

Recommendation Report for Planning Permission

REF NO: P/32/18/PL

LOCATION: Barton Manor
Barton Close
Pagham
PO21 4FH

PROPOSAL: Erection of 10 car garage building

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed garage block with an open frontage would measure 24 metres in length, 5 metres in depth with a hipped roof of an eaves level of 2 metres in height and a ridge level of 4.8 metres. The facing material of the walls are proposed be flint and lime walling to match the existing front boundary wall and plain clay tiles on the hipped roof.
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 1.8 metre fence on the boundary edge on the northern side of the property where the 10 car garage building would be located.
SITE CHARACTERISTICS	Detached building 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 10 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 10 car garage is proposed to be located which have rear elevation 10 metres to the north of the northern boundary. They currently face evergreen trees approx. 5 metres in height.

RELEVANT SITE HISTORY

P/85/68	Outline Application For Additional Bungalows	Refused 19-06-68
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Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Pagham Parish Council
No objection.

No comments received from members of the public.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Officer.

No objection

COMMENTS ON CONSULTATION RESPONSES:

Noted

POLICY CONTEXT

Designation applicable to site:
ADOPTED LOC PLN
LB GRADE II
ARCHEOLOGY INT
TREE PRES ORDER
NO PUBLIC SEWER
PD RESTRICTION

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun 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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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).

In December 2014, the Pagham Neighbourhood Plan was withdrawn from the examination process in order to produce further studies in respect of the impact on the Pagham Harbour SPA/Ramsar Site.

This work has been completed and the Regulation 14 'pre-submission consultation & publicity' stage was undertaken between 02/10/15 and 13/11/15. It is therefore necessary, in accordance with paragraph 216 of the NPPF, to have regard to the Draft Neighbourhood Plan as a material planning consideration.

The following policy is considered to be relevant to this application but only insofar as the site is located within the built up area boundary:

Policy 1 "A Spatial Plan for the Parish":

"The Neighbourhood Plan directs development proposals within the Built Up Area Boundary, as shown on the Proposals Map, provided they accord with other provisions of the Neighbourhood Plan and development plan. Development proposals outside of the Built Up Area Boundary will be required to conform to development plan policy in respect of the control of development in the countryside."

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 located within the built up area boundary where the principle of new development is considered to be acceptable in accordance with Policy SD SP2 of the Arun Local Plan subject to other policies in the development plan which in this case include policy D DM1 and HER DM1 of the Arun Local Plan and guidance within the National Planning Policy Framework.

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 Council's Conservation & Design Officer has assessed the application proposals and considers that the proposed garage building works would not cause harm to the setting and significance of the designated heritage asset.

The current main house Barton Manor has split elevations and has distinctly different wings and facing materials such that the addition of an additional outbuilding in traditional materials to match the south wing would not have a significant impact on the appearance of the building as a whole. It would house vehicles which are currently parked outside on the hardsurfaced car park thus improving the overall appearance of the site.

The leylandi hedge to be removed is not part of the Tree Preservation Order on the site and is not considered to be of a significant value to the residential amenity of the overall site.

The proposal is therefore considered to comply with adopted policy of the local plan together with the as yet unmade policies of the Pagham Neighbourhood Plan and the Pagham Village Design statement.

RESIDENTIAL AMENITY

The proposed building would be of a height similar to that of the existing leylandii hedging and would be 5.5 metres from the north elevation of Barton Manor. It is not considered that the proposed garage development 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.

The proposal would not cause the loss of any parking at the site.

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 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;
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.

- 3 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.

- 4 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.