

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

REF NO: EP/146/20/HH

LOCATION: Sandgate House
South Strand
East Preston
BN16 1PN

PROPOSAL: Detached double garage & garden room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application is for the proposal of a detached double garage and garden room at Sandgate House.

The materials used to construct this proposal will be similar to the host dwelling. The walls will be rendered and larch cladding, the roof will be single ply membrane. The windows and doors on this proposal will be the same as the host dwelling of black aluminium. The proposal will sit 0.94m to the east boundary, 8.16m to the southern boundary where the main dwelling is located. There will be a 1.64m boundary at the north and the development will sit at the western boundary itself.

At the northern elevation the proposal will have a maximum height of 2.87m with a width of 7.76m, there will be rendering at this elevation to match the existing property. At the east elevation the double garage and garden room will have a height of 2.85m and width of 13.25m. A window will be constructed at this elevation measuring 2.09m in height with a width of 1.82m, additionally double roller doors will be here at a height of 2.21m and width of 4.46. At the southern elevation the proposal will have a height of 2.86m and width of 7.68m. There will be bi-folding doors at this elevation measuring 2.06m in height and 3.86m in width. The west elevation has a height of 2.83m and width of 5.63m. A window will be at this elevation will be 0.5m in height of 1.37m.

RELEVANT SITE HISTORY

EP/70/19/NMA	Non-material amendment following the grant of EP/34/13 for minor amendments to west elevation to include high level window, removal of 1 No. window, amended sizes of 2 No. windows and larger door to balcony.	Approve 17-07-19
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EP/66/19/HH Minors amendments to west elevation to approved first floor extension (EP/34/13) - To include high level window, removal of 1 window, amended sizes of 2 windows and larger door to balcony.

EP/1/14/DOC Application for the approval of details reserved by condition 3 (samples and materials) following a grant of planning permission EP/34/13/ DOC Approved 21-01-14

REPRESENTATIONS

No objection from Parish Council.

Two letters of representation from nearby occupiers stating - if this application was granted permission it is to be conditioned to reflect the covenant. This would protect our interests on the use of this detached building becoming a separate holiday let, AST or permanent separate dwelling in the future.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Built up area boundary.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

East Preston Neighbourhood Plan 2014 Policy 1	Housing - General Principles
East Preston Neighbourhood Plan 2014 Policy 2	Design in Character Area One

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

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 and garden room is sited to the northern elevation of the host dwelling. As shown in the plans, the development is significant to this dwelling and whilst the siting of the garage is substantial, it is well integrated into the host dwelling itself by using a range of materials which will match the dwelling itself, as a result it is not considered to result in any detrimental harmful impact upon the character of the host dwelling, or its locality.

The proposed development is considered to be in accordance with D DM1 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 2.86m, and is sited approximately 1.64m 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, at the southern boundary there is a significant distance of 8.16m which again results in preventing any overbearing or overshadowing impacts.

The proposal is not considered to result in any impact upon loss of privacy to neighbouring occupiers. The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

Issues around local covenants addressed by neighbour representations are not material planning considerations as there is no planning control over these - their enforcement is a civil matter. In planning grounds if the proposed garage was to be used as a separate residential unit this would require planning permission and a condition is to be imposed to this end. This could equally apply to a holiday let of the premises.

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

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 plans:
- Proposed plans 2

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 The double garage and garden room hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Sandgate House, South Strand as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D D M1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.
- 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.