

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

REF NO: R/154/20/HH

LOCATION: 23 Mill Lane
Rustington
BN16 3ED

PROPOSAL: Single storey part front, part side garage extension, part conversion of existing garage to form utility, WC, Kitchen, Dining area, formation of new flat roof over new extension and pitched roof over part of existing garage, installation of 1 no. roof lights in existing flat roof and 1 no. roof light in pitched roof. Insulate and externally render new and existing walls to single storey building (revised application from R/84/20/HH).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to amend previously approved application R/84/20/HH, by way of the inclusion of a pitched element to the side extension. The proposal is to add a 2m high pitched roof to a 4.3m length of the side extension. At present this is a flat roof.

RELEVANT SITE HISTORY

R/84/20/HH	Single storey part front, part side garage extension. Part conversion of existing garage and formation of new flat roof over new extension and existing garage including the installation of 2no. roof lights in existing flat roof and render to walls.	ApproveConditionally 15-07-20
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REPRESENTATIONS

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

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

Due to the siting of the proposed amendment, the roof alteration will be visible within the public realm, despite its set back nature within the application site. As such, it will result in a change in appearance of the host dwelling, however this is not considered to be a harmful one due to the modest scale and design of the proposal.

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 development is not considered to result in any harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings. This is due to the scale of the proposal not increasing the footprint of the built form of the host dwelling, and the fact that the proposed roof alterations slopes down to meet the eaves height of the flat roofed element. Furthermore, the proposal is not considered to result in any loss of privacy to occupiers of neighbouring dwellings.

The application 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 - DRG1/A - May 2020
- Proposed - DRG4/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 **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.