

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

REF NO: R/6/22/HH

LOCATION: 6 Waverley Road
Rustington
BN16 2DX

PROPOSAL: Erection of single storey rear extension and installation of new side window, following removal of existing conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to erect a single storey rear extension extending 4.2m off of and 8.179m across the rear elevation at a height of approx. 3 to 3.1m. The proposal also includes the installation of 1 No. side window on the northern elevation. These are to be constructed and installed following the removal of the existing conservatory.

REPRESENTATIONS

Rustington Parish Council - No Objection.

No representations from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

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)

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

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.

Arun recently 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 specifically refers to single storey rear extensions, setting forth the 60 and 45 degree rules regarding neighbouring amenity.

Rustington has a made neighbourhood plan 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. This proposal is within Character Area 6 and although not visible from the street, makes use of materials consistent with those on the existing property and those suggested by the Rustington Village Design Statement in Character Area 6.

DESIGN AND VISUAL AMENITY

The host dwelling is a semi-detached bungalow. The proposal seeks to erect a single storey rear extension that extends 4.2m off of and 8.179m across the rear elevation of the host dwelling. The proposal features a flat roof design with a shallow pitch ranging from a height of approx. 3.1m to approx. 3m. The proposed rear extension is to be built in line with the northern (side) elevation and to not exceed the depth of the attached neighbours rear elevation. The property would retain approx. 13.5m of rear amenity space. The proposal is considered subservient owing to its scale being moderate relative to the host dwelling and appropriate for the property. Additionally, the scale is sympathetic to its host property and in keeping with the scale of properties and extensions within its locality. With regard to the walls and windows, the proposal features materials which are consistent with those found on the existing host dwelling and which are in keeping with Character Area 6 being Render and UPVC. Furthermore, the roof is proposed to be flat in design and consist of felt which is acceptable. The proposal is to the rear of the property and is not visible from the street. As such, it will have no visual impacts on the street scene and no adverse impact on the character of the area.

Having regard to the design and visual amenity, the proposal is deemed to accord with D DM1 & D DM4 of the Arun Local Plan and Policy 2 of the Rustington Neighbourhood Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed rear extension is of single storey at a height of approx. 3.1 to 3m. The proposal is 0.1m from the southern (side) site boundary that is shared by the attached neighbour dwelling. This boundary however, is met by a neighbouring single storey rear extension that also extends further than the proposal. The siting and scale of this rear extension avoids intersection with any 45 or 60 degree

sightlines. The proposal does not give rise to any adverse impacts by way of overshadowing or overbearing. The proposed rear extension features 4 No. glass doors and a window to the on the rear wall off the extension, facing the garden. These are single storey and look out to a sufficient retention of rear garden amenity space at approx. 13.7m. These do not give rise to any adverse impacts by way of overlooking.

The proposal includes the installation of a side (north) elevation window. This is an end property and the northern elevation faces the rear elevation of a line of properties along Busbhy Avenue. These properties have substantial rear gardens the extend approx. 16m and the northern boundary is treatment of 6 Waverley road features a boundary fence separating the properties that sits approx. 3.1m off of the northern elevation. The ground floor siting and substantial separation of the proposed side window from the boundary and its northern neighbour properties means this gives rise to no adverse impacts by way of overlooking.

It is therefore considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy D DM4 (c) of the Arun Local Plan and Part M of the Arun Design Guide.

SUMMARY

The development accords 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.

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:

 - Site Plan 7 (19/01/22)
 - Proposed Roof Plan 3 (19/01/22)
 - Proposed Ground Floor Plan 2a (19/01/22)
 - Proposed Elevations 5 (19/01/22)
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 and Part M of the Design Guide.
- 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.