

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

REF NO: Y/51/18/HH

LOCATION: Old Barn House
Wellow Barn
Hoe Lane
Yapton

PROPOSAL: Detached carport. This application affects the setting of a Listed Building

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to erect a detached carport within the rear garden, measuring approximately 3m in height, 5m in width and 6m in length.
SITE AREA	0.03 hectares
SITE CHARACTERISTICS	Semi-detached Grade II Listed barn conversion with high hipped roof, used as a dwelling with driveway to side and garden to rear.
CHARACTER OF LOCALITY	Semi-rural village location, formed of some two storey listed buildings with some single storey properties and some commercial uses.

RELEVANT SITE HISTORY

Y/56/17/HH	Detached carport. This application may affect the setting of listed buildings.	ApproveConditionally 17-11-17
Y/57/17/L	Application for Listed Building Consent for a Detached carport	ApproveConditionally 16-11-17
Y/54/10/	Internal alterations and subdivision of existing barn to convert from D1 use to two self contained residential units.	ApproveConditionally 10-11-10

Conditional planning consent granted in 2010 to convert the barn into two residential dwellings. This property is one of the dwellings.

This application is an amended design to that approved by Y/56/17/HH.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Yapton Parish Council

No objection from Yapton Parish Council.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - no comments received

COMMENTS ON CONSULTATION RESPONSES:

I have discussed the proposal with the Conservation Officer and he considers them acceptable due to the fact that the new materials match the existing barn.

POLICY CONTEXT

Designation applicable to site:

Grade II Listed Building

Outside built up area boundary

DEVELOPMENT PLAN POLICES

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings

[Yapton neighbourhood plan 2014 Policy BB1](#)

Built-up Area Boundary

Yapton neighbourhood plan 2014 Policy E9

Listed Buildings and Buildings or Structures of Character

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Yapton does have a 'made' neighbourhood plan, Policies BB1 and E9 are deemed to be relevant to 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 other than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is located outside of the built up area boundary where the principle of new development is unacceptable according to Policy C SP1 of the Arun Local Plan 2011-31 and BB1 of the Yapton Neighbourhood Development Plan. However, the development is associated with an existing residential building and as such a minor householder development is acceptable, subject to the proposal complying with relevant Development Plan policies.

DESIGN AND VISUAL AMENITY

Due to the proposed location of the development the carport will be visible from the street scene. However, given its modest size and rural design it is not considered to have an unacceptably adverse impact on the street scene or the established spatial pattern of the locality. The development is not

considered to harm the visual amenity of the street scene or the host dwelling. The Conservation Officer has advised the proposed materials of face flintwork panels between the oak posts with some stained cedar weatherboarding to match the existing barn above for the walls and natural slate with contrasting red clay hip and ridge tiles to the roof are considered acceptable in accordance with policies HER SP1 and HER DM1.

In terms of design and visual amenity the development is deemed to conform with D SP1 and D DM1 of the Arun Local Plan 2011-31.

NEIGHBOURING RESIDENTIAL AMENITY

The development would be single storey, which is lower than the existing dwelling and is modest in size. It is not considered to be overbearing or visually intrusive to the residential amenities of nearby dwellings. The separation distance and modest size of the proposal is deemed to be sufficient to prevent any adverse overlooking or overshadowing and in accordance with policy D DM1.

SUMMARY

This development was previously approved by application Y/56/17/HH. This scheme is changed as follows:-

Northern rear and eastern side elevations - now left open.

Western side elevation - Face flintwork panels between the oak posts with some stained cedar weatherboarding to match with existing barn above.

Roof - Natural slates with contrasting red clay hip and ridge tiles.

The proposed development is deemed to accord with the 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 plan 08/06/18
Site/Roof plan 04/09/17
Existing plot plan 25/07/17
Proposed plot plan Rev - B 08/06/18
Proposed ground floor plan Rev - A 08/06/18
Proposed cross section (including materials) Rev - B 06/06/18

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.
- 3 **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.