

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** R/238/13/**LOCATION:** The Old School House
Claigmar Road
Rustington Littlehampton**PROPOSAL:** Proposed single storey attached garage with storage over**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	Single storey (with a room in the roof space) side garage extension to large detached dwelling. The extension will provide for a garage that extends the whole width of the property (8m) but is slightly set back from the front wall of the dwelling. It will have a pitched roof and, within this roofspace, a room is created. This will be served by a rooflight on the rear elevation and a small dormer window on the front elevation. The ridge height of the proposed extension is 6m and the width of is 2.6m.
SITE AREA	Unknown
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The existing garage extends right up the boundary with the adjoining property (Glengary). To the front of the existing garage is a high (2.5m) hedge.
SITE CHARACTERISTICS	Substantial detached dwelling set back from the street behind a high hedge.
CHARACTER OF LOCALITY	Street is characterised by large (2.5 storey) detached, semi-detached and terraced dwellings.

RELEVANT SITE HISTORY

R/25/00/	Change of use from A2 office to single detached dwelling house	ApproveConditionally 07-04-2000
R/270/07/	Proposed single storey extension to rear of property	ApproveConditionally 17-12-2007

None

REPRESENTATIONS

Representations received:

Rustington Parish Council

Rustington parish Council - No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

n/a

POLICY CONTEXT

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN7](#)
[DEV19](#)

The Form of New Development
Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The property has an existing single storey garage to the side of the dwelling. This extends sideways up to the side boundary with the adjoining property.

The proposed extension would satisfy the requirements of DEV19 (ii and v) in that it would be visually subservient to the host dwelling and it does not compromise the established spatial character of the street.

In terms of impact on residential amenity, the proposed extension would present a significantly larger building form to the side elevation of the adjoining property. However, this property has a door to a kitchen at ground floor and a window to a landing area at first floor. There is also the consideration that there is an existing 2.5m high blank wall that faces this properties' side elevation. Whilst the proposals will present a larger built form adjacent to the adjoining property, it is considered that the impact to rooms on the ground floor will not be significantly different to the existing and the impact on first floor is to a landing window only.

The proposals are therefore recommended for approval.

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 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 neutral 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).

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;

1:50 & 1:100 18th September 2013

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls (and roof(s)) of the building(s) hereby permitted shall match in colour and texture those of the existing building(s).

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.