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

REF NO: R/45/20/HH

LOCATION: 5 Preston Avenue
Rustington
BN16 2DB

PROPOSAL: Re-roofing of pitched roofs and raising height of rear flat roof by approximately 100mm.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION: The application seeks to re-roof the existing roof the host dwelling, and increase the height of the rear flat roof by 0.1m.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS

Arboriculturist

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

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:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE
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
Whilst it is noted that the proposed development is considered to result in a change in appearance of the host dwelling, it is not considered to result in a harmful impact upon the character of the host dwelling, or that of the locality. The area is populated by a mixture of dwelling styles and types and as such, there is not considered to be any uniform appearance within the area. Furthermore, it is considered likely that the proposed works could be performed under Permitted Development.

The application is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY
The proposed development is not considered to result in any significant overshadowing or overbearing impact on the occupiers of neighbouring dwellings. This is due to its modest built form, and separation from neighbouring dwellings. The proposed development has no impact on loss of privacy of neighbouring dwellings.

The application 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

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 Location Plan & Block Plan - 941/03 - FEB 2020
- Existing & Proposed Roof Plan - 941/04 - FEB 2020
- Proposed Elevations - 941/02 - FEB 2020

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 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.