

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

REF NO: R/178/24/HH

LOCATION: 12 Hobbs Way
Rustington
BN16 2QU

PROPOSAL: Enlargement of existing roof conversion with hip to gable, larger side dormer, additional front roof lights and relocate side window to front. Demolition of existing garage and sheds, and replace with new garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

R/136/24/CLP	Enlargement of existing roof conversion with new staircase location, hip to gable roof conversion, larger rear dormer and additional roof lights. Garden buildings, replacement of existing garage with larger garage set further back into garden.	PP Required 11-09-24
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REPRESENTATIONS

Rustington parish Council - No objection.

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&alter to exist builds(res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site occupies a corner plot at the end of a cul-de-sac. The replacement garage would be visible from the street scene and it is noted that the alterations to the main dwellinghouse would be visible from the street scene to some extent from certain angles and that the alterations would be visible from neighbouring properties. The existing garage has a separate vehicular access onto Hobbs Way to the main dwelling, and this arrangement is to be maintained in the current proposal. The garage is to be enlarged following the demolition of the existing garage and outbuilding. The replacement garage would be set further back from the street than the existing and would be set in slightly further from the neighbouring boundary than the existing outbuilding. The proposed garage would measure 5.5m by 5.5m with a flat roof measuring 2.4m high. Although the proposed garage would be larger than the existing, the additional width would extend towards the property's own amenity space. The garage would be well set back from the road and would replace the existing garage, thus it would not negatively impact the visual amenity of the area.

The proposed roof alterations to the roof would include a hip to gable extension to the rear (east) elevation. There are gables currently present to parts of the existing roof and within the wider street scene. As such, this alteration is acceptable. The proposed dormer to the south elevation would replace an existing smaller dormer. The dormer would be 8.1m wide with a flat roof, in conflict with the Arun Design Guide which states that dormers should be minor incidents within the roof slope and should incorporate pitched roof in most cases. The dormer also partially conflicts with policy D DM4, as the dormer would not be set down from the ridge height, and its size would not give the impression of visual subservience to the main dwelling. Notwithstanding this, given that the existing roofline of the dwelling is complex, that there is an existing flat roofed dormer present on the roof slope of this elevation constructed in line with the main ridge, and that a dormer of a similar size and scale could be constructed under permitted development, the proposed dormer would be acceptable in this case. The proposed materials for the roof extensions are brown plain tiles to match the existing roof, and tile hanging on the dormer. These materials are appropriate for the location and reflect materials present on the existing dwelling.

Although the proposed alterations partially conflict with policy D DM4 and the Arun Design Guide, the proposal will not result in significant adverse impact upon the character of the area or harm its visual amenity. It is therefore in accordance with policies D DM1 of the Arun Local Plan and Policy 2 of the Rustington Neighbourhood Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed garage is located 1m from the boundary with the property's neighbour to the west. The garage has a flat roof which is 2.5m high. The garage is set in from the boundary and would have a low level roof form. Therefore, the proposed garage would not result in any adverse impact on the neighbouring property by way of overbearing or overshadowing.

The hip to gable roof extension would be constructed over the existing footprint of the dwelling, located away from boundaries with neighbouring properties and would not result in overbearing or overshadowing. The dormer associated with the roof extension would feature two windows on the south elevation. There is currently a window present on this elevation, although it is acknowledged that the dormer is used for storage at present. Nevertheless, the views gained from the proposed windows would not be dissimilar to those currently available from the existing dormer. There is a distance of 10m to the southern boundary, and a distance of approximately 26m to the rear elevation of the dwelling to the south. The dormer would therefore not result in undue harm to residential amenity by way of overlooking.

The additional proposed fenestration comprises two rooflights on the western elevation. These rooflights would be to the front of the property and would not result in overlooking effects.

The proposal is in accordance with policies D DM1 and D DM4 of the Arun Local Plan and does not result in unacceptable harm to neighbouring amenity. It also complies with Part M of the Arun Design Guide and the Neighbourhood Plan.

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:

- Location Plan

- Proposed Sections CH1242 / 009
- Proposed Plans CH1242 / 007
- Proposed Plans CH1242 / 006
- Proposed Elevations CH1242 / 008
- Location & Block Plans CH1242 / 001

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

- 3 The materials and finishes of the roof of the extensions 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.

- 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.