

R/69/07

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	- First floor rear extension 28 Jubilee Avenue Rustington
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Flat roof first floor rear extension to measure (at maximum) approximately; 2.8m in height, 3.3m in width, and 6m in length
SITE AREA	560 square metres approximately
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Flat
TREES	None of significance affected by proposal
BOUNDARY TREATMENT	Boundaries kept by mixture of close boarded fencing and hedging approximately 1m -1.8m in height
SITE CHARACTERISTICS	Semi-detached 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	~~Amended~~ No objection
LOCAL GROUPS	None
OTHER	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Southern Water	Initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. Request that should this application receive planning approval, the following informative is attached to the consent: "A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water's Network Development Team

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CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
	(Wastewater) based in Otterbourne, Hampshire or www.southernwater.co.uk . No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer and all existing infrastructure should be protected during the course of construction works. In order to protect drainage apparatus, Southern Water request that if consent is granted, a condition is attached to the planning permission. For example "The developer must advise the local authority (in consultation with Southern Water) of the measure which will be undertaken to protect the public sewers, prior to the commencement of the development.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

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

PLANNING POLICY GUIDANCE

PPS1: Delivering sustainable development
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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.
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COMMENT ON CONSULTATION RESPONSES

Southern Water noted. However the issues raised are dealt with under different legislative powers. In the event of the application being recommended for approval, an informative will be attached to the decision notice ensuring the applicant is advised of the comments from Southern Water.
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COMMENT ON REPRESENTATIONS RECEIVED

None

ASSESSMENT OF PROPOSAL**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"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</i>

R/69/07**ASSESSMENT OF PROPOSAL****DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that the rear extension would have a materially adverse overshadowing and overbearing effect on the residential amenities of occupiers of the properties to either side. In addition the proposal would result in direct overlooking and loss of privacy onto the adjoining neighbouring property to the south.

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

Given boundary screening and retention of approximately 33m between the proposal and rear boundary, any adverse impact resultant from the proposal onto the neighbouring rear property is considered minimal. Further the proposal is to be situated to the rear and would not be conspicuously visible in the street scene to the detrimental of the established character of the residential area.

Nevertheless, given the close proximity of the proposed extension to the south and north boundaries, the proposal is considered to result in adverse overbearing and overshadowing effect onto the neighbouring properties to the north and south, to the detrimental harm of the residential amenities of the occupiers of those neighbouring properties.

In addition direct overlooking and loss of privacy would result from the first floor window in the south elevation onto the neighbouring property to the south. It is therefore recommended that the planning application should be refused, subject to the reason set out overleaf.



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First floor rear extension.

28 Jubilee Avenue
Rustington

RECOMMENDATION

Refuse

- 1 The proposed first floor rear extension by reason of its excessive depth and height would result in overbearing effect on the residential properties to either side from which it would also have an overshadowing appearance. In addition the first floor window in the south elevation of the extension would result in direct overlooking and loss of privacy onto the rear amenity area of the neighbouring property to the south. It would therefore be detrimental to the residential amenities of the occupiers of the property and contrary to policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

