

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

REF NO: FP/251/18/HH

LOCATION: 39 Limmer Lane
Felpham
PO22 7HD

PROPOSAL: Detached carport and garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a detached garage and carport to the rear of the property.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Felpham Parish Council
Felpham Parish Council provided no objection.
No representation from nearby occupiers.

CONSULTATIONS

Environment Agency

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Built up area boundary

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

[Felpham Neighbourhood Plan 2014 POLICY ESD1](#) Design of new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are DDM1 of the Arun Local Plan and ESD1 of the Felpham Neighbourhood Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary and will be permitted subject to consideration against other policies in the Local 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.

ESD1 states new development which would have an effect on the appearance or character of the area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to its location.

DESIGN AND VISUAL AMENITY

The proposed garage and car port is situated to the rear side of the dwelling and as a result of the sufficient planting along the front elevation any views from the street scene will be limited.

The carport and garage whilst relatively tall at 4m due to its siting at the rear is not considered to appear unduly dominant. There are various detached garages within the vicinity and therefore also is not considered out of character. The materials proposed are considered acceptable due to the siting to the rear of the property.

The development is not considered to adversely impact the spatial pattern or character of the area and accord with DDM1 of the Arun Local Plan and ESD1 of the Felpham Neighbourhood Plan.

RESIDENTIAL AMENITY

The proposed garage and car port will have a maximum height of 4m with a catslide roof to the rear.

The eaves will be 2.7m to the front and reduce to 2m to the rear boundary. which is considered to reduce any impact of overbearing or overshadowing upon the property to the north.

The development will have a width and length of 6m with 1m retained to the north and western boundary. With the proposal located to the rear side of the garden it retains sufficient garden space with 16m to the rear elevation of the host dwelling and a maximum of 18m to the eastern elevation. Due to the siting of the garage and the boundary treatment it is not considered any overshadowing or overbearing upon the neighbouring property to the west would be significant in which a refusal is justified.

The development is not considered to give rise to any adverse overbearing, overshadowing or overbearing impacts and as such accords with DDM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

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.

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
 - Detached Car Port and Garage - 1847 P02
 - Location and Block Plan - 1847 P01

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 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.