

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

REF NO: FP/37/22/HH

LOCATION: 26 Minton Road
Felpham
PO22 7JN

PROPOSAL: Removal of existing detached garage and store and erection of detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seek to construct a garage following removal of the existing garage and store on site.
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REPRESENTATIONS

Felpham Parish Council provided no objection.

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design

[Felpham Neighbourhood Plan 2019-31 Policy ESD1](#) Quality of Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

The key policies are D DM1 of the Arun Local Plan and the Arun Design Guide.

Felpham have a made Neighbourhood Plan with policy ESD1 of relevance to the application.

DESIGN AND VISUAL AMENITY

The property is located to a corner fronting Minton Road to the north. Its western elevation fronts the Ridgway and there is a garage which fronts this side, located to the rear boundary of the dwelling. The proposal seeks to remove the garage and replace it albeit larger in size.

The garage is set back 7.5m from the western boundary and established development line and therefore it does not appear a dominant feature within the street scene.

The garage sits next to another matching in size and appearance. The alteration will result in the garage differing in appearance although the area consists of properties of various styles and designs and the proposal would not result in the garage appearing adversely out of character.

The structure will form a double garage and have a pitched roof with a cat slide roof to one side. The garage is large however does not appear an overdevelopment of the site. Materials consist of render and colourwash to match the host dwelling which helps it to integrate with the site.

The Arun Design Guide states 'buildings should' Respond to and complement the existing character and appearance of the building.' and 'Responds to the existing scale and massing of the surrounding built environment, emulating this scale in the majority of cases'. The proposal is of a large scale although this is appropriate in regards to the existing development on site.

The proposal will result in an enlarged garage on site although due to its location, including being set back from the road, and design will not result in adverse harm upon the character of appearance of the area in accordance with D DM1 of the Arun Local Plan, the Arun Design Guide and ESD1 of the Neighbourhood Plan.

RESIDENTIAL AMENITY

The garage will have a width of 7.1m and a length of 11m. The roof will be pitched to a maximum height of 4.85m to the southern side. To the north this reduces with eaves to 2.5m. This retains 9.5m to the rear elevation of the host dwelling and 11m to the side eastern boundary.

To the north, there is 15m retained to the rear elevation of the neighbouring property at No.21. The garage will give rise to some overbearing on this elevation however it will not be significant in which a refusal is justified. This is due to the garage roof sloping away from the neighbour with the height set lower to this elevation. There is a pitched roof garage to the neighbouring side alongside the proposed which has a height of around 3.3m which restricts some of the view.

There will be two windows and a door to the north which will open out onto the garden of the host dwelling and will not give rise to overlooking.

The development will not result in significant harm by way of overbearing, overlooking or overshadowing upon amenity in accordance with D DM1 of the Arun Local Plan.

SUMMARY

The proposed development accords with relevant development plan policies and as such 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

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
 - Location, Block and Proposed Floor Plan - Sheet 1 of 3.
 - Proposed Elevations - Sheet 2 of 3.
 - Proposed Roof Plan - Sheet 3 of 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 windows shall be constructed in the southern roof slope of the building hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1/D DM4 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.