

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

REF NO: R/207/20/HH

LOCATION: 44 Shaftesbury Road
Rustington
BN16 2HX

PROPOSAL: Conversion of garage to habitable use and single storey rear extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

Parish Council - No objection

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

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

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

PLANNING POLICY GUIDANCE:

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. The site is occupied by a detached property with front and back gardens in a mixed design area.

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 DSP1 of the Arun Local Plan sets out that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

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.

SITE HISTORY

Relevant site history noted.

DESIGN AND VISUAL AMENITY

The applicant seeks planning permission for the construction of a rear extension to the established garage. The proposed rear extension will measure approximately 5.4m wide, 3m in depth and be built to the proposed height at top of pitch 3.2m and eaves measuring 2.5m.

The proposed conversion of the garage given its location will be visible from the street scene however, the proposed rear extension will not be visible from the street scene. It is not considered to have a detrimental impact on the character of the host dwelling or the street scene.

The proposed extension and conversion of the garage are considered to appear subservient to the host dwelling and would not result in any adverse impact on the spatial pattern or character of the area and would therefore accord with the policies D DM1 and D DM4 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed rear extension will be located 2.5m from the northern boundary and 8.5m from the eastern boundary. On the rear elevation there is one set of French Doors. On the front elevation there will be 2 No. windows. The proposal also includes 1 'Velux' window in the roof of the current garage, this, due to location, is not considered to overlook due to the location and angle of views.

Given the design and location of the extension and conversion of garage it is not considered to give rise to adverse impacts in terms of overlooking, overshadowing and overbearing and is therefore deemed to accord with D DM1 and D DM4 of the Arun Local Plan.

The 45 degree rule does not impact this application as all development would not be within the view of any windows on the neighbouring property. It does not appear to be overbearing on the property and does not significantly impact the view from the adjoining property, therefore it is not a cause for refusal.

PARKING ISSUES

Whilst the conversion of the garage will lead to a loss of a parking space there is sufficient space to the front of the property for vehicles and as such the alteration is not considered to give rise to any adverse parking or highway issues.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is

recommended for approval subject to the following conditions and informatives.

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

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.

CIL DETAILS

This application is not CIL Liable.

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 and Block Plan 332-DPA-01
 - Proposed Block Plan 332-DPA-02
 - Existing Ground Floor 332-DPA-03
 - Proposed Ground Floor Plan 332-DPA-04
 - Existing Elevations 332-DPA-05
 - Proposed Elevations 332-DPA-06
 - Proposed Roof 332-DPA-07

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.