

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

REF NO: R/259/21/HH

LOCATION: 7 Milton Close
Rustington
BN16 2PN

PROPOSAL: Erection of single storey rear/side extension with skylight, ballast weighted solar PV panels at 10 degree pitch and replace existing front door with window, following the completion of new rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

R/150/21/HH	Erection of side/rear extension following the demolition of existing rear extension	Withdrawn 12-08-21
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REPRESENTATIONS

Rustington Parish Council - No objection.

No representation from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Arun District Council - Tree Officer:
No response.

COMMENTS ON CONSULTATION RESPONSES:

The TPO that led to the request for consultation with the Tree Officer is not within nor in close proximity to the site or its boundary. It is located outside on the street.

POLICY CONTEXT

TPO near site.

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

CONCLUSIONS

PRINCIPLE

The key policies relevant to this application are D DM1 & D DM4 of the Arun Local Plan, Policy 2 of the Rustington Neighbourhood Plan and Section M of 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.

Policy 2 of the Rustington Neighbourhood Plan outlines development proposals will be supported, provided their scale, density, massing, height, landscape design, layout and materials, including alterations to existing buildings, reflect and enhance the architectural and historic character and scale of the surrounding buildings and landscape, as defined in the adopted Rustington Village Design Statement.

Section M of the Arun Design Guide relates to residential extensions, setting out criteria to which the proposed extensions should meet. These predominantly seek to ensure that the proposal appropriately relates to the host dwelling and the area.

DESIGN AND VISUAL AMENITY

The host dwelling is a semi-detached bungalow with an existing rear extension. The proposal seeks to erect a new rear/side extension that extends approx. 5.2m to the rear of the property, with a width of approx. 6m extending across the rear of the dwelling, projecting approx. 1.2m from the side (western) elevation. The proposal includes a flat roof that is approx. 3m in height with a ballast for solar panels that increases the peak height of the extension to approx. 3.4m. The proposal includes a front facing window on the side projection, rear facing glass doors and a rear facing window. Following the completion of the rear/side extension, the proposal also seeks to replace the front door with a front facing window.

The proposed includes the replacement of the front door with a front facing window. The replacement does not incur any increase in footprint or external enlargement. The alteration is visible from the street and so does alter the street scene. This front elevation alteration utilises UPVC windows and rendered walls to match the existing materials and as such, is visually integrated. This component of the proposal

is appropriate.

The proposal is single storey with a flat roof design. The proposed walls and windows consist of materials that match those found at the existing property, these being rendered external walls and UPVC double glazed windows. The proposed roof is flat in design and as such, does not utilise matching materials as the existing host dwelling has a pitched, tiled roof design. The proposal is a rear/side extension that has minimal impacts on the street scene. The proposal projects approx. 1.2m to the side of the dwelling, this section of the rear extension is visible from the street however, it does not have significant adverse visual impacts. The proposal extends approx. 5m to the rear of the property retaining approx. 12m of rear private amenity space.

With its large size and height above the eaves height of the host dwelling and a flat roof design it could be argued that it conflicts with policy D DM4 (a) & (b) this is mitigated by the fact that it is predominantly located to the rear of the dwelling and therefore not prominent. This together with the fact that there are also many similar rear/side extension examples at neighbouring properties in terms of scale make the proposal acceptable and in accordance with policy D DM4 with regards to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed replacement of the front door with a window does not incur any adverse impacts to neighbouring properties by way of overlooking due to the window being front facing and not overlooking private amenity space.

The proposal retains approx. 1.6m of space from the North-West site boundary and approx. 1.1m from the South-East site boundary. Additionally, the proposal is single storey and so does not have significant adverse impacts on neighbouring amenity by way of overbearing or overshadowing. The rear facing window and glass doors look out to the rear garden and retain approx. 12m to the rear site boundary. Due to these viewpoints being single storey, they do not provide any adverse impacts on neighbouring properties by way of overlooking.

There are no views afforded from the proposed solar panels and their minimal projection is negligible and acceptable in terms of neighbouring impact.

The proposal is deemed to be in accordance with policies D DM1(3) and D DM4(c) of Arun Local Plan.

SUMMARY

The proposed development is deemed to be in accordance with policies D DM1, D DM4 of the Arun Local Plan and the Arun Design Guide 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:

- Block Plan
- 021-02 7MC Proposed. Showing roof with Solar panels.

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.