

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

REF NO: R/29/26/HH

LOCATION: 54 Milton Avenue
Rustington
BN16 2PL

PROPOSAL: Rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

R/188/21/HH	Erection of single storey rear extension following the demolition of existing sunroom	ApproveConditionally 23-09-21
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REPRESENTATIONS

Rustington Parish Council - No objection.

No representations received from nearby occupiers.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

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**DESIGN AND VISUAL AMENITY**

The site includes a detached bungalow. The proposal is for the construction of a single storey rear extension, following a previous approval for a rear extension in 2021.

The rear extension would have a depth of 3m beyond the existing rear elevation and a width of 2.9m, squaring off the rear of the dwelling in line with the southern flank elevation and deepest point of the rear elevation. The rear extension would have a crown roof, equal in height and pitch to the existing rear extension.

The extension would comply with Arun Design Guide (ADG) advice for rear garden depth. However, as the proposed extension would adjoin an existing rear extension, the depth would exceed the ADG guidance. Rear extensions, most commonly conservatories or flat-roof extensions, are abundant along Milton Avenue. In this case, the crown-roof extension makes a more positive contribution to character than other extensions, with a more contemporary, engaging design. Whilst the proposed depth would exceed the ADG guidance, given that the proposed extension would be an infill extension and would not extend beyond the existing deepest part of the rear extension, and that it would not extend significantly beyond neighbouring rear elevations, the proposed rear extension is acceptable in this regard as it would not result in harm to visual amenity.

The roof tiles, bricks and UPVC fenestration would match the existing, ensuring the extension would integrate well with the host dwelling. Subservient in both design and scale, the rear extension is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

Retained in line with the existing rear and southern flank elevations, the extension would maintain the existing separation distance to the neighbour to the south, 56 Milton Avenue. Set in from the site boundary by 2.8m and from the northern flank of 56 Milton Avenue by 4.3m, the proposal would not give rise to any overbearing impacts. Being single storey in height, and set relatively centrally within the site, the extension would not result in overshadowing impacts to neighbouring dwellings.

The extension would be served by two windows, one on each of the rear and side elevations, offering views of the rear garden and side passage, resulting in no harm to neighbouring amenity by way of overlooking.

The extension would be screened entirely from the neighbour to the north, resulting in no impact to neighbouring amenity.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to neighbouring residential amenity.

SUMMARY

The proposal is in accordance with relevant Arun Local Plan policies and is therefore 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

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 not CIL liable.

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
- Existing and Proposed Plans and Elevations 3453/01/01
- Proposed Ground Floor Plan 3453/01/02
- Section and Block Plan 3453/01/03

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.