

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

REF NO: CM/33/20/HH

LOCATION: Church House
Church Lane
Climping
BN17 5RB

PROPOSAL: 2 No. sheds within garden of existing dwelling house. This application affects the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

CM/40/18/HH	Erection of a gate and fence to property to replace existing. This application affects the setting of a listed building.	ApproveConditionally 11-03-19
CM/3/11/L	Application for Listed Building Consent for the provision of a handrail (cast iron) on the front access steps.	ApproveConditionally 23-06-11
CM/6/06/L	Application for Listed Building Consent to convert garage to dining room	Approve 14-07-06

REPRESENTATIONS

No objection

No representation from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

South Downs National Park: No Comment.

POLICY CONTEXT

2km Buffer for Site of Special Scientific Interest
 Outside the Built Up Area Boundary
 Grade II Listed Building
 Archaeological Notification Area
 Area of Special Control
 WSCC Mineral Consultation Area

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
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
HERDM1	HER DM1 Listed Buildings

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and HER DM1 of the Arun Local Plan. Additionally, the National Planning Policy Framework.

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.

DESIGN AND VISUAL AMENITY

Due to the siting and scale of the proposed outbuilding, it will not be visible within the public realm, and therefore cannot be considered to result in any significantly harmful impact upon its character. As such, the proposal is considered to be in accordance with D DM1 of the Arun Local Plan.

HERITAGE IMPACT ASSESSMENT

Policy HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, proposals should protect the setting of these buildings. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard for the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. Paragraph 189 of the National Planning Policy Framework (NPPF) requires such information to be provided in order to assess the impact of the proposal upon these assets. In this instance, it is considered that the proposed development causes less than substantial harm to the listed building where the development is sited, or neighbouring listed buildings. This is due to the scale of the proposal meaning that there will not be any views of the shed from the public realm. As such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

In this instance the development preserves the setting of the Listed Building due to the modest scale and location of the proposal in accordance with policy HER DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact upon the occupiers of neighbouring dwellings. The proposed outbuildings have a maximum height of 3.75m, which slopes down to an eaves height of 2.3m. Furthermore, due to their single storey nature, the proposed openings do not produce views any different to those available from the host dwelling at current. As such, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

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

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.

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:
- Proposed Shed 1
 - Proposed Shed 2
 - Location Plan
 - Block Plan
 - Site Layout

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.