

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

REF NO: R/121/19/HH

LOCATION: 35 Broadmark Lane
Rustington
BN16 2HH

PROPOSAL: Proposed single storey rear extension and conservatory

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council

No objection.

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Within the 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
SDSP1	SD SP1 Sustainable Development

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design

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 D DM1 and D DM4. The site is occupied by a semi-detached property with front and back gardens in a mixed design area.

Policy

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 locality.

Policy DSP1 of the Arun Local Plan sets out that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy 2 of the Rustington Neighbourhood Plan outlines that development should not detract from the character and amenity of the nearby area as well as explaining the development should seek to maintain privacy and alleviate possible noise issues to existing neighbouring properties.

Site history

No relevant site history.

Design and Visual Amenity:

The applicant seeks planning permission for the construction of a rear extension and conservatory to the dwelling. The proposed rear extension will measure approximately 5.5m wide, 2m in depth and be built to the proposed height of 2.9m. The proposed conservatory will be measuring a further 3.9m in length, the same width as the extension as they are adjoining and to a proposed height of 3.35m and at the eaves 2.4m.

The proposed rear extension given its location and design will not have an effect on the street scene and an acceptable impact on the character of the host dwelling. It will therefore accord with policies D DM1 and D DM4 of the Arun Local Plan.

Neighbouring Residential Amenity:

The proposed rear extension will be located approximately 14.6m from the eastern boundary, 1.2m from the southern boundary and 2.95m from the northern boundary.

Given the design and location of the extension it is not considered to give rise to adverse impacts in terms of overlooking, overshadowing and overbearing as the total height of the proposed would not be clearly visible from the neighbouring property and is therefore deemed to accord with D DM1 and D DM4 of the Arun Local Plan.

Although this application will be the first in the area to have a pitched roof to the front of the dwelling on an extension it is not deemed to be detrimental to the character of the area or the spatial pattern of the road.

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 AD-140-03 and AD-140-04.

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