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

REF NO: **R/88/12/**

LOCATION: 6 Albert Road
Rustington

PROPOSAL: Change an existing flat roof with a flat top and roof windows in the pitched roof section, the existing pitched roof is raised to form the pitched roof section.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The new roof will be formed over an existing single-storey flat roof extension. There will be no increase in the footprint of the building.
SITE AREA	Approximately 350 square metres.
TOPOGROPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Rear garden enclosed by approximately 1.8 metre high timber fencing.
SITE CHARACTERISTICS	The site is occupied by a semi-detached two-storey dwelling that has brown brick elevation walls and a tiled, hipped roof. A single-storey full width flat roof extension has been added to the rear of the dwelling.
CHARACTER OF LOCALITY	The site is located on a residential road that is lined, predominantly, by two-storey semi-detached dwellings that are set back from the street. A number of these dwellings have been extended to the rear.

RELEVANT SITE HISTORY

PAA/40/12/	To change an existing flat roof with a pitch roof with a flat top & roof windows in the pitched roof section. The existing roof level is raised to form the pitched roof section	Pre-app Issued 16-04-2012
R/147/73	Extension to form larger kitchen and dining room & internal alterations	Approve Conditionaly 15-06-1973

REPRESENTATIONS

Representations received:

Rustington Parish Council

No objection.

Comments on Representations received:
Noted.

CONSULTATIONS

Consultations responses received:
None.
Comments on Consultation responses:
None.

POLICY CONTEXT

Designation applicable to site:
Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

RDS	Rustington Design statement by Rustington Parish Council

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

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

The works are to be made to an existing rear extension that his a minimal street scene presence due to its modest height and positioning. The proposal will not increase the area of this extension and the height increase will be marginal. It is not considered that this would lead to any material

increase in the visual impact of the extension. Further, it is noted that extensions to the rear of dwellings are a common feature within the locality. It is therefore considered that the proposal is in keeping with nearby development and would not lead to an adverse impact upon the character and appearance of the surrounding area.

Although the proposal will result in a marginal increase in the height of the existing extension, it will still be modest in proportion to the height of the existing building and visual subservience towards it will be maintained. It is considered that the formation of the pitched roof will improve the visual relationship of the extension towards the host dwelling by way of complimenting its pitched roof.

With regards to the amenities of neighbouring residents, the works will be positioned alongside an existing single-storey extension at the adjoining property, No. 10 Albert Road, and, as such, will not appear overbearing or cause undue levels of overshadowing towards that property. The modest proportions of the extension, as altered, and te distance maintained between it and other neighbouring properties will combine to ensure that this is also the case for othr nearby residents. The new roof light windows proposed would not offer any feasible views towards neighbouring properties due to their high level, the angle at which they will be installed and the screening provided by existing site boundary treatment.

It is therefore recommended that the application is approved, subject to the follwoing 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 for 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

In assessing this proposal it has been deemed it would have a neutral impact 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).

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:-

1:1250 Location Map;
1:500 Block Plan;
Elevations and Section;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

3 The materials and finishes of the roof tiles used on the extension hereby permitted shall match in colour and texture those of the existing dwelling.

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.

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: GEN2, GEN7, DEV19

NATIONAL POLICIES: NPPF

SUPPLEMENTARY POLICY GUIDANCE: RUSTINGTON DESIGN STATEMENT

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