

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

REF NO: EP/151/19/HH

LOCATION: 8 Seaview Avenue
East Preston
BN16 1PP

PROPOSAL: Proposed garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to erect a garage.

RELEVANT SITE HISTORY

EP/13/19/HH	Erection of conservatory to side elevation of existing outbuilding (application ref EP/26/09/) to provide additional living space for uses ancillary to the main property.	ApproveConditionally 27-03-19
EP/171/18/CLP	Lawful development certificate for a proposed single storey conservatory extension to side of an existing detached garage outbuilding.	PP Required 17-01-19
EP/26/09/	Replacement two storey garage complex.	ApproveConditionally 06-04-09

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

East Preston Parish Council
Parish Council - No objection.

No representations received from occupier of nearby dwellings.

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

SDSP2 SD SP2 Built-up Area Boundary

[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:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policies is deemed to be D DM1 of the Arun Local Plan. Additionally, Policies 1 and 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

As a result of the siting of the proposal, there will be some views available from the public realm, especially from the North-West of the site. However, due to the appearance of the proposal, is it not considered to result in a significantly harmful impact upon the locality. This is due to its modest scaling, and use of materials which appear within the immediate locality, the use of a false pitch roof to conceal the flat roof of the garage.

The proposed development is not considered to result in any significant impact upon the character of the host dwelling, or the locality. As such, it is in accordance with D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significantly harmful impact upon the residential amenities of neighbouring dwellings, by way of overshadowing or overbearing. The proposal reaches a maximum of 3.4m, which slopes down to 2.4m when adjacent to the boundary wall, to which the garage is set 0.8m from. Whilst it is noted the garage will cover a large expanse of the Eastern boundary with built form, this is not considered to cause harmful impacts on the adjacent occupier to this aspect, in that it is adjacent to an area used as a driveway, and access to a garage. Due to these factors the proposed garage is not considered to result in any significantly harmful overshadowing or overbearing of adjacent dwellings. With regard to loss of privacy, the single storey nature of the proposal is considered to only provide the same views as available from the application site at current.

The proposed development is considered to be in accordance with D DM1(3) 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 plans:

- Proposed Garage - 18/4596/2
- New Garage - 18/4596/3 - Nov 2019

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.