

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

REF NO: Y/45/21/HH

LOCATION: The Chapel
Bilsham Lane
Bilsham
Yapton
BN18 0JX

PROPOSAL: Partial conversion of existing outbuilding to habitable accommodation (as ancillary accommodation main dwelling).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

Y/46/21/L	Listed building consent for the partial conversion of existing outbuilding to habitable accommodation (as ancillary accommodation main dwelling).	ApproveConditionally 27-05-21
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REPRESENTATIONS

Yapton Parish Council:
No objection

No representation from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Conservation Officer: The proposal is for the partial conversion of the existing outbuilding to habitable accommodation. Externally, the alterations will consist of 2 timber windows to the existing front and rear gables, as well as the introduction of 4 conservation roof-lights (2 on the front pitch and 2 on the rear pitch). Internally, some small alterations are proposed which will enable a replacement staircase and an en-suite bathroom to be installed. The scale of the alterations and their impact is considered to be acceptable, and in keeping with the significance of the listed building, in its current residential use. It is recommended that any plumbing should not be visible from the south-west elevation of the main listed building. I note that details of the wooden windows have been provided, which appear to be acceptable.

Conclusion

The application is considered to not cause harm to the significance of the heritage assets. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments. You will also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

POLICY CONTEXT

Designation applicable to site:
 Grade II Listed Building
 Outside the Built Up Area Boundary
 Area of Special Control (Adverts)

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
HERDM1	HER DM1 Listed Buildings

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 of the Arun Local Plan. Additionally HERDM1 and HERDM3 of the Arun Local Plan.

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

DESIGN AND VISUAL AMENITY

The development is considered to have an acceptable impact upon the character of the area. This is because the physical alterations in order to allow for the application to take place are internal only and there are no visual changes which affect the appearance of the host dwelling within the public realm.

The additional amount of living accommodation to be provided is not so significant so as to result in an over intensification of the use of the host dwelling detrimental to neighbouring amenity. A condition will be imposed in order to ensure that the annex cannot be used as a separate unit of accommodation to The Chapel. As such, this condition ensures that the proposal will be used exclusively for the uses proposed under the application as opposed to becoming a separate unit of accommodation where neighbouring amenities could be unacceptably harmed.

The proposed development is considered to be in accordance with D DM1 and D DM4 of the Arun Local Plan, and the guidance within Section M and N of the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to result in any significantly harmful overbearing or overshadowing impact upon the occupiers of nearby dwellings. This is due to the scale of the proposed

extension, and its separation distance of over 20m from nearby dwellings which is considered to be sufficient in order to prevent any harm. Furthermore, with regard for potential for loss of privacy to occupiers of nearby occupiers, there are no openings proposed of which are considered to result in any change in available views from the host dwelling. There is also considered to be ample space on the site for parking with parking to the front of the site.

The proposed development is considered to be in accordance with D DM1(3) of the Arun Local Plan.

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

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.

CIL DETAILS

This application is not CIL Liable.

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 Block 010
- Elevations and Windows 010
- Elevations 009
- Side Elevations 008
- Proposed Side Elevations 008
- Proposed Roof 006
- Existing Roof Plan 005
- Proposed First Floor 004
- Proposed Ground Floor 003
- Existing First Floor 002
- Existing Ground Floor 001
- Design and Access Statement

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 The Chapel as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies 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 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.