

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

REF NO: R/156/19/HH

LOCATION: 36 The Parkway
Rustington
BN16 2BU

PROPOSAL: Amended 1st floor design incorporating the removal of balcony and decrease of footprint to the already Approved R/275/18/HH - "Demolition of existing double garage and erection of 2 storey side extension to include new garage, home office, multipurpose living area and 3 bedrooms", and Approved Non Material Amendment R/68/19/NMA - "to lower eave height on southern elevation".

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to amend the first floor of a previously approved (existing) permission. This includes the reduction in size of the rear extension, and the omission of the rear balcony, with the proposed first floor element extended over this.
----------------------------	---

RELEVANT SITE HISTORY

R/68/19/NMA	Non material amendment following the grant of R/275/18/HH to lower eaves height on southern elevation.	Approve 17-04-19
R/275/18/HH	Demolition of existing double garage and erection of two storey side extension to include a new garage, home office, multi-purpose living area and three bedrooms	ApproveConditionally 18-01-19

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council
Parish Council - No objection.

No representation from nearby occupiers.

CONSULTATIONS

Arboriculturist

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Tree Preservation Orders
Within the Built Up Area Boundary

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
SDSP2	SD SP2 Built-up Area Boundary

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. 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 development is not considered to have any significantly harmful impact upon the character of the locality, as the area affected by the proposal amendments, is at the rear of the host dwelling. Resultant of the aforementioned siting of the proposal, there will be few available views of the alterations from the street scene. Additionally, due to the scale and design of the proposal, it is considered to appear

subservient to, and well integrated with the host dwelling. Therefore, 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 significantly harmful impact upon the residential amenities of the neighbouring dwellings. This is as a result of the minor built form of the proposed alterations, and their siting. Additionally, the proposed alterations are not considered to result in a change of views available from the host dwelling. Therefore, 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 Floor Plans - 183034/02R4 - 09/05/2019
- Proposed Elevations, Roof Plan and Block - 183034/02AR3 - 09/05/2019

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.