

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

**REF NO:** R/15/19/HH

**LOCATION:** 28 The Crescent  
Rustington  
BN16 2PF

**PROPOSAL:** Convert existing garage to habitable space, new oriel window replacing existing, render to existing brick frontage & part side walls & replacement of flat roof with pitched tiled roof.

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| <b>SITE AND SURROUNDINGS</b> |
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| DESCRIPTION OF APPLICATION | The proposed development seeks to convert the existing garage to habitable space, and perform other alterations to the host dwelling. These include a replacement window, rendering of some walls and the replacement of an existing flat roof with a pitched tile roof. |
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| <b>RELEVANT SITE HISTORY</b> |
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|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| R/12/17/CLP | Application for a Lawful Development Certificate for a proposed single storey rear & side extension to enlarge kitchen & bedroom & single storey side entrance porch. | PP Not Required<br>20-03-17 |
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| <b>REPRESENTATIONS</b> |
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**REPRESENTATIONS RECEIVED:**

Rustington Parish Council  
Parish Council - No objection.

1 letter of objection from nearby occupier:

- The East & North elevations show a porch with a pitched roof, as opposed to a flat roof.
- The proposal does not allow for pitched roof overhang.
- Future water damage to #30.

**OFFICERS COMMENTS ON REPS RECEIVED:**

Noted. The overhang concerns and the water damage concerns are not material planning considerations. The Existing Plans do not form part of the plans condition, so therefore, do not apply.

**CONSULTATION RESPONSES RECEIVED:**

None.

## POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

### DEVELOPMENT PLAN POLICES

[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                                            |
| SDSP2 | SD SP2 Built-up Area Boundary                           |

[Rustington Neighbourhood Plan 2014 Policy 2](#)      Housing Design

### PLANNING POLICY GUIDANCE:

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

## CONCLUSIONS

### PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. 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.

### DESIGN AND VISUAL AMENITY

The conversion of the garage to a habitable room involves the addition of a new window, whilst this is sited at the front of the dwelling, and therefore is visible from the street scene, it is not considered to have a significantly harmful impact upon the character of the host dwelling. The proposed oriel window will match the one existing on the host dwelling, which is considered to allow the host dwelling to appear symmetrical at ground floor level. The proposed change from a flat roof, to a mono-pitch roof is considered to be a subservient and well integrated addition to the host dwelling. The proposed rendering of the dwelling is not considered to cause the host dwelling to appear incongruous within the locality, as the area is populated by a variety of dwelling styles and designs, of mixed characters and appearances.

Therefore, the proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) 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 neighbouring dwellings. This is as a result of the separation distance between the proposed roof and the neighbouring dwelling, also, the aspect of the development. Whilst it is noted that the proposed development features a new window, as a result of its siting it will only provide views towards the street, which are not considered to result in any loss of privacy to occupiers of the nearby dwellings.

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 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**

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:

- Site Location & Site Layout Block Plans - 1911.P.01 - Jan 2019
- Floor Plan - as Proposed - 1911.P.04 - Jan 2019
- Proposed Elevations - 1911.P.05 - Rev A - Jan 2019

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.