

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

REF NO: FP/73/20/HH

LOCATION: 8 Myrtle Copse
Felpham
PO22 8FQ

PROPOSAL: Conversion of garage and conversion of garage roof space to habitable use to form a proposed annex.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Objection over concerns there isn't enough information. Concerns to do with parking.

No representation from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary
Tree Preservation Orders
2km Buffer for Site of Special Scientific Interest
Area of Special Control

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development

[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 site is in the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy ESD1 of the Felpham 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 D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Felpham has a 'made' Neighbourhood Plan with policy ESD1 of relevance to the application. the proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The proposal will alter the existing garage to the rear of the property backing on to a garage complex, however, part of the development is visible from the street scene.

The change to the front elevation is modest and with surrounding properties of a varied style and design the alteration is not considered to adversely impact the appearance of the garage. It is considered that the proposed development will not have an unacceptably adverse impact upon the established character of the area and will accord with D DM4 and D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

There is currently a garage on the rear boundary. The garage will be converted to form a habitable space. The use of the garage as an annexe is considered acceptable with it attached to the host dwelling via a driveway. The use will be restricted to an annex to avoid the possibility of it becoming a separate residential unit.

Due to the siting of the extension to the rear, the addition is not considered to give rise to adverse overbearing or overshadowing impacts upon neighbouring amenity with garages located to the rear of the site. There are to be two velux rooflights in the building and due to the angle of the garage the overlooking would generally be towards the host dwelling. There may be some oblique views towards the neighbour but due to their size, position and angle of the roof any overlooking should not result in demonstrable harm to the neighbour.

As a result of the size and siting of the development proposed, it is not considered to harm neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with DM1 and DDM4 of the Arun Local Plan.

PARKING

The conversion will result in the loss of a garage however with sufficient space for parking available (6 spaces) to the front of the dwelling and on the driveway, the conversion is not considered to impact upon parking or highway issues.

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

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 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 plans:
 - Location and Block Plan
 - Site and Other Plans
 - Proposed Plans
 - Block Plan of the Site

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 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 8 Myrtle Copse as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.