

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

REF NO: FG/88/18/HH

LOCATION: 59 Little Paddocks
Ferring
BN12 5NH

PROPOSAL: Detached garage to front

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to erect a garage in the front garden of the site.
SITE AREA	Approx. 356.4sq.m.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front of the site has high foliage (2.5m+) to its Eastern elevation, with 1.8m high foliage to its Western elevation. The Northern boundary of f the site is open, as this serves as the access to the driveway.
SITE CHARACTERISTICS	The site is populated by a chalet bungalow with a large front driveway.
CHARACTER OF LOCALITY	Residential area with a mixture of bungalows and chalet bungalows in the vicinity of the site. Various designs and materials. There is a large open space North of the development.

RELEVANT SITE HISTORY

FG/195/17/HH	Demolition of existing front porch roof & rear conservatory & the erection of a part single/part two storey front & rear extension	ApproveConditionally 06-02-18
FG/223/88	Porch extension to existing single residential dwelling	ApproveConditionally 16-01-89

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council

Parish Council - Objection - The proposed garage is out of keeping with the neighbouring properties and will be detrimental to the character of the area and the street scene.

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The Parish Council's comments will be addressed in the conclusion section of this recommendation report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D SP1	Design
SD SP2	Built -Up Area Boundary

[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

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Ferring has a 'made' neighbourhood development plan, of which Policy 1A is considered to be relevant to this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in DEV19 and GEN7 of the Arun District Council Local Plan, and Policy 1a of the Ferring Neighbourhood Development Plan. Further guidance is contained in policy SD SP2 of the Emerging Local Plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY

Due to its prominent nature and location the proposed front garage will alter the existing appearance and layout of the residential unit in which it is sited. It does not sit comfortably with the existing chalet bungalow, as it comes forward of the generally established development line that is conformed to by properties between 60a and 52a. Additionally, the roof slope of the proposal is irregular when viewed at the site as a whole, and as a result, it causes the site to have an unsymmetrical and crooked appearance. However, the uncharacteristic appearance of the proposal is on its own, not a reason for refusal.

Due to similar developments in the area, the principle of garages in the front gardens of dwellings has already been established as acceptable. #30 and #55 Little Paddocks have front extensions, of which are designed to appear and function as garages, where as #52b has an entirely detached front garage. Resultantly, the proposed development is not an alien feature on the street scene, and therefore is not considered to have an unacceptable impact on the character and appearance of the locality. This is also helped by the siting of the development being 7.5m from the street scene, which is no closer to the road than #60a and #52a, both of which are dwellings sited notably close to the street scene in comparison to other dwellings in the locality. Finally, the proposed materials match the existing dwelling, and which allow the garage to far easier 'blend in' and appear less prominent and obtrusive of a feature within the street scene.

Therefore, the proposal is considered to be in accordance with GEN7(ii) of the Arun District Council Local Plan, and Policy 1A of the Ferring Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significant overbearing or overshadowing impact as a result of intervening foliage between the proposal site, and neighbouring dwellings to the West and East. Due to the inclusion of windows on the Western elevation, there is potential for loss of privacy to adjacent occupiers, however, as a result of intervening foliage, there are no available views into neighbouring dwellings. Additionally, as the proposed garage is single storey, the available views would be no different from those that are currently available from the front garden.

The proposal is considered to be in accordance with GEN7(iv) of the Arun District Council 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:

 - Proposed Location Plan - 5900/PLOC. - April 2018
 - Proposed Block Plan - 5900/PRO - April 2018
 - Proposed Floors & Roof Plans - 5900/06 - April 2018
 - Proposed Elevations - 5900/07 - April 2018
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District 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.