

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

REF NO: R/152/25/HH

LOCATION: 7 Hawley Road
Rustington
BN16 2QD

PROPOSAL: Conversion of garage to habitable use, first floor side extension and alterations to rear roof, including installation of rooflights and alterations to fenestration.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Rustington Parish Council - Objection. The proposal to construct a two-storey extension extremely close to the northern boundary, by reason of its height, mass and a loss of light, would be overbearing for the occupiers of the neighbouring property, namely No. 5 Hawley Road, and would most certainly adversely affect their visual amenities and quiet enjoyment to an unacceptable degree. The proposal would be in conflict with Policy 2 of the Rustington Neighbourhood Plan which states that any development should not impact on surrounding properties.

No representations were received from nearby occupiers.

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-res)

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 detached property with an attached garage. The proposal seeks to convert the garage to habitable use, and construct a first floor side extension. The garage conversion would involve the

replacement of the garage door with a window, and the enlargement of a ground floor side window. The alteration would not have a significant impact on the appearance of the property. There are various other alterations to the fenestration proposed, including the insertion of roof lanterns within the existing single storey rear extension. These will project a maximum of 0.7m from the roof, and are to the rear of the property. The lanterns would not harm the character of the property. A further ground floor window on the rear elevation would be replaced with a smaller window in the same location, and a window on the south elevation would be enlarged. The overall impact of these changes would be minor, and would not harm the character or visual amenity of the area.

The first floor side extension would extend over the attached garage in place of the existing cat slide roof. The addition would have a hipped roof, which would be in keeping with the main roof of the dwelling, and would be set down from the main roof, ensuring that the addition remains visually subservient in accordance with Arun Local Plan (ALP) policy D DM4. The materials for the extension would be fibre cement cladding in a light grey colour, and roof tiles to match the existing. There is no cladding on the dwelling, and there is no cladding visible from the public realm in the immediate vicinity. However, there are a wide variety of materials present on the street scene, including brick, painted brick, render and tile hanging. The introduction of a small amount of cladding would not result in harm to the character or visual amenity of the property, or the wider area, in accordance with ALP policies D DM1 and D DM4.

The proposal would not result in harm to the character and visual amenity of the dwelling or the surrounding area in accordance with ALP policies D DM1 and D DM4, Policy 2 of the Rustington Neighbourhood Plan and the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The site has neighbours to either side and to the rear. The garage conversion would involve the insertion of a window on the front elevation and replacement of a window on the side elevation with a larger, obscurely glazed window. The roof lanterns and reduced ground floor rear window would not impact neighbouring properties. The enlarged window on the south elevation is at ground floor level and would not significantly increase views of neighbouring properties.

The first floor side extension would extend towards the property's neighbour to the north, leaving a separation distance of 1.7m. The neighbouring property has a small window on this elevation at first floor level, which would experience some loss of light and outlook. However, we are informed that the window serves a front bedroom, which is also served by a larger window on the front elevation. The proposals will not impact the residential amenity of this neighbour to a harmful degree such that an application be refused.

The proposals are in accordance with ALP policies D DM1 and D DM4 and Rustington Neighbourhood Plan policy 2, in that they do not result in unduly harmful impacts on neighbouring amenity by way of overbearing, overshadowing or overlooking.

PARKING

The garage conversion would result in the loss of a single off-street parking space. The Parking Plan demonstrates that space would remain for at least two cars to be parked on the driveway, which means that the parking provision remains in accordance with the Arun Parking Standards and ALP policy T SP1.

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

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:

- Existing Block Plan, Location Plan and Parking Plan
- Proposed Plan and Elevations P02

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 roof of the first floor extension 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.