

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

REF NO: R/293/21/HH

LOCATION: 18 Bushby Avenue
Rustington
BN16 2BY

PROPOSAL: Single storey rear extension with associated works to reconfigure the existing balcony and further amendments to the South Elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Demolition of existing conservatory and erection of single storey rear extension measuring 5.5m deep by 13.5m wide, It is proposed to have a balcony partly above the extension.
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RELEVANT SITE HISTORY

R/221/04/	Single storey rear and side extension with part balcony over.	Refused 23-11-04
R/44/90	Single storey extension to rear as bedroom with en-suite	ApproveConditionally 02-04-90

REPRESENTATIONS

Parish Council - No Objection.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXTDesignation applicable to site:
Built Up Area Boundary (BUAB)**DEVELOPMENT PLAN POLICIES**[Arun Local Plan 2011 - 2031:](#)

DDM1 D DM1 Aspects of form and design quality

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**

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. In this instance, a rear extension should also not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

Rustington has a made neighbourhood plan (RNP) 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

Further to the removal of the existing conservatory, a large almost full width rear extension is proposed, the extension is to have a flat roof. The extension will protrude from the southern elevation and be constructed mainly utilising materials which match the existing finish of the dwelling, however, it is also noted that there are minor alterations to the existing finish in that an existing brick skirt will now be rendered. Additionally, a balcony above part of the rear extension has been included and alterations to the rear first floor fenestration allows for access onto the balcony.

The dwelling is a good-sized dwelling on a large plot, this development will not compromise the spatial character of the host dwelling.

The development will not be visible from the street and as a result there will not be a negative impact to character or setting of the area from the development.

As a result of the proposal being of moderate scale relative to the host dwelling and, as building lines will be maintained, it is believed the proposed extension will be subservient to the host dwelling.

Having regard to the design and visual amenity, the proposal is not deemed to adversely impact the

existing house in accordance with D DM1 and D DM4 of the Arun Local Plan, Part M Arun Design Guide and Policy 2 of the RNP.

RESIDENTIAL AMENITY

The proposed extension, including its roof overhang, will protrude south to a point level with the rear elevation of the immediate property to the west and only slightly in front of the property's to the east, as such it accords with both the 45-degree and 60-degree guidance for rear extensions.

The extension will be built directly off the host dwelling's southern elevation and will not encroach on the separation gap between either side boundaries. A rear garden length over the levels recommended within design guidance will be retained.

Alterations to the windows at first floor level have been made to create two new door openings, this is so that all three bedroom have access onto the balcony. As views from these openings were already achievable, they will not impact on the privacy of neighbouring properties.

The balcony has been designed to be fully screened so that no views at first floor level are achievable towards either neighbour to the west or east, as such no negative impact from overlooking will occur, a condition will be added to retain this screening in perpetuity.

All other fenestration is located at ground floor level, where it is generally accepted that there will be no negative impact.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

SUMMARY

The proposed development is deemed to accord with the relevant development 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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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 ;

- Location Plan P001 P1
- Block Plan P002 P1
- Proposed Ground Floor Plan P007 P1
- Proposed First Floor Plan P008 P2
- Proposed Elevations P010 P2
- Proposed Roof Plan P009 P2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

- 3 The rear first floor balcony hereby approved shall be built with side privacy/obscure screening (Western and Eastern returns) to a minimum height of 1.7m meters above finished floor level, this shall be retained in perpetuity.

Reason: In the interest of protecting privacy of adjoining neighbours in accordance with D DM4 of the Arun Local Plan.

- 4 **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.