

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

REF NO: Y/37/18/HH

LOCATION: Mayfield House
Yapton Road
Barnham
PO22 0BJ

PROPOSAL: Replacement garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Demolish garage and rebuild a larger structure slightly further away from the road. The new building would have accommodation above in the form of a store/games room. There would be two smaller dormers to the front and one large one to the rear. Materials are proposed to be tiles to match the main house, painted render and cladding.
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RELEVANT SITE HISTORY

Y/107/15/HH	Proposed alterations to existing garage including new roof with gablet & new First Floor store	ApproveConditionally 16-02-16
Y/27/13/	Proposed 2 storey rear extension	ApproveConditionally 10-06-13

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Yapton Parish Council
Yapton Parish Council

No objection - not sure it is a conversion

Southern Water

No objection for the above proposal. Due to surface water inundation issues in the Lidsey Catchment "The applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development". Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.

CONSULTATIONS

Southern Water Planning
 Engineering Services Manager
 Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:
 Outside the built up area

DEVELOPMENT PLAN POLICES

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
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

The site lies outside the built up area boundary in the countryside where policy C SP1 applies. This policy allows for development in the countryside in various circumstances including if it is in accordance with other policies in the plan which refer to a specific use or type of development. There are no policies elsewhere in the plan which allow for detached buildings in the curtilage.

However, whilst there may be conflict with policy it is necessary to consider what harm would arise if the proposal were approved.

Policy D SP1 discusses design and D DM1 discusses aspects of form and design quality such as character and impact (including loss of sunlight and privacy).

The proposal replaces an existing garage although with a slightly amended position (further from the road) and larger dimensions. There would also be accommodation in the roof.

The design of the building, when seen from the street, would not be out of character with the area given the existing garage and the one next door.

The addition of windows in the roof would possibly add some overlooking from these windows to the property to the west however this would be to the front garden with limited impact on amenity.

The proposal includes a rear dormer to a store, games room and landing. Due to the proximity of the

neighbouring garden to the west potential arises for overlooking and it is considered appropriate to impose a condition seeking obscure glazing to the window closest to the neighbour.

There is a previous permission for a detached building in this location of a different design and with different first floor fenestration.

The building of the design proposed in this location is considered to be appropriate in the street scene and does not harm the character of the area or the amenities (subject to conditions) of the neighbouring properties.

The proposal complies with policies relating to impact and amenity and therefore it is recommended that the application be approved subject to 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:-
Site and location plans, 04 - proposed plans, 05 - proposed plans, 06 and 07 - proposed elevations

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 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Mayfield House as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D DM1 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 Any part of the window on the rear of the building to the room shown as a games room shall at all times be glazed with obscured glass/fixed shut to a point 1.7m above floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

- 5 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.