

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

REF NO: R/6/25/HH

LOCATION: Springfield House
5B Springfield Close
Rustington
BN16 2SZ

PROPOSAL: Proposed new side gate access with a new brick pier to property frontage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

R/107/21/HH	Proposed new side gate access with new brick piers to property frontage.	ApproveConditionally 24-06-21
R/12/20/HH	New detached garage.	ApproveConditionally 20-03-20
R/230/19/PL	1 No. dwelling and swimming pool (part resubmission following R/91/17/PL & R/204/18/PL).	ApproveConditionally 14-01-20
R/150/19/NMA	Non-material amendment following the grant of reference R/204/18/PL for omission of pitched roof over kitchen & addition of balcony, addition of skylight windows, omission of ground floor windows on East & West Elevation & reduction in size first floor window on East elevation.	
R/210/18/DOC	Application for approval of details reserved by condition imposed on planning reference R/91/17/PL relating to cond no. 3 - drainage design & details, 5, 6 & 7 - Ecology Report & 11 - Construction Management Plan	DOC Approved 23-10-18
R/204/18/PL	1 No. dwelling with detached garage (part resubmission following R/91/17/PL).	ApproveConditionally 16-11-18

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PAA/34/18/	Replacement of roof, demolition of existing extensions and addition of single and two storey extensions. Replacement windows, new access and erection of outbuilding.	Refuse Pre App 10-05-18
R/91/17/PL	Erection of 2 No. dwellings with 2 No. detached garages	ApproveConditionally 16-06-17

REPRESENTATIONS

Rustington Parish Council - No objection.

No representations from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary.

Tree preservation order (TPO Ref Number - TPO/R/1/81 and TPO/R/1/14).

Within an area with potentially high groundwater levels.

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)
ENVDM4	ENV DM4 Protection of trees

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

SITE HISTORY

A previous planning application (reference R/107/21/HH), was approved for a similar scheme of works including the construction of a new side gate access with new brick piers to property frontage. The current application seeks permission for minor alterations to the works approved under R/107/21/HH. The proposal would include change in location of the gate along the south (front) elevation and the addition of only a single brick pier.

DESIGN AND VISUAL AMENITY

The site is a detached dwelling along Springfield Close. The property is set back from the road and has a large frontage with an existing gated vehicular access. The proposed gate encloses the southern portion of the garden and will directly front Springfield Close. The dwelling currently features a set of gates and fencing/hedging to front (south) elevation.

This application seeks to construct a new side gate access with a new brick pier to the property frontage. The pier would be finished in brickwork to match the existing and the new pedestrian gate would match the existing gate. The side gate would have a height of 1.68m and a width of 1.1m, and the brick piers would have a height of approx. 2m and width of 0.3m.

The proposed works would be to the front of the property and due to its location, the works would be seen in the street scene. The proposed side gate and brick pier would feature materials to match the existing gate and piers, and the impact would be very limited. The proposed development would not result in any harmful impacts to the street scene of Springfield Close and the wider area.

The proposal would not result in any harm to the character or appearance of the host dwelling, street scene or wider area, and as such, the proposed development would be in accordance with policies D DM1 and D DM4 of the Arun Local Plan and Rustington Neighbourhood Plan 2014 Policy 2.

RESIDENTIAL AMENITY

Given the siting and scale of the proposed development, the proposed side gate and brick pier would not result in any harm to neighbouring properties. The proposal would not result in any overshadowing or overbearing impacts to any of the nearby occupiers.

The proposed development would be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan and part M of the Design Guide.

TREES

The application site has several large, mature protected trees close to the front boundary. Notwithstanding this, it is noted that the proposed works are minor in scale. Therefore, the proposed works would not result in demonstrable harm to the protected trees within the application site, and the proposed development is in accordance with policy ENV DM2 of the Arun Local Plan.

SUMMARY

The proposed development is in accordance 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

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.

CIL DETAILS

This application is not CIL liable.

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:

- Existing Location & Site Plan DPA-01.
- Proposed Block Plan DPA-02.
- Proposed Plan DPA-04.
- Proposed Elevations DPA-06.
- Biodiversity Enhancement Statement (received - 20/01/2025).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 The materials and finishes of the side gate and brick pier hereby permitted shall match in colour and texture those of the existing gate and piers.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 and D DM4.

- 4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as

amended).

- 5 **INFORMATIVE:** The applicant is advised that there are mature, protected trees within the application site frontage and that any works should be undertaken with care to minimise any impact on the trees. No materials should be stored under the trees.
- 6 **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.