

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

REF NO: BE/11/19/HH

LOCATION: Parkside Farm
Shripney Lane
Bersted
Bognor Regis

PROPOSAL: Replacement outbuilding

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a replacement outbuilding.
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RELEVANT SITE HISTORY

BE/46/13/	2 Bay, Oak Framed Garage	ApproveConditionally 21-06-13
BE/27/11/DOC	Application for approval of details reserved by condtion 4 following a grant of planning permission BE/128/10	DOC Approved 21-04-11
BE/128/10/	Conversion and change of use of existing barns into a business unit (B1) and a single dwelling (C3) (re-submission following BE/30/10/)	ApproveConditionally 09-02-11
BE/30/10/	Conversion of barn to 1no. 3 bed dwelling with 91.2 square metres of (B1) office space	Refused 22-07-10
BE/86/09/	Retention of works comprising refurbishment of existing farm buildings	ApproveConditionally 24-11-09
BE/30/09/CLE	Application for a Certificate of Lawfulness for an existing use of building as a single dwelling house	Approve 01-07-09
BE/23/94	Renewal of temporary planning permission BE/38/92 for mobile home for T Conner Esq.	ApproveConditionally 01-07-94

BE/38/92	Renewal of temporary planning permission BE/15/91 for mobile home	ApproveConditionally 17-06-92
BE/25/92	Renewal of temporary planning permission BE/15/91 for mobile home.	Refused 13-04-92
BE/15/91	Renewal of temporary planning permission BE/47/89 - mobile home in connection with agricultural use	ApproveConditionally 03-06-91
BE/47/89	Renewal of temporary planning permission BE/20/87 mobile home in connection with agricultural use	ApproveConditionally 08-05-89
BE/20/87	Rennewal of temporary planning permission BE/147/84 for mobile home in connection with agricultural use	ApproveConditionally 23-03-87

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council provided no response.
No representation from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary
A.S.C (Adverts)

DEVELOPMENT PLAN POLICES

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

DDM1	D DM1 Aspects of form and design quality
CSP1	C SP1 Countryside
DSP1	D SP1 Design

[Bersted Neighbourhood Plan 2014 Policy ES1](#) Design of new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The proposed development is situated outside of the built up area boundary as defined by SDSP2 of the Arun Local Plan. The proposal is for a replacement outbuilding within the plot of existing development. However the proposal is in accordance with CSP1 of the Local Plan as it is in accordance with DDM1 of the plan. Development can be in accordance with CSP1 if it refers to a specific use or type of development that is covered by another policy. In this case the key policy considerations are deemed to be DDM1 of the Arun Local Plan.

Bersted has a 'made' Neighbourhood Plan with policy ES1 of relevance to the application. The proposal complies with this policy.

Policy CSP1 refers to land outside the built up area boundaries and will be defined as countryside. Development will be permitted in the countryside where it is in accordance with other policies in the Plan which refer to a specific use or type of development.

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 ES1 of the Bersted Neighbourhood Plan states new development which would have an effect on the appearance or character of the surrounding area should be of a high quality design and should contribute to local character by creating a sense of place appropriate to its location.

The site is occupied by converted farm buildings which form office/work space and a dwelling. There are also 2 existing outbuildings and open fronted garage.

DESIGN AND VISUAL AMENITY

The outbuilding is situated to the north west of the dwelling and as such is not readily visible from the street scene.

The outbuilding will be constructed of a timber frame and is considered to appear appropriate in terms of its appearance in the surrounding environment.

Whilst the outbuilding will replace an existing structure it will be larger in size. Given the substantial plot of the application site, it is not considered to appear cramped or appear as an overdevelopment on the site.

Due to the siting and design of the outbuilding, it is not considered to impact upon the spatial pattern or character of the area and accord with DDM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The outbuilding is sited to the side/rear of the main property. There are no neighbouring properties to the rear and a caravan park and dog groomers to the south west of the site.

The outbuilding will be sited in the same position as the existing although will increase in size. It will have a width of 6.35m and a depth of around 13m. This is an increase of approximately 5m. Its height will remain as existing at 3.5m. Whilst it is large, with the structure sited approx. 8-9m from the boundaries to the south and west this is considered sufficient to reduce any potential for adverse overlooking or overshadowing or overbearing upon neighbouring amenity.

There are a number of windows and doors proposed to all elevations however these are relatively low level and with sufficient separating distances these are not considered to give rise to any adverse overlooking upon neighbouring amenity.

Due to the size a condition will be included which restricts the use as a separate dwelling as to ensure it does not lead to an overdevelopment on the site.

The proposal is not considered to harm neighbouring amenity by way of either overbearing, overshadowing or overbearing and accord with DDM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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
- Location Plan - 6A
 - Block Plan - 5A
 - Proposed Floor Plan - 3
 - Proposed Elevations - 2
 - Section A-A - No.L_32728
 - Email from agent regarding materials.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Parkside Farm as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies DDM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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.