

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

REF NO: M/64/21/HH

LOCATION: 132A Elmer Road
Bognor Regis
PO22 6HZ

PROPOSAL: Installation of a timber structure in rear

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The erection of a timber outbuilding to the front of property measuring 5m by 3m with double doors to front and rear.
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REPRESENTATIONS

Parish Council - No Objection

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Council Engineers - Application site falls within Lidsey Treatment Catchment and infiltration tests should be conditioned.

POLICY CONTEXT

Designation applicable to site:
Lidsey Treatment Catchment
Within built up area

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
WSP1	W SP1 Water

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

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.

Middleton has a village design statement which states proposals should have a high quality design, relate well to the existing site and its surroundings and seek to minimise overshadowing. This application falls outside of the village statement area.

DESIGN AND VISUAL AMENITY

The garage will be to the front of the property to the existing parking area, there will still be ample parking on site even with the loss of 1 parking space to accommodate the structure.

The size of the structure is appropriate for its intended use and will be built in materials already found on site. Apart from its positioning on site, the structure could be built under permitted development allowances. The garage will be located at the end of a long private drive which serves a small number of dwellings and will therefore not have any impact on the street scene.

Having regard to the design and visual amenity, the proposal is not deemed to adversely impact the existing house in accordance with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The garage is to be located away from other dwellings which are served by the private drive and be located adjacent to East Drive. It is located to the front of the host dwelling and therefore the 45-degree rule is not applicable in this instance. Its size, scale and location are such that it will not be overbearing to any neighbouring properties.

No windows are proposed to serve the garage as such overlooking will not be an issue.

It is considered by virtue of not being overbearing, overshadowing and overlooking that the proposed extensions accords with policy DDM4 of the Arun Local Plan.

It is noted that the site falls within the Lidsey Catchment area and it has been requested that a condition relating to infiltration tests be conditioned to this application. It is felt, that due to the small scale of the development and the fact that its footprint could be built under permitted development allowances, that this condition would be onerous and therefore it is not required.

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;

- Drawing 1 Plans and Elevations
- Drawing 3 Block Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 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.