

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

REF NO: R/238/17/HH

LOCATION: 33 Amberley Road
Rustington
BN16 2EF

PROPOSAL: Single storey rear/side extension, rebuild existing garage & front porch

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to erect a 3.5m deep rear extension across the whole of the rear of this dwelling and out to the rear side to within 0.3m of the side boundary with no.35 to the south. The rear extension would be 0.75m from the side boundary with no.29 to the north. The overall width of the rear extension would be 10.7m. This extension would also run forwards along the side wall of the dwelling and this element would be 8m long adjoining the boundary with no.35. The extension would have a flat roof of 2.85m in height and would include 2 lantern type roof lights.

Also to the side, the existing garage would be rebuilt and would measure 2.9m by 4.9m. This would be within between 0.4m and 0.6m from the side boundary with no.35. It would have a mock pitch with flat roof and eaves at 2.3m with top of pitch at 3.45m. Front, rear and side of the roof would be hipped back.

To the front, a new porch would be provided measuring 1.5m wide and 2.6m deep. This would also have a mock pitch and the same eaves and ridge dimensions as the garage.

The dwelling would remain as a 3 bedroom one. Additional accommodation would be an enlarged lounge and enlarged kitchen, with an enlarged bathroom.

Materials are not specified in detail.

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Side and rear boundaries are enclosed by wooden fencing of approximately 1.8m in height.

SITE CHARACTERISTICS

The site is occupied by a detached bungalow with existing single garage and small conservatory (to be demolished/removed) to the side. The dwelling is constructed of white painted brick and has a roof of small plain tiles. The front of the dwelling has been laid to hardstanding and is

CHARACTER OF LOCALITY

capable of accommodating in excess of 4 cars.

The character of the area is residential, with a mixture of mainly bungalows of varied design and materials.

No. 29 to the north has a single storey extension which has a double window facing the joint fence, this is a flat roofed extension and appears to be for a bedroom. This extension also has a double window in the rear serving the same room and a pair of rear patio type doors with a window on each side serving a different room.

No.35 to the south has a rear conservatory with glazed walls and flat roof. This is set in from the side of the dwelling by approximately 1m.

RELEVANT SITE HISTORY

R/196/80	Erection Of A Porch	ApproveConditionally 06-08-80
R/92/53	Two Bungalows And Garages	Approve 06-10-53

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council

Rustington Parish Council raises no objection.

No representations have been received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

No consultees.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

DEVELOPMENT PLAN POLICES[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

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

SD SP2	Built -Up Area Boundary
D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	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 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.

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 and 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

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 subjection to compliance/consistency with the policies and all other material considerations.

DESIGN AND VISUAL AMENITY

The extensions are sympathetically designed at the front of the dwelling, with the mock pitched roofs. These have the same pitch as the roof of the existing dwelling. The extension at the rear/side is flat roofed and whilst a pitch may be an option, this would result in potentially increased impact on the amenity of adjoining dwellings. The rear/side extension will however not be widely visible and is not considered to be unduly detrimental visually. Materials, which have not been specified can be controlled by condition.

Overall the development is therefore considered to preserve the character and appearance of the dwelling and not to result in harm to the visual amenity of the area. It is therefore considered to be in accord with policies.

RESIDENTIAL AMENITY

The development at the front of the dwelling will have no significantly appreciable impact on adjoining

dwelling due to the mock pitches and the separation of the extensions from the adjoining dwellings. It will not be unduly dominant in outlook nor result in harmful light loss.

The rear extension side element will impact on the adjoining dwellings. However, no. 29 to the north has a second rear double window to the bedroom and there is already an intervening 1.8m fence which screens this window. Outlook from that room will be preserved by the existing rear window. Taking into account the intervening fence, whilst there will be a slightly increased loss of light, this is not considered to be unduly harmful. Other side windows of no.29 are already screened by the existing bungalow and the fence.

In terms of potential impact on no.35 to the south, there will be some impact on outlook although not in light. The conservatory to this dwelling will still achieve adequate daytime light due to its glazed east and south facing glazed walls. The northern glazed wall of the adjoining conservatory is already screened by the 1.8m fence. The 45 degree outlook from centre point of the rear of the conservatory is not encroached upon and there is only a very small encroachment into the 45 degree outlook from the corner of the rear wall closest to the site. The north wall is already partly screened by the existing 1.8m boundary fence. Give the flat roof, the extension is not considered to be unduly dominant in outlook. It is not therefore considered that the proposed rear/side extension results in unacceptable harm to residential amenity.

Overall the development is therefore considered to preserve the character and appearance of the dwelling and not to result in harm to visual amenity. It is therefore considered to be in accord with policies.

CONCLUSIONS

The proposed development is in accord with the Development Plan and acceptable in terms policy and material considerations.

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 plans drawings:

Drawing Number 16/1259/01 - Existing & Proposed Ground Floor Plans - Dated October 2017
 Drawing Number 16/1259/02 - Existing & Proposed Elevations - Dated October 2017
 Agent Email Dated 12 December 2017 - Confirming Use of Matching Materials

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 **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.