

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

REF NO: P/43/19/HH

LOCATION: 7 Drift Road
Pagham
PO21 3NX

PROPOSAL: Detached garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a detached garage to the front of the property.
----------------------------	--

RELEVANT SITE HISTORY

P/42/07/	Proposed side extension	ApproveConditionally 25-05-07
P/5/06/	Proposed conservatory	ApproveConditionally 15-03-06
P/132/03/	Two storey side extension to provide first floor bedroom over carport	Refused 12-12-03 Appeal: Dismissed 24-09-04

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Pagham Parish Council

Pagham Parish Council provided no response.

6 representations received from 4 nearby occupiers.

1 letter of support

- The garage will provide a secure place for property

1 letter of no objection

- I have looked at the plans and have no objection

3 letter of objection

- Access would be difficult due to its location.
- Will affect sales of properties
- No other structures to the front
- Will reduce light entering my property
- Would look out of place.

Comments noted and addressed in the conclusion. House sale is not a material consideration.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

DEVELOPMENT PLAN POLICES

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

DDM1	D DM1 Aspects of form and design quality
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

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are D DM1 of the Arun Local Plan.

Pagham has an emerging Neighbourhood Plan with policy 1 and 3 of relevance to the application.

DESIGN AND VISUAL AMENITY

The garage is to be situated approximately 7m in front of the principal elevation of the dwelling and is therefore highly visible within the street scene retaining 2m to the road frontage.

There are no detached structures within the vicinity similar to that which is proposed with the development sited significantly forward of the established development line. As a result of its siting it is considered that when viewed from the road the extension will be visually prominent and appear as unduly dominant feature in the street scene.

Whilst the garage is modest in height at 2.7m there is little boundary to the front of the dwelling and neighbouring properties with the area having an open appearance and therefore this allows views of the garage from both the east and western elevation and as such is considered to appear adversely out of character and impact on the established spatial pattern of the locality.

The garage is of a basic, utilitarian design of no merit. As stated above it would be highly visible.

As a result of the siting and design of the garage, it is deemed to appear incongruous with the pattern of development in the area with no similar detached garage constructions nearby it is considered to give rise to an adverse impact upon the street scene and spatial pattern of the area and in conflict with DDM1 (1) of the Arun Local Plan.

RESIDENTIAL AMENITY

The garage will have a width of 3.7m and depth of 3m. Due to its position away from neighbouring dwellings it is not considered to give rise to any adverse impacts upon neighbouring amenity.

A door will be sited to the north elevation which will face the front elevation of the dwelling however the garage is single storey and resultantly the available views would be no different from those that are currently available from the front garden.

The proposal as a result of its size is not deemed to harm neighbouring amenity by way of overbearing, overshadowing or overlooking and accord with DDM1 (3) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to be in conflict with relevant development plan policies as such is recommended for refusal.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The development by virtue of its siting to the front of the property and design appears unduly

dominant in the street scene and incongruous to the pattern of development in the area resulting in an unacceptable impact upon the character and appearance of the locality and in conflict with policy DDM1 of the Arun Local Plan and the NPPF.

- 2 **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 identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.