

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

REF NO: R/55/26/HH

LOCATION: 23 Bushby Avenue
Rustington
West Sussex
BN16 2BY

PROPOSAL: Single storey rear, side and front extensions, changes to fenestration and removal of chimney.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Rustington Parish Council - No objection.

No representations received from nearby occupiers.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and 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 site includes a detached, two storey dwelling on the northern side of Bushby Avenue. The proposal is for front, side and rear extensions.

The front extension would not project beyond the existing bay window within the front elevation of the host dwelling, and would accommodate a new garage door. The modest 0.7m extension would incorporate a pitched roof, appearing as a logical, well thought out extension to the pitched roof above the existing bay window. The front extension accords with Arun Design Guide (ADG) advice for front extensions in that the proposal reflects existing roof form, has a depth of less than the recommended 1.5m. As such, the proposed front extension would not result in harm to visual amenity.

The side extension would have a depth of 8.2m, running along the eastern flank of the dwelling, adjoining the proposed front extension. Projecting eastwards at a width of 1.5m, the side extension would be set in by 1.3m from the site boundary with 23a Bushby Avenue, in accordance with the ADG advice of a minimum of 1m. The side extension would infill the existing gap between the garage and utility room, without further impact to the massing of the dwelling. The side extension would incorporate a crown roof, sensitive to both the existing flat roof rear extensions and pitched roof slopes which serve the main body of the dwelling, in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4.

The rear extension, to replace the utility room and conservatory, would not project further to the east or north than the existing built form. The side and rear extension would incorporate two rooflights, set relatively centrally above the rooms they are intended to serve, in accordance with ADG advice.

Set in the north-west corner, the rear extension (garden room) would replace the existing workshop and garden room. Extending no further to the north or west than the existing built form, the extension would be a subservient alteration. Also including a crown roof and large roof light (set centrally in the flat roof), the extension would appear subservient to the existing built form.

Two windows are proposed to be blocked up on the western elevation. The addition of a roof light and large sliding doors on the proposed extension would appear proportionate, and would not result in harm to visual amenity.

The removal of the chimney has no impact in regard to visual amenity; chimneys are not a characteristic of the locality in this part of the estate.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

The front and rear extensions would have no impact in regard to overlooking; the extensions would be single storey in stature and would offer views of the front and rear gardens only, there would be no harm to neighbouring amenity. The two windows proposed on the eastern flank, following the side extension, may offer oblique views of the western flank elevation of 23a Bushby Avenue, which includes a window at first floor level. However, given the high level boundary treatment separating the two dwellings and the extent and isolation of any harm that may arise, the proposal remains acceptable in regard to overlooking.

The rear extension would replace existing built form, albeit at a greater height (0.5-1m). As such, there would be no undue harm by way of overlooking or overbearing impacts. Similarly, the front extension would not project beyond the front building line, ensuring no undue overbearing or overshadowing impacts will be felt by those using the highway.

The side extension may result in some minor overbearing impacts, given its increased stature. However, the pitched roof slopes, angled away from the neighbouring dwelling, help mitigate against any undue impacts. Given this, and the fact the side extension complies with ADG advice for distances to side boundaries, the proposal would not result in any undue harm by way of overbearing or overshadowing.

SUMMARY

The proposal is in accordance with relevant Arun Local Plan policies and is therefore 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:

Location Plan 26/5092/1 HH
Proposed Plans 26/5092/4 HH
Proposed Elevations 26/5092/5 HH

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 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 (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 NPPF.