

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

REF NO: R/27/18/HH

LOCATION: 56 Chanctonbury Road
Rustington
BN16 2LS

PROPOSAL: Two storey side extension & porch with pitched roofs.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed side extension measures approximately 2.9m wide, 9.5m long and 7.3m high (max).
	The proposed porch measures approximately 1.5m deep, 5.2m wide and 3.2m high (max).
	Materials would match the existing property with brick to walls and tile roof.
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 property is open plan to the front and most of the side with a 2m high brick wall to the side and rear returning into the side elevation of the house
SITE CHARACTERISTICS	Semi detached two storey property. Sited on a corner plot. The property is constructed of brick and tile hang and render beneath a tile roof.
CHARACTER OF LOCALITY	Residential, primarily 2 storey properties within the locality, there some single storey properties nearby. Open plan layout to properties in Chanctonbury Road.

RELEVANT SITE HISTORY

There is no relevant planning history

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council

Rustington Parish Council has no objections.

On representation received as follows:

1. The site notice was not displayed for the full 21 days
2. The application appears to be on public land.

COMMENTS ON REPRESENTATIONS RECEIVED:

Two site notices were displayed on the site and on a lamp post on Parham Close to the side of the site on 12 February 2018. In addition, two further notices were displayed on 15 March 2018 extending consultation period until 31 March 2018.

Officers have spoken to the applicant who has advised the application site is in their ownership , certificate A has been submitted with the application. No evidence has been submitted to contradict this response, should land ownership be subsequently disputed it is considered that this would be a matter for civil law.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

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
SD SP2	Built -Up Area Boundary

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

PLANNING POLICY 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. A consultation into the proposed modifications ended in mid February 2018.

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 dwelling is located within the built-up area boundary in an established residential area where the principle of development is acceptable subject to compliance with relevant development plan policy. The proposed two storey side extension is sited on the south elevation of the house fronting Parham Close.

The proposed side extends the full length of the main house and joins the proposed porch which extends beyond the front elevation of the house. It is set in from side boundary by approximately 1.5m at the front and adjoins the side boundary at the rear. The extension will be clearly visible from the roads. The proposed extension is the same height as the main house roof. Although the property is sited on a prominent plot the proposed extension is set back from the pavement for the majority of its length and continues to provide a narrow slither of open space along the frontage, though it is accepted this is a reduction on the current arrangement. The proposed extension appears subordinate to the main house.

The proposed porch is approximately half the width of the main house. It links to the proposed side extension but is not considered a harmful feature to the host property or the wider area. Materials would be brick and tile to match the existing house. Given its design and appearance and its siting within the application site the proposed two storey extension and porch are not considered harmful to the character and appearance of the area.

With regard to the amenity of adjoining occupiers the proposed extension will not have an adverse impact on the property to the north. Likewise to the south, although there is a first floor side window proposed, the nearest property would be on the other side of Parham Close. Therefore, it is not considered the proposal will harm the residential amenity of the occupiers of this property No.54. To the east the proposed extension faces the side and rear garden of No.60 Chanctonbury Road. However, the proposed extension would mainly face the rear most part of the garden and the garage. As such the proposal is not considered harmful to the residential amenity of the occupiers of No.60.

Therefore, in summary, it is not considered that there would be any adverse harm to the living conditions of neighbouring properties, the character of the area or highway safety. The proposed development therefore complies with adopted policies in the Arun Local Plan 2003 and the Rustington Neighbourhood Plan.

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 site plan, block plan, 1712201/PL/1 & 1712201/PL/2.

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 roofs 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.