

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

REF NO: R/256/21/HH

LOCATION: 26 Westlands
Rustington
BN16 3NW

PROPOSAL: Erection of single storey rear extension following the demolition of existing rear conservatory

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks the erection of a single storey rear extension following the demolition of an existing rear conservatory.
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REPRESENTATIONS

Rustington Parish Council - 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

[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

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local 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 extensions and alterations to existing buildings (residential and non-residential) should be assessed against.

Rustington have a made Neighbourhood Plan with policy 2 of relevance to the application. 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. The proposal complies with this policy for the reasons given below.

DESIGN AND VISUAL AMENITY

The proposal will be located to the rear of the property and is not visible from the wider area.

The proposal includes the erection of a rear extension that extends approx. 5.4m to the rear of the property and approx. 4.5m across the rear of the dwelling. This extension cannot be seen from the street scene. It appears well integrated and subservient to the host dwelling. It will have a flat but slightly slanted roof with a height of approx. 2.7m at its peak and 2.55m at its lowest.

The Arun Design Guide was adopted with Section M relating 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, material choice and massing is also appropriate.

With the extension to the rear of the property and with no viewpoints from the wider area, the proposal will not harm the street scene or character of the area and accord with D DM1, D DM4 of the Arun Local Plan and policy 2 of the Rustington Neighbourhood Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The extension is located to the north western side of the property and extends to a maximum depth of 5.4m. It will have a height of 2.7m and retains 6.56m to the northern boundary. 2.96m is retained to the Eastern side boundary.

Whilst the depth of the extension is double that which currently exists, the proposed extension is positioned on the adjacent side to the existing conservatory. This relocation of rear built form avoids intersection with the neighbouring dwellings 45 degree site lines from rear windows and is not considered to result in adverse overbearing or overshadowing because of the single storey construction.

There will be a pair of windows to the rear of the extension and two sets of glazed French doors located where the interior walls of the existing conservatory are situated. The windows overlook the garden and will be obscured as a result of the rear extension containing an en-suite bathroom. Additionally, the French doors are located where the interior walls of the existing conservatory are positioned thus, they will provide no adverse overlooking beyond that which is already achievable from the existing conservatory. Therefore, the extension will not result in adverse overlooking, additional to that which is already achievable.

Despite the larger size of the structure, the design and positioning of the proposal means that it is not deemed to result in harm upon neighbouring amenity by way of overbearing, overshadowing 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 approvals 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 positive 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 and Proposed Drawings PL01 C

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.