29m. At the southern elevation the proposal will be 4.27m in height with a length of 5.08m. A window will be located at this elevation measuring 1.02m in height with a length of 0.93m.

RELEVANT SITE HISTORY

R/190/15/HH	Extensions including annex & associated alterations	ApproveConditionally 09-10-15
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REPRESENTATIONS

No objection from Parish Council.
No representations from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary.

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:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework
NPPDG	National Design Guide

CONCLUSIONS

PRINCIPLE

The key policies are 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 proposal will be situated to the rear of the property at the southern elevation built over the existing balcony and this will also be built above the ground floor extension. This enclosure of the balcony will not be visible from the street scene and wider area due to the roof height which will sit below the host dwelling roof height.

The main footprint and height of the balcony enclosure will be positioned to the rear of the dwelling, the roof height of the new room will be 1.12m below the roof height of the main dwelling which the room will sit behind, therefore allowing the extension to be well integrated into the existing dwelling. As a result, this will lead to there being no impact on the street scene.

The proposed development has a maximum height 4.27m which brings the projection to a total height of 7.86 and length of 5.08m which brings the projection to a total length of 10.9m. The first floor enclosure of balcony uses materials which are of good design, due to these factors the extension is considered to

appear subservient to, and well integrated with the host dwelling.

As a result this proposal is not considered to result in an adverse appearance on the street scene, or result in a harmful impact upon the host dwelling, and as such, is deemed to be in accordance with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan and J.01 of the Arun Design Guide which outlines that built form and character varies considerably throughout the Arun District as a whole and within the settlement character areas identified in section C.06 of the design guide. Also section M, referring to householder extensions. Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing. It is considered this is achieved, with the addition appearing well integrated and sympathetic in design to the host dwelling.

RESIDENTIAL AMENITY

The first floor enclosure of balcony has a significant boundary varying from 11.57m at the south to 5.51m to the eastern boundary. The enclosure of the balcony is at the rear of the property and has views which look out to the southern boundary where there is 11.57m to the boundary. A window is located on the boundary which looks out to the south, however due to this boundary there will be a sufficient distance from its southern neighbour. Therefore it will have minimal impacts by way of overshadowing or overbearing effects on the neighbour.

In terms of any openings the window located for the new room which looks out to the south is the same height as the existing windows of the host dwelling at the rear of the property. Therefore the views which the window will look out onto will be the same as what is existing.

As such, 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 accords 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.

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 and block plan 1419/001
- Proposed elevations 1419/005

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 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.