

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

REF NO: R/161/19/HH

LOCATION: 27 Park Drive
Rustington
BN16 3DZ

PROPOSAL: Enlarge existing rear dormer incorporating a new false pitched roof to finish.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

R/42/15/HH	Replace existing flat roof to lounge with tiled lean-to roof (to be carried out in conjunction with works approved under R/153/14/HH)	ApproveConditionally 09-04-15
PAA/170/14/	CHANGE FLAT ROOF ON FRONT ELEVATION (OVER LOUNGE)TO A TILED LEAN-TO ROOF	Approve Pre App 12-01-15
R/153/14/HH	New first floor extension over existing ground floor bedroom projection; new front dormer window to serve existing first floor bedroom	ApproveConditionally 18-08-14
R/52/13/	Change of use of land to incorporate grass verge at front of property to become part of driveway & erection of fence to front (south)	Refused 03-05-13
R/192/11/	Single storey rear extension	ApproveConditionally 11-10-11
R/114/06/	Proposed loft conversion with gable ends and a dormer	ApproveConditionally 28-06-06

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council

Parish Council:

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Within the 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
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 SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local 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 development proposals (including alterations to existing buildings) will be supported, provided that their scale, density, massing, height, landscape design, layout and materials reflect the architectural and historic character and scale of the surrounding buildings and landscape. Proposals must also comply with the parking standards adopted by the planning authority.

DESIGN AND VISUAL AMENITY

Due to the positioning of the property, the proposed dormer is not visible from the street scene. Whilst the proposed dormer extension is considered to represent a change in appearance to the host dwelling, it is not considered to have a significantly harmful impact upon its established character as the proposal is an enlargement of a previous development. Additionally, there are examples of similar developments within the area, which is considered to allow the proposed dormer to not have any significantly detrimental impact upon the established character of the host dwelling, or its locality.

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 dormer resultant of its size & siting is not considered to give rise to any overshadowing or overbearing impact on occupiers of nearby dwellings. Whilst the resultant dormer will be closer to its neighbours to the rear there remains a sufficient distance that allows for loss of privacy to adjacent dwellings to be mitigated.

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

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 Plan
-Proposed elevations and floor plans (02)
-Cross Section A-A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 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.