

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

REF NO: R/25/22/HH

LOCATION: 82 North Lane
Rustington
BN16 3PW

PROPOSAL: Proposed first floor rear extension and installation of a car port to front.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct a first floor rear extension that projects 4m off of and 6m across the rear elevation with a peak height of 7.6m. It also seeks to Install a new car port to the front of the property.
----------------------------	---

REPRESENTATIONS

Rustington Parish Council - No Objection.

1 representation from next door neighbour - Object:

- Car port positioned on the front boundary which would restrict our view for exiting the driveway.
- Outlook from our property with a pitched roof will be restricted due to our ground level being lower.

CONSULTATION RESPONSES RECEIVED:

Noted and addressed in the conclusions section of this report.

POLICY CONTEXT

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

[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
-------	---

CONCLUSIONS

PRINCIPLE

The key policies are D DM1 & D DM4 of the Arun Local Plan, Policy 2 of the Rustington Neighbourhood Plan and Section M of the Arun Design Guide.

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 D SP1 requires development proposals to make efficient use of land and reflect characteristics of the site and local area such as layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Arun has 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.

Rustington has a made neighbourhood plan (RNP) 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.

The RNP identifies this proposal to be in Character Area 7, the Rustington Village Design Statement states this area is characterised predominantly by materials such as brick, clay tile and uPVC. The materials are rendered walls, antique red tiling for the roof, uPVC windows and doors for the extension and an oak frame with tiling for the roof of the car port. Although these materials are not coherent with those identified for this character area, they match the dwelling and they are consistent with what can be found on this side of the street. This street is seen to feature many large detached dwellings which appears to be in contrast to the type of housing regarded for character area 7. Within this locality, it is acceptable that the proposal is contrary to the general characteristics of character area 7 described in the Rustington Village Design Statement.

DESIGN AND VISUAL AMENITY

The development includes two separate components. A second floor rear extension and a car port to the front of the dwelling.

The second floor rear extension is atop a single storey rear extension and projects off of the rear elevation to an equal depth of 4m spanning the full width of the rear elevation at 6m. This projection is followed by a continuation of the existing pitched roof design atop the second floor extension with equal ridge and eaves heights. The roof design is to be of matching materials and be a direct continuation of the existing ridgeline with matching pitch. The continuation of the roof would finish in a gable end, a feature that is not uncommon for the rear elevations of neighbouring dwellings along this side of the street. The second floor rear extension, including the continuation of the roof, has a height of approx. 4.8m that sits atop the single storey rear extension, resulting in an overall height of approx. 7.6m which is

consistent with the existing ridge height. The scale of this proposal is not such that it can be considered visually subservient to the host property. It is well integrated visually, sympathetic to the hosts dwellings design and makes efficient use of the existing footprint of the dwelling. It is not out of scale within its locality given the scale of nearby dwellings such as No. 86 and 88 North Lane. The proposal does not exceed the existing rear building line of the host dwelling, also sitting between the rear building lines of the neighbour dwelling to the North and the South.

Section M of the Arun Design Guide states that 'extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form. This is best achieved through simple and unobtrusive design.' In this instance, this has been achieved.

The second storey rear extension is to the rear of the property, remains within the confines of the dwellings existing elevations and features a complimentary visual design. As such, it has minimal views from the front elevation and will not have any adverse visual impact on the wider street scene.

The car port is to be at the front in the driveway. There is no front elevation boundary treatment and it will become a prominent feature within the street scene. The car port is to be approx. 5.6m by 5.6m with a peak height of 4.79m and eaves at 2.1m. The roof is to pitched on all sides at 40 degrees, matching the host dwelling and is to be made of tiling matching that of the main dwelling which is a complimentary material choice for the Oak frame. The scale is large as it is to house 2 No. parking spaces however, the front driveway has a curtilage sufficient enough to house a car port of this size. This car port is similar in design to one at a neighbouring dwelling (No. 57 North Lane). Although being a prominent feature to the front elevation, it is similar in design to another within the locality and not considered to have a significantly adverse visual impact within the street scene.

The proposal is compliant with relevant Development Plan policies D SP1, D DM1 & D DM4 of the Arun Local Plan, Section M of the Arun Design Guide and policy 2 of the Rustington Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The first floor rear extension will be a substantial increase in rear built form, meeting the height of the existing building line. Neighbours No. 80 and 84 specifically, are at risk of amenity impacts. There is no rear neighbour dwelling of concern as the property is backed onto by a school playing field. No. 80 North Lane is to the South of the property and is separated from the host dwelling by approx. 4m and a boundary fence. This separation, in addition to the 40 degree matching roof pitch on the proposal, means there is no intersection of 45 degree light accessibility lines from rear viewpoints of No. 80 North Lane. The 45 degree sightlines when taken from the closest ground floor rear viewpoint from No. 80 are also, not intersected by the proposal. The proposal has no adverse impacts by way of overbearing or overshadowing on No. 80 North Lane.

No. 84 North Lane is the neighbouring dwelling to the North, separated from the proposal by approx. 3.8m. The 45 degree light accessibility lines from the closest rear viewpoint (a glass side door) are not intersected by the proposal. The 45 degree sightlines from this side door however, are intersected. Although the 45 degree sightlines from this viewpoint are intersected, it is a glass side door and not considered to provide significant amenity views to No. 84. The sightlines from this viewpoint are already intersected by the ground floor rear extension at the host dwelling on which the proposal is to be sited. The intersection of the 45 degree sightlines at this viewpoint are minor, being that they would not be obstructed at approx. 50 degrees. There are no adverse impacts by way of overshadowing on No. 84 and the adverse impacts of overbearing on No. 84 are minimal and not deemed to be grounds for refusal.

There is to be 1 new ground floor side window to the South elevation which does not give rise to any adverse impacts by way of overlooking as it is met by the site boundary fence. There are to be a set of ground floor rear glass windows/doors which will look out to the rear garden at ground level and not give rise to any adverse impacts by way of overlooking. The rear elevation of the first floor extension will feature a large window that sits on the rear wall, extends into the gable roof end and features a Juliet balcony. Although being set further to the rear of the property than the existing first floor rear viewpoints this does not give rise to any adverse impacts by way of overlooking further than that which is already achieved.

The car port is to the front and abuts the driveway of No. 84 and the pavement alongside the street. The neighbour dwelling No. 84 features a driveway that runs parallel to that of the host dwelling. The northern site boundary of No. 84s driveway is met by a 2.2m high stone wall that runs along the driveway and projects 1.7m further forward than the front boundary of No. 82 (the host dwelling). The siting of the car port will meet the front site boundary of No. 82 and in doing so, obscure the sightlines South down the street, from the driveway of No. 84 by approx. 2m. There will remain a 1.7m distance in which the views North from No. 84s driveway will be obscured when exiting, that the views to the South will not be obscured. Though there will be an obscuration of existing sightlines to the South, the sightlines to the North are obscured to an extent such that when exiting, the views South will be achievable before those to the North can be achieved. There is not considered to be a significantly adverse impact on the sightlines when exiting the driveway of No. 84.

By virtue of not being significantly overbearing, overshadowing or overlooking, the proposal is compliant with relevant Development Plan Policies D DM1(3) & D DM4(c) of the Arun Local Plan and Section M of the Arun Design Guide.

SUMMARY

The proposal is compliant 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

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:

- Plans 086p/2022
- Block and Proposed Car port 087p/2022

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