

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

REF NO: Y/47/20/HH

LOCATION: Chessels
Hoe Lane
Flansham
PO22 8NW

PROPOSAL: Demolition of 2 No double garages/outbuildings & new build ground floor 4no. garages and first floor annex.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct an outbuilding which will form a 2No.double garages to the ground floor with an annexe to the first floor.
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RELEVANT SITE HISTORY

Y/78/05/	Conversion of barn to single storey dwelling and erection of garage.	ApproveConditionally 06-03-06
Y/16/03/	To replace existing 15 metre lattice mast with one strengthened 15metre lattice mast complete with six cross polar antennas, two dish antennas and one radio equipment cabin	ApproveConditionally 16-05-03
Y/51/91	Conversion of redundant barn Unit 1 and yard building Unit 2 to office/workshop use with associated parking (Resubmission following Y/43/90)	ApproveConditionally 15-01-92

REPRESENTATIONS

No objection provided the accommodation remains ancillary and materials are appropriate to the surrounding area.

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Outside built up area boundary

DEVELOPMENT PLAN POLICIES

[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 site is outside of the built-up area boundary as set out in both the Yapton Neighbourhood Development Plan (YNDP) and the Arun District Local Plan (ADLP). YNDP policy BB1 seeks to restrict new development in the countryside and does not include householder development in the list of exceptions to this. Policy C SP1 of the ADLP does state that development will be permitted in the countryside where it is in accordance with other policies in the Plan which refer to a specific use or type of development. ADLP policy D DM4 refers to extensions & alterations to existing buildings. Therefore, subject to compliance with D DM4 and other policies of the ADLP, the proposal will be acceptable in principle.

DESIGN AND VISUAL AMENITY

The property is set back from the street scene and not visible from the wider area. The proposed outbuilding is situated to the rear of this, 63m from the front boundary and again is not visible from the wider area.

There is an existing double garage and outbuilding however these will be removed and replaced with 1 larger outbuilding which will provide 4 garage spaces to the ground floor and an annexe above.

The outbuilding is large with a depth of 14m and a width of 7m. It will have a height of 7.2m with eaves to 4m with a barn hip roof. Materials proposed will consist of red brick to the ground floor with weatherboarding to the first floor with dark red/brown clay tiles. It is considered the appearance is acceptable.

Due to the siting of the outbuilding with no views from the street scene, it is not considered to adversely impact the spatial pattern or character of the area. As such it accord with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The outbuilding will be situated to the south east side of the rear garden retaining 7m to the western boundary, 5m to the east and 14m to the rear boundary.

Whilst the outbuilding is large sufficient distance is retained to the boundaries in such that the structure is not deemed appear adversely overbearing.

With the addition of an annexe this will involve the construction an additional windows to the southern and northern elevation ends. These will face the host dwelling and rear of the property. There will be a number of rooflights to both the eastern and western roof slope. However due the height of these above finished floor level, it is not considered these would give rise to adverse overlooking.

The site is also surrounded by extensive boundary treatment consisting of trees and vegetation which helps to reduce views of the outbuilding and any impacts.

Due to the siting of the outbuilding with sufficient distance to the boundaries and the design it is not considered to give rise to harm to neighbouring amenity by way of overbearing, overshadowing or overlooking.

SUMMARY

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

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
- Location and Block Plan - 302/01
 - Proposed Floor Plan - 302/03
 - Proposed Elevations - 302/04

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 Chessels 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.