

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

REF NO: PO/1/20/HH

LOCATION: 9 Arundel Road
Poling
BN18 9PW

PROPOSAL: Retention of car port to side elevation & raised roof to existing garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to retain a car port to the side elevation of the host dwelling, and raise the roof of the existing garage.
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council - No response.

3 letters of objection:

- Dominates the view.
- Ugly.
- The proposal is built on an access to the rear of the neighbouring dwelling.
- The garage increase will lead to a loss of light to neighbouring dwellings.

Letter from applicant:

The proposed development is built atop of an access path within the deeds, which is used to access the rear of the neighbouring dwelling.

Officer's comments on representations:

Comments noted. The planning merits of the proposal will be assessed in the conclusion section of the report. Ownership of land and land covenants are not planning considerations.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:
Outside built-up area boundary

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
CSP1	C SP1 Countryside

DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

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

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are deemed to be C SP1, D DM1 and D DM4 of the Arun Local Plan. Additionally, the National Planning Policy Framework.

Policy C SP1 prevents unrelated development in countryside locations unless they are covered by other policies in 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.

DESIGN AND VISUAL AMENITY

The carport has a maximum height of 2.77m, as a result of this and its light construction, it is considered to appear subservient to the host dwelling. The proposed carport is sited approximately 9.5m from the street scene, is single storey and of a light construction. As a result of these factors, it is considered to have an acceptable impact upon the character of the host dwelling and wider locality. Furthermore as it is open on all four sides the impact on the street scene will be further reduced. The design of the proposal will not jar with the area given the mixed character of the dwellings in the locality and wide range of scales, designs and orientations.

The proposed change of roof design of the garage is not considered to result in a significantly harmful impact upon the character of the host dwelling, or its wider locality. The proposal does not result in any significant increase in the height of the proposal, in that it largely just alters the design of the roof from centrally pitched, to a lean-to design.

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

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have any significantly harmful overshadowing or overbearing impact upon neighbouring dwellings. This is because the proposal has no solid, opaque planes, and therefore, the only part of the proposal that can generate shadowing would be the roof, and the posts. With regard to overbearing impact, it is considered that as a result of the boundary treatment, and the aspect of the application site there is not considered to be any significantly harmful impact on occupiers of the neighbouring dwelling to the East.

The proposed change of the roof of the garage is not considered to result in any significantly harmful

impact overshadowing or overbearing impact on the occupiers of the neighbouring dwelling to the East. The proposed roof would result in a 0.1m height increase when adjacent to the Eastern boundary of the application site, to a height of 2.5m. The proposed roof slopes to its maximum height away from this boundary.

The application is not considered to result in any loss of privacy to occupiers of neighbouring dwellings, this is due to the single storey nature of the extensions providing views no different to those from the application site at current.

The application is considered to be in accordance with D DM1(3) and D DM4(c) 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 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

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:

- Existing and Proposed Details - 2020/05 - January 2020 - Rev. A

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.