

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

REF NO: R/158/25/HH

LOCATION: 3 Dawtrey Close
Rustington
BN16 3SD

PROPOSAL: Single storey rear extension to facilitate conversion of garage to habitable use and installation of rear lean-to.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Rustington Parish Council - Objection on the basis of:

- The proposal, which would, in effect, mean that the garage linked to the adjacent property would become an adjoined residential unit, would have an adverse effect on the quiet enjoyment of the occupiers of the neighbouring property, namely No. 4 Dawtrey Close, and thus conflict with Policy 2 of the Rustington Neighbourhood Plan.
- The proposal to facilitate the conversion of the garage to habitable use should only constitute an ancillary part of the existing property and should not be used for separate independent living or as an additional dwelling on the site at any time in the future.
- The proposed lean-to extension does not appear to be shown on the submitted plans.

Comment - The proposed lean-to is indicated on the 'Proposed Plans and Elevations 02 plan'.

Responses from nearby occupiers:

2 No. letters of objection received for the following reasons:

- Concerns regarding depth of rear extension.
- Concerns regarding noise level from the garage conversion.

CONSULTATION RESPONSES RECEIVED:

Comments noted.

POLICY CONTEXT

Built Up Boundary Area.

Within an area with potentially high ground water.

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)
ENVDM5	ENV DM5 Development and biodiversity

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD11	Arun Parking Standards 2020

CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a semi-detached dwelling located at 3 Dawtrey Close. This application seeks planning permission for the construction of a single storey rear extension to facilitate the conversion of an existing linked garage to habitable use and the installation of rear lean-to.

The existing garage is sited to the eastern flank elevation of the host dwelling and is visible from the street scene. As such, the proposed alterations to the garage, including the replacement of the garage door with a window to facilitate its conversion, would be visible from the street scene. The proposed single storey rear extension and lean-to are sited to the rear elevation of the host dwelling and would not be visible from the street scene.

The proposed garage conversion would maintain the existing garage footprint with an approximate width of 2.5m and an approximate depth of 5.25m. The existing garage would maintain a pitched roof with a maximum height of 4m. Fenestration to the front (south) elevation would replace the existing garage door with a single UPVC double glazed window. The proposed materials would match the existing.

It is noted that the proposed garage conversion would not have its own entrance on the front (south) elevation, and would be accessed via the rear garden of the host dwelling, however, given the conversion and extension would provide an additional bedroom and bathroom, it is reasonable to attach a condition to this planning permission to require the garage conversion and extension to remain ancillary to the host dwelling, thereby avoiding any future subdivision from the main dwelling.

The use of materials would ensure the garage conversion integrates appropriately with the host dwelling and preserves its character, in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4, the Arun Design Guide (ADG) and policy 2 of the Rustington Neighbourhood Plan (RNP).

The proposed single storey extension to the rear of the garage would have a width of approximately 2.4m, a depth of approximately 2.6m and a flat roof form with a maximum height of 2.6m.

The proposed single storey rear extension would be finished with matching brickwork to the host dwelling, and the flat roof would be finished with three layers of hot roll felt. Fenestration to the side (west) elevation would comprise a small UPVC obscurely glazed window.

The proposed lean-to would have an approximate width of 2.25m and an approximate depth of 1.5m, extending between the garage and host dwelling. The proposed lean-to would have a flat roof with a maximum height of 2.6m and would be finished with three layers of hot roll felt.

The use of materials would ensure the single rear extension and lean-to integrates appropriately with the

host dwelling and preserves its character, in accordance with Arun Local Plan policies D DM1 and D DM4, the Arun Design Guide (ADG) and policy 2 of the Rustington Neighbourhood Plan (RNP).

NEIGHBOURING RESIDENTIAL AMENITY

The proposed garage conversion would retain its existing depth, width and height and would be used as a bedroom. The proposal would maintain its existing position, set back from the front elevation of the adjoining neighbouring dwelling to the east, abutting their ground floor amenity. Whilst it is noted that the garage is currently not in habitable use, the conversion of the garage to a bedroom would not result in significant noise or disturbance, or any overbearing or overshadowing impacts to the neighbouring dwelling.

The proposed fenestration would have an outlook across the front amenity serving the host dwelling and the proposed door within the western flank elevation would be significantly set in from the western side boundary. The proposed garage conversion would not result in overlooking to the neighbouring dwellings.

The single storey extension would extend from the rear of the garage, and it would extent adjacent to the eastern side boundary, set in approximately 0.15m. The proposed single storey rear extension would have a width of approximately 2.4m, a depth of approximately 2.6m and a flat roof with a maximum height of 2.6m. The proposed extension would therefore comply with the guidance depth of 3.3m for single storey rear extensions, as outlined within the Arun Design Guide (ADG). Whilst the rear extension would be constructed within close proximity to the eastern side boundary, given the depth, height and flat roof form of the extension, and the existing high level close boarded boundary treatment along the eastern side boundary, the proposed rear extension would not result in significant overbearing or overshadowing impacts to the neighbour to the east. The proposed extension would be significantly set in from the western side boundary, and would not result in any harm to the neighbour to the west.

The fenestration proposed within the single storey rear extension would have an outlook of the rear garden amenity serving the host dwelling and would not result in loss of privacy or overlooking to the neighbouring dwellings.

The proposed lean-to would have an approximate width of 2.25m and an approximate depth of 1.5m, extending from the western flank of the existing garage, across the rear elevation of the host dwelling. The proposed lean-to would have a flat roof with a maximum height of 2.6m. It would provide cover from the elements and would not result in harm to neighbouring residential amenity by way of overbearing, overshadowing, or overlooking.

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 Arun Design Guide (ADG) and policy 2 of the Rustington Neighbourhood Plan (RNP).

BIODIVERSITY

Arun Local Plan policy ENV DM5 requires all developments to achieve a net gain in biodiversity. This application is accompanied by a Biodiversity Enhancement Statement but as the proposed single storey rear extension to facilitate conversion of garage to habitable use and installation of rear lean-to is converting an existing garage and covering a small section of an existing patio area, there is no loss of habitat and therefore a condition to secure enhancements is not required in this case.

PARKING

Part I of the ADG requires dwellings of four or more bedrooms to provide three parking spaces. Although the garage space would be lost to habitable use, with its existing depth of 5.2m and approximate of 2.4m

it fails to meet current garage dimensions of 3m width and 6m depth which would be considered appropriate to accommodate a vehicle. Therefore, there is no loss of parking and the proposal would not reduce existing off-street parking provision and consequently a condition to secure additional parking is not required in this case. The proposal would comply with the parking requirements set out in the ALC Arun Parking Standards SPD 11.

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.
- Block Plan.

- Proposed Plans and Elevations 02.

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 garage conversion and extension hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 3 Dawtrey Close and shall not be used as a separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.