R/56/07

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	-	Proposed modifications to roof space to form two bedrooms and separate wc 4 Tennyson Avenue Rustington

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Flat roof rear dormer to measure (at maximum) approximately; 2.7m in height, 5.6m in length, and 3.3m in width
SITE AREA	210 square metres approximately
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Flat
TREES	None affected
BOUNDARY TREATMENT	Boundaries kept by brown brick wall, close boarded fencing, and hedging approximately 1.8 – 2m in height
SITE CHARACTERISTICS	Mid terrace two-storey property with brown brick walls and brown tiled roof
CHARACTER OF LOCALITY	Residential

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Rustington Parish Council	~~Awaited~~ No objection
LOCAL GROUPS	None
OTHER	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Southern Water	Awaited

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

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DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: LOC1, DEV1
Arun District Local Plan: GEN7, DEV19

PLANNING POLICY GUIDANCE

PPS1: Delivering sustainable development

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.

COMMENT ON CONSULTATION RESPONSES

None

COMMENT ON REPRESENTATIONS RECEIVED

None. Noted

ASSESSMENT OF PROPOSAL

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 would have no materially adverse effect on either the visual amenities of the locality or residential amenities of neighbouring properties.

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

It is accepted a certain amount of overlooking and loss of privacy would result from the dormer onto the neighbouring properties. However the majority of any resultant overlooking onto the neighbouring side properties would be oblique rather than direct, there is an absence of windows or other openings in the cheeks of the dormer, and a distance of approximately 12m (at minimum) is retained between the proposal and rear boundary.

To further reduce any potential overlooking and loss of privacy, it is recommended condition be attached to the decision notice ensuring no windows or other openings be permitted in the cheeks of the rear dormer without the prior permission of the Local Planning Authority.

CONCLUSIONS

Taking the above factors into consideration, any adverse overbearing, overshadowing, loss of privacy, and unacceptable overlooking is not considered demonstrable to warrant refusal.

Further the proposal is not considered to be obtrusive in the street scene, and not conflict with the established character of the residential area. It is therefore recommended that the planning application should be approved, subject to the conditions set out overleaf.

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Proposed modifications to roof space to form two bedrooms and separate W.C.

4 Tennyson Avenue
Rustington

RECOMMENDATION

Approve Conditions

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 materials and finishes of the external walls of the dormer hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings shall be formed in the cheeks of the rear dormer hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.