

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

REF NO: R/219/25/HH

LOCATION: 30 Frobisher Way
Rustington
BN16 2BB

PROPOSAL: Single-storey rear extension to replace the existing conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Rustington Parish Council - No objection.

No representation 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 detached bungalow located along Frobisher Way. This application seeks planning permission for a single storey rear extension following the demolition of the existing conservatory and sun room. The works would not be visible from the street scene. Externally, the weatherboard on the front elevation is proposed to change from white to a pale blue/green finish. The remaining elevations would be rendered in white.

The rear extension would measure 8.8m in width and 3m in depth, retaining the existing footprint. It would have a flat roof form with a height of 2.5m and two lantern rooflights, resulting in a maximum

height of 2.9m. As the proposal would not increase the dwelling's overall footprint, complies with the 3.3m depth for single storey rear extensions outlined within the Arun Design Guide (ADG), uses appropriate materials, and does not project beyond the established building line, the extension would not result in harm to the character of the host dwelling.

The proposal would not result in harm to the character and visual amenity of the dwelling or the surrounding area in accordance with policies D DM1 and D DM4 of the Arun Local Plan (ALP).

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the Arun Design Guide (ADG) states householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

The proposed rear extension would be set in 3.5m from the northern boundary with 28 Frobisher Way, separated from that property by the existing garage, and set in approximately 10m from the rear boundary. The extension would replace the existing conservatory and sun room and would not project beyond the established building line. Given the separation distances retained to neighbouring properties, the proposal would not give rise to harmful overbearing or overshadowing impacts.

To the south, the extension would maintain a 0.8m separation from the boundary with 32 Frobisher Way. The removal of the existing sun room would reduce the level of fenestration on this elevation, and there are no additional side windows proposed. The proposed rear fenestration would provide outlook onto the host dwelling's rear garden, consistent with the existing arrangement. As the former openings served a conservatory and sun room, the proposal would not introduce any new or additional overlooking impacts.

The development will not result in any adverse overbearing, overlooking, or overshadowing impacts and is in accordance with policies D DM1 and D DM4 of the ALP and the ADG

SUMMARY

The proposed development is in accordance with the 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:

Existing Location and Site Plans 01
Proposed Site Plan and Roof Plans 02
Existing and Proposed Floor Plans 03
Proposed Elevations 05

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.