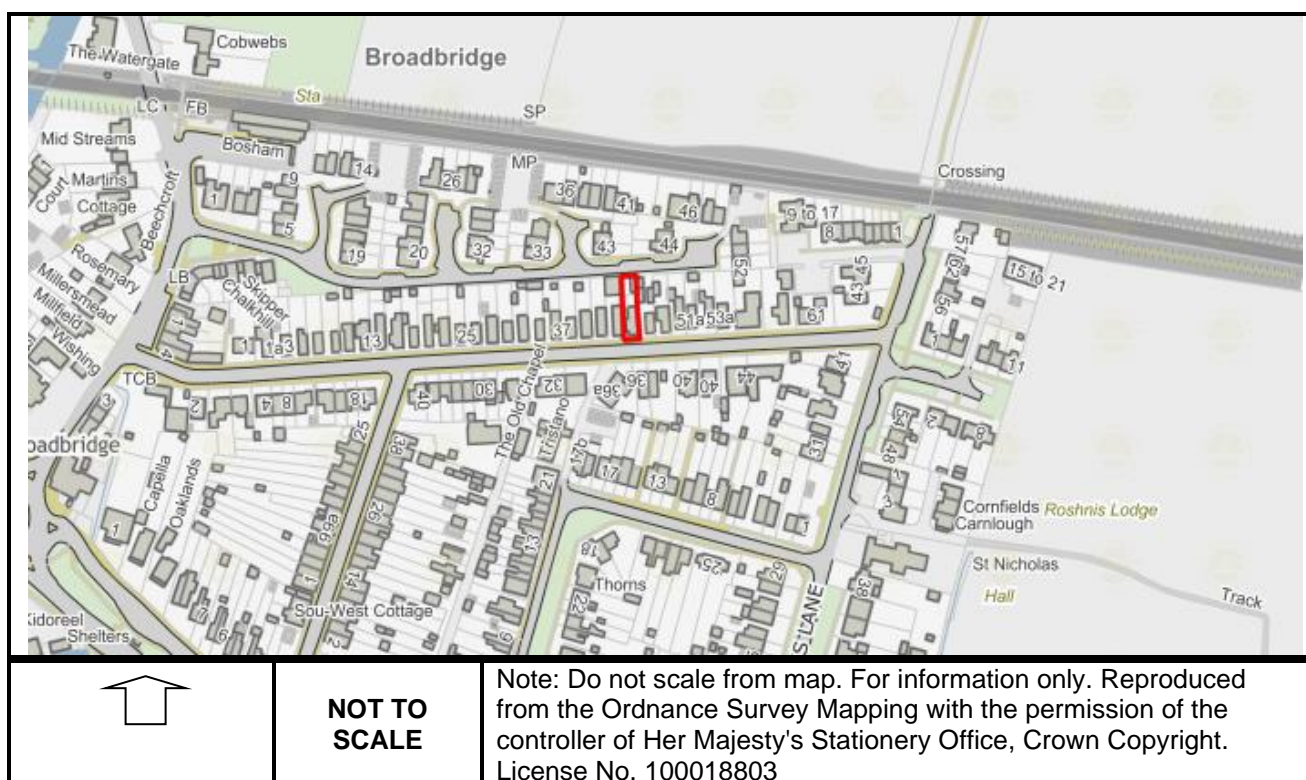


Parish: Bosham	Ward: Harbour Villages
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**BO/23/02609/FUL**

<b>Proposal</b>	Retention of existing outbuilding for use as residential annexe.		
<b>Site</b>	47 Williams Road Bosham Chichester West Sussex PO18 8JR		
<b>Map Ref</b>	(E) 481441 (N) 105343		
<b>Applicant</b>	Mr Ricky Mullen	<b>Agent</b>	Mr James Cross

## RECOMMENDATION TO PERMIT



**NOT TO  
SCALE**

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### 1.0 Reason for Committee Referral

1.1 Parish Council Object, officer recommends permit

### 2.0 The Site and Surroundings

2.1 The application site comprises flatted accommodated with amenity space to the front and rear located within the Broadbridge Settlement Boundary. The site lies on the northern side of Williams Road, and there is vehicular access to the rear from Arnold Way. The property is a detached building, which was converted into two flats under a planning application in 2007. The property has white render to much of the property, with cladding

to the gable end. The front of the property has a small paved garden, which appears to be a shared space, whilst the rear has two small garden amenity spaces which has split the land to provide each flat with private amenity space. The proposed annexe is already present on the site, located at the rear of the property in the north east corner of the site and directly adjacent to Arnold Way and a parking area. Properties in this location are similar in terms of size, scale, form, bulk, and mass. A number of properties have outbuildings which sit adjacent to Arnold Way.

### 3.0 The Proposal

- 3.1 The application seeks planning permission to retain the existing ancillary outbuilding in connection with the ground floor flat known as 47 Williams Road. Work began on the outbuilding in October 2020 and was finished in March 2023.
- 3.2 The outbuilding was constructed as a residential annexe, however there is evidence that the site was being used for tourist accommodation. The proposal is seeking permission for the use of the building as ancillary accommodation only, and the applicant has confirmed, through discussions, that they are aware that a separate planning application would be required if they wished to continue the tourism use.
- 3.3 The outbuilding measures approximately 7.4m long x 2.8m wide x 2.6m high and comprises of timber clad walls, black rubber single ply flat roof and uPVC windows and doors. The internal layout of the outbuilding includes a kitchenette, W/c with shower, and a sleeping area/lounge.

### 4.0 History

07/03244/DOM	PER	Proposed two storey rear extension to provide additional accommodation for ground and first floor flats.
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### 5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
EA Flood Zone	NO
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

## **6.0 Representations and Consultations**

### **6.1 Parish Council**

Bosham Parish Council objects to this application on the basis that this land was not scheduled for residential development. It is physically separated by screening from the main residence and has all the appearance of an individual dwelling. The application makes no mention of how they will deal with foul waste or rain water. Should this be permitted it would set a precedent for further unregulated residential/commercial development.

### **6.2 Third party comments**

None received

### **6.3 Applicant/Agent's Supporting Information**

The applicant/agent has provided the following supporting information during the course of the application:

- a) The property is subdivided into two flats and the ancillary building, which is the subject of this planning application, is associated with the ground floor flat
- b) Parking arrangements comprise of a mixture of both off-street parking for 2 no. spaces to the rear of the property (adjacent to the outbuilding), and also permit parking on street along Williams Road.

## **7.0 Planning Policy**

### **The Development Plan**

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. The Bosham Neighbourhood Plan was made on the 16 November 2016 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 8: Transport and Accessibility
- Policy 39: Transport, Accessibility and Parking
- Policy 48: Natural Environment
- Policy 49: Biodiversity

### **Bosham Neighbourhood Plan**

- Policy 1: The Settlement Boundary
- Policy 6: Landscape and the Environment

- Policy 7: Ecology, Wildlife and Biodiversity

### Chichester Local Plan 2021 - 2039: Proposed Submission (Regulation 19)

- 7.3 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2039 is now well advanced. Consultation on a Preferred Approach Local Plan has taken place. Following detailed consideration of all responses to the consultation, the Council has published a Submission Local Plan under Regulation 19, which was approved by Cabinet and Full Council for consultation in January 2023. A period of consultation took place from 3rd February to 17th March 2023, and the Submission Local Plan is expected to be submitted to the Secretary of State for independent examination in Spring 2024. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in early 2025. At this stage, the Local Plan Review is an important material consideration in the determination of planning applications, the weight that can be attached to the policies contained therein is dependent on the significance of unresolved objection attributed to any relevant policy, commensurate with government policy at paragraph 48 of the NPPF (2023).
- 7.5 The relevant policies of the Chichester Local Plan 2021 - 2039: Proposed Submission (Regulation 19) include:
- Policy S1 Spatial Development Strategy
  - Policy S2 Settlement Hierarchy
  - Policy P1 Design Principles
  - Policy P2 Local Character and Distinctiveness
  - Policy P3 Density
  - Policy P5 Spaces and Landscaping
  - Policy P6 Amenity
  - Policy P7 Alterations and Extensions
  - Policy P8 Materials and Detailing
  - Policy T4 Parking Provision

### National Policy and Guidance

- 7.6 Government planning policy comprises the National Planning Policy Framework (NPPF December 2023). The relevant sections of the NPPF pertinent to the assessment of this application include:
- Section 2 Achieving Sustainable Development
  - Section 4 Decision Making
  - Section 12 Achieving well designed places
  - Section 15 Conserving and enhancing the natural environment

### Other Local Policy and Guidance

- 7.7 The following documents are material to the determination of this planning application:
- Planning Obligations and Affordable Housing SPD

- Surface Water and Foul Drainage SPD
- CDC Waste Storage and Collection Guidance
- CHC Chichester Harbour AONB Management Plan (2024-2025)
- Bosham Village Design Statement

7.8 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:

- Principle of development
- Design and impact upon character of the surrounding area
- Impact Upon the amenity of neighbouring properties
- Highway Safety
- Other matters

### Assessment

#### i. Principle of development

8.2 Policy 1 of the Chichester Local Plan includes a presumption in favour of sustainable development within settlement boundaries. Policy 1 of the Bosham Neighbourhood Plan highlights how there is a presumption in favour of sustainable development that will apply to proposals for developments that respect the setting, form, and character of the settlement of Bosham/Broadbridge and which comply with the requirements of the other policies of the development plan.

8.3 As the application site falls within the Broadbridge Settlement Boundary Area, the principle of an outbuilding ancillary to an existing residential property is acceptable, subject to compliance with the development plan and other material considerations.

#### ii. Design and impact upon character of the surrounding area

8.4 The importance of achieving high quality design is set out within section 12 of the NPPF whilst Policy 6 of the Bosham Neighbourhood Plan outlines how all proposals must demonstrate that the development respects and enhances the landscape character of the surrounding area.

8.5 The site lies within Character Area B identified in the Village Design Statement. This area is characterised by more compact modern development. Williams Road forms one of the main residential streets which are arranged in blocks and contribute most to its overall spatial character.

- 8.6 The outbuilding takes the form of a flat roof shipping container, clad in wood, and sited within the curtilage of 47 Williams Road. There are similar examples of outbuildings in the vicinity and they vary in size. The proposed outbuilding would be situated in an area of Bosham which is urban in character and has evidence of numerous alterations, extensions or detached outbuildings. The rear gardens of the properties along Williams Road show numerous examples of detached garages, which sit along Arnold Way. The prevalence of these outbuildings means that the addition of the structure at 47 Williams Road does not appear out of keeping with the character and appearance of the surrounding area.
- 8.7 The outbuilding subject to this proposal is similar to much of the built form present along the rear of Williams Road, with flat roof, small scale development, either incidental or ancillary to the associated dwellinghouses. The majority of these outbuildings are constructed of timber. As such, the proposed outbuilding would reflect the materials, form, and residential use of neighbouring development and would not be considered harmful to the character of the area.
- 8.8 The proposal by reason of its size, design and appearance would be appropriate having regard to the existing property and would not cause significant harm or detriment to the wider area and therefore would accord with NPPF section 12, Policy 6 of the Bosham Neighbourhood Plan, and the guidance set out in the Bosham Village Design Statement.

iii. Impact upon the amenity of neighbouring properties

- 8.9 The NPPF states in paragraph 135 that planning should ensure a good quality of amenity for existing and future users (of places).
- 8.10 The proposal would be sufficiently distanced, orientated and designed so as not to have an unacceptable effect on the amenities of the neighbouring properties, in particular to their outlook and privacy. In addition, given the building would be used for purposes ancillary to the existing residential use and it lies within land that could be used for residential purposes associated with the main accommodation it would not result in a material change of use that would impact upon the amenity of neighbours of the wider area. Therefore it is considered that the development complies with paragraph 135 of the NPPF.

iv. Highways Safety

- 8.11 Policies, 8 and 39 of the CLP seek to ensure that new development has acceptable parking levels, and access and egress to the highway. The Bosham Village Design Statement highlights that on street parking is a feature within this character area.
- 8.12 1 no. parking space to the rear of the property has been removed as a result of the development, however 1 no. off street parking space would be retained at the rear of the flats. As detailed in the Bosham Village Design Statement, on street parking is a feature within this character area, and this is shown on site. A large number of properties along Williams Road rely on on-street parking, and on-street parking is also a character of Arnold Way to the rear of the property. As such, the removal of one parking space to the

rear would not create a highways safety concern, nor would it be considered harmful to the character of the area.

### Conclusion

8.13 Based on the above it is considered that the proposal complies with the current development plan and therefore the application is recommended for approval.

### Human Rights

8.14 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account and it is concluded that the recommendation to permit is justified and proportionate.

### **RECOMMENDATION**

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

1) 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 accommodation hereby permitted shall be restricted to use as ancillary accommodation to the existing dwelling at the site from which it shall not be let, sold separately, used for tourist accommodation, or severed thereafter.

Reason: The site is in an area where a new dwelling would not normally be permitted except the demonstrable needs of the case.

### **Decided Plans**

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - PROPOSED SITE PLAN	C9/0293/05		17.11.2023	Approved
PLAN - PROPOSED OUTBUILDING	C9/0293/06		17.11.2023	Approved

### **INFORMATIVES**

1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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 Freya Divey on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S49OE1ERFWN00>