Development Management – Delegated Officer Report

Application Number: AWDM/1276/15 **Recommendation: APPROVE**

Site: **Houseboat Myrtle, 2 Riverbank, Shoreham-By-Sea**

Proposal: **Retention of repositioned platform and sheds and new bridge to Kraken**

Date of Site Visit: Site meeting 6 November but site also visited on other occasions during application process

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application seeks permission for the retention of a repositioned platform and sheds and a bridge to Kraken.

Myrtle and Kraken are the two westernmost houseboats and the latter is only permitted to be stationed on the basis that is ancillary to Myrtle (a family member resides there). Other houseboats are to the east, no houseboat residential properties to the south and Brighton Road to the west. The site is visible from the south and west.

Planning History:

Application for a Lawful Development Certificate (LDC) for use of houseboat 'Redwood' as ancillary to houseboat 'Myrtle' – granted permission in 2014. LDC application for stationing of a separate houseboat refused.

Consultations:

Natural England – provided confirmation that they had authorised the applicant to carry out the works

Southern Water – no objection

Environmental Health - no objection

Representations:

1 letter of support on the basis that the works represent a vast improvement on the previous situation

2 letters of objection on the grounds that the new bridge breaches the ancillary restriction to Kraken, the platform and sheds are in a new position, the works were carried out retrospectively and the shed is huge and obtrusive.

Relevant Planning Policies:

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7, AB23 & AB25 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings'

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

Planning Assessment

Of relevance to the determination of the application is the decision on the Certificate of Lawful Use application for the stationing of Kraken (then Redwood):

The use of the houseboat Redwood as ancillary to houseboat Myrtle is considered to be permitted development as the stationing of a houseboat does not constitute operational development, Section 55(2)(d) of the Town and Country Planning Act confers the right to use any buildings or other land within the curtilage of a dwelling house for any purpose incidental to the enjoyment of the dwelling house as such, the houseboat Redwood is occupied by a member of the same family as houseboat Myrtle, and the access to Redwood is not via a separate jetty but via one shared with Myrtle.

While the occupation of Kraken by a family member remains the case, the provision of a separate bridge means that entrance to Kraken is no longer via a separate jetty although it is via a shared platform. The platform is also created as part of this application and has had a new shed placed upon it which belong to Myrtle. As such, therefore, it could be argued that although the separate jetty situation is no longer the case, entrance is still via structures, as such, that are part of Myrtle. It is noted that the small jetty between Myrtle and Kraken was in a rather poor state and while it could simply have been replaced so retaining the jetty situation, it is perhaps understandable that a safer new jetty should be provided given that the family member occupying Kraken has young children.

While, therefore, part of the ancillary judgement has been eroded, nonetheless the fact that the boat is still occupied by a family member and there are intervening structures belonging to Myrtle at the entrance are considered to be mitigating factors. The jetty itself does not cause visual harm.

It is true to say that the shed painted blue adjacent to the footpath is relatively prominent especially when viewed from the west, although this partly as a function of the location of the houseboat at the western extremity of the footpath. There are several other structures of this type along the footpath as a whole, usually in a rather more dilapidated state than those the subject of this application and indeed the previous outbuildings which stood on this site were of little visual merit themselves.

Given the overall context of the Riverbank area, it is not considered that an objection could be justified to the application and accordingly the application is considered acceptable.

Recommendation

APPROVE subject to the following condition:

1. Development to be carried out in accordance with the approved plans

Is recommendation contrary to letter(s) of representation? Y

Case Officer: Garv Peck Date: 17 December 2015

Authorised by: (Date: 21st Dec 2015.