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

REF NO: M/31/20/HH

LOCATION: 15 Harefield Road
Ancton
Middleton-On-Sea
PO22 6EB

PROPOSAL: Extension and conversion to existing detached garage to form garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

M/5/20/HH	Conversion and extension of detached garage to form annexe.	ApproveConditionally 26-03-20

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council

No Objection but conditions to be imposed to ensure the garage which is used solely for the occupiers of 15 Harefield Road and will not be used as a separate unit of accommodation/be let out in any way.

Objection:
One objection with the concerns that the application would be detrimental to the character of the area and street scene. Concerns annex in the future becoming a separate dwellinghouse.

Officer's comments on representations:
Planning merits will be assessed in the conclusion section. The conversion of the annexe to be used as a separate dwelling would require an application.

CONSULTATIONS

Engineers (Drainage)

Arboriculturist

CONSULTATION RESPONSES RECEIVED:

Drainage:

Recommend the inclusion of PCENGD2 and the informative to go with it.

Response to consultation response:
A similar extant permission at the same address had no drainage condition attached. Therefore it is concluded it is not appropriate to include the drainage condition.

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary
Lidsey Treatment Catchment
Tree Preservation Order

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
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE
In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan together with the NPPF.

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.

DESIGN AND VISUAL AMENITY
The development will be visible in the street scene, due to its siting in the North West corner of the site. The alterations to the built form include an increase of 4.4m in width. Whilst this results in a change in appearance does not have a significantly harmful impact on the character of the street scene or the wider locality due to the set back appearance of the garage in the street scene and the use of materials being sympathetic to those in the area. The Northern boundary of the site is bordered by hedging, which mitigates the increased width of the annexe.

The conversion includes the change of fenestration of the Northern elevation, in that the garage door is partially bricked up and a window is installed. This does not result in any significantly harmful impact upon the host dwelling, or its wider locality due to the position of the window and extent of works.

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

NEIGHBOURING RESIDENTIAL AMENITY
The development is not considered to result in any significant impact on the residential amenities of occupiers of neighbouring dwellings. The main increase in footprint is in the gap between the garage, and the dwelling, which would be retained at 13m. Due to the aspect of the application site, and the boundary treatment, the development is not considered to result in a harmful overbearing, or overshadowing impact on the neighbouring dwelling.

The conversion is not considered to result in an increase in noise and disturbance from the residential plot. Regarding potential for loss of privacy, all of the proposed openings are at ground floor level, and as such, any views available are not different to those from the application site at current.

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

PARKING
The conversion of the garage results in a loss of off-street parking space. This reduces the available parking for the host dwelling to below the demand identified in the Arun District Council Parking Standards SPD. The locality does not have on-street parking capacity, in that it is a private estate.

The proposed development conflicts with the Arun District Council Parking Standards SPD.

MATERIAL CONSIDERATIONS
The conversion of the garage to habitable accommodation would likely fall under Permitted Development, and investigation into the history of the site reveals no restrictions on Permitted Development rights.

The proposed built form of the proposal would not fall under Permitted Development, however, the conversion of the garage, which results in the loss of the parking space could be.

SUMMARY
It is noted the conversion of the garage results in a loss of off-street parking, in conflict with the Arun District Council Parking Standards SPD, this element of the proposal is considered to benefit from Permitted Development rights. It would be unreasonable to refuse the application on grounds of loss of parking, when if an application were not to be submitted, this could be performed without express consent from the Local Planning Authority.

The development accords with relevant development plan policies, in that it does not have a harmful impact upon the character of the locality, or neighbouring occupiers. As such, it 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. Within CIL charging zone 4.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby approved shall be carried out in accordance with the following approved plans:
- Location Plan
- Block Plan
- Garage extension/conversion - 20/01/4A

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.

2 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).

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, Class E,(or any order revoking or re-enacting that Order) the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To protect the residential amenities of the occupiers of neighbouring dwellings, in accordance with D DM1 of the Arun Local Plan.

4 INFORMATIVE: The drainage design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA.

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.