

Recommendation Report for Planning Permission

REF NO: R/105/18/PL

LOCATION: Sandon
The Coppice
Rustington
BN16 3TP

PROPOSAL: Change of use of integral garage to form treatment/waiting room, 2 No. dormers to first floor front extension, replacement of rear dormer with 1 No. velux window, balcony to side, change of side window to window & door & 1 No. additional velux to ensuite (amendment to R/45/17/PL).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. This application makes the following changes to previously granted application ref: R/45/17/PL: - Treatment room is now proposed into the main dwelling and not the detached garage as previously approved. The existing detached garage will now remain as a garage. - Entrance to main dwellinghouse will now remain as existing. - Insertion of additional dormer windows. - Removal of a previously proposed dormer window into the north rear elevation and the insertion of a roof light instead. - Omission of a previously proposed (and granted) small window at ground floor level in the west side - Hipped gables now proposed to main portion of the proposal.
SITE AREA	0.07 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	1.8m close boarded fence and landscaping to the side and rear boundaries. Open to the front elevation on the east and west sides of the property with a 2m close boarded fenced yard in the centre of the dwelling.
SITE CHARACTERISTICS	A large modern detached house and detached garage with hard surfaced off road parking areas to the front elevation. The property has an approximately 16 metre long by 21.5 metre wide rear garden (at its maximum).

CHARACTER OF LOCALITY

A predominantly residential area with a medical centre, The Coppice Surgery is immediately to the east side of the property. The Coppice is an unmade road serving 4 bespoke designed large detached dwelling houses in large grounds. The 4 properties are located to the south of the private road. To the north of the road are rear garden fences with tall trees and landscaping above belonging to large detached properties on Herne Lane.

The applicant's property is located in a suburban area but has a rural feel due to the unmetalled road and trees and landscaping on the rear fence line of properties to the north of The Coppice and the front gardens of properties at the end of the cul-de-sac.

RELEVANT SITE HISTORY

R/106/80	Erection Of 1 Detached Chalet Style House With Double Garage	ApproveConditionally 11-06-80
R/45/17/PL	Change of use of garage into treatment room & waiting area, two storey rear extension, rear dormer, first floor front extension & internal alterations to ground & first floor to include integral garage.	ApproveConditionally 25-05-17
R/78/97	Detached garage, conservatory and utility room	ApproveConditionally 13-06-97

Previously approved application ref: R/45/17/PL for a change of use of garage into treatment room & waiting area, two storey rear extension, rear dormer, first floor front extension & internal alterations to ground & first floor to include integral garage is noted.

Officers note that the previously approved application, as aforementioned, gave approval for a treatment room, albeit in the existing garage rather than the main dwelling. As such, officers consider that the principle of a treatment room on site has previously been established.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council

Object to this application. Their comments are summarised as follows:

Proposal would represent overdevelopment of site.

Due to size and mass of proposal it would represent an in-neighbourly form of development which would be overbearing, and would have an adverse impact on the visual amenities and quiet enjoyment of the occupiers of the neighbouring property.

Follow-up comments:

My Council has now had an opportunity to consider further detailed information received from the Local Planning Authority, in respect of this application.

I would be grateful if you could arrange for the Council's previous objections in this regard to be withdrawn.

COMMENTS ON REPRESENTATIONS RECEIVED:

The request for the withdrawal of the objection made by Rustington Town Council is noted and accepted. As such, it is considered that Rustington Parish Council no longer object to this application.

CONSULTATIONS

Env. Amenities & Comm. Safety

Engineers (Drainage)

Environmental Health

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Environmental Health Officer: See previous comment from this department in respect of R/45/17/PL, as follows:

No objection subject to the imposition of an informative.

WSCC Highways: Do not consider that the proposal for a change of use would have a 'severe' impact on the operation of the highway network and is therefore not contrary to the NPPF (paragraph 32) as there are no transport grounds to resist this proposal.

Additionally Highways note that the applicant has stated that 7 car parking spaces will be provided although no information as to their location has been provided. They recommend that if the proposal is granted a suitable condition securing parking be imposed.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The business does not propose tattooing so the informatives requested by environmental health are not relevant.

POLICY CONTEXT

Designation applicable to site:

Built-up Area Boundary

Class B road

DEVELOPMENT PLAN POLICES

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
TSP1	T SP1 Transport and Development
QEDM1	QE DM1 Noise Pollution

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

RDS	Rustington Design statement by Rustington Parish Council
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Policy 2 of the Rustington Neighbourhood Plan relates to this proposal.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the

surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The principle of development is acceptable within the built up area boundary in accordance with policy SD SP2 of the Arun Local Plan 2011-2031 subject to consideration against relevant development plan policies. The key Policy considerations in the determination of this application are deemed to be D DM1, D DM4, T SP1 and QE DM1 of the Arun Local Plan 2011-2031.

Officers note that the previously approved application, as aforementioned, gave approval for a treatment room, albeit in the existing attached garage rather than the main dwelling. As such, officers consider that the principle of a treatment room on site has previously been established.

CHANGE OF USE:

The use of part of the main dwelling for a treatment room could be considered incidental given that it would only utilise a small portion of the of the overall floorspace and given that it would be a low key use unlikely to cause a significant impact on neighbouring properties (i.e. 3 or 4 visitors per day between 9.30 - 5 pm weekdays with up to 3 parking spaces serving the visitors and additional car parking for the residential occupants).

Given that the proposed treatment room would take up a relatively small area of the proposed dwellinghouse, Officers consider that it would be incidental to the primary use of the dwellinghouse and the dwellinghouse use would still remain as the dominant use.

VISUAL AMENITY:

The design of the extensions when viewed from the street scene would not adversely impact the appearance of the dwellinghouse or the character of the area. From an assesment of the submitted plans and the Officer's site visit it is considered that the proposals would improve the appearance of the property enhancing its cottage style.

The front bedroom extension would add bulk to the front of the dwelling however due to a low eaves level in a chalet bungalow style, the use of hanging tiles at first floor level and given the bespoke design of surrounding properties and their staggered building line at the front, it is not considered to be out of character and it would be subservient to the dwellinghouse as a whole. Additionally the front bedroom extension would be set approximately metres 7.8 metres from the common boundary of the adjoining surgery and 8.3 metres from the common boundary of the adjoining Cranbrook House it is not considered to dominate the appearance of the neighbouring properties.

To the rear of the property the extensions are of an attractive design, constructed within the rear building line of the neighbouring property. This would not impact on the visual amenities of Cranbrook House to the west nor the doctors surgery to the east. Additionally the new rear elevation would be set in from the

rear of the Station Road by a maximum of 16 metres and a minimum of 15 metres and would not have a detrimental impact on visual amenity of the street scene along Station Road.

From an assessment of the plans and Officer's site visit the proposed extensions and alterations, would be acceptable in design terms as they would be of a size and scale that harmonises with the original dwellinghouse. Therefore the proposals would not be unduly prominent or out of keeping with the design and external appearance of the application dwelling.

The applicant has stated that the proposed external materials are as follows:

Doors and windows: Existing: uPVC and timber - Proposed: uPVC or aluminium

Roof: Existing: Plain tile - Proposed: Plain tile

Walls: Existing: Brick and tile hanging - Proposed: Brick and tile hanging

From an assessment Officers consider the proposed external materials would be acceptable.

As a result of the above assessment it is considered that the proposals would sympathetically relate to and would be visually integrated with, the existing building in siting, massing, design, form scale and materials.

As such, it is considered that the proposed dormer window(s) would comply with Policy D DM1 and criteria a, b, d and e of Policy D DM4 of the Arun Local Plan 2011-2031.

RESIDENTIAL AMENITY

The extensions to the front and the rear would not cause a loss of residential amenity due to overshadowing, overlooking or overbearing effect on neighbouring properties. The following issues were considered when assessing the proposal;

The proposed first floor front extension would create a front projecting element of a similar size and scale as that previously granted under application ref: R/45/17/PL. As such, given the separation distances of over 7 and 8 metres from the common boundaries of adjoining properties, Officers consider that no overbearing impact, loss of sunlight/light or overshadowing would occur to the occupiers of adjoining properties.

2 dormer windows are proposed into the roofslope of the proposed first floor extension, one in each roofslope of the pitched roof. The dormer windows would serve a bathroom and a bedroom. Any views out from these dormer windows would be out toward the front areas of adjoining properties Cranbrook House and the Coppice Surgery, areas that are already significantly overlooked.

Officers note that a dormer window is proposed into the into the side roofslope of the rear 2 storey projecting element and would face toward the Coppice Surgery. The proposed dormer window would serve a bedroom and any views toward the Coppice Surgery would be over a distance of over 10 metres with trees and an outbuilding along the common boundary of the surgery providing screening. Therefore it is considered that no materially harmful overlooking would occur toward the surgery.

A rooflight, which would serve a stairwell is proposed into the rear roofslope. It is considered that given its positioning within the roofslope, any views out towards adjoining Cranbrook House would be suitably

screened by the roof of the 2 storey rear projecting element. Views would be available out toward the adjoining surgery, however given the aforementioned screening along the common boundary it is considered that no detrimental overlooking would occur. Even without the boundary screening Officers do not consider that any detrimental level of overlooking would occur.

The proposals also include the creation of a balcony above the proposed flat roof extension at the rear. Given the existing screening along the common boundary of the adjoining surgery, it is considered that no detrimental overlooking would occur from the balcony toward the surgery. Due to the 2 storey rear projecting element providing a level of screening, any views out toward adjoining property Cranbrook House would be toward the tail end of the rear garden rather than to the primary amenity space directly to the rear of the host dwelling. Therefore, officers do not consider that any detrimental overlooking would occur as a result of the proposed balcony.

Officers note the size of the proposed balcony and that it could allow the applicant to sit out at first floor level possibly including the use of a table. Officer do not consider that any detrimental noise would occur as a result of the proposed balcony. However should noise become an issue it would be a matter dealt with under the appropriate Environmental Health legislation.

With regard top the proposed folding doors at ground floor level, in the rear extensions, it is considered that no detrimental overlooking would occur as a result of the existing boundary screening.

Overall Officers do not consider that any detrimental overlooking, overbearing effect, overshadowing or loss of sunlight/light would occur to the occupiers of adjoining properties as a result of the proposed alterations and extensions to the host dwelling.

As such it is considered that the proposal would comply with policies D DM1 and D DM4 criterion 3. of the Arun Local Plan 2011 - 2031.

PARKING AND HIGHWAY SAFETY:

The additional car parking and traffic movements as a result of the change of use would not be significant and well serviced by 3 on site parking spaces. Additionally WSCC Highways do not consider that the proposal for a change of use would have a 'severe' impact on the operation of the highway network and is therefore not contrary to the NPPF (paragraph 32) an there are no transport grounds to resist this proposal.

CONCLUSION

The NPPF requires there to be a presumption in favour of the proposals which are located in a sustainable location. The site lies within the built up area boundary, is located in a location adjacent to public transport and near to local services & facilities. It considered that the site would not be car reliant and that people can walk, cycle or use public transport to reach the property and for the residential occupants. It is considered therefore that this site could represent a sustainable location of an additional housing unit within the existing built up area boundary.

It is therefore recommended that the application is approved, subject to the following conditions

HUMAN RIGHTS ACT

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.

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

Existing Ground Floor Plan, Existing First Floor Plan, Existing Elevations, Existing Roof Plan, Proposed Ground Floor Plan, Proposed First Floor Plan, Proposed Elevations and Proposed Roof Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun District Local Plan.

- 4 **INFORMATIVE:**

Any premises and person/s carrying out tattooing are separately required to be Registered with Arun District Council's Licencing Team.

The applicant is advised of Arun District Council's 'Byelaws with Respect to Acupuncture, Tattooing, Semi- Permanent Skin-Colouring, Cosmetic Piercing and Electrolysis' in respect of necessary measures to secure the cleanliness of premises, fittings (and persons) engaged for these purposes.

Please note that a suitable sink and wash hand basin together with hot and cold water, or water of a suitably controlled temperature and proper drainage should be provided within the treatment room.

The applicant is further advised of the Chartered Institute of Environmental Health Toolkit: Tattooing and Body Piercing Guidance 2013 For further information please contact Environmental Health or The Licensing Team on Tel 01903 737755 or by E Mail at Food.Safety@Arun.gov.uk or Licensing@Arun.gov.uk

- 5 A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 6 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.