

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

REF NO: R/39/21/HH

LOCATION: 55 Pigeonhouse Lane
Rustington
BN16 2BQ

PROPOSAL: Two single storey rear extension with balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Demolition of existing sunroom with proposed ground floor rear extension to house, balcony at first floor level over proposed extension with external staircase access.

REPRESENTATIONS

Rustington Parish Council - No Objection

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
None

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:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

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.

Rustington has a made neighbourhood plan, policy 2 is of relevance to this application.

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.

DESIGN AND VISUAL AMENITY

The rear extension is to replace an existing sunroom at the property and to infill between the dining room and proposed sunroom. From the back of the original elevation of the house the proposed sunroom will extend by approximately 5.7m in depth and be 6m in width and the adjoining infill extension is to extend approximately 3.4m from the back of the existing house and be 5.6m in width. The extension shall be flat roofed, and contain 2 roof lanterns, the proposed sunroom shall have a large balcony above, accessed by the master bedroom and a proposed set of spiral stairs. The extension will be located centrally in large plot.

The extension appears to have been sympathetically designed to be constructed from materials which relate well to those currently in use on the dwelling. The large flat roof construction, although a departure to the 2-storey pitched roof dwelling, is to replace a large flat roof sunroom, and is therefore felt to be acceptable. The eaves height is to be significantly lower than existing levels and therefore its scale and style is believed to be appropriate for its intended use.

The property occupies a large sweeping corner plot at the junction of Pigeonhouse Lane and Botany Close and as such could be visible from the public realm. However due to the high boundary treatment and mature planting on site, the extension will not be visible. If this were to change, it is felt as the visible part of the extension, which is to replace an outdated sunroom, is sympathetically designed and located in the rear garden of the property and is therefore considered subservient to the host dwelling.

The extension is considered to be visually attractive and integrate well with the existing dwelling therefore having regards to the design and visual amenity, the proposal is not deemed to adversely impact the location or host dwelling in accordance with D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

OVERBEARING, OVERSHADOWING and OVERLOOKING

Due to the position of the proposed extension, to the South East of the property, and because of its centralised position within the plot, approximately 27m away from the Southern boundary and 18m from the North and 20m from the Eastern boundary, it is felt that the 45 degree rule is not applicable in this instance. It is therefore felt that the bulk of the extension will not be overbearing or overshadow neighbouring properties.

In terms of overlooking, the proposed fenestration at ground floor level; a mixture of casement windows and large bifold doors, will either face towards the private amenity space to the rear or towards the private side gardens. At first floor level a new set of bifold doors have been proposed to the master

bedroom, these face in an Easterly direction. More importantly, the proposed balcony adjoining the master bedroom, can achieve views to the North, South and East. However, the new views achievable are deemed acceptable due to the large separation distances, a minimum of 18m to the North. It is therefore considered by virtue of being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM4 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 ;

- Proposed GF Plan PRGRL.04
- Proposed FF Plan PR.FFL.B.02
- Proposed Elevations PR.EL.B.02
- Block and Location Plan 01

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.

- 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.