

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

REF NO: Y/150/21/HH

LOCATION: 15 Kings Close
Yapton
BN18 0EX

PROPOSAL: Detached single storey home office/garden building in rear garden.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks permission for a detached single storey outbuilding to the rear garden for use as a home office.

RELEVANT SITE HISTORY

Y/96/21/CLP Lawful development certificate for a proposed garden building. PP Required
03-09-21

REPRESENTATIONS

Yapton Parish Council provided no objection.

3 letters of objection from nearby occupiers

- It will set a precedent in the new estate.
- The building is too large.
- Not in keeping with the aesthetics of the estate.
- The condition on the estate was to prevent overdevelopment.
- It will have a material effect on our outlook.

Comments noted. An application would be required should other householders wish to construct an outbuilding and each is assessed on their own merit.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

ADC Drainage - Apply drainage condition. The application site is in a relatively new build estate for which a robust surface water drainage strategy was approved by the LPA under application reference Y/21/18/DOC. Drawing 101 Rev P5 shows the general drainage arrangement for the site. This illustrates a trench soakaway which runs through the garden of the site (plot 6) between plots 5 and 8. If you are minded to approve the application apply the following conditions to ensure the development is adequately drained and does not increase flood risk elsewhere. My expectation is that the applicant will need to show that they can and will connect the surface water drainage from the outbuilding to the

existing soakaway, they will need to check the levels of the soakaway and show that it has been constructed as drawn. The construction of the outbuilding must not damage or alter the existing drainage arrangements for the site. I also request this condition to ensure that no connection of surface water is made to the foul sewer in the Lidsey Treatment Catchment.

POLICY CONTEXT

Designation applicable to site:

PD restriction

Lidsey Treatment Catchment Area

DEVELOPMENT PLAN POLICIES

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

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 of the Arun Local Plan and the Arun Design Guide.

Yapton has a made Neighbourhood Plan with policy BB1 of relevance to the application. The proposal complies being located within the BUAB.

The dwelling is on a new build estate and as such there is condition which removes permitted development rights. The size of the outbuilding would ordinarily fall under permitted development and not require planning permission however as these rights have been removed, permission is required.

Whilst there is a PD restriction, it must be considered whether the addition will result in an unacceptable level of harm by way of visual appearance on the street scene or its impact on residential amenity.

DESIGN AND VISUAL AMENITY

The application proposes an outbuilding which will form a home office/garden building to the rear garden of the property.

The outbuilding replaces a shed which was provided with the property. It has been partially constructed and increases in size from the existing structure. It does not appear excessive in scale and is appropriate in size for its location.

Cladding is proposed which will be a colour similar to that of the host dwelling which is grey in colour. The material is considered to help integrate the appearance of the outbuilding with the host dwelling although sited to the rear is not visible from the front.

The Arun Design Guide states 'Development should take a simple and unobtrusive form which does not overpower the existing or neighbouring properties'. The proposal is considered to comply with this statement.

Whilst larger than other outbuildings in the area, it is not considered to appear out of keeping or unduly dominant in such that a refusal is justified. With no viewpoint from the street scene, it is not considered to result in harm upon the appearance of the street scene in accordance with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The structure is larger than that in other gardens however is not considered so large that it appears adversely overbearing or overshadowing on amenity. The dimensions of the structure would ordinarily fall under permitted development and not require permission. It will have height of 2.45m and therefore does extend above the fence line although with the structure having a flat roof, this reduces its visual impact upon amenity.

The outbuilding will meet with the boundary to the north and eastern elevation, retaining 1.2m to the west.

The development is not considered to give rise to adverse impacts upon the property to the rear at 23 Foundary Road. This has a relatively deep rear garden and there is a small path which runs along part of the rear boundary which allows access into the garden gate and provides a small separation between the outbuilding and the neighbouring property.

The Design Guide also states the development should 'Preserves external garden amenity space to at least 10.5m depth. It does not comply with this remaining around 7.5m however as the garden room faces the host dwelling, it does not result in additional views towards neighbouring properties with the views looking towards the host dwelling and the same as which could be achieved from standing in the rear garden.

There will be bi fold doors to the southern elevation. This will look towards the rear elevation of the host dwelling and at single storey is not considered to provide views additional to that which can already be achieved from standing in the rear garden.

The use of the outbuilding as a home office/storage space is considered ancillary to the host dwelling and would not result in an intensification of the use of the property.

The proposal is not considered to result in adverse harm upon amenity by way of overbearing, overshadowing or overlooking and accords with D DM1 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 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 approved shall be carried out in accordance with the following approved plans
 - Location Plan
 - Block Plan
 - West View
 - East View
 - North View
 - South View
 - Floor Plan
 - Garden View

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.

- 2 Within 3 months of the decision date, full details of the proposed surface water drainage scheme shall be submitted and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, WDM1, W DM2 and W DM3 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.