

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

REF NO: FG/2/21/HH

LOCATION: 3 Sea Drive
Ferring
BN12 5HD

PROPOSAL: Erection of a detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a single storey detached garage.
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RELEVANT SITE HISTORY

FG/204/15/HH	Extend garage forward in line with house, first floor side extension over garage with new front balcony.	ApproveConditionally 09-02-16
FG/166/08/	Build up existing brick gate piers to a height of 2.0m & fit light to top, supply & fit new timber gates.	ApproveConditionally 27-01-09

REPRESENTATIONS

Ferring Parish Council - No comment.

4 letters of objection:

- The garage is forward of the building line.
- The hedge could be removed.
- The area predominantly has low hedges and fences to the front boundaries of the dwellings.
- The proposal would set an unacceptable precedent.
- The proposal may lead to light pollution.
- The roof is an odd shape.
- The proposal infills the garden area.

OFFICERS COMMENTS ON OBJECTIONS:

Comments noted. The planning issues raised will be addressed in the conclusion section of the recommendation report. when set against the overall area of the garden the proposal is not an overdevelopment. The concerns relating to light pollution is not a material planning consideration due to the fact that lighting could be installed to the front of the host dwelling without planning permission. Similarly precedent is not a relevant issue as each application is dealt with under own individual planning merits.

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
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

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 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.

DESIGN AND VISUAL AMENITY

The character of the locality is considered to a mixed, as a result of the variety of dwelling styles, siting and scales along Sea Drive. The proposed garage is sited within the front garden of the host dwelling and will be the first of its kind along the Northern side of Sea Drive. To the Southern side of the road, there is one example of visible built form, which is a small bin store. The road can be considered to be characterised by high hedges adjacent to the roadside, as there are many examples of this along Sea Drive.

The proposed garage measures 8.1m wide, 4.5m deep and 2.6m high, sited in the South Western corner of the application site. The boundary treatment to the front boundary of the property is host to hedging of approximately 3.1m in height, with the side boundaries bordered by 2m high walling. As such, it is considered that there will be limited views of the proposed garage (including its roof) from within the street scene and therefore not significantly and harmfully impact upon the character of the locality.

As such, it is in accordance with policy D DM1 of the Arun Local Plan and Section J of the Arun Design Guide which states that development should be designed to respond to the opportunities and constraints

presented by the application site.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any unacceptable harmful overbearing or overshadowing impact upon the occupiers of nearby dwellings. This is as a result of the siting of the proposed single storey garage as being over 10m from the closest neighbouring dwelling. With regard to potential for loss of privacy to nearby occupiers, the single storey nature of the proposal is considered to ensure that any views from the garage are no different 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:

- Site Plan and Roof Plan

- Proposals 01 - Jan 2021

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.