

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

REF NO: R/22/25/HH

LOCATION: 21 Mill Lane  
Rustington  
BN16 3ED

PROPOSAL: Removal of bay window, garage and previous extensions. Construction of single-storey rear extension, first floor front extension, front porch canopy and roof alterations. Construction of new attached garage.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION As above.

**RELEVANT SITE HISTORY**

R/196/24/CLP	Lawful development certificate for the proposed use of land to station a mobile home granny annexe for use incidental to the main dwelling.	PP Not Required 04-12-24
R/129/24/HH	Part single, part two storey rear extension, first floor front extension, new front porch canopy, roof alterations and installation of side windows, following demolition of existing bay window and previous extensions.	ApproveConditionally 04-09-24

**REPRESENTATIONS**

Rustington Parish Council - no objection.

No letters of representations from nearby occupiers.

Comments noted.

**CONSULTATION RESPONSES RECEIVED:**

None.

**POLICY CONTEXT**

Designations applicable to the Site:

- Tree Preservation Order (TPO Ref-TPO/2/07/R); and

- Within an area with potentially high groundwater levels.

## 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
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## CONCLUSIONS

### SITE HISTORY

A planning application - R/129/24/HH was approved for the construction of a part single, part two storey rear extension, first floor front extension, new front porch canopy, roof alterations and installation of side windows, following demolition of existing bay window and previous extensions. The current application is for a similar scheme of works; however, the rear extension will only be a single storey extension and there are no windows proposed along the side elevations.

### DESIGN AND VISUAL AMENITY

The site is a detached dwelling, and the proposed single storey rear extension would have a depth of 4.6m and extend across the entire width of the dwelling. The extension would have a height of 3.1m and a flat roof form, and the materials would match the other extensions. The rear garden will maintain a depth of 34.5m from the rear extension to the rear of the property.

The development would also see the simplification of the roof geometry to achieve a more uniform roofscape and is an improvement to the existing roof form. The dwelling would feature a gable roof, and the front porch would also feature a gable roof integrating well with the changes proposed.

The proposed front extension at first floor level would be visible in the street scene and would extend in line with the principal elevation of the dwelling. The extension would not disrupt the existing composition of the street in terms of rhythm or dominant building line. The roof of the front extension would form a part of the proposed gable roof, helping it to integrate with the main dwelling. The proposed materials are part smooth render and part fibre cement cladding for the walls. Whilst the materials are different to the existing, they will be similar to the materials proposed for the rear and side extensions, therefore integrating the dwelling as a whole. Given the existing variation within the wider locality in terms of external materials, the proposed materials would not appear prominent within the street scene.

Following the demolition of the bay, the front extension would have a total depth of 0.6m by 3.8m in width and would have a maximum height of 3.1m. The scale of the extension would be visually subservient to the host dwelling and is sited appropriately. The extension would be visually integrated with the form of the existing dwelling and with the roofscape. The first-floor front extension and front porch are not of a depth greater than 1.5m from the main building elevation line and ensures continuation of existing building design, thus this element would comply with the Arun Design Guide (ADG).

Following the demolition of the existing garage and side extension on the northern flank a new garage measuring approx. 11m deep by 4m wide is proposed. The total height of the garage would measure approx. 2.6m and will feature a flat roof. It is noted that the garage is significantly larger than the existing garage but given that the garage is proposed following the demolition of the existing extension, it would not lead to any additional increase in floor area, so is acceptable. A garage door is proposed to the front (east) elevation and a door is proposed to the rear (west) elevation. The proposed garage would be sited within close proximity to the boundary fence, but considering that other outbuildings are similarly located close to the boundary, the proposal would be acceptable in this instance.

Whilst the changes proposed would significantly alter the appearance of the dwelling, it is noted that the street scene and wider area has no uniform architectural style, and the changes proposed would maintain the original proportions of the host dwelling. Given the existing variation within the street scene, the alterations would not result in harm in this regard. The proposal would therefore also comply with policy 2 of the Rustington neighbourhood plan in terms of scale, density, massing, height, and layout.

The proposal will not adversely impact the visual amenity, or the character of the area. It accords with D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

#### NEIGHBOURING RESIDENTIAL AMENITY

The proposed rear extension would be set in 1m from the southern flank boundary and the side extension would be set in 0.9m from the northern flank boundary. The extension would not intersect any 45-degree sightlines or light accessibility lines from this viewpoint.

The rear extensions would be set in from the flank boundaries of the application site and would not intrude on a 60-degree splay line when taken from the closest window of neighbouring properties, as the extensions to the rear would extend in line with the existing rear building line and given the high fence line and that the extensions would be set in from the shared boundaries with the adjoining neighbours, the extensions would not result in any adverse impact to neighbouring amenity in terms of overbearing or overshadowing.

The new openings at ground floor level have an outlook of the rear garden or front amenity space and would not give rise to any adverse impacts by way of overlooking. Given the substantial rear garden depth of 35m and that the new windows to the front and rear elevations would have an outlook of the rear and front amenity space, these would not give rise to any adverse impacts by way of overlooking. There are no windows proposed along the side elevations at ground and first floor level.

The proposed front extension at first floor level would be located away from boundaries with neighbouring properties and would not result in overbearing or overshadowing effects. The fenestration proposed would include a window to the front elevation which would not result in overlooking effects as it primarily overlooks Mill Lane.

The proposed garage occupies a similar position to the existing garage but has a larger footprint and will not have any additional impact in terms of overlooking or loss of privacy to neighbouring dwellings.

The proposal is compliant with policies D DM1 and D DM4 of the Arun Local Plan in that it does not result in unacceptable adverse overshadowing, overlooking or overbearing effects on neighbouring properties.

#### PARKING

The proposed garage measures approx. 11m deep by 4m wide. The Parking SPD states that garages measuring 3m by 6m will be considered to provide half a parking space. However, the proposed garage

is larger in area than the existing and it would be unreasonable to argue that the parking provision at the site was being reduced.

The application site is located within Parking Zone 4 and as per the Arun Parking Standards, both the existing and extended dwellings would be required to provide two spaces. The existing driveway provides more than 2 parking spaces, and the proposal is therefore acceptable in accordance with the Parking Standards document.

#### **TREES**

The site is noted to be subject to a Tree Preservation Order however upon close inspection of the relevant Order this refers to a group of three Corsican Pine Trees within the front garden of no. 19. The proposed extensions are a sufficient distance away from both these and the non-TPO protected trees at the front of the site such that there will be no harm.

#### **SUMMARY**

The proposed development accords with relevant development plan policies and 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.

#### **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 and documents:

- Proposed Floor Plans, Elevations, Location & Block Plans 09 Rev A.
- Biodiversity Enhancement Statement (received 11/02/2025).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan Policy D DM1.

- 3 INFORMATIVE: 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.

- 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 National Planning Policy Framework.