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

REF NO: CM/2/23/HH

LOCATION: Magnolia House
Horsemere Green Lane
Ford
BN17 5QZ

PROPOSAL: Construction of detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION — This application seeks to construct a detached single storey garage to the front of the property.

REPRESENTATIONS

Climping Parish Council - No response.

No representations from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
ENVDM4	ENV DM4 Protection of trees

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

PRINCIPLE

The key Development Plan policies relevant to this application are D DM1 & ENV DM4 of the Arun Local Plan, and Policy CPN 11 of the Climping Neighbourhood Development Plan (CNP).

Additionally, Section J of the Arun Design Guide is also relevant.

DESIGN AND VISUAL AMENITY

The proposed detached garage is minor in scale and would consist of materials that match the host dwelling. There are other examples of garages to the front of the property on Horsemere Green Lane such as No. 1 Langford Close to the East and Sweetbriars to the West. The garage is in scale with its locality, set back from the street, features materials that match the host dwelling and would not be an overly dominant or incongruous feature within the locality. Whilst the garage is forward of the front elevations of the row of dwellings in which it is situated, it would be in line with the garage to the front of Sweetbriars and in remaining approx. 15m back from the street, it would not appear as a harmful disruption of the predominant building line. The garage is in accordance with the general principles of positive design set out in Section J of the Arun Design Guide.

The proposal is in accordance with policy D DM1 of the Arun Local Plan and Policy CPN 11 of the CNP.

NEIGHBOURING RESDIENTIAL AMENITY

Given the siting, scale, and nature of the development, it would not give rise to any adverse impacts by way of overbearing, overshadowing, or overlooking on any neighbouring properties in accordance with policy D DM1(3) of the Arun Local Plan.

TREES

There are a number of trees within close proximity to the proposed garage. Including a Monterey Cypress and a group of Lawson Cypress. These trees are not protected by a TPO nor are they within a Conservation Area. The garage would be within the root protection areas of some of these trees. Policy ENV DM4 requires development to demonstrate that trees that contribute to local amenity will not be damaged or destroyed.

In accordance with the submitted foundation details, the proposed garage would be constructed on a concrete float foundation, which is a maximum of 350mm in depth. It is noted that recent previous works on this site have increased the ground level by 200mm to minimise the impact of construction. It is therefore expected that the proposed 350mm depth of the foundations would result in excavation of 150mm deep foundations into the previous ground level.

It has been demonstrated that there is adequate protection of the trees that could potentially be impacted by this development and as such, it is in accordance with policy ENV DM4 of the Arun Local Plan.

SUMMARY

The proposal is in accordance with relevant Development Plan policies and as such, it is recommended for approval subject to the following conditions and informatives.

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

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

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 Location Plan, Proposed Plan, Elevations, Roof Plan and Site Block Plan (1362.01 REV A).
- Foundation Detail (1362.02).

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.