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

REF NO: **R/103/12/**

LOCATION: 3 Vernon Close
Rustington

PROPOSAL: Extension to garage to form store

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	405 square metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	- South Boundary to Glangarry, Glaigmar Road: 2m closed board fence. - East Boundary to 2 Vernon Close: To front of the property it is a 1 metre closed board fence. To the rear a 1.8 closed board fence. - West Boundary to 4 Vernon Close: To front of the property it is a 1 metre closed board fence. To the rear a 1.8 closed board fence. - Front (north boundary): 1 metre tall closed board fence.
SITE CHARACTERISTICS	Site is occupied by a single detached dwelling of irregular shape and design. The property has red hung tile roof, with red-brown bricks. There is an existing garage in the south-east corner of the site. The front garden of the property is mostly set to lawn with a paved driveway. The rear garden is set to lawn.
CHARACTER OF LOCALITY	Predominantly residential area characterised by larger detached properties of individual design.

RELEVANT SITE HISTORY

No comments

REPRESENTATIONS

Representations received:

Rustington Parish Council

Rustington Parish Council- no objection to the proposal

Comments on Representations received:

No comments

CONSULTATIONS

Consultations responses received:

- none

Comments on Consultation responses:

No comments

POLICY CONTEXT

Designation applicable to site:
Within Build Up are boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

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 proposed garage extension is located in the south-east corner of the site and measures 4.6 metres wide and 2.8 metres deep. It will replace an existing shed that is in this location at present. The propsed materials and pitch of the roof will match that of the existing garage.

The garage extension would not appear large or obtrusive, and by reason of its siting, design and

scale is not likely to adversely impact of the residential amenity of surrounding properties. There would, therefore, be no loss of privacy or overbearing effects. It will not have an adverse impact on the visual amenity or character of the area.

Therefore it is recommended that the application be approved subject to the conditions outlined below.

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 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 a neutral impact has 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.

As a neutral impact has been identified no mitigation measures have been proposed.

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

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

in accordance with the Arun District Local Plan.

3 The garage hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 3 Vernon Close as a dwelling and shall not be used as a separate unit of accommodation or commercially at any time.

Reason: To accord with policies GEN7 and DEV19 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation or commercial unit which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

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: GEN7, DEV 19

NATIONAL POLICIES: NPPF

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