

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

REF NO: R/180/18/HH

LOCATION: 17 Kirdford Close
Rustington
BN16 2LW

PROPOSAL: Single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed development seeks to construct a rear single storey extension.
----------------------------	---

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council
Parish Council - No comment.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

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 application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally,

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 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 proposed development is situated at the rear of the host dwelling. However, as there is a footpath to the South of the dwelling, there are still some available views of the development from the public realm. Nevertheless, the proposed development is not considered to have an significantly detrimental impact upon the established character of the area.

The maximum height of the proposal is 3.4m from ground level, however, this is as a result of a roof lantern, the majority of the proposal is 2.9m from ground level. This is 4.2m lower than the existing ridge height of the host dwelling. Therefore, the proposed development is considered to appear subservient, nor is it deemed to harm its established character.

Therefore, the proposed development is deemed to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan, in terms of design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The proposals maximum height is 3.4m, however, this is atop of a rooflight, which is set 1m away from the Northern, and Southern sides of the extension, the majority of the extension is 4.2m lower than the existing ridge height of the dwelling, and this is not deemed to give rise to any significant adverse impact on neighbouring residential amenity. The majority of the proposed development is the same height as the existing rear projection at the site.

Whilst due to the fact that the proposed development features a window on its Northern elevation, there is not considered to be a significant loss of privacy, as views would be impeded by the fencing that lies between the two properties.

Therefore, it is not considered that the proposal will give rise to any unacceptable adverse overbearing, overshadowing or overlooking impact upon the neighbouring residential amenity. Resultantly, the proposal is 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

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:

- Proposed Block Plan & Cross Section - 2018/06/59/03 - Rev.A- 22/08/2018
- Proposed Ground Floor Plan, Elevations & Roof Plan - 2018/06/59/02 - July 2018

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.