

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

REF NO: R/289/17/HH

LOCATION: 29 Park Drive
Rustington
BN16 3DZ

PROPOSAL: Single storey rear extension, side in-fill extension to link with detached garage & convert rear half of garage to utility room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	It is proposed to erect a single storey rear extension across the whole of the rear of this dwelling and this would be 7.4m in width. It would be 3.375m in depth and have a mock pitch roof with flat roofed element. Eaves would be 2.2m and top of pitch 3.5m. There would be 2 modest roof lights in the flat roof. To the west side of the dwelling a small single storey extension is proposed to link the main house to the existing garage/utility room. This would have a pitched roof with small hipped end. Matching materials are proposed.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Limited hedging to front. Fencing with some screen planting to rear sides and rear.
SITE CHARACTERISTICS	The subject dwelling is cream rendered with a red plain tile roof. There is a detached garage to the west side. There is a small lean to conservatory to the rear.
CHARACTER OF LOCALITY	The locality is an established residential one, comprised of a mixture of two-storey dwellings and house types of varied design and materials.

RELEVANT SITE HISTORY

R/57/48	Bungalow	Approve 10-01-49
R/228/80	Proposed Single Storey Extension For A Study And Dining Room Plus Associated Alterations To Existing	ApproveConditionally 10-09-80
R/79/93	Detached garage	Approve 02-07-93

R/171/90

Proposed garage

ApproveConditionally
13-12-90

Noted.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council

Rustington Parish Council raises no objection

1 letter of objection received from neighbouring property on the grounds of:

1. Loss of daylight/amenity. The objector considers that light loss will result to their rear garden as the existing dwelling is already set back by 4m from the rear of their dwelling. Proximity to the joint boundary and the depth of the proposed extension will worsen light and amenity loss.
2. Overbearing design. The height of the extension and proximity to the boundary means that it will have an overbearing impact and be visually intrusive. The application dwelling will extend some 8m beyond the rear of no.31 and this will exacerbate impact on amenity.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted and see conclusions section of this report.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

No consultees.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXTDesignation 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 Main Modifications to the Arun Local Plan (2011-2031) are presently out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

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.

Policy 2: Housing Design

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 proposed development is considered to be consistent with this policy.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

"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 within 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

These extensions are sympathetically designed and are considered not to be intrusive visually. They are also subservient in terms of height, the extensions do not result in harm to the visual appearance of the dwelling. The rear extension is between 2.6m and 3, from the boundary with no.31 and partially screened by the boundary fencing/planting. Given this and the limited height of the extension, it is not considered to be unduly dominant in outlook or intrusive visually. The side extension has little appreciable impact on amenity if any.

RESIDENTIAL AMENITY

Taking into account the above in terms of separation from the boundary and screening, the rear extension is also not considered to result in a material loss of outlook. In terms of light, the single storey nature of the extension with a relatively low eaves height and a pitching away ridge height results in the proposed rear extension having an acceptable impact on light levels received by no.31 Park Drive. The rear extension is not considered to result in appreciable harm to light or outlook such that refusal of permission would be justified.

CONCLUSIONS

The proposed development is not considered to give rise to harm to amenity and is in accord with the

Development Plan, including Neighbourhood plan, and acceptable in terms of other 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 drawings:

Proposed Site Plan - Received with Application

Drawing Number RT/PD/01 - Proposed Plans & Elevations - Dated June 2017

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 dwelling.

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.