

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

REF NO: R/215/25/HH

LOCATION: 21 Sutton Avenue
Rustington
BN16 2ES

PROPOSAL: Single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Rustington Parish Council - No objection.

One neighbour submitted 35 objections to the planning application. The issues raised are laid out below.

- Overlooking
- Site disturbance
- Noise disturbance
- Breach of 45 degree rule
- Out of character with the locality
- Party Wall issues
- Structural stability
- Impacts on sewers / drainage
- Incorrect block plan

The Party Wall Act is separate legislation and falls outside the reach of planning permission, so has not been assessed as part of the application. Similarly, structural details would be assessed under building control regulations, separate to this planning application.

Drainage has not been assessed as part of the application. 21 Sutton Avenue is not in an area at high risk of flooding and, given that the area of permeable surface that would be lost to the extension is minimal, any drainage implications would be negligible.

The proposal would not give rise to any additional residential noise implications, given that the use of the site is not changing. Building works will give rise to some disturbance, however, these works are temporary and would not result in undue harm.

During a site visit, it was clear that a summerhouse / outbuilding was being erected in the rear garden. This application does not include details relating to this outbuilding, nor was it included in the applications description or plans. This planning application considers the single storey rear extension only.

Other matters raised have been addressed in the conclusions section below.

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 detached dwelling with large rear garden. The proposal is for a single storey rear extension. Examples of both flat and pitched roof extensions can be seen in the locality.

The extension would have a depth of 5m beyond the existing rear elevation and would have a width of 4.4m. The extension would have a maximum height of 4.95m and would incorporate two roof lights, one on both the eastern and western roof planes. The extension would have a hipped roof, reflecting the character and appearance of the host dwelling.

The extension would leave a rear garden depth in accordance with Arun Design Guide advice of a minimum of 10.5m. The extension would be single storey and lower in ridge height than the host dwelling. The form and scale of the proposed extension would be similar in appearance to the existing front projection, helping the proposal to integrate with the host dwelling. The extension would be a subservient addition and is in accordance with Arun Local Plan policies D DM1 and D DM4.

The rear extension would project 5m from the existing dwelling, exceeding the 3.3m guidance depth laid out in the Arun Design Guide. However, given the resultant rear garden depth and limited width of the extension, it is acceptable.

The extension would be finished with brick and tiles to match the host dwelling. The extension would have a window within the north (rear) elevation and doors on the west (side) elevation to provide access and light to the ground floor. The window and door will be white UPVC and aluminium, to match the existing fenestration.

In regard to design and visual amenity, the proposal is in accordance with Arun Local Plan policies D DM1 and D DM4.

NEIGHBOURING RESIDENTIAL AMENITY

The extension would maintain the 1m separation distance from the shared site boundary with 1 Evelyn Avenue, to the east. The extension would be in breach of the 45 degree rule, outlined within the Arun Design Guide, owing to the depth of the proposed extension. The extension would give rise to some overbearing and overshadowing effects on 1 Evelyn Avenue, mostly to the existing rear extension. However, given that the extension would have a hipped roof and would be retained within the existing flank elevations, on balance, the extension would not result in undue harm to the 1 Evelyn Avenue and is in accordance with Arun Local Plan policies D DM1 and D DM4.

The extension would be set in from the rear of the property by 19m and from boundary with 19 Sutton Avenue (to the west) by 7.28m. The extension would not have any overbearing or overshadowing effects on the neighbours to the west and north.

The extension, being at ground floor level, would not result in any increased overlooking. Any views achievable from the rear extension could be achieved from the existing rear garden. The proposal is therefore in accordance with Arun Local Plan policies D DM1 and D DM4.

SUMMARY

The proposed development is in accordance with relevant development plan policies and as such is recommended for approval 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

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:

Location Plan 3434.
Block Plan 3434/01/04.
Proposed Ground Floor Plan 3434/01/03.
Proposed Plans and Elevations 3434/01/02 (received 20.01.2026).

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the NPPF.