



Appeal Decision

Site visit made on 26 June 2025

by **JJ Packman MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 August 2025

Appeal Ref: APP/C3810/D/25/3364398

71 Old Manor Road, Rustington, West Sussex, BN16 3QL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Laura Lewis against the decision of Arun District Council
 - The application Ref is R/234/24/HH
 - The development proposed is first floor extension
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposal on the living conditions of the occupants of 69 Old Manor Road having regard to light and outlook.

Reason

3. The appeal property comprises a detached residential dwelling situated within a generous plot. The main dwelling has a hipped roof, double bay windows and brick elevations. The property has been extended significantly at ground floor level and includes a large rear extension that links with a side double garage to create a large, continuous wrap around ground floor extension. The footprint of these extensions appears similar in size to the footprint of the original house.
4. The road is characterised by detached dwellings set within reasonably spacious plots. Separation distances between dwellings in the local area vary. There are some examples of dwellings situated close to each other. The appeal property sits between two detached dwellings, No 69 and 73 Old Manor Road. Whilst there is a reasonable separation distance between the appeal property and No 73 (of several metres), the appeal property has a much closer relationship with No 69, a chalet bungalow. A dormer with two windows on the southern elevation of No 69 directly faces the northern elevation of the appeal property. It is understood that the windows serve two different rooms, one is an obscure glazed window serving a bathroom, the other serves a different room that is thought to be dual aspect with a further window on the eastern elevation.
5. The appeal scheme proposes the erection of a first floor extension above the garage. A simple continuation of the existing roofline is proposed terminating in a matching hipped roof. The northern elevation of the proposed extension would be within a few metres of the dormer window on the southern elevation of No 69.

6. Whilst there are local examples of two storey properties situated in similarly close proximity to each other, few of these have side windows and most appear to have been constructed like this from the outset. The appeal property appears to have been originally constructed centrally within its plot and has only 'migrated' northwards with the construction of the garage and rear extension.
7. The current arrangement allows sunlight from the south to sweep across the flat roof of the garage of No. 71 and enter both windows of No. 69. The proposal would interrupt this. The proposal would increase the height and mass of built form on the boundary. This would result in overbearing of the windows at No 69 and cause shading, reducing the level of sun light that would enter both rooms.
8. Whilst the proposed extension would be less visible from the obscure glazed bathroom window, users of this room would experience a reduction in sunlight and the proximity of the proposed extension would be apparent and perceived as overbearing. The effect on the adjacent room with clear glazing would be more pronounced, with the extension appearing highly visible and oppressive when viewed from this window. Though the room in question has another window on the east elevation, I find that the resulting loss of light would be harmful regardless of the room's function.
9. For the reasons set out above I conclude that the development would cause unacceptable harm to the living conditions of the occupants of No 69. It would therefore conflict with Policies D DM1 and D DM4 of the Arun Local Plan (2018) which require proposals to have minimal impact to users and occupiers of nearby property and land, and for proposals to no have an adverse overshadowing or overbearing effect on neighbouring properties.

Other Matters

10. I acknowledge that the proposal would result in improved living arrangements for the appellant, these however, are private benefits that do not outweigh the harm I have identified.

Conclusions

11. For the reasons outlined above, I conclude that the appeal should be dismissed.

JJ Packman

INSPECTOR