

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

REF NO: Y/44/18/HH

LOCATION: Bilsham Croft
Bilsham Lane
Bilsham
Yapton

PROPOSAL: Conversion of existing outbuilding to ancillary accommodation with proposed side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed development seeks to convert an existing outbuilding to be used as accommodation ancillary to the host dwelling, and also, extend this outbuilding to the East by way of a single storey extension.
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RELEVANT SITE HISTORY

Y/24/07/	Ground floor kitchen extension	ApproveConditionally 01-05-07
Y/63/03/	New detached garage with store	ApproveConditionally 14-11-03
Y/79/02/	Existing conservatory removed: now single storey extension forming new dining room and family/garden room.	ApproveConditionally 30-01-03
Y/19/01/	Demolition of existing garage and replacement with new 2 storey extension	ApproveConditionally 04-05-01
Y/38/90	Outline application for proposed covered swimming pool and games room over double garage	ApproveConditionally 13-08-90
Y/76/88	Front boundary wall, 1.5m in height & 54 m in length with wrought iron ballustrade & gates	ApproveConditionally 22-08-88

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Parish Council - No objection.

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Designation applicable to site:

Outside built up area boundary

Area of Special Control (Adverts)

DEVELOPMENT PLAN POLICES

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
SDSP2	SD SP2 Built-up Area Boundary
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 application site is situated outside of the built up area boundary as defined by SD SP2 of the Arun District Council Local Plan (2011-2031). The proposal is for extensions and alterations to an existing building with the plot of an existing dwellinghouse. However, the proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM4 of this plan. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy (as this development is in accordance with D DM4). In this case, the key policy considerations are deemed to be D DM1 & D DM4 of the Arun District Council Local Plan (2011-2031) and BB1 of the Yapton Neighbourhood Development Plan.

DESIGN AND VISUAL AMENITY

Whilst the proposal is visible from the street scene, it is not deemed to have a significantly detrimental impact on the established spatial pattern, or visual amenity of the area. This is predominantly due to the large intervening foliage that obscures views of the development, until you reach the application site.

Additionally, the proposed materials and largely open scale of the development allow it to remain subservient in appearance, and sympathetic in style to both the host dwelling, and the existing garage. The proposed alterations to the existing outbuilding are considered to be acceptable in terms of design and visual amenity. Resultantly, the proposal is considered to be in accordance with D DM1 and D DM4 of the Arun District Council Local Plan (2011-2031).

A separate unit of accommodation in this location would be unacceptable due to the unacceptable impact that this would have on the character and appearance of the area. However, this unit is for ancillary use and the matter will be controlled by condition.

NEIGHBOURING RESIDENTIAL AMENITY

The closest neighbouring dwelling is over 50m away. The proposed development is not considered to have any overbearing, overshadowing or overlooking impact upon this property. Whilst the significant scale of the proposal adjacent to the street scene is noted, it is considered that due to the existing foliage in and around the site, a rural sense of enclosure has been established, and therefore, the proposal is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun District Council Local Plan (2011-2031).

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval 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

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 and Site Plans - 139589 - 24/05/2018 16:16:29
- Proposed Conversion of Outbuilding to Anc. Accom. - 002 Proposed Plans - 15052018 - PL
- Proposed Conversion of Outbuilding to Anc. Accom. - 003 Proposed Elevations - 15052018 - PL

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun District Local Plan (2011-2031).

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of specific details (including colours) relating to materials and finishes to be used for external walls (and roofs) of the proposed development have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and established character of the area by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun District Local Plan (2011-2031).

- 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.