

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

REF NO: R/81/22/HH

LOCATION: 55 The Street
Rustington
BN16 3NU

PROPOSAL: Single storey side extension. (This application may affect the character and appearance of the Rustington Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to erect a single storey side extension. It is to be 3.6m in width, 12m in depth and 4m in height with eaves at a height of 2.5m.

REPRESENTATIONS

Rustington Parish Council - No Objection.

1 No. objection from nearby occupier:

- Separation distance of 1m from side boundary not in accordance with Conservation Area SPG (2000).
- Ridge height of 4m being 3m from the side boundary and would be visible from the street, altering the appearance of the properties in the street and area.

OFFICER COMMENTS

The Conservation Area SPG (2000) does not refer to a special consideration of building separation distances when concerning alterations/additions to existing dwellings, only new buildings. Separation distances between dwellings are an important feature to retain. However, the reduction of the side separation distance to 1m, is in accordance with Section M of the Arun Design Guide in respect to side extensions. Additionally, the design of the roof is appropriate and although reduces the existing separation distance between Jasmine Cottage and No. 55 The Street, this reduction is not considered visually adverse or overbearing. This is owed to sympathetic scale of the proposal and the appropriate pitched eaves design, that retract from the side site boundary as it increases in height. The views from The Street would be limited and do not give rise to any significant visual impacts on the street scene.

CONSULTATION RESPONSES RECEIVED:

None.

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
HERDM3	HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
RDS	Rustington Design statement by Rustington Parish Council
SPD2	Conservation Areas

CONCLUSIONS**PRINCIPLE**

The key policies considered are HER DM3, D SP1, D DM1 & D DM4 of the Arun Local Plan and Section M of the Arun Design Guide. Policy 2 of the Rustington Neighbourhood Development Plan (RNP) and the Rustington Village Design Statement are also relevant.

Policy HER DM3 pertains to development within Conservation Areas. This policy aims to preserve or enhance the character of these areas by ensuring proposals respond sensitively to the area and either preserve or enhance factors which positively contribute to the area.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. Principles relevant to this proposal include: Character, Appearance, Impact 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. Characteristics relevant to this proposal include scale, massing, character, materials, finish, and architectural details.

Arun has adopted a Design Guide which provides detailed guidance that helps to raise design standards across the district. Section M regards side extension and states that development should respond to the distinctiveness of their host dwelling and surroundings in terms of scale, massing, materials, and protect the amenities of occupants and neighbours.

Policy 2 of the RNP is of relevance and states that proposals should have regard to scale, density, massing, height, landscape design, layout, and materials which local architectural and historic character.

The Rustington Neighbourhood Plan identifies this area as Character Area 1. The Rustington Village Design Statement states that alterations to a dwelling within this area should utilise traditional materials and be sympathetic to features of the existing dwelling. The alterations should also remain in character with the existing street scene and be sympathetic to adjacent dwellings.

Key paragraphs 194 & 195 of the NPPF regarding heritage assets are also relevant as the site is within the Rustington Conservation Area.

DESIGN AND VISUAL AMENITY

The proposed side extension is to be single storey with a moderate scale. It is to be 3.6m in width, 12m in depth and 4m in height with eaves at a height of 2.5m. The extension is sited appropriately to the East elevation of the property in that it is to be set back from the front elevation by 1.8m, behind a forward boundary fence and separated from the eastern site boundary by approx. 1m.

It is to feature a roof design which has a flat top with pitched eaves all the way around. The pitch of these eaves is to match the pitch angle of the existing dwelling and as such, it is appropriate.

Materials featured in the proposal are to match those found on the existing dwelling, including traditional flint and brickwork. These are appropriate.

The design of the proposal is visually integrated and sympathetic to the host dwelling playing a subservient role. Although being sited to the side elevation, it is mostly obscured from site and would have little visual impact on the wider street scene. Nonetheless, this impact would not be adverse given its design.

The proposal is compliant with relevant Development Plan policies D DM1(1)(2)(14), D DM4(a)(b)(e) & D SP1 of the Arun Local Plan, Section M of the Arun Design Guide, policy 2 of the RNP and the Rustington Village Design Statement.

NEIGHBOURING RESIDENTIAL AMENITY

Owed to the scale, siting, and appropriate separation distance of 1m (as stated in Section M of the Arun Design Guide), the side extension will have no unacceptable adverse impacts by way of overbearing or overshadowing on any neighbour dwellings.

The proposal is to feature 3 No. new viewpoints. These are 3 No. new windows, one to the front elevation, one to the East (side) elevation and one to the rear. These viewpoints are at ground floor level and give rise to no adverse impacts by way of overlooking on any neighbouring properties.

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

HERITAGE

The site falls within the Rustington Conservation Area.

Paragraph 194 of the NPPF requires the Local Planning Authority (LPA) to identify the significance of the heritage asset affected by a proposed development. The heritage asset in this case are of moderate significance.

Paragraph 195 of the NPPF requires the LPA consider the significance of the impact upon the heritage assets related to the application. The Rustington Conservation Area was designated in 1986 and extended in 1994. The area contains most of the villages Listed Buildings, some of which date back to the 16th & 18th Centuries. The host dwelling is not one such Listed Building but does feature attractive and cohesive architectural details and materials found throughout the area. The proposal is of an attractive and sympathetic design and would have minimal views from the wider street scene. It is considered that the proposal would have no harm on the significance of the Conservation Area.

The Conservation Area Supplementary Planning Guidance (SPG) states that alterations to existing buildings should be sensitively designed with appropriate materials, sympathetic scale, form, and detailing, that retains or emphasises architectural features or qualities of the existing buildings, streetscape and area. The proposal follows this guidance.

The development will cause no harm to the significance of the asset and will preserve the appearance of the building and Conservation Area in accordance with HER DM3 of the Arun Local Plan and the Conservation Area SPG.

SUMMARY

The proposal is compliant with relevant Development Plan policies and additional design guidance. 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:

- Site Plan (Submitted 13/04/22).
- Proposals (Dwg No. 04).
- Proposals (Dwg No. 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.