

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

REF NO: **A/122/15/HH**

LOCATION: 47 Mill Road Avenue
 Angmering

PROPOSAL: Timber framed open fronted car barn.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 963 metres squared.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The southern boundary of the site consists of a low 0.2 metre high wall with close boarded fencing above to a height of 1.8 metres. The northern and eastern boundary consists of fencing approximately 1.8 metres in height and mature planting.
SITE CHARACTERISTICS	The site is occupied by a detached bungalow constructed of brick with a brown tiled roof with an attached garage.
CHARACTER OF LOCALITY	The character of the locality is residential and consists of properties of various designs and styles.

RELEVANT SITE HISTORY

A/79/15/HH	Single storey extension with pitched roof to east elevation of property to create 1 bedroom annexe & construction of 3 No. dormers in existing pitched roof to south elevation.	ApproveConditionally 22-07-2015
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None.

REPRESENTATIONS

Representations received:

Angmering Parish Council

No Objection - Considered at Planning, Conservation & Development Committee Meeting on

report

01/09/2015.

1 x Letter of Objection:

- The Structure is inconsistent with the local area and the history of the site.

Comments on Representations received:

Comments from the Parish Council noted. The impact of the structure upon the character and appearance of the area will be dealt with in the conclusion of this report.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

Within built area boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN2
GEN7

Built-up Area Boundary
The Form of New Development
D DM1 Aspects of Form and Design
Quality
SD SP2 Built-Up Area Boundary
Materials

[Publication Version of the Local
Plan \(October 2014\):](#)

[Angmering Neighbourhood Plan 2014 POLICY
HD4](#)

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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

The Angmering Neighbourhood Plan has been made and policy HD4 is considered relevant to the determination of this application.

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

PRINCIPLE

The site is situated within the built-up area boundary where the principle of development is acceptable, subject to accordance with relevant planning policies. The main criteria against which this application will be assessed is contained within the Arun District Local Plan which in this case is policy GEN7.

DESIGN AND VISUAL AMENITY

The application seeks permission for the construction of a detached double garage. The proposed garage will be constructed from timber with an open front and a hipped tiled roof. The structure

will measure 2.1 metres to the eaves and 4.4 metres to the ridge with a width of 6 metres.

The proposal will be located in the north-eastern corner of the plot approximately 46 metres from the highway, 1 metres from the northern boundary and 0.5 metres from the eastern boundary. Given the position of the proposed garage and the presence of boundary screening the proposed garage will not be overly dominant within the street scene and as such it will not unacceptably impact upon the established character of the area. The proposed garage will be located 23 metres to the east of the host dwelling which in conjunction with the design of the garage is unlikely to adversely impact upon the established character of the dwelling.

Therefore, the proposed garage is considered to be in accordance with policy GEN7(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The proposed detached garage will be located 1 metre from the northern boundary and 0.5 metres from the eastern boundary of the site. Whilst the proximity of the proposed garage has the potential to be overbearing due to its height of 4.4 metres. However, given the planting already present on the northern and eastern boundaries of the site the impact of the proposal will be minimal. The impact is further reduced due to the design of the proposed garage which will measure 2.1 metres to the eaves before rising at 35% to a height of 4.4 metres approximately 8.5 metres from the boundary.

Therefore, the proposed garage is not considered to give rise to unacceptably adverse overbearing or overshadowing impacts upon neighbouring properties and as such is deemed to be in accordance with policy GEN7 (iv) of the Arun District Local Plan.

SUMMARY

It is recommended that planning permission is granted for the proposed development subject to the below 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 no impacts have been identified upon any 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: Site Block Plan and Site Location Plan - 963304; and Plan, Section & Elevations - 2109/03.

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 proposed driveway must be constructed from porous material or provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Reason: In the interests of public safety and residential amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 **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.