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

REF NO: R/22/23/HH

LOCATION: 83 Fircroft Crescent
Rustington
BN16 3HT

PROPOSAL: Single storey rear extension following demolition of existing rear conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION — Single storey rear extension following demolition of existing rear conservatory.

REPRESENTATIONS

Rustington Parish Council - No objection.

No representation from nearby neighbours.

CONSULTATION RESPONSES RECEIVED:

Comments noted.

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

CONCLUSIONS

PRINCIPLE

The proposal is assessed against Policies D DM1, D DM4, D SP1 of the Arun Local Plan, the Arun District Design Guide, Policy 2 of the Rustington Neighbourhood Plan and the NPPF. Arun has adopted a Design Guide which provides detailed guidance that helps to raise design standards across the district. Section M states that development should respond to the distinctiveness of their host dwelling and surroundings in terms of scale, massing, materials, and protect the amenities of occupants and neighbours. Section M also illustrates the '60 and 45-degree rules'. These rules refer to the 60 degree sightlines and 45-degree sightlines from neighbouring viewpoints and aims to prevent adverse obstruction of sightlines and loss of sunlight. The 60-degree rule specifically considers single storey rear extensions.

DESIGN AND VISUAL AMENITY

This proposal is for the removal of an existing lean-to conservatory and replacement with a part pitched/part flat roof that has an approx. overall height of 3.15m. The proposal is approx. 3.5m deep with a maximum width of approx. 4.05m. The proposed north elevation will have 1 no. high level clerestory style window, and is at approx. 3.30m from the boundary. The proposed south elevation will have 1 no. casement style double window and is set approx. 2.46m from the boundary. The proposed east elevation will have 1 no. bi-folding door set, and is approx. 11.26m to the boundary. The construction will include tiling to pitched part of roof and cement fibreboard cladding to external walls . The proposed eaves height is to match the existing with a tiled pitch matching the existing host dwelling. The extension is minor in scale and would consist of materials that match or complement the existing dwelling, resulting in a visually subservient and integrated design. The proposal would result in a minor loss of rear private amenity space being 11.26m yet meets the recommendation in the Arun Design Guide of a minimum 10.5m, therefore remains an acceptable reduction. The extension is sited such that it cannot be seen from the wider street scene and therefore will have no further impact thereon. The design of the extension is sympathetic to the character of the host dwelling. The eaves height matches the existing and therefore does not bring any harm by way of overshadowing or overbearing to the neighbouring properties. With regard to the previous comments, the proposal has minimal impact on neighbour amenity. The proposal is compliant with relevant Development Plan policies D SP1, D DM1 & D DM4 of the Arun Local Plan, the Rustington Neighbourhood Plan and the NPPF.

RESIDENTIAL AMENITY

Given the scale, siting, and separation distances from neighbouring dwellings, there is no intersection of any light accessibility or sightlines from the front of any neighbouring dwellings. As such, the proposal will have no significant adverse impact by way of overshadowing or overbearing on any neighbouring dwellings or properties. The north elevation proposes 1 no. new high level window opening and looks out across the rear private amenity space, met with an approx. 1.8m high boundary fence. The south elevation proposes 1 no. window opening and looks out across rear private amenity space, met with an approx. 1.8m high boundary fence. The east elevation propose 1no. new bi-folding door set and opens onto the rear private amenity space, also being met with an approx. 1.8m high boundary fence at approx. 12.9m distance. It is noted that the eaves height is consistent with that of the existing host dwelling and does not give rise to any adverse impact on the neighbouring properties. By virtue of not being significantly overbearing, overshadowing, or overlooking on any neighbouring properties, the proposals are compliant with relevant Development Plan policies D DM1 & D DM4 of the Arun Local Plan and Section M of the Arun Design Guide, the Rustington Neighbourhood Plan and the NPPF.

SUMMARY

The proposal is compliant 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

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 1:1250.
Block Plan 1:500.
Existing & Proposed Floor Plans (3).
Existing Elevations (4).
Proposed Elevations (4).
Proposed Site Plan (5).

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