

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

REF NO: Y/53/15/HH

LOCATION: Church Farm House
Church Lane
Yapton

PROPOSAL: Replacement of existing mansard garage roof with new pitched roof & conversion of former garage into ancillary residential accommodation to main dwelling. This proposal affects the Character & Appearance of the Yapton (Church Lane) Conservation Area & has the potential to Affect the Setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to carry out works to an existing double garage with mansard roof to the north of and detached from this dwelling. The footprint of the building would remain the same, as would eaves level at 2m. The mansard roof would be replaced by a full ridged roof with gables on the north and south elevations. The roof height would increase from 3.5m to 5.85m, an increase of 2.35m in height. Accommodation would be a lounge/kitchen and toilet/shower at ground floor, with first floor bedroom in part of the roof space. There would also be some eaves storage space and part of the upper roof area would be open above the lounge/kitchen. There would be 2 roof lights in the east roof plane facing towards the garden area of the main house. The north gable would have a large glazed area facing towards the garden area of the main house and towards the open countryside to the north. In the south elevation facing towards the existing dwelling it is also proposed to replace the garage door with new doors which would have upper glazed sections, but for the most part be solid and 4 of these would be opening. Above these would be a semi-circular glazed feature window.

Materials include timber cladding on the north facing gable and clay tiles. Walls would remain white painted brick. Windows would be white painted timber and the new doors would be of a Victorian style and be black painted.

SITE AREA	The site area is approximately 0.06 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site has mixed boundary types, but there is a substantial amount of flint walling of 3-3m+ in height. There is also substantial 4m+ boundary screen hedging in the area where the application building is located.
SITE CHARACTERISTICS	The site of this application is relatively large and is occupied by a substantial detached dwelling located in the south east of the site. The subject garage is detached and is located to the north of the main dwelling and is screened from the Listed Church by the main dwelling. Planting and walls within the site also screen the garage and mean that it is not generally visible. The garage is constructed of white painted brick and the mansard roof is of small plain red/brown tiles. It has a large metal double up and over type door. There is no physical access to the garage for vehicles from within the site or from the south.
CHARACTER OF LOCALITY	The site is located on the fringes of the developed area of Yapton and within an area which is sporadically developed. The general character of the area is fairly rural on the in this part of Church Lane. There is a grade I Listed Church to the south of the site and it is within the conservation Area. There is development of residential character on the south and west sides of Church Lane.

RELEVANT SITE HISTORY

Y/95/87	New 2 storey extension to provide living room with bedroom and bathroom above in place of existing kitchen with bedroom over. Refurbishment of remainder of property & minor internal alterations & new double garage.	ApproveConditionally 30-11-1987
Y/49/88	Proposed 2 storey extension to provide new breakfast room with bathroom over & new 4.0m wire fence to new tennis court	ApproveConditionally 06-06-1988

Y/24/95	Change of use & conversion of outbuilding to small dwelling unit	Refused 03-08-1995
Y/54/02/	Erection of detached bungalow and associated parking spaces (Departure from Development Plan)	Refused 19-08-2002 <i>Appealed</i> Appeal: Dismissed 20 05 2003
Y/40/05/	A new family/garden room extension and kitchen/bedroom extensions	ApproveConditionally 11-07-2005
Y/26/49	Erection of chimney	ApproveConditionally 11-01-1950
Y/38/71	Extension to existing dwelling and new garage	Approve 08-09-1971
Y/27/73	Extension of existing house for domestic habitation	ApproveConditionally 06-06-1973
Y/26/77	Two storey extension for bed- room kitchen and breakfast demolition of existing single storey internal alterations	ApproveConditionally 03-08-1977

None.

REPRESENTATIONS

Representations received:

Yapton Parish Council

Yapton Parish Council raises no objection.

No representations have been received from nearby occupiers.

Comments on Representations received:

None.

CONSULTATIONS

Conservation Officer

Southern Water Planning

Engineers (Fluvial Flooding)

Engineering Services Manager

Consultations responses received:

The Councils Conservation Officer has commented:

The existing garage is of no particular merit. It is therefore considered that attempts to improve it will potentially be an enhancement.

It is considered that the use of a pitched roof is acceptable. The fenestration on the north elevation is substantial in nature and details of the final design will need to be viewed before construction, along with details of the wooden boarding.

If minded to approve, please condition:

Details of the windows and doors
Details of the roof lights
Tile sample

The Conservation Area Advisory Committee (CAAC) has not objected and has commented that the accommodation must remain ancillary to the main dwelling and utilise good quality materials and finishes.

The Council drainage Engineer has no comments.

Southern Water has requested an informative be added regarding sewerage.

Comments on Consultation responses:

The comments of the CAAC can be addressed by conditions relating to ancillary use and details/samples of materials and finishes.

The comments of the Conservation Officer can be addressed by conditions.

POLICY CONTEXT

Designation applicable to site:
Within Open Countryside
Conservation Area
Adjoins Grade I Listed Building
Lidsey treatment Catchment Area

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [GEN3](#)
[AREA2](#)
[GEN7](#)
[DEV19](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Protection of the Countryside
Conservation Areas
The Form of New Development
Extensions to existing residential buildings
C SP1 Countryside
HER SP1 The Historic Environment
HER DM1 Listed Buildings
HER DM3 Conservation Areas
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
D SP1 Design
Built-up Area Boundary
Conservation Areas

[Yapton neighbourhood plan 2014 Policy BB1](#)
[Yapton neighbourhood plan 2014 Policy E8](#)

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

The relevant policies in the Yapton Neighbourhood Plan are:

Policy BB1: Built-up Area Boundary

The development of Yapton village shall be focused within the built-up area boundary as identified in the plan.

Development proposals will be supported within the built-up area boundary subject to compliance with other policies in the development plan.

Development proposals outside the built-up area boundary will not be permitted unless:

- they represent proposals to deliver the site allocations (policies SA1 and SA2); or
- they relate to necessary utilities infrastructure and where no reasonable alternative location is

available; or

- they relate to additional allocations for housing land in accordance with policy H1; or
- they propose new or relocated health or community facilities in accordance with policies KS1 and KS2.

Policy E8: Conservation Areas

Within the Church Lane and Main Road/Church Road conservation areas development proposals will be required to preserve or enhance the character of those areas. Development proposals and extensions and alterations to existing buildings and structures will be expected to:

- be suitably designed for the context within which they are set; and
- ensure that the scale and massing of buildings relate sympathetically to the surrounding area; and
- use traditional and vernacular building materials to respect the context of the development concerned.

Policy E9: Listed Buildings and Buildings or Structures of Character is no relevant since it deals with development which would result in the loss of either Listed Buildings or the buildings or structures of character.

The application is generally consistent with Yapton Neighbourhood Plan policy.

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.

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting of the Grade I Listed Building or the character of the

Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is located outside the built-up area where the countryside will be safeguarded for its own sake and development will not be permitted for the extension of isolated groups of buildings or the consolidation of linear or sporadic development unless the proposal is in accordance with a policy relating to a specific use or type of development (Sections 2 and 3 of the Adopted Local Plan 2003) which in this case are considered to be policies AREA2, and DEV19 which seek to prevent development that would have an adverse impact upon visual and residential amenities and on the Conservation Area. Policies D DM1, D DM4, D SP1, HER SP1, HER DM1 and HER DM3 in the Emerging Local Plan are also considerations, these seek to ensure that development would not have an adverse impact upon visual and residential amenities, Listed Buildings or on the Conservation Area.

DESIGN & VISUAL AMENITY

The proposed extension is of similar and sympathetic design and materials to the existing building and the adjoining dwelling. The location and screening are such the development will not be generally visible. The works will enhance the appearance of what is at present a rather tired looking garage. The proposal is consistent with the with the appearance of the adjoining dwelling.

The proposals are considered to be consistent with policy relating to design and visual amenity. Final details of materials and design can be dealt with by conditions.

LISTED BUILDING & CONSERVATION AREA

There is not considered to be harm to the heritage asset or the Conservation Area. The proposals preserve and enhance to appearance of the garage in the Conservation Area. The garage is not generally visible and will have little or no impact on the setting of the Listed Building or on the Conservation Area.

The proposals are considered to be consistent with policy relating to Listed Buildings and Conservation Areas.

RESIDENTIAL AMENITY

The proposed development is for ancillary accommodation to the dwelling for relatives/family to visit. It is not for a separate unit of living accommodation. There is therefore likely to be little if any impact on residential amenity, particularly as main openings face away from the existing dwelling.

The proposals are considered to be consistent with policy relating impact on residential amenity.

CONCLUSIONS

The proposals are considered to be generally consistent with policy and not to result in amenity

loss of harm to the Heritage Asset and preserve and enhance the Conservation Area.

It is therefore recommended that planning permission is granted 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 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 (negative, Neutral or positive) 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).

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 drawings:

Drawing Number VN-001, Rev PL1 - Proposed Plans, Elevations & Sections - Dated 07.06.2015.

Drawing Number VN-003, Rev PL1 - Block Plan - Dated 07.06.15.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The accommodation hereby permitted shall be occupied solely for purposes incidental to

the occupation and enjoyment of Church Farm House as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 and DEV19 of the Arun District 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 No development shall be carried out unless and until a samples of the tile to be used for the roof of the proposed development has been submitted to and approved by the Local Planning Authority and the material so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the setting of the Listed Building and Conservation Area by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 5 Details of the design and materials and finish of the windows in the gable in the north elevation of the development hereby approved shall first submitted to and approved by the Local Planning Authority before development is commenced and the materials, finishes and detailed design so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the setting of the Listed Building and Conservation Area by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 6 The external gable in the north elevation of the development hereby approved shall be clad in a material the type and detailed design of which, together with sample(s), shall be first submitted to and approved by the Local Planning Authority before development is commenced and the material and detailed design so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the setting of the Listed Building and Conservation Area by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 7 Details of the design and materials and finish of the doors in south elevation of the development hereby approved shall first submitted to and approved by the Local Planning Authority before development is commenced and the materials, finishes and detailed design so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the setting of the Listed Building and Conservation Area by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 8 Details of the design and materials and finish of the roof lights in east elevation of the development hereby approved shall first submitted to and approved by the Local Planning Authority before development is commenced and the materials, finishes and detailed design so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in

the setting of the Listed Building and Conservation Area by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 9 Details of the design and materials and finish of the doors in the west elevation of the development hereby approved shall first submitted to and approved by the Local Planning Authority before development is commenced and the materials, finishes and detailed design so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the setting of the Listed Building and Conservation Area by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 10 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.

- 11 INFORMATIVE: Southern Water (SW) advises that a formal application for connection to the public sewerage system is required and that SW should be contacted at Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119).

SW further advises that its initial investigations in this case its records indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from development are required. This should not involve disposal to a public foul sewer.

SW has also advised in respect of sewers and their location and surface water in the Lidsey Catchment.

A full copy of the SW comments and the attachments thereto can be seen and obtained via the Arun District Council website:

<http://www.arun.gov.uk/weekly-lists>