

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

REF NO: R/194/25/HH

LOCATION: 19 The Parkway
Rustington
BN16 2BT

PROPOSAL: Demolition of the existing porch and the construction of a new front canopy. Two-storey side and rear extension, a single-storey rear extension, and various internal and external alterations. Alterations to existing fenestration and external finishes. Addition of one flue to proposed log burner. Solar panel array to the South elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Rustington Parish Council - No objection.

1 letter of no objection but consideration of the following:

- A greater extent of overlooking from the proposed feature wide picture window of additional height and Juliet balcony.
- Overdevelopment.

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

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

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site is a detached two storey dwelling located at 19 The Parkway, Rustington. This application seeks planning permission for the demolition of the existing porch and the construction of a new front canopy, a new two storey side and rear extension, a single storey rear extension, and various internal and external alterations. Furthermore, it seeks planning permission for alterations to existing fenestration and external finishes with the addition of one flue to a proposed log burner and a solar panel array to the south elevation.

The proposed development is sited within a residential area with a wide variety of detached dwellings of varying height and bulk, set within generous plots. The proposed design would be in keeping with the established varying character of the area and would be visible to the street scene.

The proposed development on the front (west) elevation would include the demolition of the existing porch and the construction of a new front canopy. The proposed front canopy would maintain the existing depth of the porch, measuring 1.1m and would decrease the existing width by 1.9m to 3.9m. The mono pitched roof, incorporating the lower section of the first-floor bay window, would be replaced with a flat roof, reducing the height of the porch by approximately 0.6m to 2.9m.

Part M of the Arun Design Guide (ADG) states canopies should provide a threshold space between the interior and exteriors and add emphasis to the entrance, and consideration should be given to the impact on the surrounding street scene. Given that the proposed canopy would be in accordance with the Arun Design Guide (ADG) depth of 1.5m, and that the host dwelling is set back from the front boundary of the application site, the proposed porch would not appear incongruous or prominent within the street scene. As such, the proposed canopy would be acceptable and not of harm to the street scene and therefore be in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

The proposal includes the construction of a two-storey side (south) and rear (east) extension and part rear single-storey extension. It would have an approximate width of 4m and an approximate depth of 11.5m with a pitched roof form with a maximum ridge height of approximately 7.6m and an eaves height of approximately 5m. The rear ground floor level element would have an approximate maximum width of 8m. The proposal would result in the creation of a gable end to the southern flank and to the rear (east) elevations.

Due to the scale and massing, the proposed two-storey side and rear extension to the southern and eastern elevations of the host dwelling, would not be subservient and would be in partial conflict with policy D DM4 of the Arun Local Plan. However, it would be well integrated with the host dwelling and would not extend beyond the existing building line to the front and therefore the appearance of the extension would not harm the character or visual amenity of the area.

The proposed fenestration to the side (south) elevation at ground floor level would be two single horizontal high-level windows and at first floor level it would be a horizontal high-level window two-casement window and two vertical single windows. All first-floor windows would be obscurely glazed, with the window serving the bathroom being non-opening within 1.7m of the finished floor level, the window serving the dress rooming being non-openable and the window serving the rear bedroom would be bottom hung to open inwards.

The proposed fenestration to the rear (east) elevation at ground level would be large feature unit, a single glazed door and window on the northern flank. At first floor level there would be one two-casement

window and one three-casement window. At first floor level of the rear elevation of the extension, there would be a large feature window. This would comprise of a full-height, three-casement glazing arrangement incorporating a Juliet balcony. Above this would be a separate triangular three-casement feature window positioned within the gable end. There would also be a single roof light that would be in accordance with Part M of the ADG as it would maintain the privacy of the neighbouring properties.

All fenestration would be finished as double glazed UPVC in anthracite and the proposal would be finished with brick plinth, render and vertical composite cladding and composite slate roof tiles.

The existing central chimney, at approximately 9.8m high would be removed and a proposed flue on the side (southern) elevation would be installed with an approximate maximum height of 7m.

The proposal seeks the installation of an array of solar panels to the two side (south) elevation roof slopes. The proposed solar panels would be integrated sympathetically with the roof slopes and would be sited to the side (southern) elevations and would not be visible from the street scene. The roof would be tiled with composite slate roof tiles to complement the proposed external materials.

It is noted that the proposed materials and fenestration would differ from the existing external materials and would be modern in appearance, however it would not appear at odds with the character of the area, given the existing variations in terms of the styles and designs of dwellings within the street scene. The proposal applies these changes consistently across the proposed development, ensuring uniformity and a coherent appearance in accordance with Arun Local Plan policies D DM1 and D DM4, the ADG and the Rustington Neighbourhood Plan (RNP) policy 2.

The proposal would alter the scale and appearance of the dwelling, resulting in a larger and more modern form that would not be subservient to the original dwelling and would therefore be in conflict with Arun Local Plan policy D DM4. However, given the varied size, design and bulk of neighbouring dwellings and the dwellings within the wider street scene, the development would not appear unduly dominant nor result in harm to the character, appearance, or visual amenity of the street scene and surrounding properties. The proposed development is in accordance with Arun Local Plan policies D DM1 and D DM4 and the ADG and the RNP policy 2.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal would be set back from the front (western) boundary by approximately 9m, from the neighbouring side (southern) boundary by 1.1m, from the rear (eastern) boundary by 17m and from the side (northern) boundary by 3.1m.

The proposed development on the front (western) elevation would demolish the existing porch and construct a new front canopy. Given that the separation distance from the boundary is approximately 9m it would not result in overbearing or overshadowing to neighbouring dwellings. The proposed fenestration of the front (western) elevation would have an outlook of the host dwelling's front amenity; a U-shaped driveway with grassed area and would not result in overlooking to the neighbouring dwellings.

On the side (southern) elevation, the proposed first floor extension on the existing single storey extension would be set in a minimum of 1.1m from the side (southern) boundary and would therefore not comply with the guidance spacing outlined within the ADG. However, given that the proposal would not extend beyond the building line of the host or neighbouring (southern) dwelling, the proposed first floor extension to the southern elevation would not result in demonstrable harm by way of overbearing or overshadowing to the neighbouring dwelling. Whilst it is noted that there are two rooflights within the roof slope of this neighbour facing the application site, given the separation distance between the proposed two storey extensions and this neighbour, the proposal would not result in significant loss of light to the existing rooflights.

The proposed fenestration on the southern flank at ground level would have an outlook of existing high boundary treatment. At first-floor level, the three proposed high-level windows would be obscurely glazed, with the window serving the bathroom being non-opening within 1.7m of the finished floor level, the window serving the dress rooming being non-openable and the window serving the rear bedroom would be bottom hung to open inwards. A condition is attached to this planning permission to ensure that the first-floor southern elevation windows would be installed and retained in this condition to prevent unacceptable overlooking from occurring.

From the side (northern) boundary there would not result in any overbearing or overshadowing to the neighbouring dwelling given the proposal meets the separation distance of 2m from side boundaries at first floor or above in accordance with Part M of the ADG. All fenestration at first floor level would be removed and at ground floor level there would be a reduction from four to two windows with an outlook towards existing high boundary treatment. This would ensure there is no overlooking or loss of privacy to the neighbouring dwelling to the north.

The proposed development would maintain a spacing of approximately 15.7m from the neighbouring rear dwellings. The ADG Part M states rear extensions should preserve a garden amenity depth of at least 10.5m. Given the minimum rear garden depths for 16 and 18 Sea Avenue are 17.7m and 20.3m respectively, both exceed the ADG minimum depth. Therefore, the separation distances between the proposed rear extension and the rear eastern boundary would not result in overbearing or overshadowing impacts to neighbouring properties to the rear.

It is noted of a concern received in relation to overdevelopment. The proposal would extend over the existing single storey side extension and conservatories and given the varied size, design, and bulk of neighbouring dwellings, the development would not appear unduly dominant and would not result in demonstrable harm to neighbouring properties and is acceptable in this regard.

The proposed fenestration within the rear elevation would have an outlook across the rear amenity of the host dwelling and given the spacing maintained between the rear extension and the rear (eastern) boundary, the proposed rear extension would not result in overlooking to neighbouring properties to the rear. Whilst some views of neighbouring gardens would be available from the proposed fenestration, these would not be significantly different to the views from the existing fenestration and the proposal would not result in unacceptable overlooking.

A representation has been received in relation to the perceived overlooking from the proposed Juliet balcony and triangular three-casement feature fenestration at first-floor level. However, while the rear Juliet balcony may allow some oblique views toward neighbouring gardens, the rear garden maintains an approximate depth of 17m from the proposed two-storey extension which significantly limits any direct overlooking. Although there may be a perception that views could be obtained into neighbouring properties, any such views would be oblique, restricted, and would not result in material harm. Therefore, on balance, the proposed rear Juliet balcony will not be unduly harmful and would not give rise to unacceptable overlooking effects.

The proposed alterations to external materials would not result in any harm to neighbouring amenity.

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 and the ADG.

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:

- Proposed Ground Floor Plan 04.
- Proposed First Floor and Roof Plans 05.
- Proposed Elevations 06.
- Location and Block Plan 07.

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 three windows at first floor level within the southern flank elevation shall at all times be glazed with obscured glass to a level equivalent to Pilkington Level 3 or nearest equivalent

standard. Additionally, at all times the window serving the bathroom shall be non-opening below 1.7m above the finished floor level, the window serving the dressing room shall be non-openable and the window serving the rear bedroom shall be bottom hung to open inwards. This arrangement shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of adjoining properties 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.

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 NPPF.