

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

REF NO: FG/38/21/HH

LOCATION: Franklands Manor
48 Ferring Lane
Ferring
BN12 6QT

PROPOSAL: Erection of garage following demolition of existing.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposal seeks to demolish a row of 3 attached flat roofed garages and replace them with a hipped shallow pitched roofed double garage and attached utility room. The garages would measure 8.8m by 6.2m and would have an eaves height of 2.08m and a ridge height of 3.67m.

RELEVANT SITE HISTORY

FG/30/61	Pair Of Garages	ApproveConditionally 15-03-61
FG/52/63	Additional Garage	ApproveConditionally 19-07-63

REPRESENTATIONS

Ferring Parish Council - No comment.

No representations received from neighbours.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary

Flood Zone

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
WDM2	W DM2 Flood Risk
TSP1	T SP1 Transport and Development

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.

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 character of the locality is mixed, as a result of the variety of dwelling styles, siting and scales along Ferring Lane. The garages are in the side garden of the dwelling and the proposal will replace a row of 3 garages. The existing garages are flat roofed and this proposal will replace the structure with a shallow pitched roof building of similar design. Materials are detailed to match existing which are painted render, but the roof material would be altered and is conditioned.

The floor area and position of the proposed structure is very similar to the garages it replaces, set well back from the site frontage. There will be limited views of the garage (including its roof) from the street scene and no significant harmful impact upon the character of the locality.

As such, it accords 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 site.

NEIGHBOURING RESIDENTIAL AMENITY

The 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 single storey garages being located in virtually the same position as the flat roofed garages and being only slightly higher (1.3m) with the roof pitching away from the boundary, but the relationship with this property is unchanged. The closest neighbouring dwelling to the North is a bungalow and the garages are located

adjacent to the rear flat roofed extension which has no side facing openings. A 1.8m high timber close boarded fence is located on the boundary. 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.

FLOODING

The site lies in an area at high risk of flooding in flood zones 2 and 3. However the proposal is for replacement garages and a utility room which are not vulnerable uses and do not significantly alter the the extent of development at the site. The proposal is accompanied by an FRA and accords with policy W DM2 of the Local Pan in that the development will be safe and not increase flood risk elsewhere and cannot reasonably be located elsewhere.

PARKING

The garage measures circa 5.5m x 6.2m internally which would be insufficient to accommodate 2 vehicles considering Arun's Parking Standard requirements of 6 x 3m for a single garage, therefore only 1 space could be counted counted towards the parking provision. However the internal space is comparable with the existing internal space it replaces. The proposal results in the loss of one garage to a utility room and provides a large double width single garage, but retains 2 parking space in front of the garage. The dwelling that the garage serves would require 2 car parking spaces and this provision is met when the space in front of the garage is included within the parking provision. The proposal therefore accords with policy T SP1 of 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

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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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:
Location and Block Plan SY1
Floor Plans and Elevations 15/20/25 2 and 3 .

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the roof of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.
- 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.