

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

REF NO: Y/62/20/HH

LOCATION: 1 Church Farm Cottages
Church Road
Yapton
BN18 0EP

PROPOSAL: Residential annexe.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a residential annexe.
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RELEVANT SITE HISTORY

Y/80/18/PL	Change of use from cowshed to separate residential unit - This is a departure from the development plan - This application may affect the setting of a Listed Building	ApproveConditionally 30-01-19
Y/81/18/HH	Loft conversion involving addition of dormer. This application affects the setting of a Listed Building.	ApproveConditionally 29-01-19
Y/83/18/HH	Change of use of barn to ancillary accomodation. This application affects the setting of a listed building.	ApproveConditionally 29-01-19
Y/15/00/	Proposed two storey extension to rear.	ApproveConditionally 12-05-00

REPRESENTATIONS

No response received from parish council.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Engineers (Drainage) - Apply standard condition relating to surface water drainage.

Comments noted. As the structure is a replacement, it is not considered this is necessary.

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

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 the Yapton Neighbourhood Development Plan (YNDP) and the Arun District Local Plan 2011-2031 (ADLP). YNDP policy BB1 seeks to restrict new development in the countryside and does not include householder development in the list of exceptions. Policy C SP1 of the ADLP states 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. In the event of conflict between development plans, the more recent plan takes precedence (the ADLP). Therefore, subject to compliance with D DM1 and other policies of the ADLP, the proposal will be acceptable in principle.

BACKGROUND

An application was approved in January 2019 for conversion of a cowshed to a residential annexe. During the conversion the structure was demolished and is being rebuilt rather than converted and therefore a revised application is sought.

DESIGN AND VISUAL AMENITY

The annexe is located to north of the host dwelling. It is not readily visible from the main street scene or private access road, set back from the frontage.

The outbuilding will have a pitched roof and will be constructed with brick and tile roof. The materials are considered appropriate for the area and match that of the previous structure. This helps to retain its rural appearance in keeping with the surrounding area and countryside.

As a result of the siting and the structure being predominately a replacement of an existing, the proposal is not considered to result in harm upon the character of the area and as such complies with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The annexe will have a depth of 11m and a width of 6m. It will have a pitched roof to a height of 5m with the size matching that of the structure that it will replace. Due to its siting, it is not considered to result in an adverse overbearing or overshadowing impact upon amenity, with no neighbours to the eastern

elevation and the structure unlikely to be visible from the nearest neighbour at 2 Church Farm Cottages.

The building situated to the north of the annexe has permission for the conversion to residential accommodation and has small windows to the front. The annexe will have 2 windows to the north elevation which face the unit opposite however with the windows at ground floor level and around 10m separation it is not considered any views will be significant in which a refusal is justified. 6 velux windows will be installed to the annexe however due to their height above finished floor level again it is not considered to lead to any adverse views upon neighbouring amenity.

The windows to the south will overlook the garden of the host dwelling.

Due to the size of the building a condition will be applied to ensure the use remains as ancillary to the host dwelling and does not become a separate residential unit.

The proposal due to the size and replacement nature, is not considered to result in harm upon neighbouring amenity and accord with D DM1 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 and infortiage

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 CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply).

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
 - Block Plan - 2613/01/02
 - Proposed Plans - 2613/01/01

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 1 Church Farm Cottages as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies DDM1 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.