

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

REF NO: R/36/19/HH

LOCATION: 12 Central Avenue
Rustington
BN16 2HG

PROPOSAL: Roof alterations with raised roof ridge, first floor side extension and front and rear dormer windows

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to erect a first floor side extension and alter the roof, including the addition of dormers, and the raising of the ridge.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council
Parish Council - No objection.

1 letter of no objection:
- The proposed first floor windows on the Northern side of the proposal will overlook the neighbour to the North.

OFFICERS COMMENTS ON REPRESENTATIONS:

It is noted that there is potential for overlooking, a condition will be imposed that ensures that these windows will be obscure glazed and non-opening below 1.7m in perpetuity.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

[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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site 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 Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development 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 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 development will result in a change to the appearance of the dwelling. This proposal essentially introduces a second storey (first floor) to the property, through the raising of the ridge height by 1.85m, dormers and other roof alterations. There will be an impact on the visual appearance of the host dwelling and on the street scene. But it also has to be considered whether that impact would result in harm to amenity in the context of the locality and the street scene. It is considered that as a result of the significant scale of the proposed development, it is considered to be in conflict with D DM4(a) and (b) of the Arun District Council Plan as a result of the development not appearing as a sympathetic or subservient addition to the host dwelling.

There is no dominant architectural form nor specific design characteristics along Central Avenue, which allows the development to not appear notably out of character with the surrounding locality, especially considering the scale of the proposed changes. The footprint and massing would be comparable with adjoining properties. This is because the majority of the proposal is contained within the same footprint as the existing dwelling.

The proposed extensions will be readily visible from the street scene, in that the accumulative effect of the side extension, and the raising of the roof by 1.85m create a second storey to the host dwelling. However, this development is considered to be designed to reflect the characteristics and design of the other dwellings in the locality (in terms of its two storey character). Therefore, it is not considered to be harmful to the character of the area, or the street scene. The overall appearance of the dwelling will not

be such that it appears as an overdevelopment of the site, as it maintains a significant distance between adjacent dwellings. This allows the dwelling to not create a terracing effect within the area, maintaining the existing spatial pattern.

It is considered that the proposed development is in accordance with D DM1(1) and D DM4(e) of the Arun District Council Local Plan (2011-2031) and Policy 2 of the Rustington Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development does not increase the footprint of the development by any amount to either the Northern or Southern side, therefore, preserves the distance to both side boundaries. To the North, there is a distance of approximately 5m to the adjacent dwelling, whereas to South, the distance is over 5m. Therefore, despite the significant bulk of the application, neither the raising of the roof, nor the proposed extensions are not considered to result in any significant loss of light at the property to the North. It is noted that due to the change in fenestration there is potential for loss of privacy and overlooking, however, the window on the Northern elevation will be conditioned to be obscure glazed and non-opening below 1.7m in order to prevent said views. It is noted that if the proposal featured windows at first floor level on the Southern elevation, then this would result in unacceptable overlooking to the adjacent dwelling to the South, however, the insertion of windows (that are not obscure glazed) would require planning permission.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun District Council Local Plan (2011-2031).

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:

- Location & Block Plan - 19002 - 1.00 - 21.02.2019
- Proposed Ground Floor Plan - 19002 - 2.00 - 13.02.2019 - Rev. A
- Proposed Plans - 19002 - 2.01 - 13.02.2019 - Rev. A

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 The window at first floor level in the Northern elevation of the building shall at all times be and remain glazed entirely with obscure glass and be fixed to be non-opening below 1.7m, in perpetuity.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1/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.