

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

REF NO: R/27/22/HH

LOCATION: West Hayne
19 Angmering Lane
East Preston
BN16 2TA

PROPOSAL: Installation of a detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to erect a single storey detached garage in the North-West corner of the curtilage.

REPRESENTATIONS

Rustington Parish Council - No Objection.

No representations from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built-Up Area Boundary.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1 D DM1 Aspects of form and design quality

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS

PRINCIPLE

The key policies are D DM1 of the Arun Local Plan, Policy 2 of the Rustington Neighbourhood Plan and Section M of the Arun Design Guide.

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 SP1 requires development proposals to make efficient use of land and reflect characteristics of the site and local area such as layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Arun has adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance.

Rustington has a made neighbourhood plan (RNP) and policy 2 is of relevance and states that proposals should have regard scale, density, massing, height, landscape design, layout and materials which reflect local architectural and historic character.

The RNP identifies this proposal to be within Character Area 5, the Rustington Village Design Statement states this area is characterised predominantly by materials such as brick and tile. The materials proposed for use in this development are brickwork and Slate. The brickwork is harmonious with the existing dwelling and Slate is a material featured within the locality. These are harmonious with the locality and considered compliant with Character Area 5 of the Rustington Village Design Statement.

DESIGN AND VISUAL AMENITY

The scale of the proposed detached garage is large. It is to be 10m in width, 7.2 in depth and 4.7m in height at its peak. The roof design features rendered gable ends to the front and rear (East and West) and a shallow pitch design leaving the eaves overhanging by approx. 0.5m on all sides and at approx. 2.8m in height. This garage is to be sited in the North-West corner of the curtilage, separated from the North and West site boundaries by approx. 1.2m. The curtilage this property possesses is extensive and the garage would make efficient use of a corner of the plot that is currently unused without having any negative impact on the provision of private amenity space. The scale of the proposal is acceptable given the scale of the host dwelling and the curtilage.

The materials proposed for external finishings are brickwork walls, natural slate roof, rendered gable ends, metal garage door and a timber side door to the South elevation. These materials are considered appropriate and are in keeping with either the host dwelling or the locality.

Section I of the Arun Design Guide states that the internal floorspace of garages for 1 No. parking space should be 3m in width by 6m in depth. This garage provides 3 No. parking spaces with an overall internal floorspace of approx. 9.4m in width and 6.6m in depth. This is adequate space and appropriate.

The proposal is considered to comply with relevant development plan policies D SP1 & D DM1 of the Arun Local Plan, Policy 2 of the RNP and Section I of the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal is sited to the North-West corner of the curtilage which is to the rear of the West neighbour properties rear garden and approx. half way down the rear garden of the North neighbour dwelling.

Although the scale of the proposed garage is large, it remains of single storey, separated from the North and West site boundaries by approx. 1.2m and features a pitched roof design that lessens any impacts of overbearing on neighbouring properties.

The garage is sited approx. 12m from the rear of the North neighbour dwelling. The North site boundary features a worn wooden fence with multiple missing panels. There are currently viewpoints through this boundary treatment due to the missing fence panels. Due to the siting of the proposal being approx. 12m from the rear of the North neighbour dwelling, the approx. 1.2m separation from the North site boundary and the eave height of approx. 2.8m, the proposal is not considered to give rise to any adverse impacts by way of overbearing on the North neighbour dwelling. The proposal provides no new viewpoints and would also go some way to blocking viewpoints through the North site boundary as it would obscure the location in which a fence panel is currently missing.

The siting of the proposal is such that it is positioned to the rear of the East (side) elevation of the West neighbour properties rear garden. The rear gable end design of the proposal would mean that the peak height of the garage at approx. 4.7m would be present along the East elevation of this neighbour's rear garden. However, this garage would be approx. 16.8m from the rear of the West neighbour property. This, in combination with the separation of the proposal from the site boundary and its single storey nature, has led to the conclusion that it would not give rise to any significantly adverse impacts by way of overbearing or overshadowing on this neighbouring property. As aforementioned, there are no new viewpoints provided by this proposal and as such, there are no adverse impacts by way of overlooking.

By virtue of not being overbearing, overshadowing or overlooking on neighbouring dwellings, the proposal is compliant with relevant development plan policy D DM1 of the Arun Local Plan.

SUMMARY

The proposal is compliant with relevant development plan 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:

 - Proposed Plans 2.07C
 - Location and Block Plans 1.01F
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.