

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

REF NO: Y/61/22/HH

LOCATION: The Potting Barn
5 Hobbs Court
Bilsham Road
Yapton
BN18 0JY

PROPOSAL: Erection of single storey side extension and installation of fence and gate to parking area. This application may affect the setting of listed buildings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey side extension and a fence and gate to the existing parking area.

RELEVANT SITE HISTORY

PAA/122/21/ Extension

Approve Pre App
17-12-21

REPRESENTATIONS

Yapton Parish Council provided no objection.

- The building must reflect materials appropriate to the overall built complex known as Hobbs Court.

1 letter of support

- It will fit in with other buildings in the area as the style and design is in keeping.
- It will be screened from the road.

2 letters of objection received from 1 nearby occupier

- Overdevelopment .
- It would set a precedent.
- The floor space would be more than 50% contrary to the Design Guide.
- The listing of the buildings within Hobbs Court has not changed.
- The primary living space will face the boundary and amenity space around 7m away.
- The refused appeal at Bilsham Farm is relevant to this case.

CONSULTATIONS**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
DSP1	D SP1 Design
HERSP1	HER SP1 The Historic Environment
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM1	HER DM1 Listed Buildings

[Yapton neighbourhood plan 2014 Policy BB1](#)

Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

The site lies outside the built-up area boundary as set out in both the Yapton Neighbourhood Plan and the Arun Local Plan.

Policy C SP1 applies which permits development for the operational needs of agriculture and where it accords with policy elsewhere in the plan related to the development proposed. The site in which the building is located is in agricultural use and it would be used for agricultural storage in compliance with CSP1 (a).

Yapton Neighbourhood Development Plan (YNDP) policy BB1 states development proposals outside the built-up area boundary will not be permitted unless it falls into a certain category. The proposed development would not accord with any. In the event of conflict between development plans, the more recent plan takes precedence. Therefore, with the scheme in compliance with CSP1 (a), the proposal will be acceptable in principle.

DESIGN AND VISUAL AMENITY

The proposal seeks a single storey extension to the northern side of the dwelling. This is large with a length of 11.7m however the site is of a reasonable size retaining sufficient separation to the boundaries and as such it does not appear cramped on site.

The design of the extension is sympathetic to the host dwelling. The extension will have a slate tiled pitched roof to match and is set slightly lower than the ridge to assist with subservience. Materials will match the main building to further integrate it with the existing development on site featuring Flemish brick bond.

The Arun Design Guide states 'Part M.O1 deals with extensions and requires extensions respond to and

complement the existing character and appearance of the building and wider townscape. The scale, massing and positioning of extensions should be visually subservient to the existing property in order to ensure that the latter remains the dominant form, with extensions of over 50% of existing floorspace unlikely to be considered acceptable'.

The proposal does respond to the character of the area due to its matching appearance and subservient design. Whilst the extension is large and is over 50% of the original building, which was converted from a potting shed barn, the proposal is not over 50% of the floorspace of the existing building and complies with the guidance.

A new gate and fence are proposed to an existing parking area to the western side of the dwelling. There is hedge that will be removed and re-planted closer to the western boundary to enable the gate to be positioned. The fence will be 1.8m in height and due to the siting of the boundary treatments, it will not be visible from the wider area.

With limited views from the wider area and with the design consistent with that on and surrounding the site, it will not result in adverse harm the character or appearance of the area in accordance with D DM1 and D DM4 of the Arun Local Plan and the Arun Design Guide.

RESIDENTIAL AMENITY

The extension will have a length of 11.7m, a width of 5.7m and a height of 5.3m with eaves to 3.5m. This retains around 3.5m to the eastern boundary, 21m to road to the west and 5m to the north although there are no neighbours to these elevations.

The dwelling is set north of the closest neighbouring properties at Hobbs Court and as such does not result in adverse harm upon these. Hobbs Farmhouse is located to the southeast with the potting barn adjoining a field owned by the farmhouse. There may be some minor views available from the field when looking directly west however these are largely restricted due to the tree cover and vegetation in place. With the main habitable building and windows located around 30m south, it will not result in adverse harm by way of overbearing or overshadowing.

There will be 2 windows and a set of doors to the side elevations of the extension and doors and a glazed panel to the gable end. With sufficient separation, these will not give rise to adverse overlooking.

The alterations to the gate and fence will not result in harm.

The proposal will not result in adverse harm upon amenity by way of overbearing, overshadowing or overlooking and accords with D DM1 and D DM4 of the Arun Local Plan.

IMPACT ON LISTED ASSETS

The site lies on the north side of a group of curtilage Grade II listed buildings and as such any development here will affect the setting of these heritage assets.

Para 194 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The heritage assets in this case are of some significance.

Para 195 requires the LPA consider the significance of the impact upon that heritage asset. As a result of the design which is in keeping with the character of the area and location of the extension which is unlikely to be visible from the listed properties, the proposal will have no harm upon the significance of the heritage assets in accordance with HER SP1 of the ALP.

SUMMARY

The proposed development accords with relevant development plan policies and 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

- Site and Location Plan - 022F
- Proposed Site Plan - 030
- Proposed Floor Plan - 007 J
- Proposed Elevations - 008 J
- Proposed Roof Plan - 009

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 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.