

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

REF NO: R/188/21/HH

LOCATION: 54 Milton Avenue
Rustington
BN16 2PL

PROPOSAL: Erection of single storey rear extension following the demolition of existing sunroom

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to demolish an existing sunroom and construct a replacement rear extension.

REPRESENTATIONS

Rustington Parish Council provided no objection.

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Built up area boundary

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)
DSP1	D SP1 Design

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design

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

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Rustington has a made Neighbourhood Plan with policy 2 of relevance to the application. The proposal complies with policy.

DESIGN AND VISUAL AMENITY

The proposal will be located to the rear of the property and is not visible from the wider area.

The proposal largely replaces an existing structure however the replacement will increase in depth by approximately 1.5m. It appears well integrated and subservient to the host dwelling. It will have a flat roof, and is modest in height.

The Arun Design Guide was adopted with Section M relating to householder extensions. The proposal is considered to comply with this in such that the design responds to and complements the existing character and appearance of the dwelling. The scale and massing is also appropriate.

With the extension to the rear of the property and with no viewpoints from the wider area, the proposal will not harm the street scene or character of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension is located to the north western side of the property and extends to a maximum depth of 4.5m. It will have a height of 2.85m and retains 1.2m to the northern boundary. 6.2m is retained to the southern side with the extension infilling half of the rear elevation.

Whilst the depth increases slightly from that which currently exists, it does not extend beyond the neighbouring dwellings and is not considered to result in adverse overbearing or overshadowing.

There will be a set of doors to the rear and a window to the north. At single storey, views will be over the garden and the extension will not result in adverse overlooking, additional to that which is already achievable.

Due to the design and size, being largely a replacement structure, the proposal is not deemed to result in harm upon neighbouring amenity by way of overbearing, overshadowing overlooking and 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 approvals 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 Plan
 - Proposed Floor Plan - 2820/01/02
 - Proposed Elevations and Block Plan - 2820/01/01

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.