

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

REF NO: R/21/26/HH

LOCATION: 69 Worthing Road
Rustington
BN16 3JU

PROPOSAL: First floor rear extension (revised proposals to R/146/25/HH). New vehicular drop kerb.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

R/146/25/HH First floor rear extension.

Refused
06-10-25**REPRESENTATIONS**

Rustington Parish Council - No objection.

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

West Sussex County Council Highways - The proposed extension would not result in any additional bedrooms to the existing dwelling. The plans indicate that a new dropped kerb will be provided to the site frontage to provide off-street parking for two vehicles. The proposed vehicular access will be constructed to a specification agreed with the WSCC Area Engineer. Visibility at the proposed access is sufficient for the anticipated road speeds, and splays are maintainable wholly within the public highway.

Conclusion: The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

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)
TSP1	T SP1 Transport and Development

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 includes a semi-detached dwelling with a garage and outbuilding. The application is for a first floor rear extension and new vehicle crossover, following a previous refusal for a first floor rear extension. The proposal has been amended to incorporate a splayed design following concerns raised over undue harm by way of overbearing and overshadowing impacts. The works would not be visible from Worthing Road, but views of the extension would be available from Jubilee Avenue.

The first floor rear extension would measure 6m wide and 3m deep. Two windows are proposed on the rear (south) elevation and a splayed northwest corner. In terms of materials, the walls of the extension would be finished in composite cladding, with the windows being grey powder coated aluminium uPVC. The size and scale of the extension would appear appropriate for the host dwelling. Furthermore, the elevational treatment would match the existing dwelling, and the materials would be appropriate. The extension would have a flat roof which would be set down from the main ridge line of the host dwelling, and the rear extension would not be readily visible from Worthing Road. The extension would not appear prominent within the street scene and would be acceptable in this regard.

The flat roof of the first floor extension would be set above the existing eaves of the host dwelling. Following the previous refusal, the extension has been amended to incorporate a splayed form. While unusual in appearance, Worthing Road has various forms of extensions and roof forms; the introduction of the flat roof, splayed extension would not appear out of character, resulting in no harm to design or visual amenity. The extension would be in accordance with the Arun Design Guide (ADG) guidance regarding back-to-back or back-to-side first floor distances.

Whilst the proposed extension would not be a subservient addition to the rear of the host dwelling, given the existing variation within the street scene of Worthing Road and that there are other examples of two storey developments with flat roof forms, on balance, the proposed extension would not result in harm to visual amenity, in accordance with Arun Local Plan policies D DM1 and D DM4.

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the ADG sets out guidance in respect of overshadowing and overbearing impacts that aim to better assess such impacts. For semi-detached dwellings, it advises that single storey rear extension should be kept below 3.3m in depth, and that two storey extensions are usually unacceptable. It goes on to identify the 45 and 60-degree rules for terraced and semi-detached dwellings. This rule states that the extensions should not negatively impact neighbouring amenity in terms of privacy and overshadowing by following the 45-degree and 60-degree rules. The first floor rear extension would comply with both the 45 and 60 degree rules when taken from the closest first floor windows at No. 71. As such, the proposal would not result in unacceptable harm to residential amenity by way of overbearing or overshadowing

impacts.

The proposed windows would be rear facing and look over the rear garden and private parking areas to the rear of the site. No windows are proposed along the side elevations of the extension. There would be no significantly adverse impacts by way of overlooking of neighbouring properties.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to neighbouring residential amenity.

HIGHWAYS & PARKING

It is proposed to construct a new access at the front of the property, via Worthing Road. The dropped kerb would be 4.8m wide, leading to the driveway which would accommodate two policy compliant parking spaces. West Sussex County Council have raised no concerns in regards to highway safety.

Dropped kerbs are abundant along Worthing Road; the proposal would be in keeping with the character of the area. In terms of neighbouring impacts, the proposal would not give rise to any noise impactations that do not already arise from the highway, resulting in no harm to neighbouring residential amenity.

The proposal is acceptable in this regard and is in accordance with Arun Local Plan policy T SP1.

SUMMARY

The proposal is in accordance with relevant Arun Local Plan policies and is therefore 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
 - Proposed Site Plan
 - Proposed Ground Floor Plan 03A
 - Proposed Elevations and Roof Plan 04A
 - Crossover Proposals 05A
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: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/>
- 5 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.