

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

REF NO: FG/82/26/HH

LOCATION: 49 Ferringham Lane
Ferring
BN12 5LT

PROPOSAL: Existing garage to be replaced with a new garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Ferring Parish Council - No response received.

1 letter of objection received from nearby occupier. Summary of objection:

- Object to the design and appearance of the proposed development in the planning application. Currently there are four identical, adjoining garages. Making one garage a different size to the other three will ruin the aesthetics of the garage block - especially from the East elevation view.
- Object to the proposed development on an environmental issue. All four adjoining garages share one roof which contains asbestos. We are concerned that dismantling one garage will disturb the asbestos in the other garages making them unsafe. We are particularly concerned about this as we own the adjacent garage to the proposed development.

Comments noted and addressed in the Conclusions section. The concerns relating to asbestos are noted. However, the presence, handling and removal of asbestos are controlled under separate health and safety legislation and is not a material planning consideration.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Within an area with potentially high ground water.
TPO/FG/6/58.
Built-Up Area Boundary.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
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PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

REPORT_1011(ODB)

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site comprises a garage located at the end of a garage block containing four identical garages. The garage is a ancillary residential garage, associated with 49 Ferringham Lane.

The existing garage would be demolished and replaced with a new garage of a similar appearance. The proposed garage would measure approximately 3.3m in width and 5.7m in depth. It would have a flat roof sloping towards the rear, with a maximum height of approximately 3.2m at the front and 2.8m at the rear. External materials would comprise facing brickwork and a metal garage door. These materials would be similar in appearance to those of the existing garage and the adjoining garages.

The garage would include a garage door on the front (east) elevation and a uPVC door flanked by a window on the side (north) elevation.

The proposed garage would have a slightly larger footprint than the existing structure, being approximately 0.8m wider, 0.2m deeper and 0.5m higher. The most noticeable change would be the increase in height, and it is acknowledged that an objection has been received in this regard. However, due to the garage's set-back position, it would not be visible from the street scene of Ferringham Lane. Whilst the increase in height would result in a limited degree of harm to visual amenity, this harm would not be demonstrable so as to justify the refusal of planning permission. Furthermore, the use of materials that match the appearance of the existing garage and adjoining garages would ensure that the development would not appear incongruous within its setting.

The principle of a garage in this location has already been established by the existing structure and, on balance, the increase in footprint would be minimal. The proposal would not result in demonstrable harm to the character or appearance of the host dwelling, the street scene, or the wider area, and would be in accordance with Arun Local Plan (ALP) policy D DM1.

RESIDENTIAL AMENITY

Part M of the Arun Design Guide advises that development should safeguard neighbouring amenity with regard to outlook, privacy and overshadowing.

The proposed garage would be positioned in the same location as the existing structure, and the modest increase in footprint would not materially alter its relationship with neighbouring properties. The garage would be located adjacent to other garages rather than habitable accommodation of neighbouring properties, and as such the increase in height would be acceptable. Furthermore, given its limited scale and the spacious driveway to the front, the development would not result in any overbearing impact, loss of outlook, or overshadowing.

The proposal includes a garage door on the eastern elevation. This arrangement would remain unchanged from the existing situation and would not introduce any additional opportunities for overlooking. The new door and window proposed on the northern side elevation would serve the garage and face towards private amenity space of the host dwelling. Given their ground-floor position, they would not result in overlooking or a loss of privacy for neighbouring occupiers.

The proposal would not result in harm to neighbouring amenity, in accordance with ALP policies D DM1 and the ADG.

PARKING

The proposal involves the demolition of the existing garage and its replacement with a larger garage. The replacement garage would provide internal dimensions of approximately 3m in width and 5.5m in depth.

The garage would therefore not accord with the minimum internal dimensions set out within the ADG of 3m by 6m. Notwithstanding this, the existing garage already fails to meet these standards. In addition, the existing private driveway would be retained and would continue to provide sufficient space to accommodate at least two vehicles in accordance with the Arun Parking Standards. The proposal would not result in the loss of any existing parking provision.

SUMMARY

The development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL liable.

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 drawings:

- Location Plan Rev A
- Block Plan Rev A
- Existing and Proposed Floor Plans
- Existing and Proposed Elevations

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.