

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

REF NO: FG/109/20/HH

LOCATION: 68 Sea Lane
Ferring
BN12 5EP

PROPOSAL: Replacement double garage and workshop - Resubmission of FG/69/20/HH.

SITE AND SURROUNDINGS**DESCRIPTION OF APPLICATION**

The application seeks to replace the existing garage with a double garage/workshop. This application follows previous refusal FG/69/20/HH, and features an amended roof shape in order to reduce built form when adjacent to the application site boundary.

RELEVANT SITE HISTORY

FG/69/20/HH	Replacement double garage and workshop.	Refused 14-08-20
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REPRESENTATIONS

Parish Council - No objection.

No representations received from occupiers 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

[Ferring Neighbourhood Plan 2014 Policy 1A](#)

A Spatial Plan for the Parish

PLANNING POLICY GUIDANCE:

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

CONCLUSIONS**PRINCIPLE**

In this case, the key policy is D DM1 of the Arun Local Plan. Additionally, Policy 1a of the Ferring 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 1A of the Ferring Neighbourhood Development Plan states that proposals within the Built Up Area Boundary will be supported, subject to accordance with other relevant development plan policies.

DESIGN AND VISUAL AMENITY

The proposed garage is approximately 5.5m high, 5.6m deep and 8m long. The size of the garage is noted as a result of its significant scale. However, it should be noted that this is not reason alone for refusal of the application as it has to be considered that the garage results in harm to the locality.

The proposed garage is sited to the rear of the host dwelling, as such, there will be few views of the proposed development from the public realm. Whilst it is noted that there may be oblique views for the garage available, the majority of views will be screen by existing built form in the area, and as such the proposal is not considered to have a significantly harmful impact upon the established character of the locality. The proposal replaces an existing single storey garage in the same siting as that proposed.

The proposed development is not considered to result in any significantly harmful impact upon the character of the host dwelling, or its locality and as such 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 an unacceptable overbearing impact upon the occupiers of nearby dwellings. This application amends the roofshape of the proposal in order to allow the proposal to be at its eaves height of 2.5m when adjacent to the Southern boundary which is considered to prevent any significant harmful impact as identified in the previous application.

The proposal is not considered to result in any loss of privacy or overlooking to occupiers of neighbouring dwellings, as the proposal features windows at high level only. Towards the East, these windows would only provide a view within the application site. The loading door on the Northern elevation is 12m from the Northern boundary of the application site and due to this, and the mature foliage within the site, the door is not considered to provide any harmful views.

The proposed development is considered to be in accordance with D DM1(3) of the Arun Local Plan.

SUMMARY

The proposed development is deemed address the reason for refusal within the previous application

FG/69/20/HH, and as such is considered to accord with relevant development plan policies and is therefore 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 Replacement Garage & Workshop - Proposed Elevations - DRG PL02D - June 2020
 - Proposed Replacement Garage & Workshop - Proposed Floor Plans - DRG PL01B - June 2020
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.