

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

REF NO: R/304/14/HH

LOCATION: 11 Broadmark Way
Rustington

PROPOSAL: Rooms in roof with hips to gables, rear dormer, raising ridge & side extension
(amendment to R/175/14/HH)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The footprint of the dwelling will remain largely unaltered save for where the existing rear conservatory will be removed and replaced by a marginally deeper extension; a porch will be constructed to the front of the dwelling; and a small side extension will be created to the east of the dwelling.

The application includes alterations to the roof. The overall height of the roof ridge will be increased by approximately 0.45 metres and the side slopes of the existing roof will be altered from hipped ends to gables.

A flat roof dormer will be installed within the rear slope of the new roof.

SITE AREA

Approximately 534 square metres.

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Low brick wall to front. Rear garden of site enclosed by approximately 1.8 metre high timber close boarded fencing.

SITE CHARACTERISTICS

The site is occupied by a detached bungalow dwelling which has painted pebbledash elevation walls and a tiled, hipped roof. The building includes an integral garage. A flat roof conservatory and modest single-storey extensions have been added to the rear.

CHARACTER OF LOCALITY

The site is located on a residential road which is characterised by a linear arrangement of what are predominantly detached dwellings, the majority of which are bungalow or chalet

style buildings. The buildings are set back from the road with low walled frontages helping to generate a sense of openness and spatial uniformity. Relatively small gaps are maintained between individual buildings

RELEVANT SITE HISTORY

This application is an amendment to a previous planning approval under reference R/175/14/HH and seeks permission for the addition of a small side extension to the east of the existing dwelling.

REPRESENTATIONS

Representations received:

Rustington Parish Council

My Council has noted the above application and wishes to raise no objection to it.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Adopted Local Plan

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)
[GEN7](#)
[DEV19](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

RDS

Rustington Design statement by Rustington Parish Council

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Yapton. The Rustington Neighbourhood Plan is due to be made and as such it will be taken into consideration in the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

It was previously identified that the proposed works will fundamentally alter the appearance of the dwelling, substituting the existing hipped roof for a taller, gable roof. It is considered that this change in appearance will not be problematic given the variety of building styles that are present along Broadmark Avenue. It has also been considered and determined that the established spatial dynamic along Broadmark Avenue will not be affected as the building frontage will not be any closer to the road than the current dwelling. Similarly the small side extension to the east of the existing dwelling will not adversely impact upon the appearance of the dwelling within the street scene.

The proposal will increase the height of the main roof but this will be done consistently over the width of the dwelling so as not to create an unbalanced appearance. The existing pitched roof elements over the extensions to the rear and front of the dwelling will associate with the extended roof in a similar way as they do to the current roof, maintaining a visually subservient relationship. The various elements of the building will therefore enjoy a strong degree of visual integration towards each other. It is therefore considered that proposed works are acceptable in terms of design and scale in accordance with GEN7 of the Arun District Local Plan 2003.

Whilst, the alterations to the roof will be taller than the current dwelling and the proposed side extension closed to the eastern boundary, it is not felt that these alterations will be overbearing towards neighbouring properties.

Direct views from new ground floor windows and openings to the rear of the dwelling towards neighbouring property will be interrupted by existing site boundary treatment and, therefore, not be intrusive. Views from the proposed dormer would be directed towards the far end of the site where the property backing onto the site is considered to be a sufficient distance away to prevent invasive views. Site boundary treatment will also partially obstruct direct views to the rear end angled views to the side. Views from the new window to the front of the property will be towards the road and the nearest neighbouring property in the direct line of sight will be an adequate distance away to prevent harmful levels of overlooking.

There is concern that the first floor window on the eastern elevation may offer the potential of invasive levels of overlooking towards the garden of No. 13 Broadmark Way and, as such, it is recommended that a condition is attached requiring this window to be obscure glazed and, other than where a minimum of 1.7 metres above floor level, to be fixed shut.

It is therefore recommended that the application is approved, subject to the following conditions.

HUMAN RIGHTS ACT

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 for 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 no impacts have been identified upon any 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 plan:- 14/950/02 A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 The first floor bathroom window on the eastern elevation of the building shall at all times be glazed with obscured glass and, other than where at least 1.7 metres above floor level, be fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 5 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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

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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.