

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

REF NO: R/67/22/HH

LOCATION: 2 The Oaks
Rustington
BN16 2UP

PROPOSAL: Erection of single storey side/rear extension following demolition of existing conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to erect a single storey side/rear extension that is to replace the existing conservatory. The proposal is to be 4.25m in width, 5.1m in depth and have a peak height of 3m with eaves at 2.5m.
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REPRESENTATIONS

Rustington Parish Council - No Objection.

No representations from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Arun District Council Tree Officer - No Response.

Though there is a TPO on site, this proposal is largely a replacement of existing built form and it will not have a negative impact on the TPO.

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)
DSP1	D SP1 Design

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

RDS	Rustington Design statement by Rustington Parish Council
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CONCLUSIONS

PRINCIPLE

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 D SP1 of the Arun Local Plan regards the design of new development and states that it should be informed by sustainable design and should reflect the characteristics of the existing site and the locality in which it is situated. These characteristics include layout, landscaping, density, mix, scale, massing, character, materials, finish, and architectural details.

Arun has adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. Section M presents the '60 and 45 degree rules'. These rules refer to the 60 and 45 degree sightlines from neighbouring viewpoints and aims to prevent adverse obstruction of sightlines and loss of sunlight. The 60 degree rule specifically considers single storey rear extensions.

Rustington has a made neighbourhood plan (RNP) and policy 2 is of relevance and states that proposals should have regard scale, density, massing, height, landscape design, layout and materials which reflect local architectural and historic character.

The RNP identifies this area as Character Area 5. The Village Design Statement recommends the use of brickwork walls and tile on extensions. In this instance the proposal is to replace a conservatory and largely features glass windows but also includes brickwork walls to match the existing dwelling which is consistent with the Design Statement.

DESIGN AND VISUAL AMENITY

The proposal makes efficient use of the existing footprint in replacing the existing conservatory. It is to be 4.19m and 5.16m in depth with a tapered North-West corner, occupying an area of approx. 22sqm, roughly 10sqm more than the existing conservatory. The proposal also has a flat roof design at a height of 2.5m and features 1 No. rooflight that reaches a peak height of 3m. The footprint of the proposal is nearly twice that of the existing conservatory, but it remains of a scale that is visually subservient to the host dwelling. Additionally, the host property boasts a large curtilage that would retain an extensive rear garden amenity space despite the increase in footprint.

The structure is to be constructed of face brick walls and white uPVC framed windows. The materials are matching to those found on the host dwelling and are appropriate.

This extension is sited to the rear of the property and not visible from the wider street scene. As such, it will have no impact on the street scene.

The proposal is compliant with relevant Development Plan policies D DM1(1), D DM4(a)(b) & D SP1 of the Arun Local Plan. The proposal is also compliant with Rustington Neighbourhood Plan Policy 2 and Section M of the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

Being of a minor scale and separated from all site boundaries by 5.7m or more, the proposal does not intersect any 45 light accessibility lines or 60 degree sightlines and as such, gives no rise to any adverse impacts of overbearing or overshadowing.

The proposal replaces viewpoints that were found on the existing conservatory. These are similar to those which were present on the existing conservatory and are to be at ground level. The viewpoints are to look out to the rear and side amenity space and do not give rise to any adverse impacts by way of overlooking on any neighbour dwellings.

By virtue of not being overbearing, overshadowing, or overlooking, the proposal is compliant with relevant Development Plan policies D DM1(3) & D DM4(c) of the Arun Local Plan. The proposal is also compliant with Section M of the Arun Design Guide.

SUMMARY

The proposal is compliant with the relevant Development Plan policies and 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

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:

- Block Plan (2951/01/04).
- Proposed Plans and Elevations (2951/01/02).
- Proposed Floor Plan (2951/01/03).

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.