

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

REF NO: R/236/21/HH

LOCATION: 30 Mill Lane
Rustington
BN16 3JN

PROPOSAL: Erection of single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposal seeks to construct a single storey rear extension.

REPRESENTATIONS

Rustington Parish Council provided No Objection.

No representation received 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

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**PRINCIPLE**

The key policies considered are D DM1, D DM4 of the Arun Local Plan, Policy 2 of the Rustington NP and the Arun Design Guide.

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 extensions and alterations to existing buildings (residential and non-residential) should be assessed against

Rustington has a made neighbourhood plan and policy 2 is of relevance and states that proposals should have regard scale, density, massing, height, landscape design, layout and materials which reflect local architectural and historic character.

DESIGN AND VISUAL AMENITY

The proposed extension will be located to the rear of the dwelling and is not visible from the street scene.

It will have a depth of approx. 6m and extend approx. 11m across the rear elevation with a pitched to flat roof with a height of approx. 3.5m. With the extension at single storey, it appears subservient and is well integrated with the host dwelling with matching materials.

Section M of the Design Guide relates to householder extensions. The proposal is considered to comply with this in such that the design responds to and complements the existing character and appearance of the dwelling. The scale and massing is also appropriate.

The extension is moderate to large in size but considered appropriate and has no viewpoints from the wider area. The proposal is not considered to result in harm upon the character of the area and accord with D DM1 and D DM4 of the Arun Local Plan, Policy 2 of the Rustington Neighbourhood Plan and the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

It has a depth of approx. 6m and a height of approx. 3.5m.

The property to the south is detached and the main dwelling sits behind the property line with an outbuilding at the north boundary further obstructing any view of the proposed extension. Furthermore, given the acceptable separation distance, the proposed extension will not give rise to harm upon amenity to this elevation.

To the north, the neighbouring dwelling sits roughly in line with the existing property and the proposed extension does not project a significant distance further to the rear at approx. 1.2m. The extension will not intersect a 45 degree angle site line from the neighbouring dwelling to the north. The extension is not deemed to result in adverse overbearing or overshadowing impacts.

There are to be doors and windows to the rear which will overlook the garden of the host dwelling with approx. 13m retained to the rear boundary, the development is also single storey and will not give rise to adverse overlooking.

The development is not considered to harm amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 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:
- Location and Block Plan 05
- Proposed Plans and Elevations 02A

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.