

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

REF NO: R/4/19/HH

LOCATION: 32 Mill Lane
Rustington
BN16 3JN

PROPOSAL: Front and rear single storey extensions and dormers to front and rear roof slopes.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to erect front and rear single storey extensions. It also proposes the construction of front and rear dormers.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council
Parish Council - No objection.

2 letters of objection:

- The large rear dormer will overlook properties to the rear on Fircroft Crescent.

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

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design

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 proposed front dormers are visible within the street scene, however, they are considered to be an improvement to the appearance of host dwelling. They are considered to be sympathetic in design and well integrated with the host dwelling. Their maximum height is 0.5m lower than the maximum ridge height of the host dwelling, and they are sited more than 1m from the Western and Eastern ends of the dwelling. Therefore, the proposed front dormers are considered to be in accordance with D DM1(2), D DM4(a) and (b) of the Arun Local Plan.

The proposed alteration to the front of the host dwelling, whilst it is considered to comprise of a change in appearance to the front of the host dwelling, it is not considered to have a significantly detrimental impact upon the character of the host dwelling. This is as a result of its modest scale allowing the proposal to not appear as a prominent and obtrusive feature. It re-sites the access door to the Northern elevation of the host dwelling, and alters the front of the dwelling to have a single continuous front elevation, as it brings the whole elevation in line with the existing bay window.

As a result of the siting and location of the single storey rear extension, there are no available views from the street scene, and therefore, it has no significant impact on the street scene, or the established character of the locality. Resultant of the proposal materials and the modest scale of the proposed development, it is considered that the proposal is subservient and sympathetic to the host dwelling, and is therefore in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The front dormers that form part of the proposal are considered to be acceptable in terms of neighbouring residential amenity. This is resultant of their modest design and siting at the front of the dwelling, allowing there to be no unacceptably adverse overshadowing or overbearing impacts on adjacent occupiers. Additionally, resultant of the siting, any views available are of the street scene.

As a result of the siting, scale and design of the proposed rear extension, it is not considered that there is any significantly harmful impact upon the residential amenities of neighbouring dwellings.

The rear dormer is not considered to have any significant overbearing or overshadowing impact as a result of the proposal all being retained within the same footprint as the host dwelling. The proposal extends the host dwelling at ridge height level by 4.6m, however, this is not considered to overshadow the dwelling to the North, as a result of the siting of the garages, a separation distance of over 5m. With regard to overlooking, the windows of the dormer are approximately 15m from the rear of the site, and over 40m to the rear of adjacent dwellings to the East. Additionally, it is likely that a dormer of a similar design could be constructed under Permitted Development.

Therefore, the application is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

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:

- Block Plan - PBP1068/02 - December 2018
- Proposed Plans - PBP1068/01 - December 2018

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 materials and finishes of the external walls and roofs of the development hereby permitted shall match in colour and texture those of the existing dwelling.

Reason: In the interests of amenity in accordance with policy D DM1 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.