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

REF NO: R/95/25/HH

LOCATION: 23 Broadmark Lane
Rustington
BN16 2HD

PROPOSAL: Proposed single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

R/60/08/	Change of use from two flats to single dwelling. Removal of single storey rear extension & conservatory. Erection of new single storey extension under flat roof.	ApproveConditionally 11-04-08

REPRESENTATIONS

Rustington Parish Council - No objection.

No representation received from nearby occupiers.

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)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The application site contains a two storey semi-detached dwelling with existing loft accommodation. This application seeks to construct a single storey rear extension measuring 5.3m deep and 4.4m wide with a height of 3.3m, increasing to 3.7m due to 2 rooflights serving the extension. The extension would not be visible from the street scene.

Alterations to fenestration to the side (south) elevation are also proposed, including the removal of a window at ground floor level and the addition of sliding patio doors to the rear (east) elevation. The proposed external materials would be render, in keeping with the existing materials of the host dwelling contributing to integration of the extensions. The Arun Design Guide states rear extensions should respond to the distinctive characteristics of the building and surrounding area, preserve external garden amenity space and exploit opportunities for innovative and contemporary design where appropriate. Rear extensions which project up to 3.3m are generally acceptable. Whilst this rear extension would exceed the guidance depth, the extension would be acceptable in this instance as it would maintain an acceptable distance of approximately 15m from the rear boundary fence. The extension would incorporate the existing rear projection and it would not extend beyond the existing deepest point of the rear elevation of the host dwelling. As such, the proposed extension is acceptable in this instance.

The proposed extension would not have an unacceptable impact on the character and visual amenity of the area in accordance with Arun Local Plan policies D DM1 and D DM4.

NEIGHBOURING AMENTIY

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 dwelling has an attached neighbour to the north and detached neighbour to the south. The proposed extension would not extend beyond the existing deepest point of the rear elevation and as such, the extension would not result in any overbearing or overshadowing impacts to the neighbour to the south. No additional fenestration is proposed within the southern flank elevation of the host dwelling, and as such, the proposal would not result in any overlooking to the neighbour to the south.

The extension would be set in from the northern flank boundary by approximately 0.2m. Whilst the extension would extend close to the boundary with the neighbour to the north, this neighbour has an existing rear extension, and the proposed extension would not extend beyond the existing rear elevation of this neighbour. Therefore the extension would not result in harm to the attached neighbouring property in terms of any overbearing or overshadowing impacts.

Two rooflights are proposed within the flat roof extension serving the ground floor. Given the siting of these rooflights, the rooflights would not result in harmful overlooking to neighbouring properties. The proposed bifolding doors to the rear would have an outlook of the rear amenity space serving the host dwelling, and would not result in any overlooking. The proposal would include the replacement of a window with a door within the southern flank elevation, however the proposed door would not result in any additional overlooking.

The proposal would not result in unacceptable overlooking, overbearing, or overshadowing of neighbouring properties, and is therefore 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:

- Location and Block Plans BR03
- Floor Plans PL01
- Elevations PL02

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.