

Recommendation Report for Planning Permission

REF NO: Y/117/19/PL

LOCATION: The Crickets
Hoe Lane
Flansham
PO22 8NT

PROPOSAL: Extension & alterations to main dwelling and extension and conversion of existing annexe to three holiday letting units (resubmission following Y/74/19/PL).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	It is proposed to extend the main dwelling to the rear at the whole length of the host property at both levels and to the side at the ground floor level only. The existing saltbox roof would be replaced by the pitched roof with the ridge raised by 0.7m. The existing covered porch connecting the existing annex with the host property would be removed. The annex itself would be extended to the front, to the east and to the top; an existing flat roof would be replaced with half hipped roof with three front roof-lights and a flat crown whilst the host property would be characterized by gabled roof. Horizontal boarding is proposed to the first floor of the host property and at ground level of annex except of the front projection with painted brickwork. Both roofs would be covered with interlocking tiles.
SITE AREA	1360 sqm
RESIDENTIAL DEVELOPMENT DENSITY (NET)	14.7dw/ha
TOPOGRAPHY	Predominantly flat, slightly raising from the lane to the north.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Dwarf brick wall with piers approximately 1m in height to the front, approximately 1.5-2m high fence supplemented with dense tree planting/vegetation to the north, east and west.
SITE CHARACTERISTICS	The proposal site is located on the northern side of Hoe Lane and contains two storey detached two bedroom dwelling with a saltbox roof set in landscaped curtilage. The original garage has, over the years, been extended and converted to provide annexe accommodation and car port; linked to the host property via a covered porch. The site is approachable by an in-out accesses to the site.
CHARACTER OF LOCALITY	The site forms part of a low density residential development along Hoe Lane within the hamlet of Flansham which consists principally of houses, converted farm buildings and paddocks screened to the highway by hedgerows and mature trees. Although generally street fronted, there is an informality of

layout where space between buildings is important. The area has a mature verdant character.

Hoe Lane is a cul-de-sac off a roundabout on the A259 Bognor Regis Relief Road (the BRRR) that provides access to the hamlet of Flansham. To the south of the BRRR is recent and extensive residential development at Felpham. The hamlet of Flansham grew up around the two historic farmsteads with linear development along Hoe Lane.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

(YPC)

YPC objects as follows:

- Over-intensive use of the site. The two proposed buildings are sited extremely close to each other generating potential conflict with the holiday let use and permanent residential use. The building line and massing of the two units will detract from this loosely developed section of Hoe Lane.
- The proposed extension of the residential dwelling whilst large is in keeping with the existing. However, the proposed holiday lets building is a substantial departure from the existing structure's size and proportions.
- YPC believe that the proposed holiday lets are a significant overdevelopment of a small existing footprint and are overbearing on the adjoining residential unit. YPC would seek the proposal to be reconsidered with a less intensive holiday use proposed.
- YPC would also seek that should any holiday unit be consented that its use as a holiday let be confirmed by appropriate conditioning to ensure that these proposed units do not fall within the category of permanent residential let and/or unit.
- The proposed parking layout plan does not sufficiently demonstrate that the 7 indicated parking spaces are adequate for the whole site or that they have adequate turning and manoeuvrability space to enable cars to easily access the proposed spaces unhindered and all times. No disabled parking bay has been provided for the proposed commercial use ie holiday lets. YPC request that the viability of the proposed parking is clearly demonstrated by full tracking being submitted.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in conclusions section..

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

Environmental Health

WSCC Strategic Planning

Economic Regeneration

CONSULTATION RESPONSES RECEIVED:

Engineers Comments Regarding Surface Water Drainage:
No objection subject to condition and informative.

SOUTHERN WATER - No objection subject to informative.

ADC ENVIRONMENTAL HEALTH - No objection subject to a condition regarding electric vehicle charging points.

ECONOMIC DEVELOPMENT - Support this application.

WSCC HIGHWAYS - No objection subject to conditions.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Outside Built-Up Area
Lidsey Treatment Catchment
Area of Special Control (Adverts)

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP2	ECC SP2 Energy and climate change mitagation
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TOUDM1	TOU DM1 Tourism related development
TOUSP1	TOU SP1 Sustainable tourism and the visitor economy
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

[Yapton neighbourhood plan 2014 Policy BB1](#)

Built-up Area Boundary

Yapton neighbourhood plan 2014 Policy PK1

Parking standards for new residential development

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD3 Parking Standards

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The relevant policies of the Yapton Neighbourhood Plan 2014 have been taken into account in the determination of 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 not considered to comply with relevant development plan policies in that whilst it would not affect adversely the residential amenities of nearby properties, it would have a materially adverse effect on the visual amenities of the local area and the character of the hamlet of Flansham and it is therefore contrary to Policies D SP1, D DM1 and D DM4 of the Arun Local Plan.

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**PRINCIPLE:**

The proposal site lies outside of built up area. Policy C SP1 of the ALP indicates that outside Built-up Area Boundaries (BUABs) land will be defined as countryside and will be recognised for its intrinsic character and beauty. It emphasizes that the Council will take into account cumulative impact of development in the consideration of planning applications.

Policy D SP1 of the ALP relates to design and efficient use of land. The policy also requires that development should reflect the characteristics of the site and local layout in relation to various characteristics, respond to locally distinctive patterns of development and respect, improve and enhance the existing surrounding environment.

Policy D DM1 of the ALP asks for making the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing aspect, sitting, layout, density and design features. The aspect of the impact to users and occupiers of nearby property and land in terms of loss of sunlight, privacy and outlook and unacceptable noise and disturbance should be regarded.

When considering application for extensions and alterations to existing buildings the Council requires in policy D DM4 that the extension and alteration sympathetically relates to and is visually integrated with the existing building in sitting, massing, design, form and scale and materials. It also requires the extension and alteration visually subservient to the main building and does not compromise the established spatial and pattern of the place but is instead a positive addition.

Policy TOU SP1 of the ALP affirms that sustainable tourism development will be encouraged where it protects and enhances the natural and built environment of Arun and policy TOU DM1(2) states that tourism related development in the countryside will demonstrate that it is required and is compatible with its countryside location and is sensitively designed to minimise potential impact on the countryside.

Proposal site lies in the parish of Yapton and is subject to the Yapton Neighbourhood Plan (the YNP) which was made in November 2014. Policy BB1 of the YNP states that development outside of the BUAB will not be permitted unless it is in accordance with one of four criteria. The proposal does not comply with these categories.

With regards to tourism development, the YNP supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

It is also important to consider the following references from the National Planning Policy Framework (NPPF). Firstly, paragraph 83 a),c) states that planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside.

Paragraph 170 b) of the NPPF stresses that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

The proposal would be therefore be contrary to paragraph 170 of the Framework which indicates that planning decisions should recognised the intrinsic character and beauty of the countryside.

DESIGN AND VISUAL AMENITY:

Arun Design Guide Supplementary Planning Document (SPD), a material consideration in the determination of applications, was published under consultation until 21 February 2020. Part M.O1, deals with household extensions and requires development to respond to the distinctive characteristics of the building and surrounding area, do not overpower the existing or neighbouring properties, while taking the opportunity to incorporate innovative design if appropriate and integrating roof form with the existing dwelling, generally constructed at the same angle of pitch.

Part Q.0 requires rural development to be sensitive and appropriately integrated into its landscape setting, which forms the dominant feature. This can be achieved through simple, unobtrusive design working with the topography of the site: ensuring that development is kept away from exposed locations or ridgelines to remain a subordinate feature, and building along the contours of the landscape and using sufficient spacing to avoid merging development together. Facades, elevations and boundaries should be reflective of their rural context, in which the visual impact of buildings is often greater than those within

urban areas. Elevational style and layout should generally be kept simple in order to avoid crowded facades and arrangements.

The proposed extension of the host building would be acceptable, however submitted drawings show the raise of the existing roof ridge by 0.7m without justification.

An existing annex connected to the host building via covered porch is visually in a sufficient distance of 3.3m and due to its simple design reflecting the features of the host building and its height of 2.75m remains subordinate to the host property. On the contrary the proposed extension and alteration would result in a two storey detached building within a distance of 1m in a juxtaposition of the main property. Both the style of a crown half hipped roof which would result in a greater presence of roof mass and the proximity of the extended annex to the host building sitting within narrow site would distract from the surrounding area, failing to make a positive contribution to the asset and to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards.

The proposed development would have a significantly greater visual impact in this countryside location and would be detrimental to the relatively open character and appearance of the area, particularly viewing from Hoe Lane when from certain angle the narrow gap between building would disappear. What is more, the impact would be exacerbated due to the sloping up terrain.

The existing vegetation to the south-east would provide some screening of the proposed dwelling. However, there would be little to prevent the overgrown bushes and the hedge being reduced in height in the future which would increase the visibility and prominence of the building and would emphasise the loss of part of the open space between sporadic properties.

With regard to the above, the proposal would not comply with policies C SP1, D SP1, D DM1, D DM4, TOU SP1 and TOU DDM1 of the Arun Local Plan, policy BB1 the Yapton Neighbourhood Plan and with the relevant requirements of Arun Design Guide .

RESIDENTIAL AMENITY:

The proposal would have a minimal impact on occupiers of nearby properties resulting no unacceptably adverse harm on neighbouring amenity by way of overshadowing, overbearing or overlooking due to the considerable separation distances between neighbouring properties and therefore accords with D DM1 and QE SP1 of the Arun Local Plan.

HIGHWAY ISSUES:

Local Plan policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. Policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes.

Policy T DM1 of the ALP stresses that new development must ensure ease of movement, prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport.

Footpath 147 runs along this part of Hoe Lane. It is conceivable that the PROW (Public Right of Way) will be affected by an increase in vehicular traffic either before or after the development is completed. According the requirements of the above policy public use of the PROW should take precedence.

The Local Highway Authority do not consider that the proposal has an unacceptable impact on highway safety or result in 'severe' cumulative impact on the operation of the highway network, therefore it is not contrary to the NPPF para 109, and there are no transport grounds to resist the proposal subject to condition. As such the development would comply with policy TP1 and policy PK1 of the Yapton Neighbourhood Plan.

Arun District Council's Parking Standards Supplementary Planning Document (January 2020) outlines the approach to parking at new developments. 4 parking spaces are shown on the site layout for the dwelling and 3 for holiday units which satisfies the requirement of the above document for 4 bed dwelling situated in Parking Behaviour Zone 1. The parking requirements for holiday lets are one parking space per bedroom. The applicant has demonstrated this parking requirement in the plans.

SURFACE WATER DRAINAGE:

Policy W DM1, part 3 affirms that although minor developments are unlikely to raise significant flood risk due to the cumulative impact all development within this area must also be accompanied by a Drainage Impact Assessment that must take into account of both the individual and cumulative impact upon foul water disposal; floor storage capacity and surface water drainage or flood flows within the Lidsey Wastewater treatment Works Catchment Area. The site is in the Lidsey catchment and in an area of known high groundwater. Engineers haven't raised an objection, subject to a condition and informative.

PRINCIPLE OF CONVERSION:

A 'granny' annexe is normally regarded as part and parcel of the main dwellinghouse. An incidental use is one that has a normal functional relationship with the primary use of the planning unit, but use for primary living accommodation would be integral to the primary residential use of such a planning unit.

The proposed conversion of an existing annex to three holiday units would not be physically and functionally connected with and thus within the same planning unit as the existing dwelling.

Arun Local Plan and the Framework indicate support for new tourism development which is appropriate to its location. The policies also place the emphasis on the development that respects established spatial and pattern of the place, sensitive and appropriately integrated into its landscape setting, which forms the dominant feature in the countryside, where the proposed development is located. Policy TOU SP1 of the ALP supports tourism which is compatible with its countryside location and is sensitively designed to minimise potential impact on the countryside.

The proposed conversion and extension of an existing annex to three holiday units would result in an overdevelopment of the site with proposed parking for 7 cars dominating the front whilst parking provision especially in countryside should be subordinate to the building and landscape setting. Therefore it is considered the proposal would cause harm to the character of the pattern of development in countryside. In addition, it is likely that occupiers of the proposed holiday units would be heavily reliant on motor vehicles for travelling to and from the site. With few services or facilities available locally, any benefit which the conversion might bring to the local economy is likely to be limited.

CONCLUSION:

The extent of the extension will be harmful to the character of the dwelling and the area generally and not represent an acceptable form of tourist accommodation.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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.

SECTION 106 DETAILS

The proposed development would be eligible for CIL due to the proposed extended area of the main dwelling which would be approximately 107sqm.

RECOMMENDATION

REFUSE

- 1 The scale and design of the proposal would result in an appearance that is bulky and adversely effect the character of the dwelling and character and appearance of the area contrary to policies D SP1, D DM1, D DM4, TOU SP1 and TOU DM1 of the Arun Local Plan.
- 2 **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 identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.