

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

REF NO: R/233/20/HH

LOCATION: 2 Ruston Avenue
Rustington
BN16 2AP

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

SITE AND SURROUNDINGS**DESCRIPTION OF APPLICATION**

This application seeks to construct a single storey rear extension including the demolition of existing conservatory.

The materials used to construct this proposal will almost completely be the same as the host dwelling itself. The walls will be made from brick, the roof will be constructed from tiles, the windows will be UPVC and the doors will be UPVC or aluminium, which will be slightly different to existing. The proposal will be located 10.43m to the northern boundary and 14.08m to the southern boundary. There will be a 0.97m boundary at the eastern boundary.

At the east elevation the single storey rear extension will have a maximum height of 4.03m and width of 6.65m. There will be three windows located at this elevation with a total width of 1.62m and height of 0.86m. At the northern elevation the height of the proposal will be 4.11m and the width will be 2.94m. A door will be constructed at this elevation with a height of 2.06m and width of 1.27m. The southern elevation will see a height of 4.14m and width of 1.27m, another door will be constructed here with a height of 2.06m and width of 0.96.

REPRESENTATIONS

No comments from Parish Council.
No representations from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

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:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

CONCLUSIONS**PRINCIPLE**

The key policies are D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy 2 of the Rustington Neighbourhood Development Plan states that development proposals will be supported providing that their scale, density, massing, height, landscape design, layout and materials reflect and enhance the established character of the area.

DESIGN AND VISUAL AMENITY

The proposal will be situated to the rear of the property and will not be visible to from the street scene or the wider area due to it's rear location and single storey nature, and therefore not have an impact on the character and appearance of the area.

The proposed development has a maximum height 4.14m and length of 6.65m. The single storey rear extension uses materials which are similar to the host dwelling, due to these factors the extension is considered to appear subservient to, and well integrated with the host dwelling.

The main footprint and height of the single storey rear extension is similar to the existing conservatory at the rear of the property due to this similar footprint in proposal, it's not considered to result in an adverse appearance on the street scene given it's rear location, or result in a harmful impact upon the host dwelling, and as such, is deemed to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

RESIDENTIAL AMENITY

The extension is situated in a similar position to the existing conservatory and is proposed to be integrated into the host dwelling. The rear extension will be 10.43m to the northern boundary and 14.08m to the south of the property. The extension will be adjoined to the host dwelling at the west boundary, as this is very similar to the existing conservatory it will have minimal impacts by way of overshadowing/overbearing effects on the neighbour.

With regard to potential for loss of privacy there are no openings proposed that provide any overlooking into neighbouring properties. The doors open to the north and south boundaries where there is a significant boundary, therefore providing no overshadowing/overbearing effects.

As such, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord 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:
 - Proposed location and block plan 20-110-4c
 - Proposed elevations 20-110-6b

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 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 National Planning Policy Framework.