

Parish: Bosham	Ward: Harbour Villages
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**BO/19/01264/DOM**

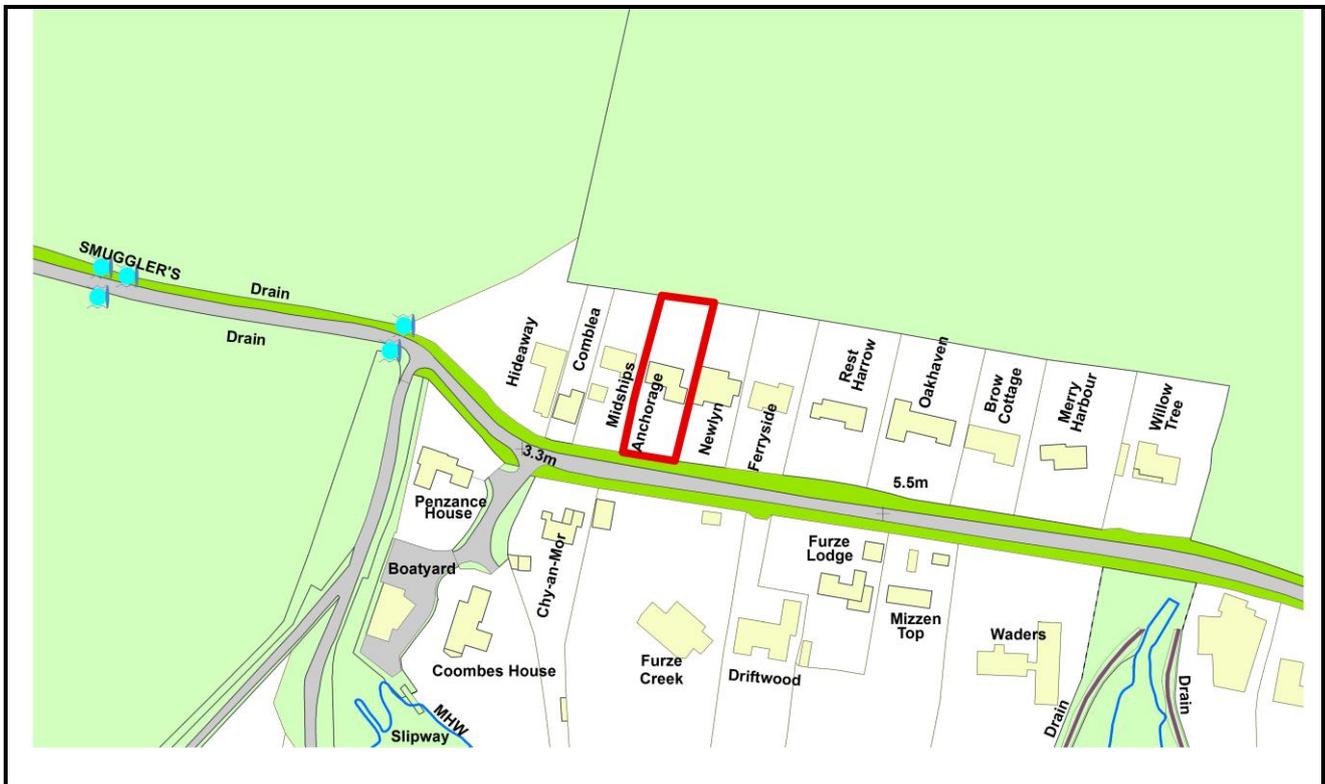
**Proposal** Erection of a new timber summerhouse.

**Site** The Anchorage Smugglers Lane Bosham Chichester West Sussex PO18 8QW

**Map Ref** (E) 480756 (N) 102147

**Applicant** Mr & Mrs John & Glenys Bacon

**RECOMMENDATION TO PERMIT**



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## **1.0 Reason for Committee Referral**

1.1 Applicant is a Member/Officer of Council.

## **2.0 The Site and Surroundings**

2.1 The application site (known as The Anchorage) is located outside of any Settlement Boundary Area, on the northern side of Smugglers Lane, and within the Chichester Harbour Area of Outstanding Natural Beauty (AONB).

2.2 The Anchorage is a two storey detached property that occupies a generous plot. The dwelling-house is set back approximately 25 metres from the road and the front of the site contains amenity space and off-street parking. The rear of the site contains amenity space and backs onto open countryside.

2.3 The property is set amongst an established cluster of generally large detached properties that line both sides of Smugglers Lane. Despite the surrounding residential development, the character of Smugglers Lane is essentially rural as a result of the surrounding agricultural land and verdant character and appearance of the streetscene.

2.4 The application site is constrained by neighbouring residential development to both the east and west. It is notable that whilst the application site does not currently include any outbuilding located to the front of the site; outbuildings to the front of neighbouring plots are common place.

## **3.0 The Proposal**

3.1 Planning permission is sought for the erection of a new timber summerhouse. This would measure approximately; 3.187 metres (width) x 3.602 metres (depth) x 2.62 metres (ridge) with an eaves height of approximately 2.21 metres.

3.2 The proposed summer house would be located to the south western corner of the site, approx. 8.7 metres from the public highway. The southern boundary which separates the application site from the road comprises a mature oak tree subject to a Tree Preservation Order (TPO) and substantial vegetation. The western boundary separates the application site from the neighbouring property to the west and comprises timber fencing approx. 1.8 metres in height and hedging.

3.3 The proposed summer house would sit on an existing concrete slab and 2 no. courses of brickwork. The proposed materials would include timber shiplap boarding finished in Black/Green (RAL 6012) and a green felt roof with; 2 no. timber framed windows to the eastern elevation, 1 no. set of timber framed glazed doors to the northern elevation and 1 no. door to the southern elevation.

#### 4.0 History

05/01115/DOM	PER	Single storey side and rear extension to existing two storey detached house forming new kitchen and dining room, single storey side extension store, loft conversion and replacement garden room.
06/00629/DOM	PER	Amendment to planning permission BO/05/01115/DOM to include additional floor space at first floor to provide en-suite bathroom and dressing room.

#### 5.0 Constraints

Listed Building	NO
Conservation Area	NO
Countryside	YES
AONB	YES
Tree Preservation Order	YES
EA Flood Zone	
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

#### 6.0 Representations and Consultations

##### 6.1 Parish Council

No Objection.

##### 6.2 Chichester Harbour Conservancy

Chichester Harbour Conservancy Recommendation - No Objection

Suggested considerations:

- schedule of materials to be as indicated on submitted application forms / subsequently agreed (use of a natural, dark coloured / stained timber boarding is preferred by the Conservancy, not the use of light or pale / pastel colours)

Given the setting, the proposal is not considered to be unduly prominent to be detrimental to the character or the appearance of the Area of Outstanding Natural Beauty (AONB).

### 6.3 Tree Officer

Application discussed verbally with the CDC Tree Officer who raised no concerns that the proposed works would result in harm to the TPO oak at the front of the site due to the existing concrete foundations.

### 6.4 Third Party Comments

None received

## 7.0 **Planning Policy**

### The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. The Bosham Parish Neighbourhood Plan was made June 2015 and forms part of the Development Plan against which applications must be considered.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

#### Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 33: New Residential Development

Policy 43: Chichester Harbour Area of Outstanding Natural Beauty (AONB)

Policy 44: Development around the Coast

Policy 45: Development in the Countryside

Policy 48: Natural Environment

7.3 Bosham Parish Neighbourhood Plan:

Policy 7: Landscape and the Environment

### National Policy and Guidance

- 7.4 Government planning policy now comprises the 2018 National Planning Policy Framework (NPPF), paragraph 11 of which states:  
At the heart of the NPPF is a presumption in favour of sustainable development, For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
  - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 7.5 Consideration should also be given to section 12 (Achieving well-designed places) and section 15 (Conserving and enhancing the natural environment)

### Other Local Policy and Guidance

- 7.6 The following Supplementary Planning Documents are material to the determination of this planning application:
- Adopted Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document 2017
  - CDC PGN3: Design Guidelines for Alterations to Dwellings and Extensions
  - Chichester Harbour AONB Management Plan 2019-2024
- 7.7 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

## 8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i. Principle of development
- ii. Design and impact upon visual amenity/character of area and the AONB
- iii. Impact upon the amenity of neighbouring properties
- iv. Impact upon trees
- v. Other matters

i. Principle of development

8.2 The application site is located outside the Bosham Settlement Boundary and therefore the proposal is considered to be development in the countryside under policy 45 of The Chichester Local Plan (CLP). As the site has lawful residential use, a residential outbuilding can be considered acceptable in principle, subject to being of an acceptable scale, siting and design, complying with development plan policies and any other material considerations. The principle of development considered to be both sustainable and acceptable in accord with policy 2 and 45 of the CLP

ii. Design and impact upon visual amenity/character of area and the AONB

8.3 Policy 33 of the Chichester Local Plan sets out that any proposed development must meet the highest standards of design and provide a high quality living environment in keeping with the character of the surrounding area and its setting in the landscape. This includes considering its proportion, form, massing, siting, layout, density, height, scale and neighbouring and public amenity. Additionally, Policy 43 of the Chichester Local Plan requires that the natural beauty and locally distinctive features of the AONB are conserved and enhanced. Policy 45 asserts that development in the countryside must not harm the rural landscape and Policy 48 requires development in the countryside to have no adverse impact upon the tranquil and rural character of the area.

8.4 Policy 7 of the Bosham Parish Neighbourhood Plan seeks to ensure that the natural beauty and locally distinctive features of the AONB are conserved and enhanced and that development reinforces and responds to, rather than detracts from, the distinctive character and special qualities of the AONB.

8.5 The Adopted Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document 2017 states in paragraph 15.1 that 'Careful thought should be given to the siting and scale of ancillary buildings so as to avoid impact on neighbouring properties and dominance over the dwelling. The setting should not be intrusive in the landscape or in public views from the land or water.'

- 8.6 The proposed scale of the summer house is considered to be modest and this would ensure that it is subservient to the dwelling-house. The siting of outbuildings to the front of plots is common place along the northern side of Smugglers Lane, and it is notable that the outbuilding proposed in this instance is would be significantly smaller in both footprint and built form than many comparable neighbouring developments. It is therefore considered that the proposed summerhouse would be commensurate in form, scale and pattern of building with surrounding development.
- 8.7 The presence of a mature oak tree and substantial vegetation to the southern boundary would ensure that only very limited views of the proposal would be possible from Smugglers Lane, whilst none would be possible from Chichester Harbour. Additionally, the proposed outbuilding would be single storey with a ridge height of 2.62 metres. These characteristics of the site and the proposed development would be sufficient to ensure that the proposal would not dominate the street scene and would not be an intrusive addition to the AONB.
- 8.8 The use of timber painted in a dark colour and the green felt roof would help soften the visual impact of the proposed development as is recommended by The Adopted Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document 2017. Overall, the proposed materials are considered to be appropriate given the developments sensitive location and would conserve the visual amenity of the AONB.
- 8.9 The proposal would include 2 no. windows to the eastern elevation, whilst the proposed French doors to the northern elevation would also include glazing. The level of proposed glazing is not considered to be excessive and is not judged to have the potential to harm the character and visual amenity of the AONB.
- 8.10 The proposed summer house by virtue of size, scale, design, siting and proposed materials would respect the pervading character and built form of the surrounding area, would not detract from the tranquil and rural character of the area, and would ensure that the visual amenity of the Chichester Harbour AONB is conserved. The application is therefore considered acceptable in accordance with the NPPF, Policies 33, 43, 45 and 48 of the Chichester Local Plan and Policy 7 of the Bosham Neighbourhood Plan.

iii. Impact upon the amenity of neighbouring properties

- 8.11 Paragraph 127 of the National Planning Policy Framework states that planning decisions should create places that offer a high standard of amenity for existing and future users. Additionally, Policy 33 of the Chichester Local Plan includes a requirement to protect the amenity of neighbouring properties.
- 8.12 The proposed development would be sited in close proximity to the western boundary of the site. The boundary treatment of a 1.8 metre high fence separates the application site from the neighbouring property.

8.13 Due to the height of the proposed structure, the development would not result in unacceptable massing along the boundary. Furthermore, the absence of windows on the western elevation and the siting away from neighbouring dwelling-house would ensure that no loss of neighbouring amenity would occur with regard to loss of privacy, light or un-neighbourly disturbance.

8.14 It is therefore considered the amenity of neighbouring properties would be safeguarded development would not result in the loss of neighbouring amenity and is acceptable in accordance with the NPPF and Policy 33 of the Chichester Local Plan.

iv. Impact upon trees

8.15 The proposed foundations would comprise of 2 no. courses of brickwork on an existing concrete slab. The absence of any proposed new foundation would therefore ensure that the development would not have any harmful impact on the TPO oak to the front of the site.

v. Other matters

8.16 No public comments have been received, there are no objections from consultees, and there are no other material considerations which would outweigh the conclusion.

Conclusion

8.17 Based on the above assessment it is considered the proposal is compliant with the NPPF, Policies 33, 43, 45 and 48 of the Chichester Local Plan and Policy 7 of the Bosham Parish Neighbourhood Plan. The application is therefore recommended for approval.

Human Rights

8.18 The Human Rights of the applicants and nearby occupiers have been taken into account in assessing the proposals, and it is concluded that the recommendation to permit is justified and proportionate.

**RECOMMENDATION: PERMIT** subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

3) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form, plans and document 1, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

4) Notwithstanding any indication on the approved plans or documents, the summer house hereby permitted shall be painted Black/Green (RAL 6012) as confirmed in email from applicant dated 23/05/2019.

Reason: To conserve the visual amenity of the Chichester Harbour AONB

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the building hereby permitted shall be used only for purposes incidental to the enjoyment of the dwelling house and for no other purpose.

Reason: To maintain planning control in the interests of amenity of the site.

Plans referred to in the consideration of this application are listed in the schedule below.

Details	Reference	Version	Date Received	Status
PLAN - Elevations (A3)	DOCUMENT 2		16.05.2019	Approved
PLAN - Floor Plan (A3)	DOCUMENT 3		16.05.2019	Approved
PLAN - Propose Site Plan (A3)	DOCUMENT 4		16.05.2019	Approved
PLAN - Site Location Plan (A4)	DOCUMENT 5		16.05.2019	Approved
PLAN - Area Plan (A4)	DOCUMENT 6		16.05.2019	Approved

## INFORMATIVES

1) 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.

For further information on this application please contact William Price on 01243 534734

To view the application use the following link -

<https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PR6HPQER0PD00>