

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

REF NO: R/82/18/HH

LOCATION: 11 Wallace Road
Rustington
BN16 3JZ

PROPOSAL: Extension (Amendments to previous application R/7/18/HH)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks planning permission for the construction of a single storey rear extension and loft conversion. The proposed rear extension will measure approximately 4.5m length, 2.2m in depth and with a proposed eaves height of 2.4m. The proposed rear extension will measure 3.6m in height and will feature 2No. velux windows. The proposed loft conversion also includes the addition of a dormer to the West elevation.

RELEVANT SITE HISTORY

R/7/18/HH	Single storey rear extension & loft conversion	ApproveConditionally 22-03-18
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council

Rustington Parish Council provided no objection to the works proposed.

1 objection received from neighbouring property:

This structure has been built too close to our house, stopping us having access to the side of our house for maintenance and this will induce damp as it's North facing. The side of this structure has been built across an opening window, which now will not open fully. It has also been built across our gas meter meaning we no longer have access to the emergency cut off valve, and we can't open the meter door to take a reading. We strongly oppose this build, which sadly has been allowed to be built already.

The comments have been noted. However, the issues raised are not material planning considerations that can be used in making a determination of this application.

POLICY CONTEXT

Designation applicable to site:
Built up area boundary

DEVELOPMENT PLAN POLICES

SDSP2	SD SP2 Built-up Area Boundary
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:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

BACKGROUND

This application has been necessary as the application reference R/7/18/HH was approved with drawings that did not match what had been built on site. The rear extension was approved as having a flat roof when in fact it has been built and kept as having a sloping roof.

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP1 the key policies considered are DDM1 and DDM4 of the Arun Local Plan, Policy 2 of the Rustington Neighbourhood Plan (Housing Design and the development proposals including the alterations to existing dwellings) and the National Policy Framework.

DESIGN AND VISUAL AMENITY

The proposed single storey extension and proposed dormer roof extensions are situated at the rear of the property and will not be visible in the street scene. The proposed extensions due to their siting and size are considered well integrated and subservient to the main dwelling. The materials used will match that of the existing dwelling and it is considered that the development will not have any unacceptable adverse impacts upon the character of the area and will accord with DDM1 and DDM4 of the Arun Local Plan and policy 2 of the Rustington Neighbourhood Plan.

NEIGHBOURHOOD RESIDENTIAL AMENITY

The proposed single storey rear extension will be approximately 2.28m in depth, 3.6m in height and feature 2No. velux windows. The proposed rear extension will be situated approximately 0.07m from the neighbouring property at No. 12 Wallace Road and 20.7m to the rear boundary of the property.

The proposed dormer roof extension will not be visible from Wallace Road and whilst it may be seen from Brookside Avenue to the rear, given the distance from this road to the proposed dormer extension, it is not considered to be unacceptably visually harmful to the wider area. The proposed dormer extension has two windows included which may lead to an increased view of the garden of No. 12 however, this is not considered to be any materially different to the existing situation experienced from the first floor windows.

By virtue of the proposals siting, design and scale it is considered that the development will not result in

any harmful overbearing, overshadowing and overlooking impacts upon the neighbouring residential amenity and therefore in accordance with policies DDM1 and DDM4 of the Arun Local Plan.

SUMMARY

The application is a revision of a previously submitted and approved planning application, reference R/7/18/HH. The alteration being the roof of the proposed rear extension, previously approved was a flat roof, however the revised application seeks permission for a hip roof with 2No. velux windows included. The proposed developments are deemed to accord with the relevant 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 2207/01/01 and 2207/01/02.
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.
- 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.