

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

REF NO: R/13/19/HH

LOCATION: 39 Knightscroft Avenue
Rustington
BN16 2HW

PROPOSAL: Single storey side extension, alterations to fenestration and porch, re-roof in alternative material and additional rendering to walls and chimneys.

SITE AND SURROUNDINGS**DESCRIPTION OF APPLICATION**

The application seeks planning permission for a single storey side extension, alterations to fenestration and a proposed porch, re-roof in a alternative material and additional rendering to walls and chimneys.

RELEVANT SITE HISTORY

R/292/07/ 2 storey side extension and alterations.

ApproveConditionally
17-12-07**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Rustington Parish Council

Rustington Parish Council: No objection received from Rustington Parish Council.

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

- Within the Built up area boundary

DEVELOPMENT PLAN POLICES[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
SDSP2	SD SP2 Built-up Area Boundary

[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 SD SP2 the key policies considered are D DM1 and D DM4 of the Arun Local Plan and Policy 2 of the Rustington Neighbourhood 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 locality.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built up area boundary and will be permitted subject to consideration against other policies in the Local Plan.

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 states that development proposals (including alterations to existing buildings) will be supported, provided that their scale, density, massing, height, landscape design, layout and materials reflect the architectural and historic character and scale of the surrounding buildings and landscape and that proposals must also comply with the parking standards adopted by the planning authority.

There appears to be no recent relevant history relating to this site.

The site is occupied by a detached two storey dwelling, set in a residential street consisting of a variation of house styles and designs.

DESIGN AND VISUAL AMENITY

The application seeks planning permission for the construction of a single storey extension to the side of the existing dwelling. The proposed extension given its location will be visible within the street scene, however it will appear as well integrated with the host dwelling.

The proposed side extension will measure approximately 8.5m in length, 7.9m in width and be built to

height of 4m. Despite the scale of the proposed side extension it will not have a detrimental impact on the character of the host dwelling or the street scene. The surrounding properties are of a mixed design and style and as such the proposed development will not appear out of character with the locality.

The proposed extension by virtue of its design and siting will not extend beyond the primary elevation of 97 Sea Lane (to the south-west of the application site) and as such the proposal will not appear incongruous or result in any unacceptable adverse impacts upon the established spatial pattern or character of the street scene. Especially when the existing 1.8m high close boarded fencing and mature tree screening present in the garden of the host dwelling are taken into consideration.

The application also seeks permission for alterations to the fenestration of the existing dwellinghouse and to the existing open porch situated forward of the North elevation. These alterations would not give rise to any unacceptably adverse harm to the established character of the host dwelling or the wider locality and would accord with D DM1 of the Arun Local Plan.

The proposed alterations and extension are considered to appear subservient to the host dwelling and would not result in an unacceptably adverse impact on the spatial pattern or character of the area and would therefore accord with policies D DM1 and D DM4 of the Arun Local Plan and Policy 2 of the Rustington Neighbourhood Plan.

NEIGHBOURHOOD RESIDENTIAL AMENITY

The proposed side extension will be located approximately 7.9m from the Northern boundary, 3.4m from the Southern boundary and 16.5m from the Western boundary. The proposed extension will feature 1No. window on the primary (North) elevation and bi-fold doors on the Western elevation. The window on the North elevation is not considered to give rise to any additional overlooking given it is on the ground floor and overlooking the road which is separated by the dwellings driveway. No windows have been incorporated on the southern elevation of the proposed extension to further mitigate any potential impact upon neighbouring properties.

Given the distance from the bi-fold doors and the western boundary of the site approximately 16.5m and that the bi-fold doors will overlook the rear garden at ground floor level, they will not give rise to any additional overlooking or loss of privacy to the neighbouring properties. The extension will also include 2No. roof lights, however by virtue of the design of the proposed extension the location of these windows they will not result in any unacceptably adverse overlooking of neighbouring properties.

Given the design and location of the side extension it is not considered to give rise to adverse impacts in terms of overlooking, overshadowing or overbearing and is therefore deemed to accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with 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:

- Location and Block Plan 181423/03
- Proposed Plans and Elevations 181423/02

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.