

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

REF NO: M/25/21/HH

LOCATION: 17 Sea Lane
Middleton-On-Sea
PO22 7RX

PROPOSAL: Erection of double garage with utility/store area following demolition of existing garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal relates to demolition of the existing single garage and replacement with a double garage with utility/store room behind.

The replacement garage would be located in a similar position to the existing on the eastern side boundary and would have a similar pitched roof appearance and be constructed of materials to match the existing.

The garage would have ridge height of 4.4m, eaves height of 1.9m and would be 6.1m wide and 10.5m deep. The single garage it replaces has a floor area of 2.75m by 6.2m and a ridge height of 3.4m.

REPRESENTATIONS

None

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary
Within Area of Special Character

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM4	HER DM4 Areas of Character
HERSP1	HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:

MDS	Middleton-on-Sea Village Design Statement by Middleton PC
-----	---

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are D DM1, HER DM4 and D DM4 of the Arun 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.

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.

There is no neighbourhood plan for this application because Middleton Parish has no Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

The replacement detached garage has been designed to incorporate a vernacular appearance that complements the existing property. The scheme proposed relates sympathetically with the existing buildings and visually integrates with the site in design, form and materials. A palette of good quality materials is proposed, predominantly rendered blockwork walls, horizontal weatherboarding and plain clay tiles roof, all to match the existing. The existing dwelling is set well back from the road frontage with the existing garage positioned in front of the dwelling. The new garage is located in the same position 15m from the frontage and therefore the additions will have minimal impact on the street scene.

The development appears subservient to and integrated to the existing dwelling and does not dominate it. The materials used for the walls and roof ensure it is well integrated with the host dwelling.

The proposal does not result in an adverse appearance on the street scene, or result in a harmful impact upon the host dwelling, and as such, is in accordance with D DM1, D DM4(a), (b) and (e) of the Arun Local Plan and J.01 of the Arun Design Guide which outlines that built form and character varies considerably throughout the Arun District as a whole and within the settlement character areas identified in section C.06 of the design guide.

AREA OF CHARACTER

The site lies in an Area of Character and the proposal would have no adverse impact on the character and appearance of the area. The new development would preserve and enhance the special character of the area by providing a structure that is in keeping with the appearance of the area and which does not dominate the street scene in accordance with policy HER DM4 of Arun Local Plan.

The NPPF requires Local Planning Authorities to identify and assess significance of a Heritage Asset that may be affected by proposals (paragraph 190). They should take the assessment into account when considering the impact of proposals in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals. In accordance with paragraph 189 of the NPPF a Heritage Statement has been prepared which assesses the impact the development has on the Area of Character.

Paragraph 197 of the NPPF requires the balancing of proposals which affect the significance of non-designated Heritage Assets, having regard to the scale of the harm. It is not considered that the proposal would cause harm to the significance of the Heritage Asset. Consequently, the balancing exercise required to be undertaken as part of this paragraph of the NPPF is not required.

The proposals have sought to minimise the impact of the proposals on the significance of the designated Heritage Assets and make a positive contribution to local character as required by para192(c) of the NPPF which states Local Planning Authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

RESIDENTIAL AMENITY

The proposal would extend a greater distance along the eastern boundary and would be located on the boundary, but it is positioned adjacent to the neighbouring flat roofed garage. Whilst it is 1m higher than the existing structure, given the increased width of the garage, it would be no higher than the existing garage is at a distance of 1m from the boundary. The proposal would be adjacent to the front garden area of the neighbouring dwelling and not located adjacent to a part of the garden used for sitting out. The proposal would have no adverse overshadowing or overbearing effects on the neighbouring property to the east.

The development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

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

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:

Proposed Plan 338/03

Existing Plan 338/02

Site and Location Plan 338/01

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 **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.