

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

REF NO: R/258/20/HH

LOCATION: 42 Tennyson Avenue  
Rustington  
BN16 2PH

PROPOSAL: Single storey rear extension

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| <b>SITE AND SURROUNDINGS</b> |
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| DESCRIPTION OF APPLICATION | The application seeks to construct a single storey rear extension. |
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| <b>REPRESENTATIONS</b> |
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Rustington Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

**CONSULTATION RESPONSES RECEIVED:**

None.

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| <b>POLICY CONTEXT</b> |
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Designation applicable to site:  
Within 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:**

|       |                                     |
|-------|-------------------------------------|
| NPPDG | National Design Guide               |
| NPPF  | National Planning Policy Framework  |
| NPPG  | National Planning Practice Guidance |

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| <b>CONCLUSIONS</b> |
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**PRINCIPLE**

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.

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

Due to the siting of the proposed development, there will be very few available views of the proposed extension from the street scene of Tennyson Avenue. However, there is an access alleyway to the South of the host dwelling which will have many views of the proposed extension. The proposed extension matches the measurements of the host dwelling with regard to its eaves height of 2.5m and its maximum height of 4.4m. As a result of this, and the matching materials, the proposed extension is considered to appear subservient to the host dwelling, and well integrated with its built form. As a result of these factors, the proposed development is not considered to result in any significantly harmful impact upon the character of the host dwelling or its locality.

The proposed development is considered to be in accordance with D DM1, D DM4 of the Arun Local Plan.

#### NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact upon the occupiers of nearby dwellings. This is because when the proposed extension is within 1m to the boundary its eaves height will be 2.5m. As such, the proposal will not have a significantly harmful loss of light to nearby occupiers, due to approximately 0.6m of the proposal being visible above the boundary treatment for a length of approximately 3m. As such, the area of the neighbouring amenity area of which is subject to any potential impact is limited when compared to the area of the neighbouring garden unaffected.

There will be no available overlooking from the proposed roof windows.

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.

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| <b>HUMAN RIGHTS ACT</b> |
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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**

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:

- Elevations, Floor Plans, Site Plan & Location Plan - A-137 - 0137/01 - Rev. A

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.