

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

REF NO: Y/109/21/HH

LOCATION: Stakers Farm
North End Road
Yapton
BN18 0DU

PROPOSAL: Upgrading of existing access with new turning area and addition of a garage (This application may affect the Character and Appearance of the Main Road Yapton Conservation Area) (This application may affect the setting of a Listed Building)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposal seeks to upgrade an existing access with the construction of a turning area. A detached garage is proposed.

RELEVANT SITE HISTORY

Y/107/21/PL	Vary planning condition 2 imposed under Y/105/19/PL relating to approved plans. This application may affect the character and appearance of Main Road/Church Road Conservation Area.	
Y/105/19/PL	Conversion of & alterations to existing barns to create 3 no. dwellings, erection of car barns & stores, a replacement pump house, demolition of barn & associated landscaping & parking - This application may affect the character and appearance of Main Road/Church Road Conservation Area.	ApproveConditionally 30-07-20

REPRESENTATIONS

Yapton Parish Council provided no objection.

No representation received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

WSCC Highways - The applicant proposes a 3m wide internal access road. Whilst this road will be too

narrow for two cars to pass one another, there is space at either end for a car to wait and allow for another to use the road and pass. In addition, given that this is an internal road serving one site, the chance of vehicular conflict is anticipated to be low. The LHA does not consider that this proposal would have an unacceptable impact on highway safety.

A condition has been requested that the development is not occupied until plans showing the car parking spaces have been submitted. A floor plan is included and considered sufficient in such that the condition is not required.

ADC Drainage- The application is in the Lidsey Treatment Catchment, surface water drainage design should be carefully considered. Infiltration must be fully investigated. There is already a surface water drainage condition associated with this site (Condition 5 under application reference Y/105/19/PL). The surface water drainage scheme for the site should take account for the proposed impermeable area from that application and this, should it be approved.

Please apply surface water drainage condition. (This is in the case of Y/105/19/PL not being implemented). If both applications are implemented and conditioned I would expect to see the same drainage scheme (for the whole site) in each of the Discharge of Conditions applications.

The condition has been agreed.

POLICY CONTEXT

Built up area boundary

Conservation Area

Listed Building

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment
HERDM3	HER DM3 Conservation Areas

[Yapton neighbourhood plan 2014 Policy BB1](#)

Built-up Area Boundary

Yapton neighbourhood plan 2014 Policy E8

Conservation Areas

Yapton neighbourhood plan 2014 Policy E9

Listed Buildings and Buildings or Structures of Character

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 and HER SP1 of the Arun Local Plan.

Yapton has a made and an emerging Neighbourhood Plan with policy BB1, E8 and E9 of relevance to the application. The proposal complies with these policies.

DESIGN AND VISUAL AMENITY

The proposal seeks to upgrade an access/turning area and construct a detached garage/workshop. The existing access route is via North End Road to the south east of the site. There will be a single lane access road running north towards the proposed detached garage. The proposal will create a turning on site for which there is sufficient room for. The upgraded access road and turning area is unlikely to be visible from the wider area, located to the rear of the site.

The garage is located to the northern boundary. A garage was approved under Y/105/19/PL in the same location however the proposal seeks to enlarge the structure. Again, due to the location, it is unlikely to be readily visible from the street scene with 45m separation retained to the road at the east.

The structure features a triple bay garage and log store. There will be a first floor in the roof space with a staircase for access to the eastern side. The garage materials will consist of timber with a tiled roof. This is considered acceptable, integrating with other buildings on site and is appropriate for its location.

The Arun Design Guide states 'new development should respond to and complement the existing character and appearance'. The outbuilding is of a modest size, appropriate for the size of the plot.

Due to the location of the garage and alterations to parking/access, it is not considered to result in harm upon the street scene and accords with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The upgrading of the access and turning area will not result in harm to surrounding amenity.

The proposed garage is located to the northern boundary of the site.

An application for a garage has previously been approved under Y/105/21/PL. The garage had a height of 4.2m and the proposed increases this to 5.2m. It also increases in width along the boundary.

The garage will be in close proximity to properties to the rear at 'The Croft'. As a result of the height it will appear slightly overbearing however this is not considered significant in which a refusal is justified. The structure will run along northern boundary with the side elevation of No19 and 20 to the rear. This does not feature any windows and is not considered to result in harm upon this property. No 16 and 17 also located to the rear is a single storey dwelling with rooflights however again impacts are not considered significant. This is due to the boundary treatment in place which features a 3m high brick wall and restricts much of the view. The roof also slopes away from the boundary. With the structure being only 1m higher than already approved it is considered acceptable.

There will be access to the roof space of the garage for use as a workshop. This features a staircase and 2 rooflights. The rooflights may have views over the garden of the property to the rear and as such will be conditioned to remain obscured glazed and fixed shut.

The proposal is not considered to result in significant harm upon amenity and accord with D DM1 of the Arun Local Plan.

HERITAGE ASSETS

The site falls in the curtilage of a Grade II Listed property and Church Lane, Main Road Conservation Area.

Para 194 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The heritage assets in this case are of some significance.

Para 195 requires the LPA consider the significance of the impact upon that heritage asset. The drive would be located to the rear and the driveway would replicate a more rural / traditional driveway that is appropriate for the location and the surrounding agricultural buildings, and therefore seem to be acceptable. The proposed garage is of a standard timber construction and the design and location appear to be acceptable and would not cause harm to the setting of the listed and curtilage listed buildings.

The proposal forms part of wider scheme for the site, however it is not considered that the proposed garage and new cobble driveway would cause harm to the significance of the heritage assets or their setting and comply with HERSP1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with 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 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 - 1020/10
 - Site Plan - 1020/11
 - Garage Elevations - 1020/03

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials, namely the details of the paviors are provided and the appearance of the cobbles and cobble strip to be used have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the Listed Building by endeavouring to achieve a development of visual quality in accordance with policy HER SP1 of the Arun Local Plan.

- 4 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to 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. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended 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, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 5 The rooflights to the northern elevation of the outbuilding must be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. This must be retained in perpetuity. No additional openings shall be installed in this elevation.

Reasons In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 of the Arun Local Plan.

- 6 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm event plus 40% on stored volumes/rainfall intensity (allowance for climate change) between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year storm event plus 40%

on stored volumes/rainfall intensity. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

- 7 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.