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

**REF NO:** R/294/18/HH

**LOCATION:** 4 Ingram Close
Rustington
BN16 3NZ

**PROPOSAL:** Installation of a new bathroom window on side (west) elevation of house

## SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION — Installation of a white PVCu frame top-opener casement window, measuring 1050mm x 610mm, with obscured glass to the bathroom in the western elevation (ground floor).

## REPRESENTATIONS

**REPRESENTATIONS RECEIVED:**

Rustington Parish Council

No objection

**CONSULTATION RESPONSES RECEIVED:**

N/A

## POLICY CONTEXT

Designation applicable to site:
Built-up area boundary

**DEVELOPMENT PLAN POLICES**

| | |
|---|---|
| DDM1 | D DM1 Aspects of form and design quality |
| DDM4 | D DM4 Extensions&alter to exist builds(res and non-res) |
| SDSP2 | SD SP2 Built-up Area Boundary |

Rustington Neighbourhood Plan 2014 Policy 2 — Housing Design

**PLANNING POLICY GUIDANCE:**

| | |
|---|---|
| NPPF | National Planning Policy Framework |
| NPPG | National Planning Practice Guidance |

**SUPPLEMENTARY POLICY GUIDANCE:**

| | |
|---|---|
| RDS | Rustington Design statement by Rustington Parish Council |

## CONCLUSIONS

PRINCIPLE
The application is located within the built-up area boundary where the principle of development is acceptable subject to accordance with the relevant development plan policies as stated in SD SP2 of the Arun Local Plan. In this case the key policies are deemed to be D DM1 and D DM4 of the Local Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary and will be permitted subject to consideration against other policies in the 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.

Policy 2 of the Rustington Neighbourhood Development Plan states that proposals (including alterations to existing buildings) will be supported provided that their scale, density, massing, height, layout and materials reflect the surrounding buildings.

SITE
The property is a detached bungalow within a cul-de-sac of 12 similar style properties in a residential area.

DESIGN & VISUAL AMENITY
The installation of a small window within the western elevation of this dwelling would be a modest change to the side of the building. The window frame would be constructed from white PVCu to match the existing windows and doors in the remainder of the property. Therefore the design is considered to meet the aims of D DM1 by using the same materials to match existing and have minimal impact to occupiers of nearby properties.

The property falls within Character Area 7 of the Rustington Village Design Statement. The Statement advises that each Character Area has its own design and use of materials and requested development should respect those materials and design.

RESIDENTIAL AMENITY
D DM4 requires alterations to existing buildings to sympathetically relate to the existing building as well as being visually integrated in terms of design, scale and materials. The policy also requires that the development does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.The installation of a window in this position, using obscured glass, is not considered to have an adverse effect on the neighbouring property. Therefore the development is deemed to be in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

It is therefore recommended that the application be approved 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

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 dated 12/18
Drawing no. 04 Ground floor plan as existing dated 11/18
Drawing no. 09C Ground floor plan as proposed dated 11/18
Drawing no. 08 East & West elevations as existing dated 11/18
Drawing no. 09 West elevation as proposed dated 12/18
Window confirmation email dated 04/02/19

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

3 The window in the western elevation of the building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM4 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.