

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

REF NO: R/45/21/HH

LOCATION: 33 Bushby Avenue
Rustington
BN16 2BX

PROPOSAL: Single storey side/rear extension, orangery to rear, single storey front extension to existing garage and installation of a carport.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey side/rear extension, orangery to rear, single storey front extension to existing garage and installation of a carport.

RELEVANT SITE HISTORY

R/124/07/	Extensions and alterations	ApproveConditionally 15-06-07
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R/214/00/	Proposed first floor extension above existing ground floor extension.	ApproveConditionally 08-02-01
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REPRESENTATIONS

Rustington Parish Council - No Objection.

1 representation letter received from nearby occupier - No objection raised but concerns over:

- the proposed car port roof not draining
- kitchen extractor fans do not vent into neighbouring property

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXTBuilt-Up Area Boundary
Tree Preservation Order

DEVELOPMENT PLAN POLICIESArun 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
NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

CONCLUSIONS**PRINCIPLE**

The development is in the built-up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Rustington has a made Neighbourhood Development Plan and Policy 2 is of significance to this application.

DESIGN AND VISUAL AMENITY

The existing dwelling is a large detached two storey dwelling located to the north of Bushby Avenue, Rustington. The property is constructed of brick with tile hanging. The property has a rear garden to north and a front driveway area facing south. There is an attached single garage to east of dwelling and a carport lean to roof on west side of dwelling. The boundary treatment is 1.8m high wooden panel fencing. The neighbouring properties are number 31 Bushby Avenue to west and number 42 Sea Avenue to east. Also number 42a Sea Avenue to north east and number 42B Sea Avenue to north north east. The surrounding area is residential in character and contains properties of similar design.

The proposals are for a single storey side/rear extension, orangery to rear, single storey front extension to existing garage and installation of a carport.

The proposed single storey side/rear extension will be sited to the west side elevation of dwelling. It will part infill the west side elevation to join up to the new carport to front and new orangery to rear. The proposal design integrates well with existing property and is visually subservient to main dwelling so complies with policy D DM1 of the Arun Local Plan.

Due to the siting of extension at side of property it is restricted from view from street scene so does not cause harm to street scene or character of area so complies with Policy D DM1 and D DM 4 of the Arun Local Plan.

The side/rear extension will have a width of approximately 7.69m and a depth of approximately 2.57m. The height to flat roof will be approximately 2.96m and 3.28m to top of roof light. There is 0.97m remaining to western boundary of site. Whilst less than 1m remaining does not comply, there will be access remaining to rear garden via a side gate so is acceptable. The extension will have a new door to west side elevation and a new double window in the south elevation facing the carport. There will be 1

new roof lantern light and 1 skylight roof light.

The proposed materials seem to integrate well with existing dwelling and consist of render & composite cladding to walls in mid grey colour, roof lights and UPVc door so comply with policy D DM1 of the Arun Local Plan.

The proposed orangery will be sited at the rear northern elevation of dwelling and join to the new side extension and part infill the rear principal elevation of dwelling. Due to siting of proposal at rear of dwelling it will not be visible from street scene so will not cause harm to street scene or wider area and complies with policy D DM1 of the Arun Local Plan.

Due to the design of proposed orangery at single storey it is visually subservient to main dwelling and design integrates well with existing dwelling. The proposal will have a width of approximately 4.80m and depth of approximately 4.30m. The height to flat roof will be 2.86m and 3.31m to roof light. There will be 2m remaining to the west side boundary so this will comply.

The proposal will have a brick base with white PVC double glazed windows and new double doors facing the garden to east. There will be a single roof lantern. The proposed materials seem to integrate well with existing dwelling and comply with policy D DM1 and D DM4 of the Arun Local Plan.

The proposed single storey front extension to existing garage will be sited to the south east of property and extend the garage area beyond the front principal elevation of existing dwelling. Due to the design at single storey it is visually subservient to main dwelling and the pitched roof design integrates with the existing dwelling pitched roof so complies with policy D DM1 of the Arun Local Plan.

The proposed single storey front extension will have a width of 4.83m and a depth of 3.83m. The height to pitched roof will be approximately 3.79m. Whilst the siting of proposal extending beyond the principal front south elevation by around 1.8m does not comply, the pitched roof design and scale is in-keeping with existing property so is acceptable. There is 0.19m gap remaining to east side boundary. Due to less than 1m gap remaining does not comply, the garage retains access to rear of property so reduces terrace effect so is acceptable. The proposal will have a new garage door facing the driveway.

The proposed materials seem to match existing and will consist of brick walls, faux slate roof tiles and a metal garage door so will comply with policy D DM1 and D DM4 of the Arun Local Plan.

The proposed car port will be sited to the front south west elevation of property. It will have a flat roof with a pitched tiled roof end that will continue in height from first floor eaves height of the main dwelling. The proposal is open in design with timber supports and no windows or doors.

The proposal will have a width of approximately 5.50m and a depth of approximately 2.81m. The height to pitched roof will be 3.7m and to flat roof will be 2.89m. Due to siting of the proposal at front of property it will be visible from street scene however the roof design is visually subservient to existing dwelling so does not adversely impact the street scene so complies with policy D DM1 of the Arun Local Plan. Due to 0.2m gap remaining to west side boundary does not comply, the open design of car port enables access to rear of property and reduces terrace effect so is acceptable.

The proposed materials are polycarbonate/glass panels for flat roof, faux slate roof tiles for pitched roof and timber supports that visually integrate with existing dwelling so complies with policy D DM4 of the Arun Local Plan.

Arun recently adopted a Design Guide. It states that development should be subservient to the main dwelling and the proposals comply with this in terms of scale and size. It also states that in streets

characterised by small gaps between buildings, side extensions must not close important gaps in the street scene by leading to a terracing effect, or remove existing external access from front to back gardens. Whilst the proposals being within 1m of the west side boundary does not comply, the proposals are at single storey and the location of a new gate to western side boundary enables access to rear garden so this is acceptable. Also it states front extensions should not project forward beyond the predominant building line. Whilst the garage extension will be sited beyond the existing principal front south elevation by around 1.8m, it avoids the 'bolt on' appearance by incorporating a pitched roof and continuing the scale, details and materials of the original dwelling so is acceptable.

There will also be a new pitched roof to front porch on the front south elevation. This will be 1.83m in width and 1.02m in depth. It will be 3.92m in height to pitched roof. Whilst the proposal will be visible from street scene it is a minor addition and is visually subservient to main dwelling so does not adversely impact the character of site or surrounding area and complies with D DM1 of the Arun Local Plan. The materials used will match existing property and will have a glazed area in the roof gable end which will comply in terms of size and materials.

Due to the siting and design of the proposed extensions and no adverse impact on character of surrounding area, it complies with D DM1 and D DM4 of the Arun Local Plan and Section M of the Arun Design Guide.

RESIDENTIAL AMENITY

The proposed side/rear extension will have a width of approximately 7.69m and a depth of approximately 2.57m. The height to flat roof will be approximately 2.96m and 3.28m to top of roof light. Due to the siting of the extension to the west side elevation of property and within 1m of the boundary it will increase some overshadowing effect to neighbouring property to west at number 31 Bushby Avenue. However due to the siting of the proposal at single storey and a 1.8m high boundary fence it reduces impact of overshadowing or overbearing effect so complies with policy D DM4 of the Arun Local Plan.

Due to there being no new windows proposed in the west side elevation of extension there is no harm to overlooking to neighbouring property to west so this complies. Although the new door in west elevation will increase risk of overlooking effect to neighbouring property to west, the proposal being at single storey and location western boundary fence restricts views so does not adversely impact overlooking to west. Due to the new window proposed in south elevation of extension there will be some increase to overlooking effect to street scene however due to large gap of 11.68m remaining to front boundary and location of the road to front (south) there is no harm to overlooking so so complies with policy D DM1 and D DM4 of the Arun Local Plan.

The proposed orangery will have a width of approximately 4.80m and depth of approximately 4.30m. The height to flat roof will be 2.86m and 3.31m to top of roof light. Due to the siting of the proposal at rear of dwelling there is increased risk overshadowing effect however due the proposal being at single storey and location of existing western boundary fence there is no adverse harm to overshadowing or overbearing effect to neighbouring property to west.

Due to the design of the orangery there will be new windows facing west however there is no harm to overlooking due to the proposal being at single storey and existing boundary fence to west restricts effects of overlooking to neighbouring property to west. Due to the gap of 15.75m remaining to north boundary of site and existing boundary fence there is no harm to overlooking to neighbouring properties to north. Due to 8.04m remaining to eastern side boundary and boundary fence there is no harm to overlooking to neighbouring properties to east so complies with D DM1 and D DM4 of the Arun Local Plan.

The proposed single storey front extension to existing garage will have a width of 4.83m and a depth of

3.83m. The height to pitched roof will be approximately 3.79m. Due to the scale and bulk of the proposal it will increase some overshadowing effects to neighbouring property at number 42 Sea Avenue to east. However due to the large gap remaining to the main property at number 42 there is no harm to overshadowing or overbearing effect so will comply.

Due to no new windows proposed in the east side elevation of extension there is no harm to overlooking to properties to the east and due to the large gap of 7.19m remaining to front boundary of property there is no harm to overlooking effect due to no direct neighbours to south due to location of the road so complies with policy D DM1 and D DM4 of Arun Local Plan.

The proposed car port will have a width of approximately 5.50m and a depth of approximately 2.81m. The height to pitched roof will be 3.7m and to flat roof will be 2.89m. Due to the design of the proposal it will increase some overshadowing effect into the driveway of neighbouring property number 31 to west however will not cause adverse impact due to it being at single storey and the location of the existing boundary fence minimises risk of the overshadowing or overbearing effect so complies with D DM4 of the Arun Local Plan.

Due to the open design of the car port and nature of the car port there is no risk to overlooking to neighbouring properties to west due to being at single storey and boundary fence restricts effects of overlooking to west so complies with policy D DM4 of the Arun Local Plan.

The new pitched roof to front porch on the front south elevation will be 1.83m in width and 1.02m in depth. It will be 3.92m in height to pitched roof. Whilst the proposal will be visible from street scene it is a minor addition to existing dwelling and will not cause adverse harm to overshadowing, overbearing or overlooking effect to neighbouring properties so complies with policy D DM1 and D DM4 of the Arun Local Plan.

The development will pass the 45 degrees test from nearest windows of neighbouring property to west at number 31 Bushby Avenue so will comply.

The development is considered to be in accordance with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The 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

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 and Block Plan <19025/01a R1>
- Proposed First Floor Plan 20046/2b-1 R1
- Proposed First Floor Plan Showing removed walls 20046/2b-2 R1
- Proposed Elevations and Roof Plan 20046/02R1
- Proposed Ground Floor Plan 20046/2a-1R1
- Proposed Ground Floor Plan showing removed walls 20046/2a-2 R1

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

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

- 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.