

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

REF NO: R/115/15/HH

LOCATION: 25 Pigeonhouse Lane
Rustington

PROPOSAL: Extension & alteration

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

First floor side extension; single storey rear extension; 2 No. front dormers; gable extension to the rear of the dwelling; a porch extension on the southern elevation; and the insertion of 7 No. roof lights.

SITE AREA

Approximately 2123 metres squared.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The front boundary of the site is open to the highway, with the side and rear boundaries of the site consisting of 1.8 metre high close boarded fencing with mature planting.

SITE CHARACTERISTICS

The site is occupied by a detached bungalow rendered with a brown tiled roof.

CHARACTER OF LOCALITY

The character of the locality is residential in nature and features properties of various designs and styles.

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.
Adopted Local Plan.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2 GEN7 DEV19	Built-up Area Boundary The Form of New Development Extensions to existing residential buildings
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

NPPG	National Planning Practice Guidance
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SUPPLEMENTARY POLICY GUIDANCE

RDS	Rustington Design statement by Rustington Parish Council
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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; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and 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 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 site is situated within the built-up area boundary where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which this application will be assessed is contained within the Arun District Local Plan which in this case is policies GEN7 and DEV19.

DESIGN AND VISUAL AMENITY

The application seeks permission for a first floor side extension; single storey rear extension; 2 No. front dormers; gable extension to the rear of the dwelling; a porch extension on the southern elevation; and the insertion of 7 No. roof lights.

The proposed first floor side extension, 2 No. dormers and 2 No. roof lights will be clearly visible within the street scene. The first floor side extension will extend 4 metres to the north of the existing roof slope and will match the existing ridge height. Despite the size of the proposed first floor extension, due to the width of the existing dwelling and the presence of the flat roof garage on the northern elevation the proposal is considered to appear subservient to the host dwelling and will not adversely impact upon the established character of the property.

The proposed single storey rear extension will measure approximately 6.3 metres in depth and is of a flat roof construction measuring 3 metres in height. The proposed rear gable will extend to roof an additional 5 metres and will feature windows up to the eaves. These additions will not be overly dominant or visible within the street scene and are also deemed to appear subservient to the host dwelling.

The proposed porch is located on the southern elevation of the property and is a fully glazed structure with a tiled roof. Whilst, the glazed porch isn't fully integrated with the host dwelling due to its design, due to its location and size it isn't considered to adversely impact upon the character of the dwelling or the character of the area.

It is proposed that the materials used in the construction of the proposed works will match in appearance those used in the construction of the original dwellinghouse and as such it is considered that the proposed works will appear well integrated with the host dwelling.

Therefore, the proposal is considered to be in accordance with policies GEN7 (ii) and DEV19 (i), (ii) & (iv) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed first floor extension is located on the northern elevation of the property and will be located 1 metres from the boundary. However, this is not considered to give rise to any adverse overlooking, overshadowing or overbearing impacts as the boundary abuts the driveway of number 23 only with the property located to the rear of 25 Pigeonhouse Lane.

The two rooflights located on the southern elevation of the property have the potential to give rise to overlooking of the adjoining property. However, due to the position of the rooflights forward of the primary elevation of 27 Pigeonhouse Lane it is considered that they will not unacceptably impact upon the residential amenity of neighbours.

The proposed gable end to the rear of the dwelling by virtue of its position and distance from the boundary of the site is not considered to give rise to any unacceptably adverse overshadowing or overbearing impacts upon 27 Pigeonhouse Lane. The proposed windows in the rear elevation at first floor level have the potential to give rise to overlooking - However, due to the position of 27 Pigeonhouse Lane set back from 25 it is considered that only oblique views of the rear garden will be possible, whilst the presence of mature planting on the southern boundary will help to reduce any overlooking.

Therefore, it is considered that the proposed works are in accordance with policies GEN7 (iv) and DEV19 (iii) of the Arun District Local Plan.

SUMMARY

It is recommended that planning permission is granted for the proposed works 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 proposal no impacts have been identified upon any 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: Block Plan, Location Plan & Proposed Street Scene - 14/4152/6; Proposed Elevations & Ground Floor Plan - 14/4152/3; Proposed Elevations & First Floor Plan - 14/4152/4; and Proposed Sections & Roof Plan - 14/4152/5.

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

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 **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.