

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

REF NO: AW/93/22/HH

LOCATION: 10 Boxgrove Gardens
Aldwick
PO21 4BB

PROPOSAL: Detached canopy car port.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to construct a detached canopy car port to the front of the property.

RELEVANT SITE HISTORY

AW/268/15/HH Proposed side extension ApproveConditionally
22-10-15

REPRESENTATIONS

Aldwick Parish Council - Objection

- The application compromises the established spatial (open-plan) character and pattern of the place.
- It is in direct conflict with policy DDM4 of the Arun Local Plan and with the Parish Design Statement (p 71).

No representation received from nearby occupiers. Policy D DM4 is not relevant as the application is not for an alteration or extension.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built Up Area Boundary
Pagham Harbour Zone B
2km Buffer for Site of Special Scientific Interest

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS**PRINCIPLE**

The key policy is D DM1 of the Arun Local Plan, and guidance outlined in the Arun Design Guide.

Aldwick does not have a made Neighbourhood Plan although does have a Parish Design Statement which is relevant. The property is in Area 5 (Fernhurst Gardens).

DESIGN AND VISUAL AMENITY

The proposal is to the front of the property and will be visible from the street scene.

The car port will measure 5.5m wide and 2.5m deep, and will be constructed of two metal posts with a flat polycarbonate roof. At present, the property has an existing flat roof canopy to the front elevation, of which the car port roof would be somewhat similar in design to. Despite this, it would appear out of place with the overall appearance of the dwelling and cause disruption to its visual amenity, given its location and lack of integration with the existing.

Being to the front of the property, the proposal will retain 7.1m from the front boundary but will be highly visible from the street scene. Boxgrove Gardens has a set composition, comprising primarily of detached bungalows with open plan front gardens which front the road. There are no other examples of detached car ports in the vicinity and the proposal will appear out of place. It is not in keeping with the character of the area, and will have unacceptable harm on the composition and appearance of the street.

The proposal will not use materials matching the existing and does not appear subservient to the design of the host dwelling. It is not in keeping with the property, or the locality, and will appear out of place with the surrounding area. This is in direct conflict with D DM1(1) of the Arun Local Plan, which states that developments must make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.

Although not of significant scale, the location and design of the proposal will have a negative impact on the visual amenity and character of the property, and the locality, and is not acceptable for its context. It conflicts with the Aldwick Design Statement, which states that open-plan aspects of the 1960s developments should be retained, avoiding front garden walls, and frontage and streetscape should be consistent. The car port will intrude on the open plan aspect of the locality and would create an inconsistency within the appearance of the street scene.

The Arun Design Guide states that car parking should be provided through a variety of solutions which are appropriate to their context, the size and nature of development, and the order of the street. It adds that parking in front of dwellings must be provided sensitively to ensure that this does not dominate frontages or detract from the character and quality of the street scene, especially when fronting public realm. The proposal does not accord with this, as the car port is not sympathetic to the design of the

host, nor its context, and will detract from the character of the street. Part M of this guide states that for front canopies, of which is relevant to the proposal, care should be taken to not disrupt the existing composition of the street in terms of rhythm or building line, ensure continuation of existing building design in terms of details and materials, and maintain and enhance front garden spaces. The proposal will cause significant disruption to the design of the building, garden and composition of the street, and is not in accord with the Design Guide.

The development will have an adverse impact on the visual amenity of the property and is not in keeping with the character of the area. It conflicts policy D DM1 of the Arun Local Plan, the Parish Design Statement, and Arun Design Guide.

RESIDENTIAL AMENITY

The car port will have a flat roof measuring 2.35m high. It will sit 0.2m from the eastern boundary and will protrude slightly above the existing 2m high boundary fence. Given its scale and location, it will not result in adverse overbearing, overshadowing, or overlooking of neighbouring properties, and will have little impact on residential amenity.

The Arun Design Guide states that developments should protect neighbouring amenity in terms of privacy and overshadowing and consider the positioning of neighbouring buildings. The proposal accords with this.

The development will result in no adverse overbearing, overlooking, or overshadowing, and is in accord with D DM1(3) Arun Local Plan and the Arun Design Guide.

SUMMARY

The proposed development conflicts policy D DM1 of the Arun Local Plan, Aldwick Design Statement, and the Arun Design Guide, and will have an adverse impact on the visual amenity and character of the area. It is recommended for refusal.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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**REFUSE**

- 1 The car port, by reason of its design and position forward of the dwelling, would have a significant adverse impact on the character of the area in conflict with policy D DM1 of the Arun Local Plan, Aldwick Parish Design Statement, and the Arun Design Guide.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.