

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

REF NO: R/81/26/HH

LOCATION: 7 Summerley Close
Rustington
BN16 3TU

PROPOSAL: Single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Rustington Parish Council - No objection.

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Prone to Groundwater Flooding.
Tree Preservation Order.
Within 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 and alter to exist builds (res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site contains a detached two-storey dwelling on Summerley Close. This application seeks planning permission for the construction of a single storey rear. The works would be constructed from materials to

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match the host dwelling and would not be visible from the street scene.

Following the demolition of the existing conservatory, the proposed single-storey rear extension would measure 3m in depth and 7.6m in width. It would have a mono-pitched roof with an eaves height of 2.5m and a maximum height of 3.6m. Three rooflights are proposed within the roof slope. The extension would accord with Part M of the Arun Design Guide (ADG), which states that extensions projecting up to 3.3m are generally acceptable. As such, the extension is acceptable, particularly as it would maintain a separation distance of at least 6.5m from the rear boundary fence. The extension would therefore not result in harm to the character or appearance of the host dwelling.

The proposal would not result in harm to the character or visual amenity of the dwelling or the surrounding area, in accordance with Arun Local Plan (ALP) policies D DM1 and D DM4.

NEIGHBOURING RESIDENTIAL AMENITY

Part M of the ADG states that householder extensions should protect neighbouring amenity in terms of privacy and overshadowing, taking into account the positioning of neighbouring buildings and responding to existing elevations through the size and positioning of doors and windows.

The proposed rear extension would be set no closer than the existing flank elevations, leaving a gap of 1.1m to the north side and 1.7m to the south side. Given its single-storey height and separation distance, there would be no resultant overbearing or overshadowing impacts on neighbours. It would feature three rooflights within the pitched roof, fenestration within the rear elevation, and one high-level window within the south side elevation. Due to the separation distance to the rear boundary and the replacement of the existing conservatory fenestration, the additional fenestration would not result in any additional overlooking impacts.

The proposed development would not result in harm to neighbouring amenity by way of overbearing, overshadowing, or overlooking impacts. The proposed development is therefore in accordance with ALP policies D DM1 and D DM4.

SUMMARY

The proposed development is in accordance with relevant development plan policies and, as such, 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:

- Site and Location Plan ARC/175/25/04.
- Proposed Location and Block Plan ARC/175/25/08.
- Proposed Elevations ARC-175-25-06.
- Proposed Floor Plans ARC/175/25/05.
- Proposed Sections ARC/175/25/07.

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 NPPF.