

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

REF NO: R/59/21/HH

LOCATION: 9 Amberley Road
Rustington
BN16 2EF

PROPOSAL: Extension of existing main roof over existing ground floor. Conversion of loft Space to create Master Bedroom. Construction of dormer to north roof slope.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Rear Roof extension and side dormer creation above existing single storey addition and conversion of roof space to form new master suite.
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REPRESENTATIONS

Parish Council - No objection

2 Letters from neighbouring properties;

- Support, extension in line with others in the area and will not detract from their enjoyment of the area.
- No Objection, however concern with overlooking from bathroom window to the side of their property.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

None

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)
DSP1	D SP1 Design

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

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

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, roof extensions should not be visually intrusive or block light into surrounding properties and dormers should be positioned in discreet locations, on the rear of the property wherever possible. In general roof extensions should not detract from the character and appearance of the building and local area.

Rustington has a made neighbourhood plan, policy 2 is of relevance to this application.

DESIGN AND VISUAL AMENITY

The extension is to be above a single storey extension to the rear of the dwelling and as the house is on a corner plot it will be visible from two streets. A small side dormer to serve a bathroom has been proposed, the dormer faces on to Merton Avenue.

The extension will provide a master bedroom, bathroom and loft storage area for the detached property. The extension is of an appropriate size for its intended use and, in line with the Arun Design Guide, it is seen as an efficient use of the dwelling.

The eaves line of the host dwelling is maintained, and the dormer roof is to be built of materials which match those currently on site.

The extension will be visible from the street but not protrude forward of the external walls and the extension is subservient to the bulk of the existing dwelling and not detrimental to the streetscape. The design and incorporation of the flat roof piecemeal extensions on site has the effect of creating a harmonious building configuration.

With regards to the design and visual amenity, the proposal is not deemed to adversely impact the existing house in accordance with DDM1 and DDM4 of the Arun Local Plan and the Arun Design Guide.

OVERBEARING, OVERSHADOWING and OVERLOOKING

In terms of overshadowing and overbearing, the extension is considered not to impact on neighbouring properties. There is no increase in footprint arising from the development, only the height of the roof line above an existing building. There is no encroachment on the gap between the property and its boundaries. The first-floor roof addition does not conflict with the 45-degree rule. There are no significant properties in close proximity to the north of the site and overshadowing should only occur on the site itself.

The extension has windows facing towards the private amenity space to the rear or public space to the front and side. Although there are neighbouring concerns relating to the dormer window facing north, due

to the large separation distances between properties of approximately 30m, a condition relating to non-opening windows or obscure glazing is thought to be unnecessary. The fenestration will not achieve any views not already obtainable and overlooking is not harmful. The rooflights are to be 1.7m above floor level.

By virtue of not being overbearing, overshadowing and overlooking that the extensions accords with policy DDM4 of the Arun Local Plan.

SUMMARY

The development is deemed to accord with the relevant development policies and as such 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

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;

- Existing and Proposed 1299.01

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 the Arun Design Guide.

- 3 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.