

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

REF NO: R/214/25/HH

LOCATION: 99 Worthing Road  
Rustington  
BN16 3LX

PROPOSAL: Single storey rear extension.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION As above.

**REPRESENTATIONS**

Rustington Parish Council - No objection.

No representations received from nearby occupiers.

**CONSULTATION RESPONSES RECEIVED:**

None.

**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 is a two storey, end of terrace dwelling with an existing single storey rear projection and multiple outbuildings. The proposal is for a single storey rear extension to replace the existing extension.

The proposed extension would be equal in width to both the host dwelling and existing rear extension. The extension would have a shallow-pitched roof, incorporating one rooflight, sympathetic to the glazing used on the existing rear extension. Dwellings along both Worthing Road and Conbar Avenue have rear extensions of varying forms, with conservatories, flat-roof extensions and pitched-roof extensions commonplace. As such, the proposal would not be out of keeping, nor would it detract from the visual

amenity of the area in accordance with Arun Local Plan policies D DM1 and D DM4.

The extension would protrude 2.6m further into the rear garden than the existing extension, to leave a rear garden depth of 7.5m, when measured to the outbuildings at the rear, in contradiction with the Arun Design Guide's (ADG) advice on rear garden depth. Furthermore, the extension would have a depth of 4.5m, thus would exceed the guidance within the ADG which outlines that single storey rear extensions should not exceed a depth of 3.3m. However, the host dwelling has an amenity area to the side (east) of the host dwelling that would be compliant with the ADG, and the extension would not extend significantly beyond the staggered building line to the rear. Further to this, the extension would be constructed on existing hand standing, retaining permeable surfaces in accordance with the ADG.

Brickwork and hanging tiles would be used to construct the extension, as well as UPVC windows and doors, to match the materials of the host dwelling. This would not result in harm to design and visual amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

#### NEIGHBOURING RESIDENTIAL AMENITY

The extension would be set in from the shared site boundary to the west with 101 Worthing Road by approximately 0.15m. The shallow-pitched roof and increased footprint of the proposed extension (extending into the rear garden by an additional 2.6m) would result in increased bulk and massing, compared to the existing extension, resulting in some overshadowing and overbearing effects to the neighbour to the west. However, given the depth of the neighbouring rear garden, that this neighbour has an existing single storey rear projection and the proposed extension would extend 2.6m beyond the rear elevation of this neighbour, the proposal would not result in significant harm by way of overbearing or overlooking to the neighbour to the west.

The rear extension would be served by bi-folding doors and a small window on the rear (south elevation), and by a door and window on the eastern flank. These windows would not provide any outlook not already achievable from the rear garden or existing extension. The extension would not result in harm to neighbours by way of overlooking.

The proposals are in accordance with Arun Local Plan policies D DM1 and D DM4, in that they would not result in unduly harmful impacts on neighbouring amenity by way of overbearing, overshadowing or overlooking.

#### 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:

- Site and Location Plan ARC/183/25/08
- Proposed Floor Plans ARC/183/25/05
- Proposed Elevations ARC/183/25/06
- Proposed Sections ARC/183/25/07
- Biodiversity Enhancement Statement

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.