

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

REF NO: AL/65/14/HH

LOCATION: Meadowsley
Westergate Street
Westergate

PROPOSAL: Extension to existing garage in rear garden

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The proposal involves the replacement of existing sheds to the rear of the site a timber garage extension measuring approximately 4.2 metres in width by 6.4 metres in depth and 3.5 metres to roof ridge height. A flat roof timber store room measuring approximately 2.3 metres in height will be added to the rear of the existing and proposed garage.

SITE AREA

Approximately 895 square metres.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Rear garden is enclosed by approximately 1.8 metre high timber close boarded fencing. Approximately 2 metre high hedging to frontage.

SITE CHARACTERISTICS

The site is occupied by a detached bungalow dwelling. There is a detached flat roof garage positioned towards the rear (west) of the site and timber storage sheds have been added to the side of this feature.

CHARACTER OF LOCALITY

The site is located on a residential road which is lined by well residential development consisting of buildings of a variety of designs and scales. The site faces onto a main road from which a number of residential roads branch off.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

One letter of objection: The building of the garage is not an issue but the size means it will be likely to house steam engines and that these will be worked upon on site. This will need to noise and air pollution.

Comments on Representations received:

Noted. The garage is to be used for domestic purposes only. Any issues relating to noise and/or air pollution that may arise would be a matter for the Council's Environmental Health Department.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

No objection.

Comments on Consultation responses:

Noted. Advice regarding proximity of any development to the public sewer and of the responsibilities of the applicant if any new sewer is discovered during construction works shall be disclosed as an informative.

POLICY CONTEXT

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
Publication Version of the Local Plan (October 2014):	D DM1 Aspects of Form and Design Quality	
	D SP1 Design	
	SD SP2 Built-Up Area Boundary	

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and

statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; Felpham.

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 existing garage is set well back within the site and has no significant visual presence within the street scene. The proposed extensions will not bring the garage any closer to the road and are of modest dimensions. The visual impact of the extensions within the surrounding environment will therefore be negligible. A sufficient proportion of amenity space will be retained in order to ensure that the spatial character of the site itself is not adversely impacted upon.

Whilst the appearance of the proposed garage extension will not complement the flat roof design of the existing garage, the gable roof of the side extension will relate visually towards the gable roof of the existing bungalow. The flat roof store shed to the rear of the garage will be of matching height to it, ensuring a smooth visual transition between existing the two elements. Furthermore, the modest scale of the proposed extensions will ensure that the garage will not grow to a size where it would appear overly dominant within the site and visual subservience towards the

existing dwelling will be maintained.

It is noted that the proposed extensions will be within close proximity of the western boundary, which is shared with No. 35 Lamorna Gardens and the western elevation of the proposed storage shed being within close proximity of the side elevation of the neighbouring property, which includes a door and a single ground floor window. It is considered that the modest height of the proposal will prevent it from appearing overbearing towards the neighbouring property and, given the presence of approximately 1.8 metre high fencing on the site boundary, it is not considered that there will be any undue increase in overshadowing. All new windows will be at ground floor height and any direct views towards neighbouring property will be interrupted by existing site boundary treatment.

It is therefore recommended that the application is approved, 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 for 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 it has been determined that its approval would result in a neutral impact 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).

As such, there is no requirement for mitigation measures to be adopted.

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

report

amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:-

141112/P01A;
141112/P02A;
141112/E01;

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 building shall be used as a private domestic garage and workshop in connection with Medowsley, Westergate Street, PO20 3QS only and for no other purpose.

Reason: To safeguard the amenities of the neighbouring properties and to ensure the provision of adequate off street parking space in accordance with policy GEN7 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.

- 5 INFORMATIVE: No development should be located within 3 metres either side of the centreline of the public sewer. Should any sewer be found during construction works, an investigation of the sewer will be required. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.