

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

REF NO: R/244/17/HH

LOCATION: 1 Knightscroft Close
Rustington
BN16 2RY

PROPOSAL: 1 No. new window to west elevation, replace bay window with new window on north elevation, replace window with double doors on north elevation & hipped roof to gable on front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed front gable would be 4.4m high (max). There is no increase in footprint beyond the depth of the existing bay window..
	The proposed rear sliding doors would be 5.5m wide and 2m high.
	The proposed front window would be 1.6m wide by 2m high. The altered bay would also have a new window 1.5m wide and 1.5m high.
	Materials for the new front gable would match the existing property.
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	The front has a low brick wall with timber fence down each side measuring 1.5m and 1m high. To the rear there is a timber fence 1.5m high.
SITE CHARACTERISTICS	The application site comprises a chalet bungalow constructed of render beneath a tile roof. The property has a single storey rear extension and is set on a large plot.
CHARACTER OF LOCALITY	Residential comprising properties of varying design but generally of comparable scale and plot size

RELEVANT SITE HISTORY

R/239/15/PDH Notification under extended permitted development rights Prior Approv not req
for a rear extension from the original rear wall by 4.5m, 29-10-15
with a height of 2.8m and an eaves height of 2.6m.

A 4.5m depth rear extension was developed under permitted development rights and prior approval was not required.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council

Rustington Parish Council has no objection.

No response to public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

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 \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design

<u>Rustington Neighbourhood Plan 2014 Policy 2</u>	Housing Design
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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).

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**PLANNING.**

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 application site is situated within the built up area and within established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy.

The proposed rear sliding doors would replace two pairs of glazed doors. The doors are to the rear and cannot be seen from the road.. The proposed doors and suitably positioned in the rear elevation. Likewise the proposed front doors replace a glazed door and window. Although visible from the road the proposal is well positioned in the elevation and is not considered to harmful to the character and appearance of the property.

It is proposed to remove the current hipped roof to the bay, and replace with a gable roof. There is no increase in footprint further forward and the roof would be of a comparable height to the existing bay window roof. The proposed gable does not appear as an incongruous feature on the property and is not considered harmful to the character of the wider area.

Therefore,. It is considered that the proposed development is in keeping with the character and appearance of the host property and is not considered unduly dominant on the property and as such is not considered harmful to character of the wider area.

With regard to impact upon amenity of adjoining occupiers. The proposed sliding doors and windows to the front and back replace existing windows. They will be at ground floor level and given the existing boundary treatment it is not considered that the proposed windows and doors will lead to a loss of privacy to adjoining occupiers to the west or the east. The proposed gable to the front bay does not increase the footprint further forward and height and will not be unduly dominant on the adjoining occupier at No.2.

There are no parking implications arising from the proposed development.

In summary, the proposed development is not considered to be visually obtrusive or prominent and would not have an adverse impact on the character and appearance of the host property and the amenity of adjoining occupiers. The proposed development would therefore comply with planning policies in the Arun Local Plan 2003 and the Rustington Neighbourhood Plan.

Therefore, the application is recommended for approval 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 8019/P1, 8019/P2, 8019/P3, 8019/P4 & 8019/P5.

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 of the extensions 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.