

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

REF NO: FG/130/21/HH

LOCATION: 162 Littlehampton Road
Ferring
BN12 6PH

PROPOSAL: The erection of a double garage & garden store.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a detached double garage to the front garden of the property.
----------------------------	--

RELEVANT SITE HISTORY

FG/42/17/HH	Garage to front elevation with bedroom above (resubmission following FG/183/16/HH).	Refused 13-06-17 Appeal: Allowed+Conditions 11-10-17
FG/183/16/HH	Garage at front elevation	ApproveConditionally 24-01-17

REPRESENTATIONS

Ferring Parish Council - object.

- Inappropriate and over development of the front garden of the property.
- Building close to the front will result in a detrimental impact to the street scene.
- It may set a precedent for surrounding properties.
- Concerns for its future use.

2 objections from nearby occupiers.

- The property has already been subject to the numerous alterations.
- The proposal disregards the established development line.
- The proposal is close to the front boundary and will impact the appearance of the area and would compromise the established spatial character.
- The height is of concern.
- The scale and position will have an obtrusive impact
- It will cause overshadowing.
- A previous application was allowed on appeal although the proposal does not satisfy the conditions that allowed the Inspector to approve the previous application.

4 letters of support from 3 nearby occupiers.

- The application has no detrimental affect.

- This is a good addition.
- The garage is secluded.

Ferring Conservation Group object to the proposal.

- There is doubt as to the use of the proposed garage.
- The additional building is out of character and unnecessary.

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

DSP1 D SP1 Design

[Ferring Neighbourhood Plan 2014 Policy 1A](#) A Spatial Plan for the Parish

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 policies considered are D DM1 of the Arun Local Plan and the Arun Design Guide.

Ferring has a made Neighbourhood Plan with policy 1a of relevance to the application. The proposal complies with this policy being located with the built up area boundary.

DESIGN AND VISUAL AMENITY

The garage is to be in the front garden of the property. This will sit beyond the principal elevation of the dwelling. The front boundary features a brick wall with a height of approximately 2m which restricts some views from the street scene.

The building is a double garage and store room and is relatively large and adds bulk to the front of the property. Whilst the development is forward of the established line of development to the west, to the east properties are sited further forward and the position of the garage in this location. It is not considered significantly out of character with the area or unduly dominant in the street scene, with around 3m retained to the front boundary and 5.85m from the side elevation of the garage to the front of

the main dwelling.

The ADC Design Guide states 'Development should take care not to disrupt the existing composition of the street in terms of rhythm or building line. New development should generally reflect the scale of existing buildings'. The host dwelling is large and the scale of the garage is appropriate in size to the dwelling and sits comfortably within the front garden.

Materials consist of bricks and plain tile to match the existing building which ensures integration.

Whilst the structure will be visible from the road, with boundary treatment in place and due to the location at the end of the residential road off the A259, the proposal is not considered to result in significant harm upon the street scene in accordance with D DM1 of the Arun Local Plan and 1a of the Ferring NP due to locational reasons.

RESIDENTIAL AMENITY

The structure will have a height of 4m, although it steps up slightly to 4.3m at the pitch of the garage.

This will run along the east boundary with a length of 10m and a depth of 5.35m. It retains 14m to the western side and retains 1.1m to the boundary to the east.

There is a residential property to the rear of the garage (1a Ancren Close) which is located on a corner. This is a bungalow with 3 rear (west) facing windows and its garden sits to the rear of the garage.

It is considered the garage appears an unduly dominant feature, leading to an overbearing impact on the neighbouring property 1a Ancren Close due to its height and siting which runs along the majority of its rear boundary. The property also has a short rear garden with around 8.7m between the rear of the property and the fence line. Whilst the garage roof is hipped and slopes away from the boundary, to reduce its impact, it would remain highly visible from the neighbouring dwelling and its rear windows. As such, the development is also considered to result in a loss of outlook from the 3 rear facing windows and will likely give rise to some overshadowing in the afternoons due to its high pitch visible approximately 2.5m above the fence line.

There are no windows to the rear of the structure. There will be 2 rooflights facing west however due to the height above finished floor level there will be no overlooking.

As a result of the siting and height of the garage it constitutes an unneighbourly form of development and will result in adverse overbearing and overshadowing harmful to the amenity of the adjoining property, in conflict with D DM1 (3) of the Arun Local Plan. There is no conflict with the Neighbourhood Plan.

TREES

The application form states no trees are to be felled. There is a tree in close proximity to the building and roots may be impacted by the construction. The tree is not protected by a TPO and its removal would not require permission.

SUMMARY

The proposed development is deemed to conflict with relevant plan policies and is recommended for refusal for the following reasons.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 Due to the position of the proposed garage it is considered to appear an unduly dominant feature which will result in an overbearing and overshadowing impact upon the occupiers of the adjoining property No. 1A Ancren Close. As such the proposed development constitutes an unneighbourly form of development and is contrary to policy D DM1 (3) of the Arun Local Plan.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.