

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

REF NO: R/55/13/

LOCATION: 27 Pigeonhouse Lane
Rustington

PROPOSAL: Single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	1992 square metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Site is flat but set at a slightly higher level than Pigeonhouse Lane
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The boundary on all sides is defined by a mixture of mature hedging and trees.
SITE CHARACTERISTICS	Site is occupied by a dormer bungalow with white rendered walls and a tiled roof. Detached garage to the front of the property near the southern boundary.
CHARACTER OF LOCALITY	Wholly residential area with a mixture of large detached houses of individual design.

RELEVANT SITE HISTORY

R/227/06/	Alteration and extension of existing dormer windows to front of property and rooflights to rear of property	Approve Conditionally 09-10-2006
R/1/61	Six detached dwellings with double garages	Approve Conditionally 17-01-1961
R/18/62	2 bungalows and garages	Approve 23-02-1962

No comments.

REPRESENTATIONS

Representations received:

Rustington Parish Council

- My Council has noted the above application and wishes to raise no objection to it.

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 boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[DEV19](#)

Built-up Area Boundary

The Form of New Development

Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 proposed single storey rear extension is within the built up area where development is acceptable in principle, subject to normal development control criteria. The proposal is to construct a single storey ground floor extension measuring approximately 4.7 metres wide by 4.7 metres deep. The proposed pitched roof will have a ridge height of 4.6 metres tall. It will extend the existing living room outwards to provide some 22 square metres of internal floorspace.

RESIDENTIAL AMENITY:

The proposed single storey extension is not considered to result in any significant loss of residential amenity. There are no proposed windows on the north elevation and therefore there are no effects on adjacent properties by potential increase in overlooking. On the southern elevation the proposed double doors at ground floor level will not lead to overlooking as views to the south are obscured by the existing mature hedging along the southern site boundary. The new glazed aspect on the eastern elevation will not affect residential amenity as it is replacing an existing large double door window and the existing boundary treatment, trees and foliage along the eastern boundary would screen the buildings outlook.

VISUAL AMENITY:

The proposed extension is to the rear of the property and do not result in any visual alterations within the street scene. It is considered that the proposed extension by way of its design, pitched roof and extensive use of glass along the eastern facade will make the appearance of the property appreciably better.

SUMMARY:

The proposed extension will improve facilities for the existing users. There is no significant loss of residential or visual amenities. It is therefore recommended that the application is approved subject to the conditions included below.

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 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 a neutral impact has been identified upon 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.

As a neutral impact has been identified no mitigation measures are proposed.

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:

186.100.a
186.101
186.102
186.103
186.104
186.105
186.106

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 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 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that (the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character)and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, DEV19

NATIONAL POLICIES: National Planning Policy Framework

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 5 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

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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.