

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

REF NO: R/126/18/HH

LOCATION: 5 Broadmark Way
Rustington
BN16 2EY

PROPOSAL: Two storey side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a two storey side extension to the property.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The property has fencing around 1.8m to the side boundaries with hedging and trees to the front of the fencing. There is a large TPO tree to the front garden boundary.
SITE CHARACTERISTICS	The site is occupied by a semi detached two storey dwelling with a detached pitched roof garage.
CHARACTER OF LOCALITY	The area is predominantly residential with detached and semi detached dwellings of varying design set back from the road frontage.

RELEVANT SITE HISTORY

R/236/15/HH	Rear conservatory.	ApproveConditionally 06-11-15
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Relevant site history noted

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council
Parish Council provided no objection to the works proposed
No representation from nearby occupiers

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Tree Preservation Order

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

[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 Local Plan 2011-2031, West Sussex Country Councils Waste and Mineral 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.

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.

Rustington has a 'made' neighbourhood plan with policy 2 relevant to the determination of the 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 proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are DDM1 and DDM4 of the Arun Local Plan and policy 2 of the Rustington Neighbourhood Plan.

DESIGN AND VISUAL AMENITY.

The proposal seeks to construct a two storey side extension to the front of the property and therefore it will be visible from the street scene. The extension is considered well integrated with the host dwelling and will be constructed of materials to match.

The extension will sit slightly behind the front elevation of the dwelling and whilst the proposal will alter the appearance of the dwelling due to its design and the development of the surrounding properties it is not considered to adversely impact the established spatial pattern or character of the area. The proposal is deemed to accord with DDM1 and DDM4 of the Arun District Local Plan and Policy 2 of the Rustington Neighbourhood Plan.

RESIDENTIAL AMENITY

The proposal seeks to construct a relatively large two storey side extension incorporating the detached garage. The extension will be situated to the north east and will have a total width of 6.5m and a depth to match the existing dwelling. This will consist of a two storey side extension at 4.8m in width which will then reduce to single storey with a lean to roof similar to an existing side addition. Eaves height will match that of the existing and it will have a total height of 7.5m which sits just below the height of the host dwelling. The boundary distance to the east will remain as existing at 0.94m.

A garage door will be installed to the front of the property which will help to retain its existing appearance and two windows which will overlook the street scene. A set of doors will be installed to the ground floor which will open out onto the rear garden.

To the rear elevation a window and Juliet balcony will be installed to the first floor addition however due to the siting of these, it is not considered they will give rise to any additional harm through overlooking or loss of privacy to the neighbouring properties to the side or rear with a distance of around 20m to the rear boundary.

The proposed side extension is not considered to give rise to any overshadowing, overlooking or overbearing impacts and is in accordance with DDM1 and DDM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development plan policies and as such

is recommended for approval subject to the following conditions and informatives.

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:
Block Plan - DS/STONE/08
Proposed Elevations - DS/STONE/03
Roof Plan- DS/STONE/06
Proposed First Floor Plan- DS/STONE/05
Proposed Ground Floor Plan- DS/STONE/04

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies DDM1 and DDM4 of the Arun Local Plan 2011 - 31.

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

Reason: In the interests of amenity in accordance with policy D DM4 of the Arun Local Plan 2011 - 31.

- 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.