

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

REF NO: M/134/21/HH

LOCATION: 2 Sea Way
Middleton-On-Sea
PO22 7SA

PROPOSAL: Replacement detached garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a replacement detached garage.

REPRESENTATIONS

Middleton 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

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 considered are D DM1 of the Arun Local Plan and the Arun Design Guide.

Middleton does not have a Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

There is an existing flat roof detached double garage to the north eastern elevation of the dwelling. This will be replaced with a garage of a similar footprint although it will have a pitched roof and therefore increases in height.

The garage is set back 31m from the front boundary and therefore whilst visible, will not appear unduly dominant upon the street scene.

The garage will have a steep pitched roof, although this is sympathetic in appearance to the host dwelling which features a similar roof design and therefore appears well integrated with development on site. Materials are also proposed to match the host dwelling.

Arun Design Guide 'Responds to the existing scale and massing of the surrounding built environment' and 'incorporates architectural forms and features that predominate in the surrounding area'. The proposal complies with the design guide being appropriate in scale and massing and incorporates features specifically the windows which are similar to those present on the main dwelling.

The proposal is not considered to result in harm upon the appearance of the wider area and accords with D DM1 of the Arun Local Plan and the Design Guide.

RESIDENTIAL AMENITY

The garage has a width of 6m and a length of 6.4m. This is marginally wider than the existing garage and retains around 1.3m to the north east boundary. The height will however increase with a pitched roof to a height of 5.6m with eaves to 2.45m. This is tall and will be located towards the rear garden boundary of No.30. Whilst the roof is high, it is not considered to result in a significant overbearing or overshadowing impact with the roof sloping away from the boundary, which also features planting to the neighbouring side and is considered to screen the majority of views. Around 10m is retained to the rear boundary to the north west and as such it is not considered to result in overbearing upon this elevation.

There will be a garage door to the front and an entrance door and window to the rear. Two rooflights will be located to the south western elevation which will look towards the garden of the host dwelling, as such these are not considered to give rise to adverse views. A first floor is also proposed within the garage demonstrated as loft storage space. There will therefore be a window to the first floor gable end, facing the rear. The plans demonstrate 10m will be retained to the rear boundary and with views available predominately over the garden of the host dwelling, it is not considered to result in adverse overlooking.

There may be potential for the loft space to be converted to a habitable space in the future and as such it is necessary that there be a condition to ensure no additional windows shall be constructed to the north eastern elevation without consent from the LPA. This will ensure that should the use change, impacts upon neighbouring amenity can be considered.

The proposed development is not considered to result in adverse harm by way of overbearing, overshadowing or overlooking in accordance with D DM1 of the Arun 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 fooling 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 and Block Plan - P02
- Proposed Plans - P01a

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 materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture to those of the existing dwelling at 2 Sea Way.

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun Local Plan.
- 4 No windows (other than those shown on the plans hereby approved) shall be constructed to the north eastern elevation 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 of the Arun Local Plan.
- 5 **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.