

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

REF NO: R/11/22/HH

LOCATION: 16 Jubilee Avenue
Rustington
BN16 3NB

PROPOSAL: Single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct a single storey rear extension that extends 3.3m off of and 5.713m across the rear elevation at a height of 2.8m. The extension also features a rooflight that reaches a height of 3.25m.
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REPRESENTATIONS

Rustington Parish Council - No Objection.

1 nearby occupier representation - Support:
- In keeping with other similar rear extensions in the locality.

CONSULTATION RESPONSES RECEIVED:

Noted.

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)

[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

The key policies are D DM1 & D DM4 of the Arun Local Plan, Policies 1 and 2 of the Littlehampton Neighbourhood Plan and Section M of the Arun Design Guide.

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.

Arun has 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. Section M presents the '60 and 45 degree rules'. These rules refer to the 60 and 45 degree sightlines from neighbouring viewpoints and aims to prevent adverse obstruction of and loss of sunlight. The 60 degree rule specifically considers single storey rear extensions.

Rustington has a made neighbourhood plan (RNP) and policy 2 is of relevance and states that proposals should have regard scale, density, massing, height, landscape design, layout and materials which reflect local architectural and historic character.

DESIGN AND VISUAL AMENITY

The property features a two storey semi detached dwelling with an existing rear extension of smaller depth and extensive rear garden. The proposal would be an approx. 1m increase in depth and approx. 0.25m increase in height compared to the existing rear extension maintaining the same width. The scale of the proposal relative to the host dwelling is moderate, extending 3.3m off of and 5.713m across the rear elevation at a height of 2.8m. Sitting comfortably in the rear garden retaining approx. 30.2m of rear amenity space. The proposal is subservient to the host dwelling and it is not out of character within its locality as the street shows many examples of similar large single storey rear extensions. The choice of materials are considered appropriate as they match those found on the existing dwelling. The flat roof design is not out of character with its locality and does aid in minimising adverse impacts on neighbouring amenity by way of overbearing or overshadowing. The proposed rear extension is not visible from the street as it is to the rear of the property and as such, it does not negatively impact the street scene.

The incorporated rooflight rises above the roof height of the proposal by approx. 0.4m. It is appropriate in design and similar to others found in the locality.

The design is in keeping with both the host dwelling and similar examples within the locality. As such, it is not out of character and complies with Policy 2 of the Rustington Neighbourhood Development Plan. The proposal also complies with relevant development policies D DM1 & D DM4(a) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The scale of the proposal is considered moderate relative to the host dwelling. There is retention of 0.4m and 1.4m separation from the south (side) and north (side) site boundaries respectively. The proposal is approx. 3.2m in height.

Section M of the Arun Design Guide sets out the 45 and 60 degree rules. The 45 degree rule regarding single storey rear extensions aims to ensure there is adequate availability of light for neighbouring properties. The extension does not obstruct 45 light availability lines at No.14 or 18 Jubilee Avenue. The 60 degree rule regards sightlines from the rear viewpoints of neighbouring properties. The proposal does not obstruct 60 degree sightlines from No. 18 or No. 14 Jubilee Avenue.

The proposed rear extension features 2 No. rear glass doors and 1 No. rear glass window that look out to the rear of the property. Due to significant rear garden retention, being at ground floor level and boundary fences along both the north and south side boundaries, they do not provide any viewpoints that negatively impact neighbouring residential amenity.

By virtue of not being overbearing, overshadowing or overlooking, the proposal is in compliance with policies D DM1(3), D DM4(c) of the Arun Local Plan and section M of the Arun Design Guide.

SUMMARY

The proposed development accords with the relevant development plan 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:

- Proposed Block Plan 16JA-203
- Existing & Proposed Plans 16JA-204
- Existing & Proposed Elevations 16JA-205

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 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.