

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

REF NO: R/178/17/HH

LOCATION: The Old Cottage
Station Road
Rustington

PROPOSAL: Two storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above.

The proposed two storey extension measures approximately 9m deep (max), 12.8m (max) wide and 6.5m (max) high, The proposed extension would be L shaped.

The proposals show a number of solar panels on the roofslopes.

The materials would match the existing.

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

To the rear there is a 1.8m high timber fence .

SITE CHARACTERISTICS

The application site comprises a detached chalet bungalow. It has a steep pitched roof with accommodation in the roof space. To the rear there is a conservatory and also a detached outbuilding.

The property is set on a spacious plot.

CHARACTER OF LOCALITY

The application site is set at the end of a narrow lane, to the front there is a commercial vehicle business but the area around is generally residential.

RELEVANT SITE HISTORY

R/174/04/	Alterations, new fenestration, new roof and loft conversion.	ApproveConditionally
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		31-08-2004
R/113/76	O/A for siting proposed single garage	ApproveConditionally 24-06-1976
R/168/80	O/A for erection of single detached garage to serve 1 Allangate Cottages	ApproveConditionally 02-07-1980
R/282/81	Erection of a single garage	ApproveConditionally 30-09-1981

There has been a long history on the site however none is directly relevant to the current proposal.

REPRESENTATIONS

Representations received:

Rustington Parish Council

Rustington Parish Council have no objection.

There is no response to public consultation.

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built up area

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN2
GEN7
DEV19

[Publication Version of the Local Plan \(October 2014\):](#)

[Rustington Neighbourhood Plan 2014 Policy 2](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
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
Housing Design

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
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.

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 relevant policy in the Rustington Neighbourhood Plan has been taken into account.

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 dwelling is located within the built-up area boundary in an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed extension primarily follows the roof line of the existing property the lower wing to create the L shape has the roof line set down from the main ridge line by approximately 1.5m. The proposed extension is not readily visible from the street and given their depth and height would be subordinate to the main house. The property is set on large spacious plots and the proposed extension is set a reasonable distance from the side boundaries and 15m from the rear boundary. To the side and rear of the property are large two storey modern buildings in residential use set on a spacious plot.

The materials would match existing house.

Therefore, it is not considered that the proposed development as a whole would have any adverse harm to the character and appearance of the host property or the wider area.

With regard to the amenity of adjoining occupiers the proposed development would be sited 12m and 13m from the nearest properties to the north and south and 21m from the nearest property to the rear (east). Given the size and height of the proposed extension and the separation distance to nearest properties it is not considered that the proposed extension would lead to a loss of privacy or outlook to the neighbouring properties.

Therefore, in summary, it is not considered that there would be any adverse harm to the living conditions of neighbouring properties or the character of the area.

The proposed development would comply with NPPF, adopted policies in the Arun Local Plan 2003 and the Rustington Neighbourhood Plan. As such, it is therefore recommended that

permission be granted subject to the following 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 17037/01a, 17037/01bR1, 17037/02aR1, 17037/02bR3,

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 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.