

PLANNING APPLICATION REPORT

REF NO: P/96/22/HH

LOCATION: 97 Harbour View Road
Paghham
PO21 4RJ

PROPOSAL: Erection of single storey outbuilding to rear.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks a single storey outbuilding in the rear garden of the property.

REPRESENTATIONS

Paghham Parish Council provided an objection.

- Concerned that no height was specified.
- The building appears to have commenced but not as suggested on the plans and too close to the boundary.

5 letters of objection from 3 nearby occupiers.

- Second building being constructed
- TPO trees have been cut down.
- Object due to the size and height of the building.
- Too close to boundary.
- It will affect the light in garden.
- It might be used as a domestic or commercial building.
- Highly visible from the end of my garden.

Comments noted - examination of the TPO's on site confirms that there are no protected trees to the rear of the property. The tree application recently applied for was identified by the tree officer as being unnecessary.

Commenced works to the rear boundary of the garden do not form part of this application.

A measuring tool on the website is available to scale the drawings to determine the height of the structure. The dimensions of the proposed structure are detailed below under the heading 'DESIGN AND VISUAL AMENITY'.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built up area boundary

TPO

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:

PDS	Pagham Parish Council's Village Design Statement by PaghamPC
SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS**PRINCIPLE**

The site falls within the built-up area boundary. The key policy is D DM1 of the Arun Local Plan and the Arun Design Guide.

Pagham does not have a Neighbourhood Plan although it does have a Village Design Statement with the property located within the Kings Beach Estate.

DESIGN AND VISUAL AMENITY

The outbuilding will be located in the rear garden and is not visible from the street scene.

The outbuilding is of a standard construction featuring a dual pitched roof to a ridge height of 4m, with eaves to 2.5m. It will have a depth of 4.6m with a length of 10m. This is positioned along the side northern elevation and retains 1.2m to the boundary. Whilst large, the size is acceptable and does not appear an overdevelopment of the site.

The external appearance will feature white render, with slate grey roof tiles. This is acceptable, with no views available from the street frontage.

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 site and is acceptable, retaining a sufficient amount of garden land for conventional domestic use.

With no viewpoints of the outbuilding, the proposal will not impact the appearance of the street scene and complies with D DM1 of the Arun Local Plan and the Design Guide.

RESIDENTIAL AMENITY

Representations have been made regarding groundworks that are taking place to the rear boundary of the garden. The agent confirmed this is where an existing shed will be relocated to and does not form part of the application.

The outbuilding proposed is higher than that which could be constructed under permitted development and is visible above the boundary fence line. With a height of 4m, this may provide some minor

overshadowing on the garden of the neighbour to the north at No.95, although with separation retained to the boundary fence and with the roof sloping away from the boundary, this will not be significant.

Only limited views of the outbuilding would be achievable from the neighbours to the east at Barons Mead with approximately 6m retained to the rear boundary which adjoins the neighbouring garden. To the south, 10m is retained to the boundary and the structure would not result in adverse harm upon this elevation.

The use of the outbuilding is described as an office/storage area, although a toilet is shown within. Its use would remain ancillary to the dwelling and a condition included to ensure it does not become a separate unit of accommodation.

There will be a door to the southern side to enable access and 2 windows. There will be a window to the northern side although at single storey level, views would be intersected by the boundary fencing in place and would not result in views additional to that which can be achieved from standing in the garden. 2 rooflights are shown to the northern roof slope, although due to their siting above head height, views will not be achievable.

The proposed outbuilding would not be overbearing or result in adverse harm upon amenity by way of overshadowing or overlooking in compliance with Policy D DM1 of the Arun Local Plan.

SUMMARY

The development complies 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

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

- Location Plan
- Block Plan
- Proposed Elevations
- Proposed Floor 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 The outbuilding hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 97 Harbour View Road as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies D DM1 of the Arun Local Plan 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 **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.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

P/96/22/HH - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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