

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

REF NO: R/41/18/HH

LOCATION: Maycroft
30 Pigeonhouse Lane
Rustington
BN16 2BE

PROPOSAL: Single storey rear extensions, canopy over alleyway & creation of first floor.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to convert the property into a chalet bungalow by extending the garage back in line with the original rear wall of the bungalow, adding a pitched roof over the extended garage by extending out the existing ridge line, adding a dormer to the front and a dormer to the rear, inserting a window at first floor at the front into the tile hung gable, removing the original back wall of the bungalow and adding a two storey extension 4 metres deep at the rear in the form of a double gable having first floor windows on each with a Juliet balcony on the northern side and changing the position of the first floor window on the north elevation. A pitched roof porch is also proposed on the front elevation.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Trees and shrubs on the side and rear boundaries of the back garden form a dense screen. There is a hedge of mature shrubs on the south side boundary at the front of the property approximately 4 metres high.
SITE CHARACTERISTICS	Maycroft is a detached L shaped bungalow with tile hanging on the front gable projection. There is a window to the loft on the side (north) elevation which is obscure glazed. There are 3 windows at ground floor level. Two of these ground floor windows are obscure glazed. There is a double garage with a flat roof on the south side of the bungalow. There is a flat roof extension comprising a conservatory, bedroom extension and kitchen extension (with a door on the north elevation) on the rear elevation which projects out 2.5 metres and has floor to ceiling glazing on the south elevation. The large rear garden is laid to lawn. The front garden is hard surfaced.
CHARACTER OF LOCALITY	The development in this area comprises large residential properties in a variety of designs set back from the road on substantial plots.

The property to the north has a perspex roof over the side passage adjacent to the application site.

RELEVANT SITE HISTORY

R/171/73	Extension To Garage & New Flat Roof To Existing Garage Provision Of Bargeboard	ApproveConditionally 13-07-73
R/206/79	Glazed Entrance Porch	ApproveConditionally 15-08-79
R/56/77	Glazed Canopy	ApproveConditionally 29-03-77

Noted

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council
no objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

COMMENTS ON CONSULTATION RESPONSES:

Noted

POLICY CONTEXT

Built up area

DEVELOPMENT PLAN POLICES

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

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

[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 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).

The Rustington Neighbourhood Plan has been made and the relevant policies have been considered in the determination of this application.

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

In view of the varied designs of the properties in this location and the fact that the proposed works are largely to the rear of the dwelling, the proposed development will not look out of place in the street scene. The roof extension is hipped on the south side and will not have an unacceptable overbearing impact on the property to the south and due to its orientation will not materially affect the light and outlook of that property. The depth of the two storey extension at the rear is not so great as to have a significant impact on the light and outlook of the property to the north. The windows on the rear elevation look down the garden and the mature hedge on the boundaries will prevent overlooking. A condition to require the shower window on the north elevation at first floor to be obscure glazed and fixed shut to a height of 1.7m will preserve acceptable privacy.

As such the proposal complies with policies GEN7 and DEV19 of the Arun District Local Plan. policies D DM1 and D DM4 of the emerging Arun Local Plan 2011-2031 and policy 2 of the Rustington Neighbourhood Plan.

HUMAN RIGHTS ACT

FOR APPROVAL

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:
17052:1.01
17052:1.02
17052:1.03
17052:2.01 rev E
17052:2.02 rev D

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy-ies GEN 7 and DEV19 of the Arun District Local Plan.
- 3 The materials and finishes of the external walls and roof of the building 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 The window on the north elevation of the building at first floor level shall at all times be glazed with obscured glass and fixed to be permanently non-opening up to a height of 1.7m from ground floor.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.
- 5 **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.