

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

REF NO: R/44/26/HH

LOCATION: 26 The Crescent
Rustington
BN16 2PE

PROPOSAL: Proposed single storey rear extension and new window to side west 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

Built-Up Area Boundary.

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)

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 application site comprises a detached bungalow located at 26 The Crescent, Rustington.

The proposal seeks planning permission for the erection a single storey rear extension and a new window in the side (west) elevation.

The proposed rear extension would measure approximately 3m in depth along the western side boundary and approximately 2m along the eastern side boundary. It would span the full width of the dwelling, excluding the garage, measuring approximately 6.9m, and would have a flat roof with a maximum height of approximately 3m.

External materials would consist of matching brickwork to ensure the extension integrates with the host dwelling, in accordance with Arun Local Plan (ALP) policy D DM4 and the Arun Design Guide (ADG).

The proposed fenestration would include a sliding patio door and a window on the rear (south) elevation, providing access to private amenity space. The existing doorway on the side (east) elevation would be removed and replaced with a new opening within the extension in a similar position. Additional fenestration changes include a small horizontal window on the eastern flank elevation and a new obscure-glazed window on the side (west) elevation. All windows would be white uPVC to match the existing dwelling.

The extension would be located to the rear (south) of the host dwelling, and would not be visible from the street scene. Its depth would comply with ADG guidance, which advises that single storey rear extensions should not exceed 3.3m. The scale would remain proportionate and visually subservient to the host dwelling.

Overall, the proposal would not result in any harm to the character or appearance of the host dwelling, street scene or wider area, and as such, the proposed development would be in accordance with ALP policies D DM1, D DM4 and the ADG.

RESIDENTIAL AMENITY

The proposed development would be set in approximately 1.2m from the western side boundary and 0.85m from the eastern side boundary.

While these separation distances would be limited, the extension would not breach the 45-degree line when measured from the nearest habitable room windows of neighbouring properties. The extension would also not exceed a depth of 3.3m, in accordance with the ADG. Given its flat roof design and modest height, the proposed extension would not result in harmful overshadowing or overbearing impacts.

A new window is proposed in the western side elevation. This would have a similar outlook to the existing opening and, due to its ground-floor position, would not introduce any additional harmful overlooking. It would also be obscure-glazed, further limiting any impact.

A small additional window is proposed on the eastern side elevation, in a similar position to an existing opening. Given the presence of other openings, its ground-floor position, and the orientation of neighbouring plots to the east, it would not result in material overlooking or loss of privacy.

Windows on the rear elevation would primarily overlook the private garden, which would retain a depth of approximately 18.5m, exceeding the recommended garden depth of 10.5m set out in the ADG. As such, there would be no overlooking impacts.

Overall, the proposed development would not result in harm to neighbouring amenity, in accordance with Arun Local Plan policies D DM1 and D DM4 and the ADG.

SUMMARY

The proposal is in accordance with the relevant development plan policies. As such, it 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 maintained in accordance with the following approved plans:

- Location Plan.
- Block Plan (Existing Floor Plans and Elevations P01A).
- Proposed Floor Plans and Elevations P02F.

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 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. 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.