

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

REF NO: EP/137/20/HH

LOCATION: Outspan
South Strand
East Preston
BN16 1PN

PROPOSAL: Construction of garage/storage building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a garage/storage building.

RELEVANT SITE HISTORY

EP/132/09/	New porch, revised dormers to front elevation and balcony	ApproveConditionally 07-12-09
------------	---	----------------------------------

REPRESENTATIONS

Parish Council - Objection.

- The mass and scale of the proposal are out of keeping with the host dwelling and its locality.
- Reversing in and out of the garage may be dangerous for pedestrian safety.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1 and Policy 2 of the East Preston Neighbourhood Development Plan.

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 1 of the East Preston Neighbourhood Development Plan sets out general principles for development within the Parish. Part (i) relates to the scale, density, massing, height, landscape design, layout and materials of development proposals, and how proposals must reflect and enhance the established character of the area.

Policy 2 of the East Preston Neighbourhood Development Plan sets out the criteria for development within Character Area One. These ensure that proposals preserve the character of the street scene, and resist any increases in density that would alter this character. It also seeks to avoid apartment block development, and protect the view from the beach.

DESIGN AND VISUAL AMENITY

The proposed garage is sited to the Eastern elevation of the host dwelling, and as such, directly abuts Club Walk. As a result of this siting, there will be views of the proposal from within the public realm and as such, a change in appearance of the application site. However, this alone does not prescribe refusal of the application as it has to be established that the proposal would result in harm to the character of the host dwelling, or to its locality. In this instance, whilst the prominent siting of the garage is noted it is not considered to result in any detrimental harmful impact upon the character of the host dwelling, or its locality. This is predominantly due to the mixed character of Club Walk and the established precedent of built form along this road, and within the application site. There are examples of garages and sheds along the road, whether forward of the front elevation of the host dwelling, or the entirely detached garage block at the South side of the road. Furthermore, the properties that front Club Walk predominantly utilise front boundary fencing in this location. Therefore, it would not be considered to be a significant change to the character of the movement along Club Walk, in that the frontage would remain as a solid frontage.

The proposed development is considered to be in accordance with D DM1 of the Arun Local Plan.

HIGHWAYS AND PARKING

The proposed development is considered to represent accordance with T SP1 of the Arun Local Plan. This is as it creates capacity for on-site parking within the application site. Furthermore, it is noted that concerns have been raised with relation for potential impact upon pedestrian safety. However, upon assessment, the proposal is not considered to result in any detrimental impact upon the safety of

pedestrians on Club Walk. This is due to the nature of the road itself, as it does not have high numbers of vehicle movements and the low vehicle speeds along the road.

As such, the proposed development is considered to be in accordance with T SP1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings. The proposal has a maximum height of 2.7m high, and is sited approximately 2.6m from the Northern boundary of the application site which is considered to be an acceptable distance in order to prevent any significantly harmful overbearing or overshadowing impact. To the South, there is an access path which creates a separation distance, which is significant enough to alleviate any potential for harm to the occupier of this neighbouring dwelling. The proposal is not considered to result in any impact upon loss of privacy to neighbouring occupiers, due to its single storey nature. The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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 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

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 plan and email:

- Proposed Plan, Elevations, Roof Plan, Site Location Plan, Site Block Plan - 1285.01.a - 28/10/2020

- Email from Mrs Willard - EP/137/20/HH - Outspan - 06/01/21 - 14:19

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.