

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

REF NO: R/52/20/HH

LOCATION: 32 Mill Lane
Rustington
BN16 3JN

PROPOSAL: Detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a detached garage to towards the rear of the site.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council
No objection
No representation received 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
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 key policies considered are DDM1 of the Arun Local Plan. Rustington has a Neighbourhood Plan with Policy 2 of relevance to the application. The proposal is considered to comply with this policy.

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 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

The garage will be situated 21m from the front boundary of the property and therefore the development will be visible from the street scene however with it set back it is not considered to appear unduly dominant.

The garage will have a pitched roof and will be constructed of rendered blockwork. It is adjacent to a garage at No.34 and replaces one already in existence, although alters the roof design from flat to pitched.

There are examples of pitched roofed garages within the vicinity and therefore it is not out of keeping with the area.

As a result of its siting and modest design, it is not deemed to adversely impact the appearance of the street scene and as such accords with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed garage is located to the north of the host dwelling and sits towards the rear of the property, extending beyond the rear elevation.

The garage will have a width of 3.1m and a depth of 8.5m. Whilst the depth is relatively large, the garage runs alongside a neighbouring garage which has a depth of 5.5m and therefore much of the view is restricted.

The development will have eaves to 2.3m with a pitched roof to 3.8m. Whilst this is relatively tall the roof slopes away from the neighbouring property and due to the siting, it is considered a sufficient distance from the neighbouring property and is not deemed to give rise to any adverse overbearing or overshadowing impact.

There will be a door and window to rear and southern elevation of the garage however with the development at single storey, any views are considered to be of the garden of the host dwelling and not additional to that which can already be achieved.

The proposed development due to its siting, is not deemed to give rise to harm upon amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to comply with relevant development plan policies and as such is recommended for approval subject to the following conditions and informatives.

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
 - Block Plan - PBP1068/06
 - Proposed Elevations - PBP1068/04
 - Proposed Floor Plans - PBP1068/07

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.