

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

REF NO: R/64/22/HH

LOCATION: 36 Frobisher Way
Rustington
BN16 2BB

PROPOSAL: Erection of single storey rear extension, first floor side extension and new lean to roof to front elevation following removal of existing side balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct a first floor side extension approx. 2.6m wide running the full width of the house and a single storey 'L' shaped rear extension measuring between 4.7m and 7.4m across the back of the house. Alterations to external finish of the building.

REPRESENTATIONS

Parish Council - Objection

The proposal for a first floor side extension, because of its mass and height, would be overbearing and overshadowing, and would, therefore, have a detrimental effect on the visual amenities and quiet enjoyment of the neighbouring property, namely No. 34 Frobisher Way. It would also result in a loss of light for the aforementioned property.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary.

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:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:

CONCLUSIONS

PRINCIPLE

The key policies are D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development 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 (RNP) 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.

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, side extension should also be subservient to the host dwelling and respect the space between buildings and rear extensions should also not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

DESIGN AND VISUAL AMENITY

The proposed development will be situated at the front and rear of the property and will be visible to the street scene of Frobisher Way and the wider area, it will have an impact on the character and appearance of the area.

It is proposed to extend at first floor level above an existing flat roof side projection including removal of a balcony. The proposed second storey will be full width of the two-storey part of the building and will have a dual pitched roof to match the existing in materials and scale. The proposed ridge/eaves will be a continuation of the existing. An existing flat roof front protrusion will also be re roofed with a mono-pitched roof. The new first floor is set back from the ground floor front protrusion by 900mm. To the rear an 'L' shaped extension, flat roof with roof lanterns will extend across the rear of the property. Its northern half will extend further than the southern half, by 7.4m and 4.7m, respectively.

The alterations which are visible from the street but by reason they replicate key design elements such as ridge height, eaves and because the extension does not protrude past the primary elevation it accords with policy and design guidance. The aforementioned means that they are subservient to the host dwelling.

It is proposed to alter the external wall material finish from brick and PVCu clad to timber cladding and external wall tile. Although this is a departure from the style of the property, it is acknowledged that there are various styles and material finishes in the area. As the entire building has been redesigned with the new materials the proposed additions will achieve good visual integration with the host dwelling.

The rear extension is a single storey extension which is located to the rear of the property which will be

subservient to the host dwelling due to its scale and positioning on site.

This proposal will not result in an adverse appearance on the street scene or result in a harmful impact upon the host dwelling, and as such, it is in accordance with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan, Part M of the Arun Design Guide and Policy 2 of the RNP.

RESIDENTIAL AMENITY

The proposed first floor side extension replaces an existing balcony on site which has uninterrupted views into the front and back gardens, users would undoubtedly see into the neighbour's garden to the north. No side windows are proposed. Proposed fenestration will face either towards the front or back gardens as such levels of overlooking towards the neighbour's private amenity space are set to improve.

Comments have been received relating to the proposed development being overbearing. The extensions are located 1m away from the northern boundary, there is a similar gap between the boundary and the property to the north (no. 34). Design guidance recommends that development does not close important gaps to the sides of dwellings where those gaps are of limited size, so that a 'terracing effect' is not created. As the property to the north is a bungalow, whose roof slopes towards the centre of its site, there will still be significant space at first floor level between the dwellings. Furthermore, Design Guidance recommends a minimum 2m gap between side elevations, in this instance the gap ranges between 2.1m to 1.8m which is acceptable.

The rear extension will be built level with the rear elevation of the neighbour to the north and has been built to take account of the 45-degree rule for rear extensions with the property to the south. A rear garden length over Design Guidance recommended levels is to be retained.

The proposed extensions accord with policy in that they will not be overbearing nor overshadow neighbouring properties.

As such, the proposed development is in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan and the Arun Design Guide.

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 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.

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 and Block Plan 001 P5
- Proposed Floor Plans 050 P4
- Proposed Roof Plan 050 P3
- Proposed Rear Elevation 061 P4
- Proposed Side Elevation 062 P4
- Proposed Front Elevation 060 P3
- Proposed Side Elevation 063 P5

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls of the proposed building and extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building and extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of character and appearance of the by endeavouring to achieve a building of visual quality in accordance with policy 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.