

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

REF NO: R/199/21/HH

LOCATION: 54 Chaucer Avenue
Rustington
BN16 2PG

PROPOSAL: Erection of single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey rear extension.

REPRESENTATIONS

Rustington Parish Council - No Objection.

No representations 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. Also Section M of the Design

Guide.

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

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.

Section M of the Arun Design Guide relates to residential extensions, setting out criteria to which the proposed extensions should meet. These predominantly seek to ensure that the proposal appropriately relates to the host dwelling and the area.

DESIGN AND VISUAL AMENITY

The dwelling is a single storey semi-detached bungalow to north west of Chaucer Avenue. The property is constructed of brick 56 to the south west. The surrounding area is residential in character and contains similar property designs.

Due to siting extension to rear (north west) it will have limited views from street scene so will not adversely impact street scene or character of area so complies with policy D DM1 and D DM4 of the Arun Local Plan.

The proposal has a width of approximately 3.90m and a depth of approximately 5.0m. The height to flat roof will be approximately 3.46m. There is 0.15m gap remaining to north east boundary.

The Arun Design Guide was adopted with Section M relating to extensions. It states development should be subservient to the existing property and this complies in terms of size and scale. It states rear extensions can however have significant impacts on neighbouring amenity in terms of privacy and overshadowing, particularly in semi-detached dwellings where neighbours are in close proximity. It states by keeping single-storey extensions no more than 3.3m from the rear elevation of the original dwelling. The extension extends to a depth of 5.0m which is greater however up to 6m could be done under a prior approval application at a lower height and up to 3m in depth from rear elevation could be done under permitted development at a lower height (same eaves height as dwelling).

The materials seem to match the dwelling and consist of White painted render walls & Grey Marley Cedral weatherboarding, flat roof materials, and white UPVC windows and doors so complies with policies D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposal has a width of approximately 3.90m and a depth of 5.0m. The height to flat roof will be approximately 3.46m. Due to a gap of 0.15m remaining to boundary of 52 Chaucer Avenue to north east there is increased risk of overshadowing or overbearing effects. However being at single storey and existing boundary fence reduces harm so is acceptable.

There is a gap of 3.4m remaining to south west boundary so no adverse impact to overshadowing to 56.

Due to two new French doors to rear (north west) of extension there is minimal increase to overlooking effects to north east or south west due to existing boundary fence and siting of extension beyond building

line so no increase to overlooking.

To the rear (north west) there is a gap of around 10.87m and location of road so no adverse impact to overlooking to rear properties.

An extension impacts the 45 degrees test to ascertain if a proposal affects neighbours' access to light. Due to the depth and proximity of the extension the proposal would conflict with the 45 degree rule (as would a larger home extension under the prior notification process). The level of harm caused to the neighbouring property by way over overbearing/overshadowing would not be such that a refusal could be justified based on the potential fall back position.

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

Section 6031/5

Proposed Elevations 6031/1

Existing Elevations 6031/2

Existing Floor Plans 6031/4

Proposed Floor Plans 6031/3

Block and Roof Plan 6031/6

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