

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

REF NO: R/111/18/HH

LOCATION: 66 Sea Lane
Rustington
BN16 2RT

PROPOSAL: Demolition of existing conservatory and replace with single storey rear extension & single storey side extension for storage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to demolish an existing conservatory and replace with a single storey rear and side extension.
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RELEVANT SITE HISTORY

R/325/07/	Proposed side extension.	ApproveConditionally 05-02-08
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council
Parish Council provided no objection to the works proposed.
No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Built up area boundary

DEVELOPMENT PLAN POLICES

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
SDSP2	SD SP2 Built-up Area Boundary

Rustington Neighbourhood Plan 2014 Policy 2	Housing Design
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PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**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 SDSP2 the key policies considered are DDM1 and DDM4. Rustington has a 'made' neighbourhood plan with Policy 2 considered relevant to the determination of the application.

DESIGN AND VISUAL AMENITY

The proposed development will be situated to the rear and side of the property however due to its location is unlikely to be visible from the street scene.

The side extension will be situated behind an existing side addition and the extension to the rear will replace an existing conservatory. Due to the modest scale of the proposed development and the use of matching materials the proposal is considered to appear subservient and well integrated with the host dwelling.

Due to the location and size of the development it is not considered to impact the spatial character of the area and therefore accord with policies DDM1 and DDM4 of the Arun District Local Plan and Policy 2 of the Rustington Neighbourhood Plan.

RESIDENTIAL AMENITY

The proposed side extension retains the existing boundary to the neighbouring property at the northern elevation and extends west to meet in line with the rear wall of the dwelling. The side extension will match the height of that which currently exists and it is not considered to be unduly dominant or give rise any overlooking or overshadowing.

The proposed rear extension will be slightly larger than the conservatory which currently exists. Its height will be around 0.3m taller than existing at around 3.7m with roof light. The depth of the extension will remain the same as the existing extension at 3.8m however its width will increase by around 2m.

Due to the size and location of the proposed side and rear extensions the proposal is not considered to give rise to any overlooking, overshadowing or overbearing impacts upon the neighbouring amenity and therefore is in accordance with DMM1 and DDM4 of the Arun District Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development plan policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT**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 - 18002-DPA -01
- Site Plan - 18002-DPA -01
- Proposed Elevations - 18002-DPA -04- A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun District Local Plan.
- 3 The materials and finishes of the external walls and roof of the buildings hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies DDM1 and DDM4 of the Arun District 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.