

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

REF NO: R/31/19/HH

LOCATION: 98 Sea Lane
Rustington
BN16 2RZ

PROPOSAL: Single storey rear extension, front porch & new door & window to ground floor south elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to erect a single storey rear extension front porch, and add a new door to the side (Southern) elevation.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council
Parish Council - No objection.

1 letter of support raises questions:

- Would the building of the proposed rear extension leave enough room for maintenance purposes?
- Would the digging out for the foundations to be laid have an effect on the house?
- Where is the boundary line between #96 and #98?
- Would the work restrict access to and from the property at #96?

OFFICERS COMMENTS ON REPRESENTATIONS:

Comments noted. The queries raised are not planning concerns.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

[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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. 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 SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local 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 front porch, due to its siting, is visible from the street scene. Whilst the proposal is considered to compromise a change to the appearance of the host dwelling, it is not considered to have a significantly detrimental impact on the character of the host dwelling. This is as a result of its modest scale allowing the proposal to not appear as a prominent and obtrusive feature. Additionally, the front porch does not extend beyond the front elevation of the host dwelling, due to its current configuration, it sits 0.6m from the Easternmost projection of the dwelling. Resultantly, looking at the property, the proposed front porch is prominent within the street scene. As a result of its modest scale, the front porch is considered to resonate with the appearance of the host dwelling, as it 'blends in' a lot more than if it were to have a higher roof height. Therefore, the proposed development is not considered to have significant harm on the character or spatial pattern of the locality, nor is it considered to have a significantly detrimental impact on the character of the host dwelling. Therefore, the proposal is in accordance with D DM1, D DM4(a) and (b) of the Arun Council Local Plan and Policy 2 of the Rustington Neighbourhood Development Plan.

Due to its location, the proposed single storey rear extension is not visible from the street scene of Sea Lane, and therefore does not give rise to any unacceptable adverse impact on the character of the locality or the established pattern of the area. The maximum height of the proposed development is 2.6m from ground level, however, this is as a result of a roof lantern, the majority of the proposal is 2.5m from ground level. This is 5.7m lower than the existing ridge height of the host dwelling. Therefore, the

proposed development is considered to appear subservient, nor is it deemed to harm its established character.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed porch is not considered to result in any overbearing or overshadowing impact on neighbouring occupiers, as a result of its siting, and the separation distance to said neighbouring dwellings.

The proposed rear extension is not considered to result in any loss of privacy or overlooking to neighbouring dwellings. This is as a result of the single storey nature of the proposal, and the fact that the extension features no windows on its Northern or Southern elevations.

As a result of the tight, crowded nature of the host dwelling, and its relationship with the semi-detached dwelling to the North, there is potential for an overbearing and overshadowing impact of the proposed rear extension on the dwelling immediately to the North. However, the fallback position of this proposal is that a 3m high, 3m long extension could be constructed under Permitted Development. As the proposed development is 0.5m lower than what could be constructed under Permitted Development, the proposed development is considered to have less overbearing or overshadowing impact than what could be constructed under P.D.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan. In that the modifications to the proposal alleviate significantly detrimental overshadowing impact on the neighbouring dwelling, when compared to the fallback position.

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 plans:

- Rear Extension - 19/02 - SK1 - 10/01/2019 - Rev. C

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.