DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO./ ADDRESS: WB/10/0779/FULL Garage Block between 23 and 25 Halifax Drive

DATE OF SITE VISIT: 14 December 2010

NEIGHBOURS CHECKED : Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): N

SITE AND SURROUNDINGS:

The site relates to a garage compound accessed at the end of the cul-de-sac known as Halifax Drive with the vehicular entrance located between no 23 and 24 Halifax Drive. There are three existing garages within the compound with the rest of the area left open to parking. The compound is enclosed by a brick wall, approximately 2 metres in height. There is a pedestrian access to the east that connects this compound with another compound to the east.

PROPOSAL:

Permission is sought for a garage building to be sited within the compound area. The garage would be set approximately 1.75 metres from the boundary wall of No. 24 to the south, following the approximate alignment of the existing boundary walls to the compound area. The garage would measure 2.59 metres in width and 4.93 metres in length, set on a concrete base measuring 2.74 metres by 5.08 metres. The height of the garage would be 2.24 metres set on a 25mm base. The garage would be concrete with a steel roof.

RELEVANT PLANNING HISTORY:

None relevant

RELEVANT PLANNING POLICIES:

Saved Worthing Local Plan policy BE1, H16 and H18
Submission Core Strategy policy 16
South East Plan policies BE1 and CC6
PPS1: Delivering Sustainable Development

REPRESENTATIONS

Three letters of representation have been received from the occupiers of neighbouring properties objecting to the proposal on the following grounds:

- No objection of on the existing concrete base but objection to the specific siting proposed
- The area garage would be sited on an area of land that residents have a right of access over/ a communal forecourt
- No. 26 has a designated garage plot, not where the garage is to be sited

- Parking in the compound area is limited - building a garage (not in the applicants designated space) would make the situation worse.
- Would set a precedent for other garages to be built anywhere within the compound.

RELEVANT CONSULTATION RESPONSES :

The **Highway Authority** has commented as follows:

The proposed garage is suitable in size to house a vehicle. No concerns would be raised with this proposal based on the submitted information.

PLANNING ASSESSMENT:

The determining issues relate to the impact on the amenity of neighbouring occupiers and design and impact on the visual amenities of the site and surroundings.

The siting of a garage in this location would ensure that there would be no significant impact on residential amenity, being located within the parking compound, well spaced from neighbouring properties and of a relatively modest size. A condition is recommended to ensure that the building is used for purposes incidental to the enjoyment of 26 Halifax Drive (the applicant's property) as a dwelling.

The issue of ownership and rights of access has been raised in the representations and this issue is a private legal matter. Nevertheless, the applicant has provided a plan showing the land within their ownership and confirmed ownership in Certificate A and the information provided in the representations does not appear to conflict with this. The positioning of the garage would not prevent access to the other garages within the compound.

The design and form of the building is fairly utilitarian but given the context of the parking/garage compound with other similar garages present, and its positioning set back from the street frontage, it is considered that it would not pose any significant harm to the visual amenities of the site or surroundings.

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

RECOMMENDATION:

Grant Planning permission subject to the following conditions:

- Standard time limit
- Drawing No's
- Building to be used only for ancillary purposes

REASONS FOR RECOMMENDATION:

Having regard to the setting of the development, the proposed building would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the 'saved' policies of the Worthing Local Plan (BE1, H16, H18), South East Plan policies (BE1, CC6) and the Submission Core Strategy (policy 16).

The proposal accords with the relevant policies of the Development Plan.

Saved Worthing Local Plan Polices

Policy BE1, H16 and H18

South East Plan Policies

Policy BE1, CC6

Submission Core Strategy

Policy 16

IS RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION? Y

DELEGATED

Case Officer sign..... [redacted] .....Date.....4/1/11.....

Authorising Offi sign..... [redacted] .....Date.....5·1·11.....