

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

REF NO: R/217/17/HH

LOCATION: The Tiled Barn
Station Road
East Preston

PROPOSAL: Demolition of existing rear conservatory & construction of rear extension. This application affects the character & appearance of the Station Road (East Preston) Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to replace an existing 2.3m deep lean to rear conservatory which is across the back of the dwelling with a more substantial 4.3m deep rear extension. The extension will include a mock pitch to front and side with eaves at 2.3m and ridge of mock pitch at 3.2m. There would also be a reasonably substantial roof lantern set behind the mock pitch and rising 0.5m above the ridge of the mock pitch. The rear elevation will have 3.2m of folding doors with an area of fixed glass on each side. Otherwise, the walls will be brick and flint to match existing. The mock pitch will be clay tiles to match existing. Windows and roof light will be timber effect.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development. There is a TPO'd Yew in the vicinity, but this is unaffected.

BOUNDARY TREATMENT

2m panel fencing to rear garden with some screen planting.

SITE CHARACTERISTICS

The site is occupied by a detached dwelling. This is constructed of coursed flint with red brick quoins and detailing around openings. The roof is of plain clay tiles. To the front there is a garage projecting forward of the dwelling and there is also parking for approximately 3 cars in front of the dwelling. The rear of the dwelling has a 2 storey flat roofed element which is tile hung a first floor. This is located to the south side of the dwelling. There is an existing lean-to rear conservatory.

CHARACTER OF LOCALITY

The character to the area is an established residential one, with mixed house types/designs.

RELEVANT SITE HISTORY

No relevant site history.

REPRESENTATIONS

Representations received:

Rustington Parish Council

No representations received.

Comments on Representations received:

N/A

CONSULTATIONS

Conservation Officer

Consultations responses received:

Rustington Parish Council raises no objection.

The Conservation Area Advisory Committee raises no objection.

No comments have been received from this Council's Conservation Officer.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

Station Road, East Preston Conservation Area

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN2
GEN7
DEV19
AREA2

[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
Conservation Areas

SD SP2 Built-Up Area Boundary
D DM1 Aspects of Form and Design
Quality
QE SP1 Quality of the Environment
HER SP1 The Historic Environment
SD SP1 Sustainable Development
Housing Design

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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 and is 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.

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. The examination was completed in September 2017.

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. 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).

Rustington Neighbourhood Plan Policy 2 is relevant to this application. The policy states:

Development proposals (including alterations to existing buildings) will be supported, provided that their scale, density, massing, height, landscape design, layout and materials reflect the architectural and historic character and scale of the surrounding buildings and landscape.

Proposals must also comply with the parking standards adopted by the planning authority.

The text accompanying this policy goes on to state:

4.10 This policy requires the design of all housing schemes to reflect the local character of different parts of the parish by responding positively to the relevant guidance in the adopted 2010 Rustington Village Design Statement. In doing so, the policy accords with and complements the key design related content of saved Policy GEN7 of the 2003 Local Plan in respect of the form of new development and recognises the designation of Areas of Special Character in the parish under saved Policy AREA1.

Paragraph 4.12 includes the following design principles:

- Development should not detract from the character and amenity of the nearby area
- Development should not impact on surrounding properties but should seek to maintain privacy and alleviate possible noise issues to existing neighbouring properties as well as seek to lessen its impact on the surrounding area
- On road and off road parking provision on developments should meet local guidelines, and applications where it can be shown exceed these criteria are encouraged. This is because off street parking provision in existing roads is already limited due to narrow road widths in and around the village, especially in proximity to the three primary schools.
- Provision should be incorporated within the curtilage of a property of a storage area for refuse and recycling bins which blends with the character of the dwelling and street scene.

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.

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially

affect the character of the Conservation 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 located with the boundary of the built up area and as such there can be no objection to the principle of development subject to compliance/consistency with the policies and all other material considerations.

DESIGN AND VISUAL AMENITY

This extension is sympathetically designed and is considered not to be intrusive visually, particularly as it is located on the rear of the dwelling. The materials proposed are sympathetic and are considered to be acceptable.

Overall the development is considered to preserve the character and appearance of the dwelling and Conservation Area in compliance with saved policies AREA2 and GEN7 and is consistent with the Neighbourhood Plan. The proposal is also consistent with policies in the Emerging Local Plan and with National Policy/Guidance.

RESIDENTIAL AMENITY

The development is modest in character and is considered to have a very limited, if any, impact in terms of the residential amenities of neighbouring dwellings and is therefore consistent with saved policy GEN7 of the Arun District Local Plan and also the Neighbourhood Plan. The proposal is also consistent with policies in the Emerging Local Plan and with National Policy/Guidance.

GENERAL

Given the conclusions above, it also follows that the proposed extension does not give rise to harm to the Conservation Area and that it preserves its character and appearance.

Parking provision at the site is in excess of 3 to 4 car spaces and capable of accommodating parking in accord with Council Standards.

Refuse and recycling facilities at the site remain as existing and are considered to be satisfactory. No further requirement for provision is necessary.

CONCLUSIONS

The proposed development is in accord with the Development Plan and acceptable in terms of other material considerations. It does not give rise to harm to the Conservation Area nor to amenity.

It is therefore recommended that planning permission be granted subject to 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

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 drawing:

Drawing Number 1127.01.a - Existing & Proposed Plans & Elevations - Dated 25.08.2017

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls, roof and windows, doors and roof lantern of the development hereby permitted shall match in colour and texture those of the existing buildings. The walling material shall include face brick and flint to match existing.

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.