

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

REF NO: R/88/22/HH

LOCATION: Chudleigh
The Close
Rustington
BN16 2DW

PROPOSAL: Erection of part single, part two storey rear and single storey front porch extension with terrace, hip to gable roof extension with solar panels and installation of timber cladding in place of hung tiles to bays.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION Erection of part single part two-storey rear extensions, single storey front porch extension, hip to gable roof extension including solar panels and alterations to external finishes.

REPRESENTATIONS

Parish Council - No objection.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
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&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation

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

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

PRINCIPLE

In this case, the key policies are D DM1, D DM4 and ECC SP2 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan.

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 ECC SP2 relates to mitigation of climate change and seeks renewable and low carbon energy supplies.

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.

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. Part M is of relevance to this application.

DESIGN AND VISUAL AMENITY

It is proposed to demolish an existing conservatory and replace it with a part two-storey, part single-storey rear extension, including a roof terrace. A new front porch addition is also proposed. The rear extension will be approx. 5m deep and 5.6m wide at ground floor level and only 1.3m deep at first floor. The porch will measure approx. 3m in width by 1.3m deep and have a pitched roof configuration. As the extensions do not change the nature of the property the spatial composition of the site will not be compromised.

The plot on which the host dwelling sits has a semi-open frontage, as such the porch will be highly visible from the street and will affect the character of the area. By reason that the proposed extension is built of matching materials, utilises complementary design features which affords it good visual integration with the host dwelling, and is to be built to an appropriate scale, then it will not have an unacceptable detrimental effect on the character of the area.

In addition to this it is proposed to add a hip to gable extension to the western elevation, which will affect the character of the building. The roof extension will not increase the ridge height or alter the eaves level, it will however encompass an existing portion of flat roof at first floor level. It is seen to give balance to the roof and incorporate less visually attractive parts of the existing structure. As such it will not negatively impact the character of the area and will be subservient to the host dwelling.

The rear extension by reason of its orientation to the rear of the property and mature boundary planting will not be visible. The first-floor extension will be built out in line with the existing southern elevation, it is only the ground floor extension which protrudes into the garden.

The alterations to the roof will facilitate the installation of solar roof panels. The inclusion of these panels accords with Policy ECC SP2 and do not detract from the scheme or harm the character of the building or area, by reason that they are subservient in scale and would be afforded approval under Permitted Development Rights.

The proposed development is acceptable in terms of design and visual amenity and is therefore in accordance with policies D DM1 and D DM4 of the Arun Local Plan and Policy 2 of the Rustington Neighbourhood Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The rear extension and works to the roof will be located a minimum of 1.3m away from the western boundary and the front extension will be 2.5m away from the eastern and 9.2m set back from the road. The minimum separation gaps between respective boundaries will not be diminished below existing site conditions and a rear garden length above design guidance recommended levels will be retained. The 45-degree rule is not applicable for this rear extension as the property sits adjacent to neighbours fronting Sea Avenue (at a 45-degree angle to the host dwelling). Given the extensions position, adjacent to the substantial rear gardens to the properties on Sea Avenue, the rear and roof additions will not overbear or overshadow them.

In terms of overlooking, new fenestration to be introduced at first floor level will face towards the rear private amenity space, where views are already achievable. A rear balcony is proposed, the two side facing elevations have been designed to have a minimum of 1.8m obscured screening. This is acceptable and will not negatively impact privacy levels to the properties to the east or west, a condition will be added to this approval to retain the screening in perpetuity.

All other windows either face towards the front or rear private amenity space, at ground floor level where it is generally accepted that no harm will arise from overlooking.

Further to a condition, by reason that the proposal does not overbear, overshadow or overlook neighbouring properties it accords with policies D DM1 and D DM4 of the Arun Local Plan.

CLIMATE MITIGATION

The addition of solar panels as a form of onsite renewable energy accords with the criteria set out in Policy ECC SP2(c) of the Arun Local Plan.

SUMMARY

The proposed 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

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.

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

 - Location Plan P001
 - Proposed Ground Floor Plan P008
 - Proposed First Floor Plan P009
 - Proposed North and South Elevations P011
 - Proposed East and West Elevations P012
 - Proposed Block Plan P002
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 The installation of side screening to the eastern and western faces of the approved balcony will be provided before the first use of the room and be built to a minimum height of 1.8m and shall be built using an fully obscured material, the screening shall remain at this minimum height and fully obscured in perpetuity.

Reasons In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 of the Arun Local Plan.
- 4 **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.