

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

REF NO: R/266/21/HH

LOCATION: 37 Church Road
Rustington
BN16 3NN

PROPOSAL: Conversion of roof space to habitable use with rear dormer and velux rooflights to front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to convert the loft space to habitable accommodation which will include the addition of a flat roofed dormer approx. 3.8m in length, 3.8m in width and approx. 2.6m in height (approx. 0.2m below the ridge line) to the rear of the property. The proposal also includes 3 No. Velux windows in the roof at the front of the dwelling approx. 1.4m from floor level.

REPRESENTATIONS

Rustington Parish Council - No Objection.

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

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)

[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

They key policies considered are D DM1 and D DM4 of the Arun Local 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.

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 rear dormer extension is considered to be using appropriate materials to either match or compliment existing and be of an appropriate scale, residing below ridge height by approx. 0.2m and set back from eaves by approx. 0.5m. There are a few similar rear dormer extensions in the local area. This extension is considered to fit in with other similar examples in the local area and is also subservient in terms of scale and visual integration. The rear dormer does include a rear facing window capable of looking into neighbouring private amenity space however, this is not considered to further adverse overlooking significantly due to the existing terraced nature of the dwellings and presence of second storey rear facing windows on all neighbouring dwellings that are already capable of overlooking into neighbouring private amenity space. This proposal is in accordance with the Arun District Design Guide.

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.

DESIGN AND VISUAL AMENITY

The proposal is situated amongst a line of terraced dwellings with only the 3 No. front facing velux rooflights being visible from the street. This is not considered a significant impact from the street scene due to their presence on the roof leading to a minor visual change.

This rear dormer extension is considered to be of an appropriate scale measuring approx. 3.8m in width, approx. 3.8m in length and approx. 2.6m in height. This dormer leaves sufficient spacing either side approx. 0.4m. Owing to the scale and sitting of this proposed dormer, it is considered subservient to the host dwelling and not overbearing on the neighbouring dwellings. Similar rear dormer extensions are present on multiple dwellings in the local area and so is not considered to be out of character for the locality.

The development is not considered to result in a significant adverse impact upon the appearance of the street scene and accords with D DM1 and D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The dormer to the rear, due to its sitting and rear facing window, does allow for overlooking into neighbouring dwelling private amenity space. However, existing second storey windows allow for overlooking into neighbouring rear garden private amenity space already. Terraced dwellings are often staggered which mitigates overlooking, this can be seen between this property and the northern

neighbour dwelling. The rear facing window in the dormer, due to its sitting, will allow for this physical barrier to be partially bypassed looking into the neighbouring dwelling on the north side however, this is already achievable from the second storey rear window on the southern half of the rear elevation. Furthermore, it is likely a dormer could be constructed under permitted development and is therefore not considered significant in which a refusal is justified, given the fallback position that would result from overlooking generated from permitted development.

The proposal is deemed to comply with D DM1, D DM4 of the Arun Local Plan and Policy 2 of the Rustington Neighbourhood 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 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.

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 Site Plan 2143.PL01
- Proposed Floor Plans 2143.PL02
- Proposed floor Plans 2143.PL03
- Proposed elevations 2143.PL04
- Proposed Sections 2143.PL05

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.