

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

REF NO: R/37/25/HH

LOCATION: 46 Jervis Avenue
Rustington
BN16 2AS

PROPOSAL: Single-storey side extension on the south and north elevations, infill to front elevation. Removal of the chimney on the front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Rustington Parish Council - No objection.

No representations were received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Prone to groundwater flooding.

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)

[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**DESIGN AND VISUAL AMENITY**

The site is a detached bungalow with an existing side projection to the northern flank elevation and an existing rear extension. The proposal is to replace the existing side projection, and a new side extension

is proposed to the southern flank elevation towards the rear of the property. The replacement side extension to the northern flank elevation would be visible from the street scene. The width of the extension would remain the same as the existing, and the extension would extend in line with the front elevation of the host dwelling. The proposed extension will have a dummy pitched roof, following the line of the main roof, leading to a flat roof. The side extension to the southern flank elevation would be larger in scale, at 2m wide and 5m deep, infilling the recessed part of the front elevation, and it would have a flat roof extending from the flat roof of the existing sun room. Both extensions would be modest in size and would remain visually subservient to the existing dwelling in accordance with policy D DM4 of the Arun Local Plan. Overall, the alterations would have a minimal impact on the appearance of the host dwelling.

The proposals would not result in harm to the character and visual amenity of the dwelling or the surrounding area in accordance with Arun Local Plan policies D DM1 and D DM4, Policy 2 of the Rustington Neighbourhood Plan and the Arun Design Guide.

NEIGHBOURING AMENITY

The side extension to the northern flank elevation would replace an existing structure of a similar size. The extension to the southern flank elevation would be set in 0.9m from the southern boundary and it would not extend beyond the rear elevation of the neighbouring dwelling. The extensions would not result in overbearing or overshadowing effects.

The extension to the northern flank elevation proposes a single window on the side elevation. The window serves a bathroom, and the submitted plans indicate that it would be high level and obscurely glazed. As such, this window would not result in overlooking effects. The extension to the southern flank elevation would have a door to the front and a window to the rear. This extension would not result in overlooking effects.

The proposal is in accordance with policies D DM1 and D DM4 of the Arun Local Plan and would not result in unacceptable harm to neighbouring amenity. It also complies with Part M of the Arun Design Guide and the Neighbourhood Plan.

SUMMARY

The proposed development is in accordance with relevant development plan 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

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:

- Existing Location & Site Plan DPA-01
- Proposed Site & Roof Plan DPA-02
- Existing & Proposed Floor Plans DPA-03
- Proposed Elevations DPA-05

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

- 3 The materials and finishes of the external walls of the extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

- 4 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).

- 5 **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 National Planning Policy Framework.