

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

REF NO: R/80/25/HH

LOCATION: 1 Acre Close
Rustington
BN16 3PG

PROPOSAL: Erection of single storey rear extension.

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| SITE AND SURROUNDINGS |
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DESCRIPTION OF APPLICATION As above.

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| RELEVANT SITE HISTORY |
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| R/207/00/ | Extension | ApproveConditionally 02-02-01 |
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| REPRESENTATIONS |
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Rustington Parish Council - No objection.

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

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| POLICY CONTEXT |
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CIL Zone 4.

DEVELOPMENT PLAN POLICIES

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

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| DDM1 | D DM1 Aspects of form and design quality |
| DDM4 | D DM4 Extensions&alter to exist builds(res and non-res) |

PLANNING POLICY GUIDANCE:

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| NPPF | National Planning Policy Framework |
| NPPG | National Planning Practice Guidance |

SUPPLEMENTARY POLICY GUIDANCE:

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| SPD13 | Arun District Design Guide (SPD) January 2021 |
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CONCLUSIONS

DESIGN AND VISUAL AMENITY

The application site is a single storey detached dwelling with an existing single storey extension adjoining the rear, north elevation of the dwelling. The proposed single storey rear, orangery style extension would have a width of 5m and a depth of 3m. The extension would have a pitched roof with a maximum height of 3.1m and an eaves height of 2.3m. Fenestration is proposed within the north, east and west elevations of the extension.

The proposal would not strictly accord with Part M of the Arun Design Guide which states that in the case of detached houses, single storey rear extensions should not extend more than 3.3m from the rear elevation of the original dwelling. The extension would have a depth of 3m and adjoin an existing 5.7m extension, thus would exceed the guidance outlined at Part M of the Arun Design Guide in this regard. However, the total enlargement of the extension would be only 0.3m deeper than that which could be constructed under permitted development, and the depth of the proposed extension would not result in harm to the character and appearance of the host dwelling. Furthermore, the extension would be sited to the rear, and would not be visible within the street scene. Therefore, the proposed extension would not result in any harm to the character or appearance of the street scene or wider area.

In design and visual amenity terms, the overall proposal is in accordance with relevant Development Plan policies D DM1 and D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the Arun Design Guide states householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, considering the positioning of neighbouring buildings and respond to existing elevations through the size and positioning of doors and windows.

The extension would set in 1.5m from the eastern side boundary, 2.2m from the western side boundary and in excess of 23m from the northern (rear) boundary. As such, given the spacing retained between the proposed extension and neighbouring properties, the extension would not result in any overshadowing or overbearing impacts to neighbouring properties.

The proposal includes fenestration within the rear and side elevations of the extension. The fenestration would have an outlook of the rear garden serving the host dwelling and would not result in any overlooking. The flank fenestration would be set in from the flank boundaries, and given the existing hedging and close boarded fencing along the side boundaries of the application site, this fenestration would not result in unacceptable overlooking.

The proposal would not result in overlooking, overbearing, or overshadowing impacts to neighbouring properties, and is in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is in accordance with relevant development plan policies and 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

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:

- Stanmore Ext/Prop 1 Block Plan.
- Stanmore Ext/Prop 1 Existing and Proposed Ground Floor Plans and Elevations.

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 National Planning Policy Framework.