

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

REF NO: Y/29/15/HH

LOCATION: 1 Turpins Mount
Main Road
Yapton

PROPOSAL: Garage conversion & link. This application affects the character & appearance of the Main Road/Church Road Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks planning permission for a single storey link to side to attach to the existing garage. The garage would also be converted to habitable accommodation and the garage door replaced by a window and brickwork.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.7m wall with fence atop and hedging.
SITE CHARACTERISTICS	Two storey detached new build flint cottage. Has a hipped roof with flint detailing, detached garage to side and small driveway.
CHARACTER OF LOCALITY	Urban residential area, mixed styles of houses, traditional in appearance, conservation area.

RELEVANT SITE HISTORY

Y/27/07/	Demolition of existing outbuilding (used for taxi business) and erection of single garage for domestic use	ApproveConditionally 04-06-2007
Y/73/07/	2 No Cottages and garages. (Re-submission following Y/67/06/)	ApproveConditionally 29-11-2007

Permission granted for the construction of this property and next door in 2007.

REPRESENTATIONS

Representations received:

Yapton Parish Council

No Objection.

Comments on Representations received:

Noted

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Fluvial Flooding)
Conservation Officer

Consultations responses received:

Southern Water- No objection

Conservation Area Advisory Committee- No comment

Drainage and Coastal Engineer- Surface water drainage should be provided for the new roof area, infiltration to be investigated. Please add condition ENGD2A so study to be carried out prior to build commencing.

Comments on Consultation responses:

Comments noted. Do not agree with the request of the drainage engineer as the proposed link section is very small, it's roof will create no more run off than the existing concrete path. The condition seems unreasonable.

POLICY CONTEXT

Designation applicable to site:

CONSERVATION AREA
ADOPTED LOCAL PLAN
PD RESTRICTION
NO PUBLIC SEWER
LIDSEY CATCHMENT AREA

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [AREA2](#)
[DEV19](#)
[GEN12](#)
[GEN2](#)
[GEN7](#)
[GEN9](#)

[Publication Version of the Local Plan \(October 2014\):](#)

[Yapton neighbourhood plan 2014 Policy BB1](#)
[Yapton neighbourhood plan 2014 Policy E8](#)

Conservation Areas
Extensions to existing residential buildings
Parking in New Development
Built-up Area Boundary
The Form of New Development
Foul and Surface Water Drainage
D DM1 Aspects of Form and Design Quality
D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)
HER DM3 Conservation Areas
SD SP2 Built-Up Area Boundary
W DM2 Flood Risk
Built-up Area Boundary
Conservation Areas

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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

Yapton has an adopted Neighbourhood Development Plan and its policies are a material consideration in the processing 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 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

PRINCIPLE

The property is situated within the built up area and as such the conversion of the garage and small link extension are acceptable in principle.

DESIGN

The link extension is not visible from the street as it is hidden between the garage and the house. Nevertheless, it will be constructed of materials to match existing which will preserve the appearance of the conservation area and property.

The new window and brick to replace the garage door will be timber and colour washed brickwork to match existing respectively. As such these will also give a harmonious appearance in relation to the main property and preserve the appearance of conservation area and dwelling.

IMPACT ON CONSERVATION AREA

The modest works to the building would have a neutral impact on the character and appearance of the Conservation Area.

NEIGHBOUR AMENITY

The extension is not visible from neighbouring properties and the conversion will not add any volume to the garage building. As such there will be very little impact on neighbour amenity.

PARKING

There will still be two parking spaces (for three bedroom house) on the driveway and as such the conversion is not considered to result in a significant loss of parking which could lead to on-street parking over-spill.

FLOODING

The extension would not create a hard surface any larger than the concrete pavement it is replacing. As such it is not considered to lead to a potential flood risk within the Lidsey Catchment Area.

HUMAN RIGHTS ACT

FOR APPROVAL

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 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 (Neutral) 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).

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- 15/4243/1, 15/4243/2 and 15/4243/3 dated 12th March 2015.

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 The materials and finishes of the external walls and roof of the works hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) 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.