

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

REF NO: R/251/18/HH

LOCATION: 84 Sea Avenue  
Rustington  
BN16 2DL

PROPOSAL: Erection of single storey extension with dummy pitch roof to front elevation.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION As above. The proposal relates to a single storey extension measuring 1.3m deep and 2.75m wide with a height of 3.6m to the ridge and an eaves of 2.5m. It would provide a an enlarged downstairs WC.

**RELEVANT SITE HISTORY**

|              |                                                                                                                                                              |                                  |
|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| R/211/14/CLP | Application for a Lawful Development Certificate for a Proposed Development - Construction of a new side extension to an existing dwelling house.            | PP Not Required<br>03-11-14      |
| R/305/06/    | Two storey extension - Demolition of existing conservatory & replacement with 2 storey extension to form garden room and recreation room at rear of property | ApproveConditionally<br>08-01-07 |
| R/81/95      | Extension of existing house to form extended lounge and disabled facilities                                                                                  | ApproveConditionally<br>26-07-95 |
| R/65/91      | Extension to garage, formation of utility room and new conservatory                                                                                          | ApproveConditionally<br>10-06-91 |

**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Rustington Parish Council  
No Objection

## CONSULTATIONS

Arboriculturist

### CONSULTATION RESPONSES RECEIVED:

None

## POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

Tree Preservation Order

### 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                                            |
| ENVDM4 | ENV DM4 Protection of trees                             |
| 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 detached dwelling is set back from the road frontage and the front garden contains mature planting which partially screens the dwelling from view from Sea Avenue. The front boundary which is set back approx. 2m from the road frontage, behind a verge, comprises a gate and piers and evergreen planting to approx. 1.4m. Although it is located on the front elevation. Due to its location, adjacent to the existing garage it would not project forward of existing structures on the site and would be visually integrated into the existing dwelling. It does not give rise to any unacceptable adverse impact on the character of the locality or the established pattern of development in the area. The extension would attach to the front of the dwelling and has no adverse impact on any protected tree.

The maximum height of the proposed development is the 3.6m ridge of the false pitched roof which is

lower than the height of the existing garage. The dimensions of the extension are limited and therefore, the proposed development is considered to appear subservient to the host dwelling, and is not deemed to harm its appearance.

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 AMENITIES**

The proposed development is not considered to have a detrimental impact on the neighbouring residential amenities of the adjacent occupiers. The property is detached and the extension would be located 9m from the adjacent southern boundary with no 86 which comprises 1.8m high close boarded fencing. The existing garage would be located between the extension and the neighbouring property to the north. 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:

Existing Site Location & Proposed Block Plan 2089(10)100, Existing Ground Floor Plan 2089(20)100, Existing First Floor Plan 2089(20)101, Proposed Ground Floor Plan 2089(21)100, Proposed First Floor Plan 2089(21)101, Existing North and East Elevations 2089(20)101, Existing South and West Elevations 2089(30)100, Proposed North and East Elevations 2089(31)101, Proposed South and West Elevations 2089(31)100, Existing Roof Plan 2089(20)102, Proposed Roof Plan 2089(21)102.

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 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.