

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

REF NO: R/89/22/HH

LOCATION: 75 Chaucer Avenue
Rustington
BN16 2PG

PROPOSAL: Single storey rear extension and conversion of loft to habitable use including the installation of 1 x rear dormer and 3 x front rooflights.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct a loft conversion to include a rear box dormer, hip to gable extension and 3 rooflights to the front and the demolition of an existing conservatory and the erection of a single storey rear extension.

REPRESENTATIONS

No objection from Parish Council.

2 Letters from one neighbour - Objection
- Potential overlooking from rooflights to bedroom.

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:

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

CONCLUSIONS

PRINCIPLE

In this case, 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 relates to alterations to buildings and seeks to ensure that these are carried out respecting the character of the host dwelling, that of the general appearance of the area and residential amenities of neighbours.

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.

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.

DESIGN AND VISUAL AMENITY

The works will be built using similar materials and design detailing which match the host dwelling and has an appropriate scale when compared to the host dwelling and the plot on which it sits. Given the above, the proposal will be afforded good visual integration with the existing dwelling and by reason of appropriate siting and overall scale it is subservient to the dwelling as well.

The proposal will be visible from the street and as such will have an impact on the character of the area. By reason that the proposal has an appropriate scale and achieves good visual integration and as other properties have been adapted in a similar way (No 79), the proposal does not result in an adverse appearance on the street scene or result in a harmful impact upon the host dwelling.

The proposal accords with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan and part M of the Arun Design Guide in that it responds to and complements the existing character and appearance of the building and wider townscape.

RESIDENTIAL AMENITY

The site is characterised by small gaps between the built form and boundaries, many other properties in the immediate area have had various single/roof extensions to the sides of their properties, in this respect this proposal will be no different.

During the course of the application the applicant has reduced the length of the extension so that it now accords with the 60-degree rule for rear extensions and will retain a garden length above the level the Design Guide recommends. The ground floor footprint will encroach by approx. 500mm on its northern boundary; however, the existing arrangement is also closely positioned so no excessive overbearing effect will take place.

Design guidance states that dormers positioned to the rear of properties are more appropriate so that they do not provide excessive visual intrusion, and as a form of development are beneficial as they make an effective use of a plot. It also stipulates that extensions to roofs should be built to match the existing roof in pitch and materials. The proposed extensions to the roof accord with this guidance.

In terms of being overbearing and overshadowing no negative impacts will occur and as such, the proposal accords with policy and guidance.

The proposal introduces windows to the rear and front elevation at first floor level, all other proposed windows are to the ground floor. Comments have been received relating to potential overlooking to the front from the rooflights. All views achieved, front and back above ground floor level, are compliant with guidance in that the separation gap between overlooking windows is over 21m. Therefore, no negative impact from overlooking will occur.

The development is in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan and part M of the Design Guide.

SUMMARY

The development accords 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

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 Plan
- Site Plan PL-102
- Proposed Elevations PL-106 B
- Proposed Floor Plan PL-105 A

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 roof of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies 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.