

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

REF NO: Y/10/15/HH

LOCATION: Dovecote
Hobbs Court
Bilsham Road
Yapton
BN18 0JY

PROPOSAL: Conversion of existing carport into garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The majority of the Hobbs Court site boundaries are formed by the existing buildings. However, there is also a low hedge along the southern boundary, a 1-1.2m high brick wall along part of the western boundary, a higher brick wall further along and also a flint wall on this boundary. The site is presently largely open to the road on the western and southern boundaries. The car port opens directly onto an internal shared courtyard.
SITE CHARACTERISTICS	The Hobbs Court site comprises of a mix of period and later buildings arranged within a primarily inward facing courtyard arrangement. As such, the majority of the site is private and not visible from either the main road or nearby residential dwellings. Access to the site is via a single shared entrance drive which underneath part of the building. The existing buildings are a mix of 1, 1.5 and 2 storeys and are constructed from traditional materials.
CHARACTER OF LOCALITY	With the exception of the site, the adjoining Hobbs Farmhouse and some dwellings & industrial buildings to the southeast, the character of the surrounding area is rural.

RELEVANT SITE HISTORY

Y/106/13/L	Application for Listed Building Consent for amendment to previous approvals Y/4/89/L for conversion of farm buildings to 3No. residential dwellings (Resubmission following Y/60/13/L).	ApproveConditionally 21-05-14
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REPORT_1011(ODB)

Y/105/13/	Amendment to previous approvals Y/3/89 and Y/60/90 for conversion of farm buildings to 3No. residential dwellings (Resubmission following Y/59/13).	ApproveConditionally 21-05-14
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Y/11/15/L	Application for listed building consent for conversion of existing carport into garage
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The car port conversion was approved by applications Ref Y/105/14 and Y/106/13/L.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council
Yapton Parish Council - no objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Listed Building Officer
Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Historic Buildings Adviser - "No objection".

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Outside Built Up Area Boundary; and
Grade II Listed Building.

DEVELOPMENT PLAN POLICIES

[Yapton neighbourhood plan 2014 Policy E9](#)

Listed Buildings and Buildings or Structures of
Character

PLANNING POLICY GUIDANCE:

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Ferring, Rustington, Kingston, Angmering, East Preston and Yapton. The Yapton Neighbourhood Plan Policies of relevance are referred to in this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The car port forms part of a dwelling which is a Grade II listed building located within outside of the Yapton built-up area boundary. The proposal is to simply add a new part internal wall between the two car ports and then add timber garage horizontal opening doors. The new garage doors will increase the security of the area. Currently, the car port is also used to store tools and household items and is open to the shared courtyard.

As the car port is located within an internal courtyard, it is not visible in the streetscene. However, in any case, is not considered that the addition of the doors will adversely affect the visual appearance of the building. The Councils Historic Buildings Adviser (HBA) has appraised the proposal and has not raised any objection. It is therefore recommended that the application is approved, subject to the following conditions.

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 & Site Plan Ref 133/01; and
Existing & Proposed Ref 133/02.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.