

REPORT UPDATE

Application No: R/31/26/HH

Reason for the Update / Changes

Officers Comment: Within the Background section of the report it states that the volume of the total enlargement inclusive of the hip to gable extensions would be 88.2 cubic metres, however this was incorrect and should be updated to state 71.7 cubic metres.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

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

REF NO: R/31/26/HH

LOCATION: 15 Evelyn Avenue
Rustington
BN16 2EJ

PROPOSAL: Single storey front porch and rear extension to replace the existing conservatory, proposed hip to gable extensions, a rear dormer, roof lights and side windows with obscure glass.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	At ground floor level, the application proposes a single storey front porch and a single storey rear extension. The proposal also includes works to the roof, namely hip to gable extensions, a rear dormer, roof lights and side windows.
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RELEVANT SITE HISTORY

R/6/26/CLP	Lawful development certificate for proposed hip to gable extensions, rear dormer, roof lights and side windows.	PP Not Required 12-02-26
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REPRESENTATIONS

Rustington Parish Council (RPC) - Object:

- (i) The hip to gable extensions and rear dormer, by reason of its size, mass and design would present an overbearing and unsympathetic appearance for the occupiers of neighbouring properties, and would result in a loss of light and privacy, particularly for the occupiers of 11 Evelyn Avenue, adversely affecting their visual amenities.
- (ii) The accumulation of the hip to gable extensions and the over-sized rear dormer render the proposal

out of keeping with the street scene and would be prejudicial to the established character, amenities and environment of the locality.

(iii) Cladding to the front of the property would adversely affect the character and appearance of the street scene, where all other nearby properties have brick frontages. This would present a fundamental change aesthetically.

(iv) The proposal would be in conflict with Rustington Neighbourhood Plan (RNP) Policy 2.

(v) The proposal, if approved, would make it increasingly more difficult for the Local Planning Authority to resist similar proposals in the vicinity, the cumulative effect of which would be to alter the character of the locality to the serious detriment of the amenities of the area.

If R/6/26/CLP had been a planning application RPC would have objected due to the major change to the street scene, the overbearing affect and loss of light and privacy, particularly on the neighbouring property to the south (11 Evelyn Avenue), accentuated by the fact that the two properties are only 2m apart. It would have conflicted with RNP Policy 2.

5 letters of objection:

- Rear dormer would be overbearing and overshadowing to neighbours with the roof gables being vertical.
- Loss of light and privacy from the rear dormer.
- Out of character with the surrounding road as existing properties are bungalows and larger properties are further down Evelyn Avenue towards the coastline.
- Use of cladding is an inappropriate material and would appear out of place in context of the surrounding properties, which predominately feature brick and render finishes.
- Loss of privacy in the fairly small secluded rear gardens.
- Loss of bungalows to larger properties and subsequent loss of property options for increasing number of older people and people with mobility issues that need single storey properties.
- R/6/26/CLP was approved on the basis of tile hanging rather than cladding, the plans submitted with this application do not show that.
- Does not comply with RNP Policy 2 and Character Area 6 of Rustington Village Design Statement, and there are incorrect and potentially misleading assertions in the planning application.
- No opportunity to express concerns about R/6/26/CLP before it was decided.

CONSULTATION RESPONSES RECEIVED:

The Parish Council were not consulted for application R/6/26/CLP as it was an submitted under the General Permitted Development (England) Order 2015 (as amended) for confirmation that the proposed works would not require planning permission. There is no public consultation for a lawful development certificate which demonstrates the extent of works that can be undertaken without planning permission.

The applicant submitted amended plans during the course of this application to remove the originally proposed cladding. The proposed extensions and alterations are now proposed to be finished in external materials to match the existing dwelling.

POLICY CONTEXT

Built Up Boundary Area.

Within an area with potentially high ground water.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

- | | |
|------|--|
| DDM1 | D DM1 Aspects of form and design quality |
| DDM4 | D DM4 Extensions and alter to exist builds (res and non- |

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[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
RDS	Rustington Design statement by Rustington Parish Council

CONCLUSIONS**BACKGROUND**

A lawful development certificate for proposed hip to gable extensions, rear dormer, roof lights and side windows (R/6/26/CLP) was determined on 12 February 2026 stating the proposal would be lawful under Schedule 2, Part 1, Classes B, C and G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

This application (R/31/26/HH) proposes the construction of a rear single storey extension to replace a conservatory, hip to gable extensions, a rear dormer, front rooflights and side windows. This proposal would be an increase in the size of the rear dormer when compared to the previous application (R/6/26/CLP) by approximately 0.2m in height, 0.7m in depth and 4.2m in width.

The hip to gable roof extensions fall under permitted development as they would not exceed 50 cubic metres of additional roof space. The dormer proposed under this application would exceed permitted development in terms of its volume to 71.7 cubic metres (total enlargement inclusive of the hip to gable extensions). It is noted that a smaller rear dormer could be achieved under permitted development.

The proposed front extension would have a depth of 2.5m and the proposed rear extension would have a depth of 3.3m, therefore these elements would exceed the limitations of permitted development by virtue of their depth.

DESIGN AND VISUAL AMENITY

The site is a detached bungalow within Character Area 6 of the Rustington Neighbourhood Plan (RNP); therefore, the proposal must be assessed against RNP policy 2.

The development is in a residential area characterised by a mix of detached bungalows; some of which have constructed a variety of extensions. It is noted that the Parish Council raised an objection on matters of character, scale and design and referred to RNP policy 2. RNP policy 2 states the design of all housing schemes should reflect the local character by way of dominant built form, historic character and/or landscape character. Although the prevailing character of the street scene comprises hipped roof forms, there are limited examples gabled roof forms and front dormers on Evelyn Avenue and within neighbouring streets. Furthermore, there are some examples of larger rear dormers including two in Dolphin Way, close to the junction with Evelyn Avenue.

The single storey rear extension would replace an existing conservatory and would result in an increase in depth by 0.3m to 3.3m from the existing structure, with a width of 4m. The flat roof would have a height of 3m and an eaves height of 2.65m. The proposal would sympathetically integrate with an existing rear extension to the northern aspect of the rear elevation. Sufficient garden depth of 17.8m would be

retained and the depth of the rear extension would comply with the guidance outlined within the Arun Design Guide (ADG). The rear extension would not result in harm to the visual amenity of the host dwelling or street scene and would be in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4, the ADG and RNP policy 2.

The proposal would remove the chimney and construct hip to gable roof extensions, resulting in the creation of gable ends to the northern and southern flank elevations. The maximum ridge height would remain unchanged at approximately 5.9m. The hip to gable extensions would extend the width of the ridge line by approximately 8.2m to 9.5m and would be visible within the street scene, similar to the pitched roofs of 12 and 14 Evelyn Avenue. Whilst it is noted that there are limited examples of gabled roofs within the street scene, it is noted that there are two examples opposite the application site to the east, and it has been demonstrated under application reference R/6/26/CLP that the roof could be altered in the same way under permitted development. As such, the proposed hip to gable roof extensions would not result in demonstrable harm to the visual amenity of the host dwelling or street scene.

The proposed roof alterations include the construction of a rear dormer with a width of 8.5m and a depth of 3.5m. The dormer would have a flat roof height of 2.5m. The dormer would be larger than that in R/6/26/CLP which had a height of 2.3m, a width of 4.3m and depth of 2.8m.

The relevant design guidance, as set out in Part M of the ADG and outlined in RNP policy 2 states roof alterations should not detract from the character and appearance of the dwelling or wider area, and that dormers should be proportionate and minimise interference with the original form, appearance, and fabric of the dwelling. The development would alter the bulk of the property; however, the main roof ridge height would be retained, and the dormer would not project beyond the original footprint of the property, set down from the main ridge line and set in from the flank elevations. Moreover, it is noted that a large rear dormer could be constructed under permitted development.

Whilst the proposed rear dormer would not strictly comply with the ADG or RNP policy 2 and would not be a subservient addition within the rear roof slope, given the siting of the dormer to the rear roof slope of the dwelling, that a dormer of a similar scale and massing could be constructed under permitted development and that there are some large rear dormers within the wider context of the application site, including at number 11 Shirley Close and 31 Evelyn Avenue, the proposed rear dormer would not result in demonstrable harm to visual amenity and is acceptable in this instance.

The front porch would have a depth of 2.5m and a width of 1.7m. The pitched crown roof would have a maximum height of 3.2m and a maximum eaves height of 2.5m. Part M of the ADG states porches should provide a threshold space between the interior and exteriors and add emphasis to the entrance, and consideration should be given to the impact on the street scene.

The front porch exceed the guidance depth of 1.5m outlined within the ADG, however it would be set back from the building line, incorporating a pitched room and it would be of scale as to not appear as a 'bolt on' addition. The neighbouring property opposite the application site, 22 Evelyn Avenue has constructed a front porch, albeit lesser in depth than the proposal, which projects forward of the building line and given that the host dwelling is set back from the front boundary of the site by 11m, the proposal would not appear incongruous or prominent in the street scene. The porch would be acceptable and would not result in harm to the street scene and would be in accordance with ALP policies D DM1 and D DM4, the ADG and RNP policy 2.

Five rooflights are proposed within the front roof slope of the host dwelling, serving the proposed loft accommodation. The rooflights would be a size and scale which could be constructed under permitted development. The number of rooflights would be proportionate and would not result in harm to visual

amenity.

Fenestration on the side (north) at ground level would be an increase of one two-casement window on the western flank, while at first floor level on the side (north and south) there would be a small two-casement window serving the stairwell (north) and bedroom (south).

On the northern flank of the rear (west) elevation, fenestration at ground level would be a four-casement door whilst on the southern flank there would be a two-casement door. At first floor level the proposed fenestration would be two three-casement and one two-casement windows set within the proposed rear dormer. The proposed fenestration would be finished to match the existing and would be proportionate in scale and number.

The proposed single storey extensions would be finished with brick to match the existing and the dormer and gable ends would be finished in tile hanging to match the existing roof tiles. The flat roof elements to the rear extension and dormer would be finished in GRP and the roof tiles to the new front porch would match the existing. The use of matching materials would ensure that the proposed extensions integrate cohesively with the host dwelling, and the proposal is in accordance with ALP policy D DM4.

Whilst the proposal would alter the appearance of the host dwelling, particularly at roof level, and would result in an increased bulk and massing to the rear of the dwelling, it is acknowledged that the hip to gable roof extensions could be constructed under permitted development, and a rear dormer of a similar size and scale would also not require planning permission, if finished in external materials to match the host dwelling. The single storey rear extension and front porch would not result in any harm to visual amenity. The proposal is therefore acceptable, in accordance with ALP policies D DM1 and D DM4, the ADG and RNP policy 2.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed front porch would be set in 5.5m from the northern side boundary and set back 11m from the front boundary to the east. Given the size and scale of the porch, and the spacing maintained between the porch and neighbouring properties, the porch would not result in overbearing or overshadowing impacts to neighbouring properties. The fenestration within the porch would have an outlook over the application site frontage and would not result in any overlooking.

The proposed single storey rear extension would have a depth of 3.3m and a width of 4m with a flat roof form. The extension would have a height of 3m. The extension would be set in 1m from the southern side boundary and it would adjoin the existing rear projection to the northern aspect of the rear elevation. Given the spacing maintained between the extension and neighbouring properties and the depth and height of the extension, the proposed extension would not result in overbearing or overshadowing impacts to neighbouring properties. The fenestration within the extension would be isolated to the rear elevation of the extension, at ground floor level. The fenestration would have an outlook over the rear amenity space serving the host dwelling and would not result in any overlooking.

The proposed hip to gable roof extensions and rear dormer would extend the roof of the host dwelling, increasing the height, bulk and massing closer to the side boundaries (north and south) of the application site. Whilst the hip to gable roof extensions and rear dormer would increase the bulk and massing of the dwelling, the roof extensions would not extend beyond the existing rear elevations of neighbouring properties and as such, the proposed hip to gable roof extensions and rear dormer would not result in overbearing or overshadowing impacts to neighbouring properties. Moreover, it is noted that hip to gable roof extensions and a rear dormer could be constructed under permitted development.

In terms of overlooking, the rear dormer would introduce fenestration at first floor level, within the rear roof slope of the host dwelling. Whilst some views of neighbouring gardens would be available from the

proposed fenestration, these views would not be significantly different to those that could be achieved via a dormer constructed under permitted development. As such, the proposed rear dormer would not result in unacceptable overlooking.

The proposal would include the insertion of five rooflights within the front roof slope of the host dwelling. Given the separation distance maintained between the rooflights and the neighbouring properties to the east, the proposed rooflights would not result in unacceptable overlooking. A window is proposed at first floor level within the northern and southern flank elevations of the host dwelling. It is noted that the applicant proposes these windows to be fitted with obscured glazing. However, given the siting of these windows, level with the roof lines of neighbouring properties, and that these windows are small in size, the proposed windows would not result in unacceptable overlooking and as such, it is not reasonable to attach a condition to require these windows to remain obscurely glazed in perpetuity.

The proposed development would not result in demonstrable harm to neighbouring residential amenity by way of overbearing, overshadowing, or overlooking. The proposed development is therefore in accordance with ALP policies D DM1 and D DM4, the ADG and RNP policy 2.

SUMMARY

The proposed development is in accordance with relevant development plan policies and 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

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 not CIL liable.

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:

- Existing Location and Site Plan 01.
- Proposed Site and Roof Plans 02.
- Proposed Floor Plans 04.
- Proposed Elevations 06 Rev.A.

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

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.