

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

REF NO: R/68/18/HH

LOCATION: 33 Hawke Close
Rustington
BN16 2AT

PROPOSAL: Cement board cladding on front elevation & gables.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal relates to the provision of weatherboard cladding to the front elevation and gables of the dwelling
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Hedging to approx. 1m
SITE CHARACTERISTICS	Detached corner bungalow with recent dormer and garage extension. Dormer has clad elevations and so does garage and the adjacent gable..
CHARACTER OF LOCALITY	Predominantly residential characterised by detached dwellings of similar design and style. Several other properties have painted rendered and weatherboard clad elevations.

RELEVANT SITE HISTORY

R/256/70	Dining And Garage Extensions On Rear And Side Of Bungalow	ApproveConditionally 04-12-70
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council
No Objection

One Objection - the applicant has already completed most of the works covered by this Application. The applicants have previously followed this sequence of action in 2016 when working on No. 34 Hawke Close.

It should be noted that there is a completely new construction to the north of the bungalow which is not shown anywhere on any of the plans.

Many of the plans shown on-line are incorrect. In particular:

Plan 3 is the wrong bungalow

Plan 4 is the wrong bungalow

Plan 5 is the same as Plan 6

Plan 6 is the same as Plan 5

Plan 7 is the wrong bungalow

Plan 8 is the wrong bungalow

Until the plans attached to this Application are a true representation of the proposals it is impossible to make any objective comments.

I look forward to a significant revision to the submission.

COMMENTS ON REPRESENTATIONS RECEIVED:

The application drawings do refer to 'handed elevations' and are therefore acceptable. The extension to the north does not form part of this proposal. It may constitute permitted development, but it is not part of this proposal. The plans have been amended and some of the misleading elevation plans deleted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

DEVELOPMENT PLAN POLICES

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

GEN7 The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1 Aspects of Form and Design Quality

D DM4 Extensions & Alterations to Existing Buildings

D SP1 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 policy 2 is considered relevant to 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

PRINCIPLE

The application site falls within the built UP area boundary where the principle of development is acceptable subject to compliance with relevant development plan policies. The relevant policy consideration in the determination of this application are considered to be GEN7 and DEV19 of the Arun District Local Plan; Policy 2 of the Rustington Neighbourhood Plan; and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

The works the subject of this planning application have been started prior to its determination. These works consist of the installation of cladding on the northern gable elevation of the dwelling with grey/blue weatherboarding.

The proposed cladding of the building is not considered to adversely impact upon the character of the locality and the street scene. Whilst, the area does not traditionally feature cladding a number of examples are present in close proximity to the application site. The adjacent dwelling no. 34 has recently received approval for cladding under reference R/207/16/HH. Therefore, the proposal is not deemed to detrimentally impact upon the character of the area. The proposed weatherboarding is not considered to be of a similar appearance to that of the original dwellinghouse. However, it is not considered to have an unacceptably adverse impact upon the established character and appearance of the dwelling. The character of the locality is mixed with various materials used in the construction of the dwellings. Including examples of weatherboarding in close proximity to the application site. As such, the proposal is not considered to have an unacceptable detrimental impact upon the character of the locality and is considered to comply with policy GEN7(ii) of the Arun District Local Plan and Policy 2 of the Rustington Neighbourhood Plan.

RESIDENTIAL AMENITY

The proposed cladding is not considered to result in any overlooking, overshadowing or overbearing impacts upon neighbours. Any overlooking from the dormer window is not up for consideration as its installation does not require planning permission.

SUMMARY

The proposal is considered to comply with relevant development plan policies and is therefore recommended 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 :
Location, Note 6, Proposed North Elevation, Proposed Front Elevation received 18-06-2018 and Proposed South Elevation and Block Plan received 14-06-2018

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 **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.