

Recommendation Report for Planning Permission

REF NO: P/21/20/PL

LOCATION: Barton Manor
Barton Close
Pagham
PO21 4FH

PROPOSAL: Variation of conditions 2 & 3 following P/32/18/PL to change approved floor plans & elevations & materials.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This proposal seeks to amend conditions 2 and 3 of P/32/18/PL. Condition 2 states: The development hereby approved shall be carried out in accordance with the following approved plans; Dwg.no. 2 - Block Plan dated 22.03.2018 Dwg.no. 6 - Proposed Street Elevation dated 22.03.2018 Dwg.no. 4 - Proposed Site Plan dated 02.03.2018 Dwg.no. 5 Elevations and Floor Plan dated 02.03.2018 Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and HER DM1 of the Arun Local Plan. Vary condition 2 to change approved plans 4, 5 and 6 to 4A, 5B and 6A. Condition 3 states: No development shall take place until details of the proposed materials for the roof and walls have been submitted to and approved in writing by the Local Planning Authority. The details so approved shall be used in the construction of the building. Reason: In the interests of amenity in accordance with policies D DM1 and HER DM1 of the Arun Local Plan. This is a pre-commencement condition as it is considered necessary to ensure that appropriate materials are agreed prior to construction due to the sensitive nature of the setting of the listed building. Vary condition 3 to refer to materials to be as those set out in
----------------------------	--

drawing 5B

The agent later on stated that following clearance of the boundary hedge it transpired the permitted garage is too long and makes access to the bays difficult therefore length of the garage is reduced from 24m to 21m and there is one less parking bay according the amended plans 5B and 4A.

SITE AREA	0.2 hectares
TOPOGRAPHY	Predominantly flat though higher than adjacent road.
TREES	The proposal involves the removal of a line of evergreen trees along the northern boundary of the site.
BOUNDARY TREATMENT	Wall and gates to the front of the property. A line of evergreen trees and 1.8m fence on the boundary edge on the northern side of the property where the 9 car garage building would be located
SITE CHARACTERISTICS	Detached two storey building based around historic building with more modern extensions with communal gardens and car parking areas to the outside of the plot. The proposed 9 car garage would be located on an area of hardstanding marked out for car parking.
CHARACTER OF LOCALITY	Mostly residential with a variety of different styles of properties, mostly bungalows and two storey dwellings of a modern design. There is a line of detached bungalow parallel to the northern boundary where the 9 car garage is proposed to be located which have rear elevation 10m to the north of the northern boundary. They currently face evergreen trees approx. 5m in height.

RELEVANT SITE HISTORY

P/18/20/PL	Change of use from highway land to residential use for the development of 4 No. 3 bed terraced houses with associated parking & access. This application affects the setting of a listed building.	
P/32/18/PL	Erection of 10 car garage building	ApproveConditionally 17-09-18

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

No response.

No comments received from members of the public.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

Built-Up Area Boundary
Listed Building Grade II Polygon
Tree Protection Order
Areas of Character
No Public sewer
PD Restriction

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ENVDM2	ENV DM2 Pagham Harbour
HERDM1	HER DM1 Listed Buildings
HERDM4	HER DM4 Areas of Special Character
HERSP1	HER SP1 The Historic Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD3	Parking Standards
------	-------------------

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Pagham has an emerging NP.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area or cause harm to the setting of the Listed Building.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The site is in the built up area boundary where the principle of development is acceptable in accordance with Policy SD SP2 of the Local Plan subject to other policies in the development plan which in this case include policy D DM1 and HER DM1 of the Local Plan and guidance in the NPPF.

DESIGN, CHARACTER & HERITAGE IMPACT:

Policy D DM1 of the Arun Local Plan requires that new developments respond positively to the identified characteristics of a particular site to create developments which respect local characteristics.

Arun Local Plan policy HER DM1 states that proposals affecting Listed Buildings will be required to "protect, and where possible enhance the setting of the building".

Section 16 of the NPPF discusses heritage assets and their setting.

The proposal is for the change of materials; plain clay tiles are replaced with red cedar shingles, the oak boarding for the wall and Freshfield Lane multi bricks on the bottom. The length of the garage is reduced from 24m to 21m and there is one less parking bay. The reduction of garage and the change of materials is acceptable; it would enhanced the appearance of the garage. It is considered to comply with policy D

DM1 and HER DM1 of the Local Plan and the Pagham Village Design statement.

The Conservation Officer was consulted verbally on the matter and confirmed the materials were acceptable. There is no harm to the heritage asset.

RESIDENTIAL AMENITY

The number of parking bays would be reduced and the change of materials improves the appearance of the garage. It is not considered that the garage would cause a significant loss of light, overbearing impact or loss of privacy to the properties to the rear 34-38 Manor Park or to the apartment windows at Barton Manor and is therefore considered to comply with policy D DM1 of the Arun Local Plan.

It is therefore considered that the proposal complies with the NPPF and the Local Plan policies and should be approved subject to the attached 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.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

Dwg 4A Proposed Site Plan

Dwg 5B Proposed Elevations and Floor Plan received on 23 April 2020

Dwg 6A Proposed Street Elevation

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 INFORMATIVE: This permission relates to the variation of conditions 2 and 3 of planning permission P/32/18/PL only. The applicant is advised and reminded that the planning conditions attached to the original planning permission reference number P/32/18/PL remain in force and must be complied with. This decision only relates to the variation of Condition 2 and 3 of that planning permission.