

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

REF NO: R/194/19/HH

LOCATION: 29 Mallon Dene
Rustington
BN16 2JP

PROPOSAL: Single storey front and side extension, raised flat roof , vehicular crossover and new render to front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey front and side extension, raise the flat roof of the existing front extension, create a vehicular crossover and render the front elevation.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council
Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development
SDSP2	SD SP2 Built-up Area Boundary

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design

PLANNING POLICY GUIDANCE:

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

DESIGN AND VISUAL AMENITY

The proposed development, due to it's siting, will be visible from the street scene, and as such, is considered to result in a change of appearance of the host dwelling. However, this is not considered to be a harmful change, in that the proposed extension is not considered to have a significantly harmful impact upon the character of the host dwelling, or its wider locality. This is due to both the scale, and form of the proposal being reasonably comparable to similar extensions within the area.

The proposed cladding of the dwelling with decorated render is considered to be acceptable, especially the presence of similar materials within the locality.

The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful impact upon the residential amenities of the neighbouring dwellings. This is primarily due to the siting of the proposed development, and its resultant relationship with the neighbouring dwelling to the East. The dwelling to the East, #31 Mallon Dene, does not have any windows to principle rooms on it's Western elevation (the elevation closest to the proposed development), therefore, there is not considered to be any significantly harmful impact upon the principle rooms of this dwelling. With regard to loss of privacy, the proposal only features new openings at ground floor level, which are not considered to provide views any different to those currently available from the application site at current.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun District Local Plan.

HIGHWAYS

W.S.C.C Highways Department was consulted on the application, however, they did not respond. It is noted that there is an existing dropped kerb at the property, however, an informative will be included informing the applicant of their responsibilities with regard to the Vehicular Crossover License.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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 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

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:

- Site Plan and Block Plan - SBS/532/07a
- Proposed Ground Floor Plan - SBS/532/03a
- Proposed Elevations - SBS/532/05a

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 **INFORMATIVE:** The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or->

crossovers-for-driveways-licence/

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

- 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.