

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

REF NO: R/43/19/HH

LOCATION: 24 Mariners Walk
Rustington
BN16 2ER

PROPOSAL: Rear extension and conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey rear extension, and a rear conservatory. The proposed rear extension continues the existing projection to this aspect. The proposed conservatory is sited South of this.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council
Parish Council - No objection.

No representations received from nearby occupiers.

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
SDSP2	SD SP2 Built-up Area Boundary

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing 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 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 rear extension continues the rear projection of the host dwelling by 2.2m. It matches the existing ridge, and eaves height of this projection. As such, it is considered to be a subservient and well integrated addition to the host dwelling. Additionally, as a result of its siting there are very few views of the development visible from street scene. The proposed conservatory is sited South of this, and has a lower ridge height than the proposed rear extension and the host dwelling. As a result of its modest scale, and light construction it is considered to a subservient and well integrated addition to the host dwelling. Therefore, the proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

It is considered that the proposed development is sited an acceptable distance from neighbouring dwellings in order to prevent any unacceptable overlooking or overbearing impact upon the occupiers of said dwellings. These distances are 1m, 12m, and 2.4m from the Northern, Western and Southern boundaries respectively. Whilst it is noted that the distance of the proposed rear extension is only 1m from the Northern boundary, this aspect of the development slopes down to an eaves height of 2.4m , which is considered to have no significantly unneighbourly impact upon #22 Mariners Walk. Whilst it is noted that the proposal features windows, these are all at ground floor level, and therefore, do not provide any views different to those available from the garden of the host dwelling. Therefore, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

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:

- Location Plan - Drawing No. 8
- Block Plan - Drawing No. 7
- Proposed Floor Plans - Drawing No. 2
- Proposed Elevations - Drawing No. 5
- Proposed Roof Plan - Drawing No. 3
- Proposed Section - Drawing No. 6

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.