

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

REF NO: R/75/22/HH

LOCATION: 10 Acre Close
Rustington
BN16 3PG

PROPOSAL: Removal of the existing conservatory and replacement with a two-storey rear extension, plus a front infill extension and an increased ridge height with a new dormer to the East of the property.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to construct a new roof atop the existing bungalow raising the ridge by approx. 570mm, provide a new dormer roof extension to accommodate a staircase and provide ground floor front (north) and rear (south) extensions.

The front extension, an infill between the northern and western elevations will be approx. 3.2m in width by 3.1m in depth, it will be built up flush with the primary northern elevation of the host dwelling and a new half-hipped roof will be created.

To the rear a 5.6m by 5.3m extension will be provided further to the demolition of an existing conservatory. The extension does not run across the entire width of the rear of the house but will include an extension to the existing roof creating additional first floor space above.

REPRESENTATIONS

Parish Council - No objection.

5 letters of Objection

- Loss of bungalow stock.
- Sets precedent.
- Concerns relating to overlooking into rear of properties.
- Out of character.
- Loss of light into garden.
- Effect outlook.

1 letter in support

- Will provide a chalet style bungalow rather than 2-storey house.
- Desperate shortage of adapted home.
- Purpose of bungalow retained - 2 bedrooms still at GF level.
- Adapted home will be suitable in future for disabled persons or elderly in need of care.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

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)

[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
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CONCLUSIONS

PRINCIPLE

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. Part M is of relevance to this application.

Rustington has a made neighbourhood plan and policy 2 is of relevance and states that proposals should have regard scale, density, massing, height, landscape design, layout and materials which reflect local architectural and historic character.

DESIGN AND VISUAL AMENITY

The proposal seeks two extensions, one being a replacement structure to the rear (5.5m x 5.3m) and the other an infill to the front of the property (3.2m x 3.2m). In terms of footprint increase the proposal will be appropriately proportioned when compared to the host dwelling. The ground floor extensions and creation of a new first floor are to enable the adaptation of the building to make it suitable for disabled living and includes sufficient space for wheelchair access/turning and hoists, level floors throughout and a layout suitable for adaptable living.

The front ground floor extension and the new roof/dormer will be visible from the street and will therefore

affect the character of the area.

The ground floor front extension will be flush with the front of the building and a new half-hipped roof configuration will increase the height of the ridge by 570mm. This extension is like that of No 8 Acre Close (albeit No. 8 did not increase the ridge height) which is visible when standing in the street and looking towards No 10. The extensions accord with D DM1(1-design) (2-appearance) in that the extensions to the front are in keeping with No 8 in terms of design and materials. The increase in ridge height of the host dwelling will be a different feature within the street scene and group of properties in Acre Close, which currently have ridge heights that preclude loft conversions, this conflicts with D DM1 (1) in terms of inappropriate scale. However, it is noted that 10 Acre Close stands as the last property to the southern side of the Close, to its western boundary are the rear boundaries of properties which front North Lane. The properties in North Lane are predominately two-storey or full chalet bungalows and as such have higher ridge lines. These properties can be seen when looking at the front of the host dwelling, as such the opportunity is there for No. 10 to Act as a transitional space between the two-character areas. Policy D DM1 (5) also states that buildings should be flexible to adapt to the needs of its users, the upgrade of the building to suit the occupiers needs accord with this part of the policy. Therefore on balance although the proposed increase in roof height will be a different feature within the street scene of Acre Close, by reason that it acts as a transitional building in terms of overall height, and by reason that the adaptation of the building is to suit the critical needs of the occupiers, it accords with Policies D DM1 (1) (2) (5) (15) and D DM4 (a) of the Arun Local Plan and Policy 2 of the RNP.

The additional height to the roof and the addition of the dormer are not seen as features which are subservient to the host dwelling. The ground floor extensions by reason of their appropriate scale and suitable positioning, not forward of the primary elevation are subservient. Policy D DM4 (b) requires extensions to be subservient and provide a high level of amenity. It is felt that although the roof extension is not subservient on balance the works will provide a high standard of amenity for the occupiers, as such it complies with Policy D DM4 (b).

Comments have been received relating to the loss of bungalows and precedents being set. This will not be the case, as in this instance and for the specific reasons given above, as it may not be relevant to other properties in the close.

The proposed extensions and new roof will utilise materials which match those found on the existing building, as such they are afforded good visual integration.

In terms of design and visual integration, despite the extensions to the roof being out of character with other properties in Acre Close and not being subservient to the host dwelling, by the reasons given that the character of the design is similar to other properties in Acre Close, the property acts as a transitional building and by reason that the building is being adapted to meet the specific needs of its users, on balance it accords with D DM1 and D DM4 of the Arun Local Plan, Part M of the Design Guide and Policy 2 of the RNP.

RESIDENTIAL AMENITY

Comments have been received relating to the loss of privacy/outlook and loss of light that the proposal will bring about. These issues will be addressed below.

In terms of being overbearing and overshadowing neighbouring properties the proposed development does not extend past either of its side elevations (western or eastern elevations) and retains separation gaps of 1.3m and 2.4m, respectively. Design Guidance recommends that rear to side elevation relationships do not go below 14m and rear garden lengths are set at 10.5m minimum. In both respects this proposal complies with this. In terms of the 45-degree rule for rear extensions, the host building already does not comply, however a detached garage is located to the shared boundary with No 9 Acre

Close. This will have a far greater effect of the levels of shading on site and would be far more influential to the rear garden space in No 9. As such the noncompliance with the guidance criteria is not seen as unacceptable. The increase in height of the proposal of 570mm will not affect neighbours as the increase in height is to the central portion of the building and well away from boundaries. It is noted that the eaves of the building have not altered.

Given the orientation of the dwelling, the position of the extensions away from the boundary and the compliance with design guidance the proposed alterations will not be overbearing nor overshadow neighbouring properties.

In terms of overlooking, fenestration is proposed a first-floor level to all elevations. Rooflights are proposed to the western and eastern elevations, these are all located 1.7m above finished floor level where negative impact from overlooking will not occur. All other windows either face towards the public realm or overlook the rear amenity space of the property. A condition will be applied to ensure that windows which fall below this level will be obscure glazed and fixed shut.

All other windows will be at ground floor level where it is generally accepted that overlooking will not occur.

It is therefore considered by virtue of not being overbearing, overshadowing or overlooking that the proposed extensions accord with policy D DM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

SUMMARY

The proposed 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 beneficial impact on the protected characteristics and has been determined

with this in mind.

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 Plan P001 P2
- Block Plan P002 P2
- Proposed Floor Plans P005 P2
- Proposed Elevations P006 P2
- Proposed Section P007 P2
- Design and Access Statement

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 rooflights hereby approved to the eastern and western elevations shall be non-opening and fully obscured prior to the first use of the rooms where their sills sit below 1.7m from finished floor level. The windows shall be retained as obscure glazed/non-openable in perpetuity.

Reason: In the interests of protecting the privacy of neighbouring properties in accordance with 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.