

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

REF NO: R/222/25/HH

LOCATION: 5 Vernon Close
Rustington
BN16 2NR

PROPOSAL: Single storey rear extension, loft conversion with rear dormer and rooflights to front, alterations to fenestration and removal of chimney stack.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Rustington Parish Council - No objection.

No representation 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 and alter to exist builds (res and non-res)

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**DESIGN AND VISUAL AMENITY**

The site is a detached bungalow along Vernon Close. This application seeks planning permission for a single storey rear extension, loft conversion with rear dormer, two rooflights to the front, alterations to fenestration and removal of chimney stack. The works would be partially visible from the street scene. The external materials will match those on the existing dwelling.

The proposed single storey rear extension would measure 2.3m in depth and 3.7m in width. It would mostly infill the area between the existing rear projection and an existing extension. The existing rear

extension will also be enlarged by 0.5m in width. The rear extension would match the eaves height of the existing and would have a flat roof with a maximum height of 2.9m. The Arun Design Guide (ADG) states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. Rear extensions which project up to 3.3m are generally acceptable, the proposed extension would comply with this guidance. The proposed rear extension would not extend any further than the existing rear extension. As such, the extension is acceptable, particularly as it would maintain a separation distance of approximately 9.3m from the rear boundary fence. As such, the extension would not result in harm to the character or appearance of the host dwelling.

Following the removal of the existing garage, the proposed single storey side extension would measure 3.1m in depth and 2.2m in width. The eaves height would match the existing rear projection and would have a maximum height of 2.9m. According to the ADG, side extensions should respond to building design in terms of roof pitch and use complementary and integrated materials and elevational design. Although the extension would have a flat roof, the proposed extension would not unduly obtrude on the host dwelling. The extension would retain the character of the property by featuring materials that match the existing dwelling. The roof of the side extension would be stepped down from the ridge line as a subservient addition and given that the proposed side extension would feature materials that match the existing dwelling, the proposed side extension would not result in harm to the character of the host dwelling.

The proposed rear dormer would measure 2.8m in width, 2.7m in height and 3.6m in depth and would be constructed with a flat roof. The dormer is in partial conflict with the Arun Design Guide, which states that dormers should be minor incidents on the roof plane and incorporate pitched roofs in most cases, avoiding large box shaped designs. However, as the dormer is to the rear of the property thus will not be visible from the public realm and is similar to that which could be constructed under permitted development. As such, the proposed rear dormer is acceptable in this instance.

Two rooflights are proposed within the front elevation. The rooflights would be in accordance with Part M of the ADG as they maintain the privacy of the neighbouring properties and are used discreetly.

The proposal would not result in harm upon the character of the area and is in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the ADG states that householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

The proposed single storey rear extension would not project beyond the existing single storey rear projection in terms of its depth. Owing to its single storey form and modest depth, the extension would not result in an overbearing impact or cause overshadowing to neighbouring properties. Fenestration within the element would serve the rear garden and would not be significantly different to views currently achieved.

As a result of the removal of the existing garage, the proposed side extension does not extend the built form any closer to the neighbouring property to the eastern side. There is a 0.8m distance to the boundary, compared to 0.1m as existing, with a rear outbuilding separating the dwellings which would mitigate any overbearing or overshadowing impacts to this neighbour. As such, the proposed side extension would not appear overbearing or result in any overshadowing to neighbouring properties. One window is proposed within the front elevation of the side extension. It would give rise to views of the application frontage, and would not be significantly different to those achieved from the existing front

windows.

To the rear elevation bifold doors are proposed which would provide an outlook to the rear garden and would not result in significantly different views achieved from the existing ground floor windows on this elevation. The two rooflights to the front would have an outlook of the application site frontage would not result in any overlooking impact.

The proposed rear dormer would be contained within the existing rear roof slope of the host dwelling and would not result in any unacceptable overshadowing or overbearing impacts on neighbouring properties. A Juliet balcony is proposed within the rear elevation of the dormer, providing an outlook over the host dwelling's rear garden. Given that the rear garden depth would remain approximately 9.3m and that a row of garages are located directly to the rear (south), the proposal would not result in harmful overlooking. While some views of neighbouring gardens would be available, these would be comparable to those achievable through a similar dormer constructed under permitted development. One side window is proposed within the east elevation. It would serve the stairwell and the plans identify that the window will be obscurely glazed and non opening 1.7m above the floor level. A condition is attached to this planning permission to require the window to be installed and maintained in such a condition. Therefore, the rear dormer would not result in unacceptable overlooking.

The proposal is in accordance with policies D DM1 and D DM4 of the Arun Local Plan and would not result in harm to neighbouring amenity.

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 and Block Plan
Proposed Plans and Elevations

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 first floor level window on the eastern flank elevation of the building shall at all times be glazed with obscured glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard and non-openable below 1.7m above finished floor level. This arrangement shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of the adjoining property in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 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.