

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

REF NO: R/41/15/HH

LOCATION: Quoyness
15 Botany Close
Rustington

PROPOSAL: New dormers, rear extension & new detached replacement garage (resubmission following R/302/14/HH).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks planning permission for the following:

1. The replacement of the flat roofed rear dormer with 2 gabled dormers. The existing chimney would be removed and a new one located between these 2 new dormers. The dormers would have ridge levels higher than the existing dormer, but below the ridge line of the existing dwelling. Both dormers would have 1.1m deep balconies.

2. The creation of a smaller dormer in the rear roof adjacent to the above and closer to the east side of the dwelling. This would also have a ridged roof and gable.

3. A new rear extension in the same location as the existing one, but of increased width (from 3.8m to 4.7m) with ridged roof and rear facing gable. This would also be slightly deeper by approximately 1m and would have a gable which overhung its rear wall 0.75m.

4. To the rear elements of the proposed works, fibre weatherboarding (colour to be agreed) would be used in places, this would be on dormer gables and dormer cheeks and also wrap round the rear wall and gable of the rear extension.

5. To the front of the dwellings, there would be 3 large dormers, again with ridges lower than that of the main dwelling.

6. The existing garage to the front would be

extended by way of the addition of a pitched roof, with ridge running towards the dwelling. Gables would face the dwelling and roof and in addition there would be a gable element facing the parking and turning area. A gable window and roof lights facing towards the parking and turning area would also be provided. Cladding would be utilised in a similar manner to the rear works. These works would provide for an attic room above a double garage, with utility, shower and garden store.

SITE AREA	The site area is approximately 0.19 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	This is a low density residential area.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary of the site is a red brick wall with brick piers, this also extends along the side front boundaries towards the bungalow. To the west side of the bungalow there is a 1.8m wood panel fence and to the east side a continuation of the brick wall then panel fencing. The wall varies in height, but boundary treatment is generally around the 21.8m height level around the dwelling.
SITE CHARACTERISTICS	The site accommodates a large bungalow with rooms in the roof and single dormers to the front and rear. The dwelling extends across most of the width of the site and has a relatively small flat roofed extension rearwards close to the east boundary. the rear dormer also has a balcony within the roof plane area. To the front there is a triple garage with flat roof, also close to the east side boundary. The front of the site has a large surfaced parking area in front of the dwelling and the garage. The dwelling has cream coloured rendered walls and a roof of plain brown tiles. Adjoining dwellings have a number of small openings facing the side boundary, but these are mainly obscure glazed and not main window.
CHARACTER OF LOCALITY	The area is a residential one of substantial and

mixed house types and design/materials. On the south side of Botany close in this area, most dwellings are set back some 20m from the highway and have deep rear gardens backing onto the beach area.

RELEVANT SITE HISTORY

R/302/14/HH	Refurbishment & enlargement of existing chalet bungalow to include raising of the roof to provide additional accommodation & new detached replacement garage	Withdrawn 16-02-2015
R/171/60	Dwelling with integral garage	ApproveConditionally 27-09-1960
R/119/67	Dwelling house	ApproveConditionally 20-07-1967
R/243/67	Amendments to elevations R/119/67	Approve 23-11-1967
R/195/70	Dwelling (and garage)	ApproveConditionally 09-10-1970

None.

REPRESENTATIONS

Representations received:

Rustington Parish Council

Rustington Parish Council raises no objection.

No representations have been received from adjoining or nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN2

Built-up Area Boundary

Publication Version of the Local Plan (October 2014):	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings
Rustington Neighbourhood Plan 2014 Policy 2		SD SP2 Built-Up Area Boundary
		D DM1 Aspects of Form and Design Quality
		D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
		Housing Design

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE

RDS	Rustington Design statement by Rustington Parish Council
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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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Rustington has a Made Neighbourhood Development Plan. This means that Rustington Neighbourhood

Development Plan has been brought into legal force and forms part of the statutory plan for Rustington. Consequently, decisions on whether or not to grant planning permission in this area will also need to be made in accordance with the Rustington Neighbourhood Development Plan, unless material considerations indicate otherwise.

In respect of extensions the NP has the following policy which is relevant:

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 site is within Village Design Statement (VDS) Character Area 5. VDS guidance for Area 5 is as follows:

Alterations and Conversions

The alteration and conversion of buildings affects both the buildings themselves and the area as a whole. In this section we deal with the impact on the fabric and integrity of the areas.

Inappropriate changes to the essential character of the buildings should be resisted. Following extension or conversion it should be possible to appreciate the structure and appearance of the original building.

The architecture of the Character Areas 5-12 is very varied but it is possible to characterise the nature of the smaller areas identified.

Changes of use or new developments must respect the inherent character of the locality.

Any alterations should be in keeping with these original features as they provide the character of the area and should be in keeping with the immediate environment. This can be aided by materials,

colour used on alterations, redecorations, extensions and new developments reflecting and sympathising with the appropriate surrounding buildings.

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 within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case is considered to be policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for the development outlined in this report and will result in change to the appearance of this dwelling, given the location of the works to the front (dormers and garage). Works to the rear will not be visible apart from mainly to adjoining occupiers.

What is proposed is however a comprehensive scheme and development remains secondary to the appearance of the main dwelling. Additionally, materials have been proposed which introduce a unifying element in the cladding and roof materials. Design is sympathetic to the main dwelling.

The development proposed is not considered to be intrusive, other dwellings nearby have front elements which extend forwards in a similar manner and the development as a whole is also considered to result in the appearance of the dwelling be upgraded and re-invigorated. There is no detriment to the street scene or to outlook.

It is therefore considered that the extensions/works are acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed development does not introduce windows overlooking adjoining dwellings which would result in privacy loss. The balconies to the rear bedroom dormers extend no further outwards than the existing one and utilise railing similar to the existing one. Under these circumstances and with the intervening screening roof of the replacement rear extension, it is not considered that there is any increase in impact on privacy/amenity.

This dwelling enjoys good separation from those adjoining and the proposed roof arrangements on the easy side (garage and rear extension) are such that the roofs slope away from the boundary. Given this and orientation, it is not considered that there would be any significant light loss.

The proposed works are considered not to result in significant harm such that planning permission ought to be reasonably withheld.

It is therefore recommended that the application be approved, 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 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

In assessing this proposal the following impacts (negative, Neutral or positive) 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).

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:

14135/P002; Existing & Proposed Block Plans; Dated Feb 2015.
14135/P202; Proposed Plans; Dated Feb 2015
14135/P203; Proposed Elevations; Dated Feb 2015
14135/P204; Proposed Garage - Plans & Elevations; Dated Feb 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN& of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/and character and appearance of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.