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

REF NO: **R/110/12/**

LOCATION: Dominic House
Harsfold Road
Rustington

PROPOSAL: Single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed extension measures 6.975 metres in width by 5.4 metres in depth and approximately 4 metres to maximum height.
SITE AREA	Approximately 610 square metres.
TOPOGROPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Part of the southern site boundary is marked by the flank wall of a single-storey extension at the neighbouring property whilst a large proportion of the northern boundary, to the rear of the site, is followed by the walls of garages used by occupants of nearby flats. The remainder of the rear garden boundary is delineated by approximately 1.5 metre high timber fencing, with trelissing above. Additional hedging in places.
SITE CHARACTERISTICS	The site is occupied by a semi-detached two-storey dwelling that has painted pebbledash render elevation walls with re brick quoins and a tiled, hipped roof. A conservatory extension has been added to the rear elevation. There is a detached garage/outbuilding to the north of the dwelling.
CHARACTER OF LOCALITY	The site is located within the built-up area on a residential road that is lined by two and three-storey buildings consisting of a mixture of dwelling styles as well as blocks of flats.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Rustington Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:
Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

RDS	Rustington Design statement by Rustington Parish Council

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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

The proposed extension will be positioned to the rear of the dwelling, in place of an existing conservatory which is of a similar size and scale to the proposal and is not a visible feature within the street scene. It is considered that the proposed extension will also have a minimal visual impact upon the surrounding area and will therefore not impact upon its character and

appearance in any demonstrable way, adversely or otherwise.

It is considered that the proposed extension will relate sympathetically towards the existing dwelling in terms of design and scale. The single-storey height of the structure will ensure that it maintains visual subservience towards the existing dwelling. Further, the false pitch roof hips compliment the hipped roof of the main dwelling establishing effective visual integration.

The extension will be built alongside the flank wall of a similar extension alongside the southern boundary and will project a similar distance to the rear of the site. It will be stepped well away from other site boundaries and largely screened from view from the north by the existing garage on site. It is considered that these spatial characteristics, combined with the single-storey height of the extension, will combine to preven it from apppearing overbearing towards neighbouring properties or from causing undue levels of overshadowing. Further, all new windows are to be at ground floor level and views from them towards neighbouring properties will be obstructed by existing site boundary treatment, safeguarding against intrusive overlooking.

It is therefore recommended that the application is approved, 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 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 it has been deemed that it would have a neutral impact 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:-

Site Plan 1:500;
Roof Plan 1:200;
Existing Details 01;
Proposals 02 A;
Proposals 03;

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

3 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY
This planning permission is granted because it complies with the policies listed below in that (the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character)and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: NPPF

SUPPLEMENTARY POLICY GUIDANCE: RUSTINGTON DESIGN STATEMENT

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.