

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

REF NO: R/14/26/HH

LOCATION: 31 Pigeonhouse Lane
Rustington
BN16 2AY

PROPOSAL: Remove existing garage, proposed side extension, external and internal alterations. Reconfiguration of existing solar panels.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

R/61/18/PDH Notification under extended permitted development rights Prior Approv not req
for a single storey extension from the original rear wall by 24-04-18
7.5m with a height of 4m and an eaves height of 3m

REPRESENTATIONS

Rustington Parish Council - No Objection.

No representations received from nearby occupiers.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

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

DESIGN AND VIUSAL AMENITY

The site includes a semi-detached dwelling with large rear garden. The proposal is for the removal of the

garage to accommodate a side extension, re-configuration of solar panels and associated works.

Currently, the host dwelling shares a party wall with the garage at 33 Pigeonhouse Lane, to the south. The removal of the garage would create a 1m gap between the dwellings, following the erection of the proposed side extension, which would be 3.6m wide, 4.3m in height and 12.75m in depth. The side extension would have a crown roof, equal in pitch to the existing roof slopes on the host dwelling. The side extension would be level with the buildings frontage, but set back from the rear elevation by 2.9m. Whilst the Arun Design Guide does state that side extensions should generally be set back from the front of the building, the extension would be situated where the current garage is and would not result in harm to visual amenity.

The extension is compliant with the Arun Design Guide in that it is set in from the southern boundary by 1m, does not exceed 70% of the width of the host dwelling and is set down from the ridge height by a minimum of 0.5m. The removal of the flat roof garage increase the spacing between 31 and 33 Pigeonhouse Lane; the two dwellings are unique on Pigeonhouse Lane for their symmetrical appearance. However, given the varied form of extensions in the locality, this would not be unduly harmful to character or design.

The re-configuration of solar panels onto the southern roof slope is necessary to accommodate the side extension and would have no impact to design or visual amenity. The materials proposed would match those existing; the extension will be painted render with concrete tiles used on the roof and UPVC fenestration.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regards to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

While the extension would be set in from the side boundary with 33 Pigeonhouse Lane by 1m, the side extension would increase the bulk of the host dwelling. The proposed side extension would be 4.3m in height, 1.6m higher than the existing garage. The extension may result in some overbearing or overshadowing impacts to the neighbour to the south, 33 Pigeonhouse Lane. However, given that the neighbouring garage is sited directly adjacent to the shared boundary with the application site, these would be isolated to window on the north elevation and would not result in unacceptable harm by way of overbearing or overshadowing impacts.

The side extension would include French doors at the rear, with a window and door on the south elevation. Given that the new fenestration would be sited at ground floor level, they would provide an outlook into the rear garden and side passage only. There would be no impact on neighbouring amenity in regard to overlooking.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to neighbouring residential amenity.

SUMMARY

The proposal is in accordance with relevant Arun Local Plan policies and is therefore 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

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.

CIL DETAILS

This application is not CIL liable.

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 250071/ 07
 Proposed Ground Floor Plan 250071/ 04
 Proposed Roof Plan 250071/ 05A
 Proposed Elevations 250071/ 06A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.