

PLANNING APPLICATION REPORT

REF NO: R/230/11/

LOCATION: 63 Milton Avenue
Rustington

PROPOSAL: Conservatory to rear elevation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 422 square metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The application site is bounded on the southern and western facades by a thick hedge behind a dwarf wall approximately 400mm high. The northern boundary to the rear of the property is marked by a 1.8m high closed board fence. The eastern boundary is marked by a 1 metre high closed board fence.
SITE CHARACTERISTICS	The site is occupied by a single storey semi-detached bungalow with red brick and red/brown concrete tiles and hipped roof. The dwelling along with its adjoining property form a "U" shape. There is a hedge running north-south across the site approximately 3m from the eastern boundary. There is a detached garage in the north-eastern corner of the site.
CHARACTER OF LOCALITY	The site is located on a residential road with a variety of property types and styles.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Rustington Parish Council

- No objection

Comments on Representations received:

Comments from Rustington Parish Council have been noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[DEV19](#)

Built-up Area Boundary

The Form of New Development

Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

PPS1

Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 located within the defined Built Up Area Boundary, where in accordance with saved policy GEN2 of the Arun District Local Plan the principle of development is acceptable, subject to satisfying planning considerations such as visual and residential amenity.

VISUAL AMENITY

The proposal is for a 2.6 metre tall single storey, flat roofed, conservatory to the rear of the property. The proposal will infill the existing alcove to the rear of the property and extend the property along the development boundary. The development will result in approximately 34

square metres extra living space.

The proposed conservatory would have low brick built walls approximately 800mm high to match the existing house. The conservatory is constructed of white UPVC plastic and glass panels. Roof materials proposed are polycarbonate sheeting. There is a UPVC door enabling entry to the garden from the eastern elevation.

The proposed conservatory has a small footprint and is not immediately visible from the street. It is therefore not considered that the conservatory will alter the appearance of the dwelling when seen from the street, and will have an acceptable impact on the property whilst still retaining its character and appearance.

RESIDENTIAL AMENITY

Impact on 61 Milton Avenue

On the northern side it is noted that it is likely that the proposed conservatory will conflict with the 45 degree rule degree rule adopted by the Council as a tool in assessing the impact of extensions and conservatories on the residential amenities of neighbouring properties. However, the amount of development that could be erected to the rear of the property as permitted development would be comparable to that proposed and also exceed this rule. The proposal is on a east facing facade, and could result in loss of daylight and sunlight to the neighbouring properties living room. However, given the single storey nature of the proposed conservatory, combined with the 2.6 metre high flat roof and existing boundary screening of approximately 1.8 metres in height, it is not considered that the conservatory would detrimentally harm the residential amenity of the occupiers of the neighbouring property by way of overbearing affect, harmful overshadowing, overlooking or loss of privacy.

SUMMARY and CONCLUSION

The site lies within the Built Up Area Boundary and the proposed conservatory is considered to be acceptable in terms of design and scale. Whilst the appearance of the building would be altered the conservatory is considered to be sympathetic to the host building and the character of the locality. Further the conservatory is not considered to result in harmful overlooking or loss of privacy to neighbouring properties given their orientation and design.

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

Plan no. 4502

Plan no 4582

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 of the Arun District Local Plan.

3 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that (the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character)and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.