

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

REF NO: BE/24/26/HH

LOCATION: 31 South Way
Bersted
PO21 5HB

PROPOSAL: Proposed installation of a storage container and additional timber trellis to existing brick boundary wall.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Bersted Parish Council - No objection, but ask that a condition is included for the trellis to be well maintained and a permanent feature while the storage container is in place.

No representations were received from nearby occupiers.

Comments noted.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built-Up Area Boundary.

Within an area with potentially high groundwater levels.

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The application site comprises a two storey semi-detached dwelling located 31 South Way, Bersted.

Planning permission is sought to regularise the retention of an existing storage container within the garden, close to the western boundary of the application site, and the installation of a timber trellis along the western boundary to provide visual screening.

The storage container measures approximately 6m in length and 2.5m in width, with a flat roof and a maximum height of approximately 2.6m. It is finished in light grey steel. The structure includes two single-pane windows in the western elevation, a single-pane window in the southern elevation, and an entrance door on the eastern elevation flanked by a single-pane window.

Whilst the outbuilding does not reflect the materials or character of the host dwelling, it is noted that metal storage containers are commonly used for outbuildings of this nature. Although the structure does not fully accord with the design principles of the Arun Design Guide (ADG), the gardens of neighbouring properties contain a variety of existing outbuildings, including a pitched roof garage and a flat roof shed within the application site itself. Furthermore, whilst the storage container is visible from the street scene, given the set back between the storage container and the western boundary of approximately 0.6m, and that additional screening is proposed, the storage container does not appear unduly prominent within the street scene, nor result in demonstrable harm to visual amenity.

The proposal also includes the installation of a timber trellis above the existing 1.8m high boundary brick wall. The trellis would measure approximately 0.6m in height, resulting in an overall boundary treatment of approximately 2.5m. This would align with the height of the storage container and help to soften its visual impact. Whilst the boundary treatment itself would be higher than the existing arrangement, given that the trellis is not a solid structure and the trellis would not appear dominant or oppressive within the street scene, the proposed trellis is acceptable in this regard. Given the screening provided by the trellis, it is reasonable and necessary to impose a condition requiring the trellis to be installed and retained in perpetuity to ensure that the development continues to provide an acceptable visual amenity over the long term.

Due to the site's corner plot position, the development is visible within the street scene. However, the southern section of South Way is characterised by relatively tall boundary treatments, including brick walls, garages, and mature vegetation. As such, the proposed trellis and the presence of an outbuilding would not appear out of keeping with the character of the area.

The development would not result in overdevelopment of the site, given its modest scale and ancillary nature, and it would remain linked in use to the host dwelling. Notwithstanding this, it is reasonable to attach a condition to this planning permission to ensure the storage container remains ancillary to the dwelling and for domestic use only.

Overall, the proposal would not result in any harm to the character or appearance of the dwelling, street scene or wider area, and as such, the proposed development would be in accordance with Arun Local Plan (ALP) policy D DM1.

RESIDENTIAL AMENITY

The storage container is positioned approximately 0.6m from the western boundary which faces a highway and approximately 4m from the northern boundary, further separated by neighbouring driveway and a garage. Given the site context and the single-storey form of the structure, the development would not give rise to overbearing impacts, loss of light, or unacceptable overshadowing to neighbouring occupiers.

Due to the corner plot position of the site, there are no residential properties to the south or west that would be affected by the proposed development.

The fenestration within the western elevation faces towards the public highway and is largely screened by the existing boundary wall and the proposed trellis. The window within the southern elevation would overlook the private amenity space of the host dwelling with no neighbouring properties to the south. The openings within the eastern elevation are orientated towards the host dwelling's rear garden and are set approximately 12m from the eastern boundary. These separation distances are sufficient to prevent harmful overlooking or loss of privacy to neighbouring occupiers.

The proposed trellis would be installed atop the existing boundary wall, which abuts the public highway. As such, it would not materially affect any neighbouring residential properties. Given its limited scale and positioning, the trellis would not give rise to any adverse impacts on residential amenity.

Overall, the development would not result in harm to neighbouring amenity, in accordance with ALP policy D DM1.

SUMMARY

The development is in accordance with relevant development plan policies and 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

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.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 Within one month of the date of this decision, the timber trellis to be installed above the

existing boundary wall shall be erected in full accordance with the approved plans. The trellis shall thereafter be retained in situ, and maintained in a condition that ensures it remains effective in providing visual screening in perpetuity.

Reason: For the avoidance of doubt and to ensure the development provides an acceptable standard of visual amenity, in accordance with Arun Local Plan policy D DM1.

- 2 The development hereby approved shall be carried out and maintained in accordance with the following approved plans:

- Location Plan PL100.
- Proposed Site Plan PL102A.
- (Existing) and Proposed Plans and Elevations PL103A.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 The storage container hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 31 South Way and shall not be used for commercial storage or as a separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 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 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.