

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

REF NO: R/116/21/HH

LOCATION: 17 Mill Close
Rustington
BN16 3HR

PROPOSAL: Erection of single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct two single storey rear extensions.
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REPRESENTATIONS

Rustington Parish Council - No Objection.

3 Letters of objection received from nearby occupiers (summary below):

- Concerns over the plans submitted
- Concerns of overlooking from dormer window
- Concerns that extension is overdevelopment and out of character of surrounding area

Officers Comments on representations:

The dormer windows are not part of this application and are dealt with under Permitted Development for a separate Lawful Development Certificate application.

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:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Rustington has a made Neighbourhood Development Plan with Policy 2 being relevant to this application.

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.

Further guidance from the Arun Design Guide is relevant and stated below.

DESIGN AND VISUAL AMENITY

The dwelling is a single storey detached bungalow to the east of Mill Close cul-de-sac. There is driveway to front (west) and garden to rear (east). The property is constructed of brick with a pitched tile roof. The neighbouring properties are 15 Mill Close to north and 16 Mill Close to the south. The surrounding area is residential in character and contains properties of similar design.

The proposals are for a single storey rear extension to east side of property and a single storey rear infill extension to south east corner of dwelling.

The extensions will be sited to the rear and part infill the south east corner of dwelling. Due to siting at rear of property it is not viewable from street scene so will not adversely impact street scene or character of area so complies with policy D DM1 of the Arun Local Plan and Policy 2 of the Angmering Neighbourhood Development Plan.

The single storey rear (east) extension has a pitched roof which continues at same height as existing single storey extension eaves so the roof design visually integrates with existing property so complies with policy D DM1 of the Arun Local Plan.

The proposed single storey rear (east) extension will have a width of approximately 4.86m and a depth of approximately 3.02m. The height to pitched roof will be approximately 4.14m.

There will be new bi-fold doors on east elevation facing garden to rear (east), two new floor to ceiling windows on north and south elevations of extension and two new roof lights in north and south roof elevations.

The proposed rear (south east) corner part infill extension flat roof design whilst not in-keeping with

existing property, it is at single storey and is subservient to main dwelling so is acceptable.

The proposed rear (south east) corner part infill extension will have a width of approximately 2.46m and a depth of approximately 3.00m. The height to flat roof will be approximately 2.54m.

The proposal will have a triple windows (2 openable and 1 fixed) to rear (east) elevation of extension facing garden to rear.

Arun recently adopted a Design Guide. It states at Part M development should be subservient to the main dwelling and this complies in terms of scale and size. It states rear extensions can have significant impacts on neighbouring amenity in terms of privacy and overshadowing. It states in detached houses, by keeping both single storey extensions within a 45-degree line taken from the edge of the nearest ground windows of habitable rooms in the neighbouring property. The proposal (flat roof) does not pass this 45 degrees test. However a single storey extension of a similar size could be erected..

The proposed materials seem to match existing property and consist of render walls and tile roof materials so comply with policy D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The single storey rear (east) extension will have a width of approximately 4.86m and a depth of approximately 3.02m. The height to pitched roof will be approximately 4.14m. Due to siting at rear (east) of property there is increased risk to overshadowing or overbearing effect to neighbouring property number 16 to south however due to being at single storey and gap of 2.01m remaining to southern boundary there is no adverse harm to overshadowing/overbearing effects to the south so is acceptable.

Due to new bi-fold doors in east side elevation of extension there is increased risk to overlooking to neighbouring properties to east however due to gap of around 6.41m remaining to east side boundary and properties to east set back there is no adverse harm to overlooking to neighbouring properties to east.

Due to the new floor to ceiling window in north and south elevations of extension there is increased risk to overlooking to north however gap of around 8.67m remaining to north boundary and boundary fence to north there is no adverse harm to overlooking to north. Whilst the new window will increase risk of overlooking to south due to smaller gap of around 2.18m remaining to southern boundary, the proposal being at single storey and location of boundary fence to south reduces impact of overlooking to neighbouring properties to south so is acceptable.

The proposed rear (south east) corner part infill extension will have a width of approximately 2.46m and a depth of approximately 3.00m. The height to flat roof will be approximately 2.54m. Due to the siting at rear (south east) corner of dwelling there is increased risk to overshadowing or overbearing effects to neighbouring property number 16 to south however due to it being at single storey and the neighbouring property set back there is no adverse harm to overshadowing or overbearing effect to neighbouring property to south.

Due to new triple windows in rear (east) elevation of extension facing garden to rear there is increased risk to overlooking to neighbouring properties to east however due to gap of around 8.61m remaining to rear (east) boundary and boundary fence to east there is no adverse harm to overlooking to east so it is acceptable.

The development is considered to be in accordance with D DM1 and D DM4 of the Arun Local Plan and part M of the Design Guide.

SUMMARY

The development is deemed to accord 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:

Existing Plans 01
Proposed Plans 02
Location and Block Plan 05

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 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.