

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

REF NO: R/236/18/HH

LOCATION: 57 North Lane
Rustington
BN16 3PP

PROPOSAL: Proposed car port, boundary wall to front and associated landscaping

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to erect a car port to the front of the host dwelling, and erect a front boundary wall.
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RELEVANT SITE HISTORY

R/70/14/CLP	Application for a lawful development certificate for a proposed rear extension	PP Not Required 15-05-14
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council
Parish Council - No objection.

Four letters of support, one letter of objection and one letter of no objection from six different households:
Support:

- The new landscaping and wall will improve the street scene.
- The proposed development fits in with the other properties in North Lane.
- The existing front garden is out of keeping with the area, and this addition will amend this.
- The proposal will ease parking.
- The proposal is an improvement, the Leylandii is causing damage to the pavement and buses.

Objection:

- This carport is too big and too high for a front garden.
- It is too close to the boundary line.
- The proposal will have a harmful impact on the street scene as a result of its scale.
- The proposal does not result in any off-road parking.
- The proposal will set an unacceptable precedent.

No Objection:

- The application looks fine, and is in keeping with the 'look' of North Lane.

All matters raised above will be covered in conclusions section save for precedent which is not relevant as each application is considered on its individual merits.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICES

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 SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the Local 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

Resultant of its location, the proposed carport is visible within the street scene, and will alter the existing appearance and layout of the residential unit in which it is sited. This is predominantly because the

proposal sits forward of the established property line in the locality. Approximately half of the proposed carport will be screened by the proposed 2m high boundary wall, so predominantly the roof of the proposal will be visible within the street scene. However, resultant of the design of the proposal, it is considered to sit comfortably within the residential unit, as it appears well integrated with the host dwelling, resultant of its materials, roof slope angle and overall design merit. This allows the proposed development to respond positively with the host dwelling with regard to its appearance, in that it has no significant harm of the established character of the host dwelling, or its locality. Additionally, the proposed car port has a ridge height lower than that of the host dwelling, and therefore, it is considered to appear subservient to the host dwelling.

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 have any significant overbearing or overshadowing impact as a result of intervening boundary treatment to the North, and significant separation distance to neighbouring dwellings. Additionally, as a result of the single storey nature of the proposal, any views available from within it are no different to those currently available from the front garden.

The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMMARY

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 plan:

- Proposed Carport boundary wall to front and associated landscaping - Drawing Rev. B - 24/10/2018

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.