

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

REF NO: R/26/20/HH

LOCATION: Windsong
The Thatchway
Rustington
BN16 2BN

PROPOSAL: Rear extension, new roof with dormers to front and rear.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey rear extension and a new roof with front and rear dormers.

RELEVANT SITE HISTORY

R/306/18/PL Demolition of the existing dwelling & erection of 1 No. 3- bedroom one and a half storey dwelling. This application may affect a Public Right of Way. ApproveConditionally
21-02-19

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council
Parish Council - No objection.

3 letters of objection:

- The proposal will result in a loss of value to local dwellings.
- The proposed roof extension will result in a loss in views.
- The proposal will result in a loss of privacy to nearby occupiers.
- The proposed balcony will result in direct overlooking.

Officers comments on representations:

Comments noted, the planning merits of the proposal will be addressed in the conclusion section of the report. Comments relating to loss of value of dwellings, and loss of views are not planning considerations.

CONSULTATIONS

Natural England

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

Within 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
SDSP2	SD SP2 Built-up Area Boundary

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

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
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 Thatchway is characterised by detached dwellings of varying design and style and there is no uniform pattern to the development, although most dwellings are set back a similar distance from the greensward. The existing dwelling has no frontage to The Thatchway.

The front elevation of the dwelling is slightly further from the greensward frontage which would compensate for the proposed increase in height. There is no dominant material or style used in the

dwelling in this locality and it is considered that the resultant proposed 2 storey nature of the extended dwelling would not be inappropriate in this location. It would be similar to neighbouring dwellings.

There will be few available views of the proposed single storey rear extension from the public realm, due to the location of the host dwelling. It is noted that there will be some views of this element of the proposed development from the green area to the South of the application site. The proposed extension is considered to appear as a subservient and well integrated addition to the host dwelling, resultant of its design, and modest scale.

Whilst the design of the proposed extended dwelling is different to the existing property it will not significantly increase the height or at all the width of the dwelling and would not appear out of keeping in the locality. The resultant two storey dwelling would retain the existing gap to both side boundaries and the dwelling would be a similar height as other nearby 2 storey dwellings in The Thatchway. Therefore the proposed extended dwelling would not appear out of character with the area or overly dominant in the street scene and would accord with the provisions of policies DDM1 and DDM4 of the Arun Local Plan.

Policy 2 of Rustington Neighbourhood Plan relates to Housing Design and states that 'development proposals (including alterations to existing buildings) will be supported, provided that their scale, density, massing, height, landscape design, layout and materials reflect the architectural and historic character and scale of the surrounding buildings and landscape. Proposals must also comply with the parking standards adopted by the planning authority.'

The site falls within 'Character Area 5 of Rustington Village Design Statement which is identified as an area of low density housing on private estates. It is considered that the proposal is compliant with this policy on the basis of the existing plot size and the proposed house design. The design reflects that of other properties in the locality.

It is considered that the proposed extended dwelling would be acceptable in terms of its design, appearance, position and site coverage and would have no materially adverse impact on the visual amenities or character of the area.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any unacceptable overshadowing, or overbearing impact on the occupiers of neighbouring dwellings. This is due to the separation distance between the host dwelling, and its adjacent occupiers. The proposal may give rise to loss of privacy to occupiers of adjacent dwellings, the dormers on the Southern side of the roof slope are not considered to result in any unacceptable overlooking. The dormers on the Northern roof slope are approximately 10m from the Northern boundary of the application site and it is noted that there is mature foliage to the rear boundary. This distance to the boundary together with the generous rear gardens of neighbouring properties to the north will mean that there will be no unacceptable overlooking from the proposed north elevation dormers on these properties.

Atop of the proposed single storey rear extension will be used as a balcony, as it stands, this would give rise to a loss of privacy to the occupiers of the dwellings to the East and West. It is considered that with the installation of obscure glazed panels to these elevations, these views would be prevented, as such it will be conditioned that 1.8m high obscure screening be installed on the Eastern and Western elevations of the balcony. The remaining views are not considered to give rise to any unacceptable loss of privacy, in that these views are predominantly within the application site, and any views towards the amenity areas of neighbouring dwellings would be oblique and long.

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:

- New first floor and ground floor alteration - 19/76 - SK1 - 28/11/2019 - Rev. E

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 Before the balcony hereby permitted comes into use, details of 1.8m high obscure screening for the Eastern, and Western elevations of the balcony shall be submitted to and approved by the Local Planning Authority and the balcony shall not come into use until such screening has been erected in accordance with the approved plans and shall thereafter remain in perpetuity.

Reason: In the interests of amenity in accordance with policy D DM1 of the Arun District 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.