

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

REF NO: R/111/20/HH

LOCATION: 67 Sea Avenue
Rustington
BN16 2DP

PROPOSAL: Side garage extension, (amendments to previous approval R/46/15). Replacement porch roof coverings with slate.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a garage to the South of the host dwelling, similar to that proposed under R/193/14, and approved under R/46/15/HH. Additionally, it seeks to replace the roof covering with slate.

RELEVANT SITE HISTORY

R/46/15/HH	Detached garage (resubmission following R/193/14/HH).	ApproveConditionally 09-04-15
R/193/14/HH	Detached garage	Refused 15-10-14

REPRESENTATIONS

Parish Council - No objection.

Rustington Sea Estate Resident's Association - No objection.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary
Tree Preservation Order

DEVELOPMENT PLAN POLICIESArun 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

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 and D DM4 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 proposed change of the porch roofing materials will be visible within the street scene, and as such, will result in change to the appearance of the host dwelling. However, it must be established that this change is harmful in order to prescribe refusal of the application. The change of materials is not considered to have any significant visual impact upon the host dwelling, or its locality, due to the change of materials not resulting in a large change in colour when viewed from the street scene.

The proposed garage measures approximately 5.3m high, 9.7m long and 5.6m wide, and as such it is similar in scale to the previously approval R/46/15/HH. The proposed garage is not considered to result in any significant impact upon the character of the locality due to its use of materials and set back nature.

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

NEIGHBOURING RESIDENTIAL AMENITY

The proposed garage is not considered to give rise to any adverse overbearing or overshadowing to the occupiers of the neighbouring dwellings, due to the siting of the garage, the scale of the garage, and the aspect of the application site. The proposed garage does not feature any windows at first floor level on

the southern elevation which will reduce any potential for overlooking. The structure features a first floor level window on the rear elevation which has the potential to give rise to overlooking of the rear garden of 69 Sea Avenue. However, the harm can be overcome through the inclusion of a condition requiring the window to be obscurely glazed and non-opening.

The proposed 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:

- Proposed Site Plan - DRW NO 6
- Proposed Floor & Loft Plan - DRW NO 1A
- Front Elevation with Existing House - DRW NO 3
- Proposed Elevations - DRW NO 4

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 The window at first floor level in the Eastern elevation of the garage shall at all times be and remain glazed entirely with obscure glass and fixed to be non-opening, below 1.7m from internal floor level.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policy D 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.