

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

REF NO: R/160/20/HH

LOCATION: 17 Sea Avenue
Rustington
BN16 2DQ

PROPOSAL: Proposed two storey rear extensions and various roof alterations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Hip to gable roof extension at the front, roof extension to the rear and lounge extension at the rear.
----------------------------	--

REPRESENTATIONS

Rustington Parish Council - No objection.

1 letter of objection on the following grounds;
Balcony will cause loss of privacy to rear garden.
Hip to gable extension will cause loss of light to side windows of 15 Sea Avenue.
Extensions will be out of character with no.15 Sea Avenue.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOCAL PLAN

TREE PRES ORDER

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

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development 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 the locality.

Policy 2 of the Rustington Neighbourhood Development Plan states that development proposals will be supported providing that their scale, density, massing, height, landscape design, layout and materials reflect and enhance the established character of the area.

DESIGN AND VISUAL AMENITY

The primary impact on the street scene would be the hip to gable extension at the front which is considered to be in character with surrounding dwellings.

The proposed extensions are considered to appear well integrated to the host dwelling, and although not subservient to its built form given the scale of what is proposed, the extended building would be in character with the mixed one and two storey dwellings in the vicinity including no.19 Sea Avenue which is a two storey dwelling.

The proposed development is considered to be in accordance with D DM1 and D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings.

The hip to gable extension at the front would only cause a loss of light to a single secondary window at 15 Sea Avenue located at the front on the side of the dwelling.

The balcony at the rear is narrow and located in the centre of the roof a sufficient distance away from neighbouring properties to avoid causing a loss of privacy particularly given that there is an intervening garage on the rear garden of 15 Sea Avenue and the lounge extension roof would intervene between 17 and 19 Sea Avenue. The balcony is set within the roof slope and there are no side views with the only view being down the host garden.

The proposed dormer on the west elevation faces up the plot toward the frontage. It has an oblique view toward the gable end of no.19 Sea Avenue however this is not considered to cause a significant overlooking of that property.

The velux windows in the north elevation are not considered to cause overlooking as the easternmost velux is a high level window to a vaulted ceiling. The two centre velux's face out onto a blank gable end.

The south facing velux illuminates a stairway and faces out to the gable end of 19 Sea Avenue and is not considered to cause overlooking as a result.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) 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.

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:

Plans and elevations dwg.no. 2 dated Mar 2020

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.