

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

REF NO: R/5/21/HH

LOCATION: 22 The Martlets
Rustington
BN16 2TY

PROPOSAL: Single storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION A side extension at the front of the house 1.85 metres in depth 3.5 metres in length with a height of 3.38 metres and an eaves height of 2.3 metres

REPRESENTATIONS

Rustington Parish Council - No objection.

No comments were received from neighbouring properties.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOCAL PLAN

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)

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

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 and Section M of the Arun Design Guide.

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.

Section M of the Arun Design Guide relates to residential extensions, setting out criteria to which the proposed extensions should meet. These predominantly seek to ensure that the proposal appropriately relates to the host dwelling and the area.

DESIGN AND VISUAL AMENITY

Due to the siting of the proposed development, the extension can be viewed within the public realm. It is acceptable due to its location set back from the road, matching materials and a reasonable scale and massing. Furthermore, due to the modest scale of the extension and its design, it is considered to be a subservient, and well integrated extension to the host dwelling. As a result of these factors, the proposed development is considered to accord with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan, Policy 2 of the Rustington Neighbourhood Development Plan and Section M of the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings. This is as a result of the siting of the development and its modest scale. These factors allow for the portion of the development of which is close to the Western boundary of the application site to match the side flank wall of the neighbour to the West, which represents a standard side-to-side relationship, and mitigates any potential for harmful impacts. With regard for potential for loss of privacy, due to the single storey nature of the proposal, the extension cannot be considered to provide views of which are any different to those from the application site at current. As a result of these factors, the application 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

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:

Proposed Plans and Elevations dwg.no. 1415/003 dated 31/12/2020
Proposed Floor Plans dwg.no. 1415/004 dated 31/12/2020

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.