

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

REF NO: Y/23/19/HH

LOCATION: 19 St Marys Meadow
Yapton
BN18 0EE

PROPOSAL: Create first floor in existing garage for additional bedroom and home office

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to create a first floor in an existing detached garage.

RELEVANT SITE HISTORY

Y/35/06/	Proposed first floor extension to front elevation.	ApproveConditionally 14-07-06
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Yapton Parish Council provided no objection conditional upon the ground floor remaining solely for garage use to ensure the street parking does not become overcrowded.

1 letter of objection from a nearby occupier

- Privacy issues may arise depending on position of windows on ground and first floor.

CONSULTATIONS

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Engineers (Drainage) - Due to the lack of impermeable area we have no conditions to request.

POLICY CONTEXT

Designation applicable to site:
Built up area boundary.

DEVELOPMENT PLAN POLICES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

Yapton neighbourhood plan 2014 Policy BB1

Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The proposed development is situated within the built up area boundary. Where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are D DM1 and D DM4.

Policy D DM1 sets out 13 design aspects pf which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and locality.

Yapton has 'made' Neighbourhood Plan with policy BB1 of relevance to the application.

DESIGN AND VISUAL AMENITY

The detached garage is situated to the south of the dwelling and is therefore visible from the street scene.

The proposal seeks to construct a first floor however the external alterations to the garage will be minimal with the additional of 2 velux to the front elevation. The development therefore appears well integrated with the existing building. As the appearance of the garage is largely retained the proposal is not considered to impact upon the spatial pattern or character of the area and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The creation of a first floor in the existing garage will involve the addition of 2 velux to the front and rear elevation and an additional door to the ground floor side elevation.

The first floor will serve a bedroom and an office and as a result of the siting of the garage and the additional windows in which it has been stated the windows will be situated 2.2m above first floor level they are not considered to give rise to adverse overlooking with views over the street scene and existing rear garden. The additional door will be accessed via a walkway between the garage and host dwelling and therefore is not considered to result in adverse impacts upon neighbouring amenity.

The proposal due to the modest change is not considered to harm neighbouring amenity by way of overshadowing, overbearing or overlooking and accord with DDM1 and DDM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

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
- Site Plan, Existing and Proposed Floor Plans and Elevations - MT/1547/2

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 19 St Marys Meadow as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies DDM1 of the Arun Local Plan and to prevent the

establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 4 **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.