

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

REF NO: R/222/21/HH

LOCATION: 42 Pigeonhouse Lane
Rustington
BN16 2BE

PROPOSAL: Single storey rear extension and hip to gable loft conversion with 2 x dormers following the demolition of existing rear conservatory

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks the demolition of an existing Conservatory, attached Garage and Cinema Room with the erection of a rear and side 1.5 storey extension, providing an enlarged Kitchen and Garage at ground floor level and 2.5 additional rooms within the roof space. This proposal includes the lengthening of the primary north-south ridge line creating a new portion of hipped roof with south facing dormer window, and, widening the east-west hipped roof to form a new gable to the front of the dwelling (east) and hipped roof to the rear (west), including a recessed balcony. The proposal also includes internal alterations to suit various rooflights and solar panels.
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REPRESENTATIONS

Parish Council - No objection.

3 letters of objection from neighbours;

- Overlooking to properties in Frobisher Way.
- Redline to boundary.
- Overlooking windows and balcony facing property to the North.
- Loss of light for property to the North.
- Chimney will cause smoke to blow over property.
- Dormer facing south will cause a loss of privacy.

Response from Agent;

- Rooflights are within Permitted Development.
- Balcony facing Frobisher Way is recessed within the roof pitch with the balustrade within the hipped roof.
- All North facing windows are Velux type and will be 1700mm from FFL.
- Boundary lines have been taken from OS maps.
- Outdoor Chimney will only be used for BBQs during summer months and will take smoke over gardens.
- Dormer to south will be non-opening below 1700mm and contain obscure glass.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

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)
ECCSP2	ECC SP2 Energy and climate change mitigation

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, the front extensions should not disrupt building lines, maintain and enhance frontages, be subservient to the host dwelling and respect the space between buildings; side extension should also be subservient to the host dwelling and respect the space between buildings and rear extensions should also not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

Rustington has a made neighbourhood plan and policy 2 is of relevance and states that proposals should have regard scale, density, massing, height, landscape design, layout and materials which reflect local architectural and historic character.

Policy ECC SP2 relates to energy and climate change mitigates and states that extensions should utilise energy efficient measures that reflect current standards, use design and layout to promote energy efficiency and incorporate decentralised, renewable and low carbon energy supply systems in development. This application proposes solar panels to the roof and it is considered that this accords

with policy ECC SP2.

DESIGN AND VISUAL AMENITY

The dwelling is a chalet bungalow with a small hipped front projection, a hipped roof with a single storey extension and conservatory to the rear. The proposal seeks alterations which change the appearance of the property in the street scene.

The existing front projection will be increased in width which consequently raises its ridge height to enable a first floor above, converting an existing hipped roof to a gable with a triangular casement window facing to the east. To the western end of the property (towards the rear), this ridge line will be extended to cover the existing flat roof rear extension. The new roof provided will be a hipped roof and situated above kitchen/ dining area extending further over a newly created covered external kitchen/living area. To the first floor a new office will be created in the roof space. There will be a recessed balcony with the 1.1m high glass balustrade being retained within the roof structure. The scale of the new roof structure is considered to be visually subservient to the host dwelling and in line with Design Guidance seen an effective use of the plot.

A front dormer is proposed. There is one existing, however the proposed is larger and features a balcony facing east.

The primary ridge will be lengthened towards the southern side above the garage which itself is also being widened by 1.6m, and the hipped roof will include a southern facing obscure glazed dormer window to the Master Suite. The design of the roof above will remain hipped in line with the host dwelling to ensure it appears integrated and the scale of the dormer appears appropriate and is not unduly dominant upon the roof slope.

The surrounding area is of mixed design; however, the proposal is more contemporary than existing dwellings in the area and will appear slightly out of character. This is not considered such that a refusal is warranted. There are examples of dormers in the street scene. Materials consist of white render to the gable front and Siberian larch cladding and dark grey/stone black cladding to the front elevation. The roof will have slate roof tiles. There are properties which have these materials in the area with no. 48 featuring cedar cladding and no. 25 featuring white render. The materials are not considered to result in the dwelling appearing out of character.

Arun recently adopted a Design Guide which seeks to raise design in the district. Part M states 'the development takes a simple and unobtrusive form which does not overpower the existing or neighbouring properties, while taking the opportunity to incorporate innovative design. The proposal complies with this, appearing subservient whilst implementing a contemporary design. It also reflects the wider area , with similar materials present.

The proposal appears well integrated with the dwelling and is not significantly out of character with the wider area in accordance with D DM1 and D DM4 of the Arun Local Plan and Policy 2 of the Rustington Neighbourhood Plan.

NEIGHBOUR AMENITY

The alterations are not considered to result in adverse harm upon amenity. To the southern elevation the extended hipped roof above the garage and appropriately sized dormer sit within a small footprint increase of 1.6m to the garage, leaving a minimum of 1.42m separation gap between the wall of the garage and the boundary. Amendments during the course of the application have reduced the overhang of the eaves to the southern elevation from 1.1m to 550mm. As it had been originally designed there were concerns that the roof structure to the south eastern corner of the building would visually merge in with the roof line of the property to the south, when viewed from the street, given the angles of the

buildings. Now, there will be a clear separation distance, totalling about 800mm between the roof structures. Due to the design of the roof, extending away from the boundary, it does not appear overbearing. The dormer fronts an existing side dormer to No 44. The window will be obscured glazed to ensure no adverse views are available.

To the rear, above the existing extensions the proposed east/west running ridge line with a gable to the front and hipped roof to the rear, will be 4m in depth although at ground floor it will be an open space. The roof structure will be located over 12.5m away from the rear boundary, so even if the space underneath the roof is filled in at a future point, a rear garden over Design Guidance recommended levels will be retained. The rear projection of roof is within allowed limits set by the 45-degree rule when applied to the property to the north, which would be the most affected neighbour and the proposed rear roof extension would run no nearer to the boundary than already exists. The increase in bulk of the roof at this point on the property to the north is not of concern as it slopes away from the boundary, it is also noted there is a good separation distance between the application site and No. 40.

An inset balcony will be proposed, with the balustrade being built within the roof structure, this would highly restrain any new views achievable by the balcony over the property to the north. Views to the south into the rear garden of 19 Frobisher Way will be interrupted by the mature planting to the rear boundaries of both properties and various garden buildings to the property in Frobisher Way. Views into the rear of the the bungalows on Frobisher Way are not of concern due to a separation distance of over 45m. It is considered that there will be no overbearing, overshadowing or loss of privacy due to the increased roof structure or the west facing inset balcony.

The agent has confirmed that the north facing Velux roof lights will be above 1.7m from finished floor level and as such will cause no loss of privacy.

A condition will be placed on the various facing windows/ Velux's so that they will not cause overlooking in perpetuity.

Due to the siting and design, the proposal will not result in harm upon amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun.

SUMMARY

For the reasons given above the proposal is considered acceptable and approval of this application is recommended.

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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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 and Block Plan A 05 Rev 2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

- 3 The dormer to southern elevation hereby approved shall be non-opening below 1.7m above finished floor level and fully obscured windows prior to the first use of the rooms. The velux style roof windows to the northern elevation hereby approved shall not have a cill level lower than 1.7m above finished floor level prior to the first use of the rooms. The windows shall be retained as obscure glazed/non-openable below 1.7m and the rooflights shall remain non opening below 1.7m in perpetuity.

REASON: in the interests of protecting the privacy of neighbouring properties to the south and north in accordance with policy D DM4 of the Arun Local Plans and Part M of the Arun Design Guide.

- 4 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.