

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

REF NO: R/258/21/HH

LOCATION: Mallon Dene
47 Mallon Dene
Rustington
BN16 2JP

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

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposal seeks to construct a single storey rear extension following the demolition of existing 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

[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 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 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.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale, massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance.

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. 3m and extend along approx. 7m across the rear elevation with a flat roof and sky light. 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.

With the extension being modest in size and with 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. 3m and a height of approx. 2.6m up to 3.2m at the peak of the sky light.

The property to the east is detached from the host dwelling and given the acceptable separation distances, the proposed extension will not give rise to harm upon amenity to this elevation.

To the west, the neighbouring 45 degree site lines from the rear windows are not deemed to be obstructed by the proposed development. There is an existing outhouse on the western boundary of this dwelling that already projects further back than the proposed extension and as such, the proposal is not expected to cause any further obstruction.

There will be doors to the rear which will overlook the garden of the host dwelling with approx. 7m to the rear boundary at its closest point, the development is also single storey and so, 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:
 - P07 - Proposed Roof Plan P2
 - P08 - Proposed Elevations P2
 - Proposed Floor Plans P06 P1
 - Proposed Block Plan P01

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.