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

REF NO: R/259/19/HH

LOCATION: 14 Sea Avenue
Rustington
BN16 2DG

PROPOSAL: Proposed single storey extension to the rear of an existing detached house.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION — The proposed development seeks to construct a rear single storey extension.

RELEVANT SITE HISTORY

R/118/16/PDH	Notification under extended permitted development rights for new proposed extension extending 5 metres from the original rear wall of the dwelling, 4 metres high with an eaves height of 3 metres	Prior Approv not req 17-06-16

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS

Arboriculturist

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary
Tree Preservation Order

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
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

CONCLUSIONS

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

The proposed development is sited at the rear of the host dwelling, and as such, will have a limited impact upon the character of the host dwelling. The maximum height of the proposed extension is atop of a rooflight at 3.6m, which is approximately 3.6m lower than the maximum height of the host dwelling. However, the majority of the proposal is at a height of 3.3m. Resultantly, the proposed development, due to its design and proposed materials,, is considered to appear subservient to, and well integrated with, the host dwelling.

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

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful impact upon the residential amenities of the neighbouring dwellings, by way of overshadowing and overbearing impact. This is due to the fact that the maximum height of the proposed development, of 3.6m, is reached approximately 2.7m from the Northern boundary, of which is bordered by a mixture of fencing and foliage. When 0.9m from the Northern boundary, the proposal is at a height of approximately 3.3m, of which is not considered to result in any harmful overshadowing to the occupiers to the North, due to the

boundary treatment, and nature of the sites. With regard to potential for overlooking, there is not considered to be any significantly harmful impact upon occupiers of adjacent properties, resultant of the single storey nature of the proposal.

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

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 plan:

- Rear Extension - 16/4383/1 - Rev. A - 19/8

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.