

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

REF NO: R/176/17/HH

LOCATION: 11 Ruston Park
Rustington

PROPOSAL: Single storey front in fill extension & roof extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The front extension measures 1.5m by 3m and the change to the roof comprises the addition of a dormer and 2 roof lights in the north elevation, a first floor window in the rear elevation. roof lights I the west elevation and the change from a hip to gable to the rear roof slope resulting in an increase in the length of the ridge line from 6.5m to 11m.

SITE AREA

N/A

RESIDENTIAL DEVELOPMENT DENSITY (NET)

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Low brick wall with hedging behind to site frontage. Fencing/hedging to side boundaries.

SITE CHARACTERISTICS

Detached chalet style dwelling with plain tile roof and painted rendered elevations. Tile hanging to first floor. Bungalow to north. 2 storey dwelling to south.

CHARACTER OF LOCALITY

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

RELEVANT SITE HISTORY

R/189/59 House and garage

Approve
04-12-1959

REPRESENTATIONS

Representations received:
Rustington Parish Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

DEV19

GEN2

GEN7

Extensions to existing residential buildings

Built-up Area Boundary

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)

D SP1 Design

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

SUPPLEMENTARY POLICY GUIDANCE

RDS

Rustington Design statement by Rustington Parish Council

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.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination is due to re-commence in

Autumn 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

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 application site is situated within the built area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policy considerations in the determination of this application are considered to be DEV19 and GEN7 of the Arun District Local Plan; Policy 2 of the Rustington Neighbourhood Plan; and the National Planning Policy Framework

DESIGN AND VISUAL AMENITY

The proposed single storey front extension will infill an area that is currently recessed behind the rest of the front and side elevation. The extension will have an eaves height to match the existing dwelling and will not project beyond either the side or front outer elevation. The materials are conditioned to match the existing dwellinghouse and as such the extension will appear integrated with the host dwelling. The roof extension to the rear will also be constructed of materials to match those of the existing house, it would have the same ridge height and although adding to the bulk of the roof area would not be readily visible within the street scene. Therefore, the proposed extensions are considered to appear subservient and is not deemed to have an unacceptable adverse impact upon the character of the host dwelling in accordance with policies DEV19(ii) and GEN7(ii).

The proposed dormer window will be situated to the side of the existing dwellinghouse and as such will not have a significant impact upon the character of the street scene. It would appear subservient and well integrated with the host dwelling in accordance with policy DEV19(i) and (ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

Given the position of the dwelling in relation to the neighbouring properties the proposed single storey extension and rear roof extension by virtue of their design and location are not considered to give rise to any unacceptably adverse overlooking, overshadowing or overbearing impacts upon the residential amenity of neighbours.

The proposed side dormer has the potential to impact upon the residential amenity of the dwelling to the north of the application site. However, the proposed dormer will face onto the roof slope of the adjacent bungalow. To ensure that there is no potential for overlooking the adjacent garden an obscure glazing condition is imposed.

Therefore, it is considered that the proposed development will accord with policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

SUMMARY

The proposed development is considered to accord with relevant development plan policies and as such is recommended for approval subject to the below 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: Location JB 395/ planning 01, Block jb 395/planning 02, Proposed Floor Plans JB 395/ planning 05 and Elevations JB 395/ planning 06.

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 extension 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 The dormer windows on the south elevation of the building shall at all times be glazed

with obscured glass and fixed to be permanently non-opening below 1.7m internal floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, 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.