

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

REF NO: R/265/18/HH

LOCATION: 24 Sea Avenue
Rustington
BN16 2DG

PROPOSAL: Side/rear single storey extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal is to renovate the existing single storey attached garage at the side of a semi detached two storey property replacing the garage door with windows and rendering the resulting wall to match the existing property and to extend the converted garage to the rear by 4 metres to the rear elevation. The extension would have the same width and eaves height (2.4 metres) as the existing garage but would have a false pitched roof height with a flat roof on top 1.6 metres lower than the existing garage at 3 metres in height. A small casement window would be inserted into side elevation of the extended garage. A 2 metre close boarded wooden fence exists between the side elevation of the garage and the neighbouring property 22 Sea Avenue.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council
No objection.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

TREE PRES ORDER

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
TSP1	T SP1 Transport and Development

[Rustington Neighbourhood Plan 2014 Policy 2](#)

Housing Design

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:

RDS	Rustington Design statement by Rustington Parish Council
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CONCLUSIONS

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 and the Rustington Design Statement are considered relevant.

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 T SP1 seeks to ensure that new developments including alterations and extensions maintain sufficient parking in accordance with WSCC parking standards taking into account the impact on on street parking and providing safe access onto the highway serving the development.

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. Rustington Village Design Statement identifies character areas and seeks to influence development to reflect them.

DESIGN AND VISUAL AMENITY

The proposed new development of a ground floor side extension behind a renovated garage on a large two storey detached property would not add any built form to the street scene. The proposed extension would not be visible from the street scene. The renovation of the garage door to a window and the matching render of the front wall matches the pattern of windows on the front elevation of the property would not give rise to any significantly adverse impact on the character of the locality or the established spatial pattern of the area.

The alterations to the front of the dwelling replacing the garage door with a window and rendering the front elevation to match the existing is considered acceptable in terms of the visual appearance of the overall building and would be acceptable with respect the development reflecting the Character Area 5 - Rustington Village Design Statement within which it is located.

The height of the extension would be 2.4 metres to the eaves and 3 metres to the ridge of a false pitched roof set behind the existing garage which has a matching eaves height and ridge height at 4.6 metres.

The proposed development is considered to appear subservient to the host dwelling,

Therefore, the proposed development is deemed to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan and policy 2 of the Rustington Neighbourhood Plan .

NEIGHBOURING RESIDENTIAL AMENITY

The only property affected by the proposed development would be the neighbouring property 22 Sea Avenue, a large detached property immediately to the north of the applicant's side elevation. The proposed extension would be constructed up to the as the existing garage currently is. The boundary treatment between the two properties is a two metre close boarded fence. The side elevation of the proposed extension would only rise 40 cm above the fence line. A single window is proposed in the side facing elevation toward the neighbouring property at 22 Sea Avenue which would only partially project above the fence line and would not have an impact on the privacy of the neighbouring property. The side elevation of the neighbour at 22 Sea Avenue is set 3 metres off the side boundary and does not have any facing primary habitable room windows at ground floor level facing toward the boundary fence or proposed extension. The neighbouring property has made no comment on the proposal.

The proposed extension would not be considered to cause any significant loss of residential amenity in terms of loss of light, overbearing impact or loss of privacy to 22 Sea Avenue and is deemed to accord with D DM1(3) and D DM4(c) of the Arun Local Plan and Policy 2 of the Rustington Neighbourhood Plan.

PARKING AND ACCESS

The proposed conversion of the garage would cause the loss of a parking space however there is adequate hardstanding to the front of the dwelling to provide parking for 3 cars at the front of the dwelling which would comply with the WSCC parking standards. There are no proposed changes to the vehicular access to the property.

The proposal is considered to comply with policy T SP1 of the Arun District Local Plan relating to parking and access.

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

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.

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 Plan and Block Plan - Dwg.no. Sheet 1 of 3 received 05/11/2018

Proposed Elevations - Dwg.no. Sheet 2 of 3 received 05/11/2018

Proposed Roof Plan - Dwg.no. Sheet 3 of 3 received 05/11/2018

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 The materials and finishes of the external walls and false pitched roof of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 4 **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.