

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

REF NO: R/294/21/HH

LOCATION: 8 Botany Close
Rustington
BN16 2BJ

PROPOSAL: Single storey rear extension and conversion of roofspace to habitable use to include a rear dormer.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Construction of a ground floor extension measuring approximately 6.7m by 11.5m to infill rear/side north eastern portion of dwelling and the reconfiguration of roof of property, including raising of its overall height, to provide new first floor accommodation.

RELEVANT SITE HISTORY

PAA/98/21/	Single Storey rear extension, loft extension, works to facade, new gate entrance, internal re-furb	Refuse Pre App 16-09-21
PAA/19/20/	Development of existing 3 x bedroom bungalow to 5 x bedroom house with sea views	Approve Pre App 13-03-20
R/49/03/	Residential development consisting of a detached chalet style house.	Refused 16-07-03 Appeal: Allowed+Conditions 05-01-04

REPRESENTATIONS

Parish Council - Objection

- Loss of privacy to 8a Botany Close through overlooking.

1 Letter from neighbour - Objection

- Extension is unsympathetic and not visually integrated in siting, massing, design, form, scale and materials.

- Not visually subservient to main building.

- It would have an adverse overshadowing and overbearing effect on eastern rooms and rear garden of 8a Botany Close.

- Poor design and negative over development of site that would compromise the established character of

Botany Close.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

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

CONCLUSIONS

PRINCIPLE

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, side extension should also be subservient to the host dwelling and respect the space between buildings, and, in general roof extensions should not detract from the character and appearance of the building and local area.

It is acknowledged that the increase in bulk of the building through this permission will maximise the built form on site. As a result, it is necessary in the interests of protecting the neighbour's (north and west) amenity that a restriction to the properties Permitted Development Rights for other extensions to, or buildings within the curtilage of the dwelling without a permission being sought from the Local Planning Authority is imposed.

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 seeks an infill extension from the northern and eastern elevations of the dwelling (6.6m by 11.4m) and a small extension to the western elevation (2.7m by 1.7m). It also proposes the reconfiguration of the roof, raising it by 700mm to allow for an additional bedroom and new living area, with a cantilevered area to the southern elevation to provide for a balcony contained partially within the roof structure.

The site is situated on a corner plot with Frobisher Way and Botany Close. Frobisher Way is uniform in style and character and mainly comprises small bungalows although there are two two-storey dwelling directly to the north of the application site. Botany Close has a much more mixed feel to it and ranges from large 3 storey dwellings to chalet styled bungalows on good sized plots, built using a mix of design styles and materials. The two street frontage building lines will be maintained. In principle the altered dwelling could provide an appropriate transitional dwelling between the two areas. The proposed ridge height will be lower than either of the adjoining neighbours. As a result the extension does not unacceptably compromise the established character of the area.

The style of the proposed extensions and alterations are a departure from its 1960 origins. The proposal seeks to utilise white shiplap cladding and include high levels of glazing to the facades and slate and sedum to the roof. Although the proposed materials and design do not visually integrate with the host dwelling as it currently stands, the wholesale alterations to the finish are not deemed to create a negative impact, as at its core the form of the building retains the character of a low level dwelling. Whilst this is an individual finish examples of this can be found on other buildings in the locality, therefore once the works are complete they will integrate well with themselves and not feel out of place with the area.

The dwelling currently has a simple traditional form, with gable ends to all elevations and a flat roof extension protruding to the north. The new first floor accommodation retains gables to all of the elevations, although their position or size has been increased in some instances, with the addition of 2 smaller dormers within the roof to provide light into the first floor rooms. The greatest alteration to the elevations comes from the southern aspect. The gable to the elevation has been widened so that it now forms the entire width of this elevation, to combat the increased height of the gable, a flat section of roof has been built into its top. This gable will feature a large glass wall to serve the proposed first floor living space with a balcony in front, including a cantilevered section over the existing/ proposed living room. The large scale alterations to this elevation and departure from the traditional gable end of the bungalow will not be visually subservient to the host dwelling, however they do provide for a high level of amenity for the occupiers of the dwelling. Additionally views of the southern elevation are hidden behind mature planting. As such, they do not conflict with policy and this is not seen as a reason to warrant refusal of the scheme.

Having regard to the design and visual amenity, the proposal is deemed to accord with D DM1 and D DM4 of the Arun Local Plan, Part M Arun Design Guide and Policy 2 of the Rustington Neighbourhood Plan.

RESIDENTIAL AMENITY

During the course of this application amendments were received to the application to overcome concerns of overlooking and overbearing. The large box dormer to the western elevation including 3 windows have now been removed and replaced by two smaller pitched gables. As these sit back from the front elevation and are pitched away from the front of site (unlike the square box dormer) they will have a far more appropriate scale and form and are considered acceptable replacements for the dormer.

All of the first floor windows to the eastern elevation have also been removed alleviating privacy issues. Instead a flat roof dormer window has been inserted to the eastern elevation to serve the bedroom, this will have views over the road only, the living area will be lit via the glass wall facing south and another small gable roof dormer to the eastern elevation. The glazed gable end facing north will be obscure glazed, a condition will be placed on this window to retain the obscure glazing and to keep the window fixed shut below 1.7m in perpetuity to protect the property to the North.

The balcony facing South will be partly built into the roof structure, this will largely obscure views from the balcony unless standing towards the southern most edge. It is noted that 8a to the west does have roof lights to their eastern elevation, to stop unwanted views from the balcony a condition will be added to ensure that the screening to the western side of the balcony will be fully obscured to a height of 1.7m across its full width.

All other windows are to the ground floor or will have views over the public realm and no negative impacts from overlooking are foreseen.

The ground floor is to be extended to the north and a small extension to the west. The existing ground floor configuration already consists of a flat roof extension to the north of the host dwelling which is positioned close to its respective boundaries, at its nearest points 300mm from the western boundary and 1.1m from the northern. Because of the host dwelling not sitting perpendicular with its boundaries the proposed northern extension will encroach on the northern boundary by 100-150mm. As this extension is adjacent to the two storey flank wall of the property to the north no negative impacts are foreseen. The extension to the western elevation will not narrow any existing separation gaps between boundaries.

Furthermore, it has been proposed to re-roof the existing single storey extension so it matches the proposed. The proposed roof height will be approximately 200mm lower than the existing, the situation on site will therefore be improved upon and the potential to impact neighbours by means of overshadowing or overbearing lessened.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

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 CIL Liabe therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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;

- Location Plan SU001 Rev A
- Proposed Block Plan SU002
- Proposed Ground Floor Plan PL002 Rev A
- Proposed First Floor Plan PL003 Rev C
- Proposed Roof Plan PL004 Rev A
- Proposed Elevations PL005 Rev A
- Proposed Elevations PL006 Rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan and Part M of the Design Guide.

- 3 The South facing balcony hereby approved shall have fully obscured privacy screen to the western elevation facing 8a Botany Close up to a minimum height of 1.7m along it entire width, prior to the first use of the balcony. The screen shall be retained as obscure glazed up to a minimum height of 1.7m in perpetuity.

Reason: In the interests of protecting the privacy of neighbouring properties in accordance with Policy D DM4(c) of the Arun Local Plan.

- 4 The North facing first floor glazed gable end hereby approved shall have fully obscured glazing fixed shut below 1.7m above finished floor level, prior to the first use of the room. The window shall be retained as obscure glazed and fixed shut in perpetuity.

Reason: In the interests of protecting the privacy of neighbouring properties in accordance with Policy D DM4(c) of the Arun Local Plan.

- 5 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-

enacting this Order) no extensions (including porches or dormer windows) to the dwellinghouse shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun District Local Plan.

- 6 **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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.