

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

REF NO: R/2/20/HH

LOCATION: Smugglers
4 Botany Close
Rustington
BN16 2BH

PROPOSAL: Demolition of existing sunroom and erection of two storey side extension with front projection in addition to front single storey infill extension with balcony over.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

R/204/16/HH	Outbuilding in garden to side of property & external cladding to first floor of existing house.	ApproveConditionally 04-10-16
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**Rustington Parish Council
No objection.

No representation from nearby occupiers.

CONSULTATIONSArboriculturist
Natural England**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXTWithin the Built Up Area Boundary
Tree Preservation Orders**DEVELOPMENT PLAN POLICIES**

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

Rustington Neighbourhood Plan 2014 Policy 2 Housing Design**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

RDS	Rustington Design statement by Rustington Parish Council
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CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy 2 of the Rustington Neighbourhood Development Plan states that development proposals will be supported providing that their scale, density, massing, height, landscape design, layout and materials reflect and enhance the established character of the area.

DESIGN AND VISUAL AMENITY

The application seeks to significantly enlarge the host dwelling, by way of a large side extension. The locality is host to a wide variety of dwelling designs, types and scales. Therefore, it is considered that the area has a mixed character.

The proposed development is considered to result in a change of appearance of the host dwelling, as a result of its scale, but it is not considered to have a significantly detrimental impact on the established character of the host dwelling as a result of its design, and use of materials. The proposed two storey side extension is readily visible from the street scene, as a result of its siting and scale. Resultant of its relationship with the host dwelling in terms of design, it is considered to be a sympathetic addition to the host dwelling, however it cannot be considered to be subservient due to the scale of the proposal. Whilst it changes its roof shape, the two storey side extension is not considered to have a harmful impact upon the spatial pattern of the locality, as a result of the inconsistent roof shapes that appear in the area.

The proposed side extension, which is currently a single storey flat roofed sun room, will be visible from

the street scene, as a result of its siting. Whilst the proposal is considered to comprise a change to the appearance of the host dwelling, it is not considered to have a harmful impact on the character of the host dwelling. Due to its configuration, the extension will not extend beyond the existing southernmost (front) projection of the host dwelling. Resultant of this, and its scale and design, the proposed development is considered to appear well integrated with the host dwelling. It is noted that the natural screening to the south of the extension will have been lost through the removal of the trees and hedging which is unfortunate.

The proposed balcony is not considered to have any significantly harmful impact upon the character of the host dwelling, or its locality. This is due to the modest scale of the proposed balcony, and its siting being distanced enough from other balconies in order to prevent a crowded elevation.

The proposed development is not considered to conflict with Rustington Neighbourhood Development Plan Policy 2 and D DM4(b) of the Arun Local Plan as well as policy D DM1(1) and (2) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to give rise to any significant impact on the residential amenities of neighbouring dwellings. Whilst the distance between the proposal, on the western side, is noted to be reasonably close to the adjacent dwelling at approximately, it is not considered that this would have any significantly harmful impact upon the residential amenities, as the proposal slopes down to an eaves height of 5.2m, when adjacent to this boundary.

With regard to overlooking, the proposed development is not considered to result in any loss of privacy to adjacent occupiers, in that most of the proposed openings are at ground floor level, and therefore, provide views that are no different to those existing from the application site at current. There are proposed openings are first floor level, however, these are not considered to result in any change to views available. To the west, there is only one 1st floor window which has potential to result in a loss of privacy and will be conditioned to prevent overlooking.

The proposed balcony is not considered to result in any significant harm on the residential amenities of neighbouring dwellings. This is due to the modest scale of the proposal, and its siting to the front. With regard to the loss of privacy, the proposal is not considered to result in any views that would result in overlooking of neighbouring dwellings as the only available views will be of the front garden and minor views of neighbouring front gardens which would also be visible front the street scene.

Therefore, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following 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:
 - Floor Plans and Block Plan - Proposed 183038/04 Revision E
 - Elevations and Roof Plan - Proposed 183038/03 Revision E

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 The windows at first floor level in the Western elevation of the building shall at all times be and remain fixed shut and glazed entirely with obscure glass below 1.7m from the finished ground floor level.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1/D DM4 of the Arun 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.