

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

REF NO: R/157/20/HH

LOCATION: 70 Sea Avenue
Rustington
BN16 2DJPROPOSAL: Hipped roof to gable end to west elevation. Roof dormer to north elevation.
Pitched roof to replace flat roof to existing dormer to east elevation and external
and internal alterations.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

Rustington Parish Council:

No Objection providing the dormer window to the north is obscure glazed.

No representation from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary

Tree Preservation Orders

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:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

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 proposed development will be visible from the street scene, due to it performing a conversion to the roof. However, the locality is host to a wide variety of roof designs and styles, and therefore, the conversion from a hipped roof, to a gable is not considered to result in any harm to justify refusal of the application.

The significant size of the proposed dormer on the north elevation is noted, however, due to its siting on the host dwelling, it will only be partially visible within the street scene so that it will not have a demonstrable impact on the street scene as is the case to the smaller dormer on the front elevation.

The new Juliette balcony to the rear is considered to replicate that of the design of similar windows currently in place on the existing dwelling at the rear.

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

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significant impact upon the residential amenities of the neighbouring dwellings, by way of overshadowing or overbearing impact. This is because whilst the proposed development projects at first floor it is in line with the footprint of the affected neighbouring property to the north. As such, the proposed development is not considered to result in an overbearing impact upon the amenities of neighbouring occupiers.

Furthermore, the proposed development is not considered to result in a loss of privacy to neighbouring occupiers as the proposed openings this is due to the distance from the boundaries and the dormer to the front giving views of the street scene.

There is one window proposed on the Northern elevation of the proposal, with potential for views towards the adjacent dwelling, this window will be conditioned to be obscure glazed and fixed to be non-opening below 1.7m.

The Juliette Balcony to the rear is not considered to cause any overlooking of the properties to the rear as the proposal maintains approximately 20m to the boundary and approximately 40m to the rear of the

neighbouring property.

The application 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

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 and Block Plan 220/598/1
 - Existing Ground and Pro + Ex Side 220/598/2
 - Existing Elevations and Roof Plan 220/598/3

- Proposed Floor Plans 220/298/4
- Proposed Elevations and Roof Plans 220598/5

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 proposed windows at first floor level in the Northern elevation of the building as shown on drawing number 220/598/5 shall at all times be and remain glazed entirely with obscure glass and non opening to 1.8m from the finished ground floor.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 and D DM4 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.