

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

REF NO: R/90/22/HH

LOCATION: Kingfishers
10 Fosters Close
Rustington
BN16 2TL

PROPOSAL: Single storey side garage extension, front porch extension, hip to gable loft conversion including the installation of front dormers and rooflights and alterations to fenestration/openings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed application seeks to construct a hip to barn-end extensions to the western and eastern hipped roof and raise the height of the ridge of the north/south ridgeline, to match that of the east/west ridgeline. It also seeks a small ground floor extension and 3x south facing dormer windows.

REPRESENTATIONS

Parish Council - No objection.

6 Letters from neighbours - Objection:

- Loss of privacy from overlooking.
- Excessive number of rooflights (northern and eastern elevations).
- Overdevelopment of site.
- Development will set a precedent.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within 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:

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**

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 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 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 Part M is of relevance.

DESIGN AND VISUAL AMENITY

No 10 is an 'L' shaped bungalow which sits to the north/east of its plot, 7.5m from the northern boundary and 2.7m from the eastern.

It is proposed to construct two hip to barn-end extensions, one to the western elevation and the other to the eastern. The roof to the north/south ridge will also be raised to allow the full loft space to be converted to habitable use, 3 bedrooms and 2 living/hobby spaces. The north/south ridge will be raised to be equal to that of the west/east ridge. 3 dormers are proposed to face south, 2 to serve bedrooms and the other a two-storey 'gable' to form a porch with void above. The proposal will also include 6 rooflights to the northern elevation, 3 to the eastern elevation and 3 to the western elevation.

It is proposed to build the roof extensions using materials which match those found on the existing house, and to a form and scale complementary to the host dwelling. It is by these reasons that the proposed development will achieve good visual integration with the host dwelling. Given that the proposal is largely to the roof of the property without raising its overall height, it will be subservient to the existing dwelling.

The proposed development will not have any significantly harmful impact upon the character of the host dwelling, or its immediate locality. This is due to the locality being host to a wide variety of dwelling

styles, and designs. The proposed hip to gable extensions and small front extension is sympathetic, and well-integrated to the host dwelling.

As it is proposed to alter a bungalow into a chalet style bungalow the spatial composition of the site will not be compromised.

The proposed development is in accordance with D DM1, D DM4(a) and (e) of the Arun Local plan, Part M of the Design Guide and Policy 2 of the Rustington Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development will not have an overbearing or overshadowing harmful impact upon the residential amenities of neighbouring dwellings. The proposed extensions do not exceed the existing footprint of the building except for the 1.2m deep front extensions to the garage. This small footprint increase is to the western internal elevation and well away from shared boundaries. Design guidance states that loft conversions are an effective use of a plot. It is proposed to raise the ridge to the north/south ridge line; however, this is only by a minimal amount 550mm, and it will still be no higher than the east/west ridgeline.

The proposed dormers and western facing rooflights do not pose any negative impact from overlooking by reason that they are 14.4m away from the western boundary and face the side elevation of No 9. During this application, the Applicant has sought to lessen the impact from other rooflights. The north facing rooflights have been reduced in number from 6 no. to 3 no. and the ensuite rooflights are to be obscure glazed. Given the overall distance between rear elevations of 50m between 10 Foster Close and 1 West Mead, the impact from overlooking is acceptable. Given the separation distance of 27m from the eastern elevation of No 10 and 49. Angmering Lane the Applicant has agreed to obscure glazing to the eastern facing rooflights. The obscure glazing along with the rooflights being fixed shut will be retained in perpetuity, secured by condition.

By reason that the scheme has been amended to an acceptable level, negative impact from overlooking is foreseen.

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

SUMMARY

The proposed 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

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
 - Proposed Elevations 6049/5 A
 - Proposed Ground Floor Plan 6049/3
 - Proposed First Floor Plan 6049/4 A
 - Block Plan 6049/6
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 3 rooflights hereby approved to the eastern elevation shall be non-opening and fully obscured rooflights prior to the first use of the rooms. 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 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.