

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

REF NO: R/93/20/HH

LOCATION: Woodbine Cottage
1 Mill Lane
Rustington
BN16 3ED

PROPOSAL: Demolition & erection of conservatory. This application may affect the setting of a listed building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to demolish and construct a conservatory.

RELEVANT SITE HISTORY

R/94/20/L Listed building consent for the demolition & erection of conservatory.

REPRESENTATIONS

No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Conservation Officer - No objection.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary
Listed building

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)

DSP1 D SP1 Design
 HERDM1 HER DM1 Listed Buildings

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

PLANNING POLICY GUIDANCE:

NPPDG National Design Guide
 NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1, D DM4 and HER DM1 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy 2 of the Rustington Neighbourhood Development Plan states that development proposals will be supported providing that their scale, density, massing, height, landscape design, layout and materials reflect and enhance the established character of the area.

DESIGN AND VISUAL AMENITY

The development is to the North-Eastern corner of the host dwelling, replacing a conservatory in the same siting. As a result of this siting, and the boundary treatment present within the borders of the application site, there will be few views of the proposed development visible from the public realm.

The extension is an improvement compared to the existing extension, in that it is simple in its appearance, and appears subservient to the host dwelling. The extension appears well integrated with the form of the host dwelling, due to its design and scale.

The development is in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

HERITAGE IMPACT ASSESSMENT

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard for the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. Paragraph 189 of the NPPF requires such information to be provided in order to assess the impact of the proposal upon these assets. In this instance, it is considered that the development does not cause harm to the Listed Building to which it is extending, or nearby listed buildings. This is due to the design of the proposal allowing it to appear well integrated with the host dwelling, and its scale allowing for it to appear subservient to the host dwelling. As such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The development is not considered to result in any overbearing or overshadowing impact upon occupiers of nearby dwellings due to the siting of the extension and the resultant separation distance from nearby occupiers. With regard to potential for loss of privacy to local occupiers, the single storey nature of the proposal means that there are no views of which are not available from the host dwelling at current.

The development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord 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

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 & Block Plan - 20/4696/1 - 03/2020
- Proposed Elevations, Plans and Roof Plan - 20/4696/4 - 03/2020 - Rev. A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in

accordance with policy D DM1 of the Arun Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials to be used for the fenestration of the extension (including that of the rooflight) have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the Listed Building by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 of the Arun Local Plan.

- 4 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.