

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

REF NO: BE/144/21/HH

LOCATION: Littledene
Barn Lane
Bersted
PO22 9NY

PROPOSAL: Erection of single storey garden room in rear

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct an outbuilding to the rear garden of the property.
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RELEVANT SITE HISTORY

PAA/82/21/ Garden room in rear garden

Approve Pre App
02-08-21**REPRESENTATIONS**

Bersted Parish Council provided no objection.

No representations were received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Outside built up area boundary

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

DDM1 D DM1 Aspects of form and design quality

DSP1 D SP1 Design

[Bersted Neighbourhood Plan 2014 Policy ES1](#) Design of new development**PLANNING POLICY GUIDANCE:**

NPPF National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE:**CONCLUSIONS****PRINCIPLE**

The site is outside the built up area boundary. The application seeks development to a dwelling in a residential area. Therefore the principle of development is considered acceptable and as such will be assessed against relevant development plan policies. The key policy considered is D DM1 of the Arun Local Plan and the Design Guide.

Bersted has a made Neighbourhood Plan with policy ES1 of relevance to the application.

DESIGN AND VISUAL AMENITY

The outbuilding will be located to the rear western boundary and is not visible from the street scene.

The outbuilding will have a length of 6.2m and a width of 3.1m. It will have a height of 2.7m and will have a flat roof.

Material will be a light coloured cladding and the design and appearance is considered acceptable and appropriate to the surroundings. The outbuilding is not considered an overdevelopment of the site.

The Arun Design Guide states that new development should respond to and complement the existing character and appearance. The development is not too large in size or scale for the area and is acceptable.

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 it's location. The proposal is deemed to comply with this, being appropriate in size for its location.

Due to the location which is not visible from the wider area and with the design modest in size, it will not harm the appearance of the area and comply with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The western boundary in which the outbuilding will run along features a fence and a hedge with a total screening height around 3m. Due to the boundary screening in place, the outbuilding is unlikely to be visible to the neighbouring property and not considered to result in harm by overbearing or overshadowing.

7.5m is retained to the eastern side and 6m to the rear and again the outbuilding is not considered to result in adverse harm upon neighbouring amenity to these elevations.

Doors and windows will overlook the garden of the host dwelling and with the structure at single storey are not deemed to result in overlooking.

The structure is slightly higher than that which would be allowed under permitted development, however due to the sufficient boundary treatment, the development is considered acceptable upon amenity and the addition is not deemed to result in harm and complies with D DM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to comply with relevant development plan 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
 - Block Plan
 - Front Elevation
 - Rear Elevation
 - Right Elevation
 - Left Elevation
 - Floor Plan
 - Roof Plan

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.