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

REF NO: **R/109/16/HH**

LOCATION: 7 Meadway
Rustington

PROPOSAL: Demolition of detached garage, erection of side & rear extensions, loft conversion including 2 No. dormers.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application proposes the conversion of the existing dwelling through the construction of a single storey rear extension and new roof with 2 no. rear dormer windows and a balcony at first floor level on the rear of the dwelling.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary of the site consists of a brick wall approximately 0.4m in height. The rear and side boundaries of the site consist of a mixture of close boarded fencing and mature planting.
SITE CHARACTERISTICS	The site is occupied by a detached chalet bungalow with white rendered elevations and a brown tiled roof. The property features a dormer window on the primary elevation and an attached garage located to the north.
CHARACTER OF LOCALITY	The character of the locality is predominantly residential with the Meadway consisting primarily of properties of a similar design and style.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Rustington Parish Council

My Council has noted the above application and wishes to raise no objection to it.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:
Within built area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
Publication Version of the Local Plan (October 2014):		D DM1 Aspects of Form and Design Quality D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential) SD SP2 Built-Up Area Boundary
Rustington Neighbourhood Plan 2014 Policy 2		Housing Design

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Yapton.

The Rustington Neighbourhood Plan has been made and policy 2 is considered relevant to the determination of this application.

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 not considered to appear subservient and as such does not comply with all relevant Development Plan policies. However, it is considered that the proposal 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 application site falls within the built area boundary where the principle of development is acceptable subject to compliance with relevant development plan policy. In this case the key policy considerations are deemed to be GEN7 and DEV19 of the Arun District Local Plan and Policy 2 of the Rustington Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

The proposed development will see the appearance of the host dwelling significantly altered. The existing garage located to the north of the dwelling will be demolished and a 1 1/2 storey extension will be constructed to the north and rear of the existing dwellinghouse.

The height of the roof will increase from 5.6m to 6.2m with the existing hipped roof being replaced

by a half hipped roof of significantly greater bulk. The existing ridge of the dwellinghouse measures approximately 3.4m (when viewed from the west) with the amended scheme measuring 11.8m in width at ridge height. The proposal includes the addition of 2 no. dormer windows to the rear of the amended roof with a balcony at first floor level.

Given the extent of the alterations proposed it is considered that the proposal will not appear subservient to the host dwelling given its significant bulk and size at first floor level when compared to the existing dwelling as such the proposal is not considered to appear subservient to the host dwelling. Similarly, the development cannot be considered well integrated due to the significant impact upon the appearance of the host dwelling and is therefore deemed to conflict with policies DEV19(i) and (ii) of the Arun District Local Plan.

The application states that the proposal is intended to feature rendered elevations with a tiled roof similar in appearance to those of the existing dwelling. No details have been provided specifying the colour of the render and as such a condition has been included with this recommendation requiring the submission of details.

The proposal includes weatherboarding at first floor level on the northern and southern elevations as well as on the rear dormers. Weatherboarding is not a prevalent feature in this area but due to its location on the dwelling it is not considered to have an unacceptably adverse impact upon the character of the locality or the street scene.

The proposed alterations would result in a dwelling with a similar footprint to that of the existing dwellinghouse and of a similar size to that present immediately to the south of the application site. Therefore the proposal by virtue of its size and design is not considered to adversely impact upon the character of the area.

Therefore, the proposal is considered to comply with GEN7(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY
The proposal includes the addition of a balcony at first floor level on the rear elevation of the host dwelling. This balcony will be located 1.5m away from the northern boundary of the site and will have the potential to give rise to harmful overlooking of the rear garden of 5 Meadway. Therefore, in order to prevent unacceptable overlooking a condition has been included with this recommendation requiring the submission of details for screening to a height of 1.8m on the northern edge of the boundary.

The proposed balcony will be situated 11.5m from the southern boundary of the site at its closest point which is considered adequate to protect the residential amenity of neighbours to the south.

No other element of the proposal is considered to give rise to unacceptably adverse overlooking, overbearing or overshadowing impacts. Therefore, the proposed development is considered to accord with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY
The proposal is considered acceptable in accordance with relevant development plan policy and as such it is recommended for approval subject to the below 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 (he right to respect for 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 neutral 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).

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 & Block Plans - 16892/03; and Proposed Plans, Elevations & Sections - 16892/02.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

3 No development above damp proof course (DPC) level shall take place unless and until details of the proposed colour of the render and weatherboarding proposed have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

4 No development shall be carried out unless and until details of obscured screening 1.8 metres in height have been submitted for the on the northern edge of the rear balcony

have been submitted to and approved by the Local Planning Authority and the screening so approved shall be implemented within 1 month of the completion of this development.

Reason: In order to protect the residential amenities of the occupiers of the neighbouring dwellings in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

5 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.