

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

REF NO: LU/127/12/

LOCATION: 8 Mantling Road
Littlehampton

PROPOSAL: Double garage with utility - Resubmission of LU/45/12

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above, to measure approximately 6.6 metres in width x 8.4 metres in depth x 4 metres in height. A new vehicle access is shown on the site plan, however planning permission is not required for a new access as the highway is classified a 'D' road.
SITE AREA	Approx. 870square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Property to east set on higher land.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Timber fencing to eastern boundary, approximately 1.8metres in height reducing to approximately 1metre forward of the dwelling. Brick wall and railings to front boundary.
SITE CHARACTERISTICS	Detached chalet style dwelling, red brick to ground floor elevations and UPVC cladding above. Pantile gable roof with large flat roof dormers to both the east and west roof slopes. Single storey addition to east side of dwelling which would have to be demolished and a detached garage to rear. The existing site is of a greater width to the majority of others within the street scene with gardens to the east side, front and rear of the property.
CHARACTER OF LOCALITY	Residential cul-de-sac, predominantly characterised by chalet style dwellings, with short rear gardens and properties set back from the highway.

RELEVANT SITE HISTORY

LU/45/12/	Double garage with accommodation over	Refused 11-05-2012
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LU/492/79

Outline application one new 2 bedroom chalet Refused
bungalow on site adjoining 8 Mantling Road 22-11-1979

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection.

9 Letters of objection (2 from 1 address):

- Concern that the application is a re-submission and not an appeal.
- Many incorrect statements in previous and application should have been returned.
- Disagree with the planning officers previous report in that a householder application was correct.
- Agent is a developer.
- Previous objections to LU/45/12/ still stand.
- Planning application incorrect, regarding site plan, DAS, and scale.
- Demolition of extension conflicts with GEN7.
- Out of character and not for the benefit of current occupiers.
- Parking in Mantling Road would be reduced with a new driveway provided.
- If application is approved, precedent will be set for further additional development in the road.
- Advised that this application has only been submitted with a view to obtaining outline planning permission to allow a developer to redevelop the entire site.
- Not in-keeping with other properties in Mantling Road.

Comments on Representations received:

Town Council comments noted.

Comments within letters of objection are noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built-up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

POLICY COMMENTARY

PLANNING

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 conflict with relevant Development Plan policies in that it would have a materially adverse effect on the visual amenities of the locality as well as 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

The proposal seeks permission for the construction of a large detached double garage to the east side of the existing dwelling with a large utility room to the rear. The structure would have a half hipped roof to the front and a false pitch tiled rear projection; the proposed use being ancillary to the existing dwelling. To accommodate the garage an existing single storey side extension would be demolished.

The proposed garage building would infill the gap between the existing dwelling and eastern boundary, with a raised eaves height to the side elevations due to the half hipped roof design of the building. This together with pitched roof and excessive rear projection would result in the garage appearing unduly cramped by reason of its siting and overbearing to the existing dwelling.

In addition to its unacceptable scale, the design of the garage does not respect the design or scale of the host dwelling nor the wider locality. The result of such a structure would therefore be to the detriment of the established layout, character and appearance of the surrounding area, conflicting with both Local Plan policy GEN7 and paragraphs 56 and 57 of the National Planning Policy Framework which require good design for new development that does not detract from the character of the locality.

As such it is recommended that the application be refused for the reason set out below.

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 for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and

family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 a neutral impact has 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).

RECOMMENDATION

REFUSE

- 1 The proposed garage structure by reason of its design and scale would appear cramped and out of keeping with the layout and appearance of the existing dwelling as well as the wider locality. The proposal which detract from the appearance of the locality is therefore contrary to policy GEN7 of the Arun District Local Plan and Paragraphs 56 and 57 of the National Planning Policy Framework.