

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

REF NO: R/261/19/HH

LOCATION: 3 Fosters Close
Rustington
BN16 2TL

PROPOSAL: Loft conversion from hip to gable end

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposed application seeks to construct a hip to gable extension to the South-Eastern roof slope. It also seeks to extend the rear dormer, and add a balcony to the rear elevation of the host dwelling.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council
Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS

Natural England
Arboriculturist

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary
Tree Preservation Order

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
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan.

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 2 of the Rustington Neighbourhood Development Plan states that development proposals will be supported providing that their scale, density, massing, height, landscape design, layout and materials reflect and enhance the established character of the area.

DESIGN AND VISUAL AMENITY

The proposed development is not considered to have any significantly harmful impact upon the character of the host dwelling, or its immediate locality. This is due to the locality being host to a wide variety of dwelling styles, and designs. The proposed hip to gable extension is considered to be a sympathetic, and well integrated extension to the host dwelling, due to the proposed materials, and the modest design of the extension.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (e) of the Arun Local plan, and Policy 2 of the Rustington Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have an overbearing harmful impact upon the residential amenities of neighbouring dwellings. This is as a result of the siting of the proposed extensions, and the separation distance from neighbouring dwellings. To the South-East, the proposed development does not feature any 1st floor windows allowing harmful views to the neighbouring dwelling. With regard to overlooking the proposed balcony will allow for direct views of the adjacent dwellings private amenity area. Whilst it is noted that at current there is screening, in the form of hedging, this is not sufficient to prevent direct overlooking and as such, a condition will be recommended to ensure that obscure screening is installed on the North-Western and South-Eastern elevations of the balcony.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

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.

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:

- Block Plan - 100053143
- Proposed Ground Floor - P5
- Proposed First Floor - P6
- Proposed North-East Elevation - P2
- Proposed South-East Elevation - P4
- Proposed South-West Elevation - P1
- Proposed North-West Elevation - P3
- Proposed Roof Plan - R1

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 Prior to use of the balcony, 1.8m high obscure glazing panels shall be installed on the North-Western and South-Eastern elevations of the proposed balcony, and be retained in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with

policy D DM1 of the Arun Local Plan.

- 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 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.