

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

REF NO: Y/108/20/HH

LOCATION: Woodlands Park House
Woodlands Park
Main Road
Yapton

PROPOSAL: Demolish existing garage block and erect new garage, erect new garden room and erect new store

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
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REPRESENTATIONS

No objection

No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Lidsey Treatment Catchment
Within the Built Up Area Boundary

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

[Yapton neighbourhood plan 2014 Policy BB1](#) Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of 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.

Yapton has a made Neighbourhood Plan with policy BB1 of relevance to the application. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The garage and store room is approximately 5.5m high, 5.3m deep and 15.9m long. The size of the garage is noted as a result of its significant scale. However, it should be noted that this is not reason alone for refusal of the application as it has to be considered that the garage results in harm to the locality. Additionally, this is replacing an existing garage complex of similar scale.

The garage and store room is sited to the side of the host dwelling, as such, there will be few views of the development from the public realm. Whilst it is noted that there may be oblique views available, the majority of views will be screened by existing built form in the area, and as such the proposal is not considered to have a significantly harmful impact upon the established character of the locality.

The outbuilding due to the scale and siting will have some views of it along the public domain, limited to approximately the top 0.8m of the outbuilding above the close boarded fencing and the walling bordering the path to the North West, will be available. Whilst this is noted, this is not considered to amount to unacceptable harm to the character and appearance of the area. This is specially so given that the elements of it that are visible are of a scale and constructed of materials which are sympathetic to the character of the area.

The development is not considered to result in any significantly harmful impact upon the character of the host dwelling, or its locality and as such is considered to be in accordance with D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed garage and store room is not considered to result in an unacceptable overbearing impact upon the occupiers of nearby dwellings. The proposal is not considered to result in any loss of privacy or overlooking to occupiers of neighbouring dwellings, as the proposal is replacing what is already there as such the impact on the neighbouring properties is no greater than existing. There are no proposed windows to either the garages or the store room.

The outbuilding is not considered to result in an overbearing or overshadowing impact upon occupiers of neighbouring dwellings. This is due to its separation distance from the occupiers of neighbouring dwellings. Whilst it is noted that it directly abuts the North Western boundary of the site, it is noted that this is adjacent to an a main road with sufficient grass verges which prevents any direct overbearing. The single storey nature of the outbuilding means that the views out from the proposed windows will be no different from current views out of the host garden. There is therefore no additional overlooking of nearby occupiers.

The proposed development is considered to be in accordance with D DM1(3) of the Arun Local Plan.

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 there.

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:
 - Location Plan 1129-1
 - Block Plan 1129-2
 - Existing Floor Plans and Elevations 1129-3
 - Proposed Garage Plans and Elevations 1129-3 Rev B
 - Proposed Garden Room Floor Plan and Elevations 1229- 4

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.