

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

REF NO: R/103/26/HH

LOCATION: Ashley
The Roundway
Rustington
BN16 2BW

PROPOSAL: Removal of existing shed and replacement with new shed.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

R/194/02/	Extension to replace existing annex, lean-to. Reorganisation of kitchen and unification of extension and main building.	ApproveConditionally 08-11-02
-----------	---	----------------------------------

REPRESENTATIONS

Rustington Parish Council - No objection.

No representations were received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built-Up Area Boundary.

TPO/R/1/01.

Within an area with potentially high ground water.

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 site comprises a detached dwelling. Planning permission is sought for the replacement of a shed in the rear garden.

The shed would measure approximately 6.8m in depth at its longest point, reducing to 5.5m at its shortest point, with a width of approximately 2.9m. It would feature a flat roof form with a maximum height of approximately 2.6m. The external finish would comprise white painted render, matching the appearance of the host dwelling.

The proposed fenestration would be limited to small high-level windows within the east and south elevations, together with an entrance door located within the curved section of the southern elevation.

The shed would be to the rear of the dwelling and would not be visible from the street scene. Neighbouring properties contain various sheds and outbuildings, and a building of a similar footprint, albeit of a lower height, could be erected under permitted development rights. It would partially replace existing outbuilding in a comparable location.

Whilst the submitted plans show additional outbuildings within the site, these do not form part of the application and are shown for contextual purposes only. A small separation gap would be retained between the proposed shed and the adjacent buildings.

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

RESIDENTIAL AMENITY

The outbuilding would be set in approximately 0.3m from the northern boundary and approximately 0.5m from the western boundary. It would be away from neighbouring dwellings and would be screened by the existing 1.8m high boundary treatment and mature vegetation along the site boundaries. Due to its modest scale, limited height, and flat-roof design, the development would not appear overbearing or result in any loss of light or overshadowing to neighbouring properties.

The fenestration is limited to small high-level windows and would primarily face towards the host dwelling. Furthermore, the outbuilding is not proposed for habitable accommodation and would be used for garden storage. As such, the development would not result in harm to neighbouring amenity, in accordance with ALP policy D DM1 and the Arun Design Guide.

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 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 drawings:

- Location plan
- Block plan
- Proposed site plan-004
- Proposed east elevation- 006
- Proposed south elevation- 007
- Proposed west elevation- 008
- Proposed north elevation- 009
- Proposed section- 010
- Proposed materials- 011

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 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).

- 4 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.