

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

REF NO: R/246/18/HH

LOCATION: 53 Park Drive
Rustington
BN16 3DY

PROPOSAL: Removal of conservatory and construction of single storey extension, internal re-ordering and associated works

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposal is for a single storey rear extension measuring 2.34m long on the eastern side by 6.7m wide with an eaves height of 2.3m and a ridge of 3.6m.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council
No Objection

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary

DEVELOPMENT PLAN POLICES

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
SDSP2	SD SP2 Built-up Area Boundary

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

RDS	Rustington Design statement by Rustington Parish Council
-----	--

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan and the Rustington Parish Design Statement.

DESIGN AND VISUAL AMENITY

The dwelling sides onto Park Drive and is separated from the footpath by a wide verge. The lower portion of the single storey extension would be screened by flint boundary walling which is approximately 1.8m high and encloses the western side of the rear garden. Due to its location, only the roof of the proposed development would be visible from the street scene and it would replace a conservatory of similar height therefore does not give rise to any additional unacceptable adverse impact on the character of the locality or the established pattern of the area.

The maximum height of the proposed development is the 3.6m ridge line of the pitched roof which is comparable with the height of the existing conservatory which is to be replaced. The existing conservatory would be demolished and the size and dimensions of the extension result in a 2m wide extension which does not dominate the rear elevation of the dwelling. Therefore, the proposed development is considered to appear subservient to the host dwelling, and is not deemed to harm its established character.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan and the criteria within the Rustington Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have a significantly detrimental impact on the neighbouring residential amenities of the adjacent occupiers. The property is semi detached and the extension would be located adjacent to the boundary with no 55. There is no neighbouring property to the west. The extension is set 0.2m from the Eastern boundary and the boundary comprises 1.8m high close boarded timber fencing. The proposal has a ridge height of 3.6m and the roof pitches away from the boundary with an eaves height of 2.3m. Although this would project above the boundary fencing, (which could be increased to 2m under permitted development rights) the 0.5m projection combined with the limited rearward projection of the extension would not result in a material loss of light to the openings in the rear elevation of the adjacent property. Therefore, the proposal is not considered to have any significantly detrimental overshadowing or overbearing impact on occupiers of adjacent dwellings. 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.

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 and Site /Block Plan as Existing 00.01 revB, Site/Block Plan as Proposed 02.01, Floor Plans and Elevations as Proposed 02.02 revA
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.
- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls (and roofs) of the proposed building(s)/extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by in accordance with policy DDM1 of the Arun Local Plan.
- 4 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.