

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

REF NO: R/15/26/HH

LOCATION: 11 Old Manor Road
Rustington
BN16 3QU

PROPOSAL: Proposed single storey rear extension to replace the existing conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

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 VISUAL AMENITY

The site includes a semi-detached property with an existing conservatory and detached garage. The proposal is for a single storey rear extension, following removal of the conservatory, which would adjoin the garage.

Following the demolition of the conservatory, the rear extension would extend across the majority of the rear elevation; it would be 7.6m wide and have a depth of 5.1m from the rear elevation. This would exceed the advice for rear extensions in the Arun Design Guide (ADG), which states rear extensions on semi-detached houses should not exceed 3.3m in depth. The proposal would, however, leave a rear garden depth of 18.8m, compliant with Arun Design Guide advice.

At a height of approximately 3.15m, the extension would be slightly lower than the existing conservatory at its highest point. The extension would be a substantial addition to the host dwelling; the loss of glazing

and introduction of a flat roof would increase the bulk and massing of the host dwelling, losing the lightweight, open character that the conservatory contributes at the rear. However, given the minimal difference in height, and that the extension would remain set in from the southern side boundary, it would be a subservient addition to the host dwelling.

The extension would be served by two windows and a door, flanked by full-length glazing, on the rear elevation. A new door is proposed on the north elevation, in front of the garage, so the extension may be accessed from the front of the property. Fenestration would be white UPVC to match the host dwelling. It is proposed to use brickwork to construct the extension which would also match the host dwelling.

Whilst the depth of the proposed extension would exceed the guidance outlined within the ADG, given the height and design of the extension, that the extension would be sited to the rear of the host dwelling and that a sufficient garden depth would be retained, the proposal would not result in harm to visual amenity. As such, the proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

Whilst slightly lesser in height than the existing conservatory, the introduction of a flat roof would increase the bulk and massing of host dwelling. A 0.4m gap would be retained to shared site boundary with 15 Old Manor Road to the south. Given the proposal is compliant with the 45-degree rule and is slightly lesser in height than the existing conservatory, the proposal would not result in harm by way of overbearing or overshadowing in respect of 15 Old Manor Road.

The proposed extension would be set in by 3m from the northern boundary, to the south of the proposed garage. The extension would have no impact on 9 Old Manor Road by way of overbearing or overshadowing.

Fenestration is predominately proposed within the rear elevation of the extension, with a door within the northern flank elevation. The rooflights would be positioned within the flat roof of the extension, serving the ground floor accommodation. Given that the extension would be single storey in nature, the proposal would not offer any outlook that could not be achieved from the existing conservatory or rear garden, therefore the proposal would not result in any overlooking to neighbouring properties.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 and the ADG by way of residential neighbouring 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:

Existing Location and Site Plan DPA-01
Proposed Site and Roof Plan DPA-02
Existing and Proposed Floor Plans DPA-03
Proposed Elevations DPA-05

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.