

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

REF NO: R/47/19/HH

LOCATION: 14 The Bramblings
Rustington
BN16 2DA

PROPOSAL: Detached garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a detached garage. It is sited to the Southern side of the host dwelling, approximately 7m back from the front elevation of the host dwelling.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Rustington Parish Council
Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS

Arboriculturist

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

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

PLANNING POLICY 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 policy is deemed to be D DM1 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development 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.

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. However, this alteration is not considered to have a significantly harmful impact upon the character of the host dwelling, as whilst it is noted that the garage is of a significant height, it is set back from the street scene, and sits 7m back from the front elevation of the host dwelling. Whilst the significant height of the proposed development is noted, resultant of the design of the proposal, it appears well integrated with the host dwelling, resultant of its materials, roof slope angle and siting. 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. The proposed development is considered to be in accordance with D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significant overbearing or overshadowing impact on occupiers of neighbouring dwellings. There is a separation distance of over 13m to the Northern and Eastern boundaries. 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 garden. The proposed development is considered to be in accordance with D DM1(3) of the Arun Local Plan.

SUMMARY

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 plans:

- Proposed Detached Garage - Block & Roof Plan - 4397/7 - Oct 2018
- Proposed Detached Garage - Garage Floor Plan & Section - 4397/6 - Oct 2018
- Proposed Detached Garage - Proposed Garage Elevations - 4397/5 - Oct 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.