

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

REF NO: Y/6/19/HH

LOCATION: Bonhams Farm House
Main Road
Yapton
BN18 0DX

PROPOSAL: Construction of swimming pool and surround. This application affects the character & appearance of the Yapton Conservation Area. This application may affect the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a swimming pool to the rear garden of the property.
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RELEVANT SITE HISTORY

Y/29/13/TC	Reduce group (30) of conifer trees by 8m (to 8m) and trim sides by 1m within the Main Road/Church Road Conservation Area	No Objection 28-06-13
Y/43/89/L	Application for Listed Building consent for proposed conservatory and enclosure for therapy pool	ApproveConditionally 05-07-89
Y/42/89	Provide conservatory and therapy pool enclosure	ApproveConditionally 26-06-89
Y/54/13/L	Application for Listed Building Consent for removal of 5 no existing rotten sash windows and replacement with 5 no new purpose made box sash windows on front elevation (W1-W5). Refurbishment of 4 no windows to front and side on single storey addition (W6-W9).	ApproveConditionally 18-10-13
Y/43/12/DOC	Application for approval of details reserved by conditions 3 & 4 relating to Y/29/12/ - construction & mechanism details for the windows & sample of brick/flint wall	DOC Part Approved 14-02-13

Y/29/12/	New conservatory to east elevation	ApproveConditionally 04-09-12
Y/30/12/L	Application for Listed Building Consent for a new conservatory to east elevation	ApproveConditionally 04-09-12
Y/46/90/L	Application for Listed Building Consent for proposed conservatory and therapy pool enclosure	ApproveConditionally 09-07-90
Y/70/98/L	Application for Listed Building Consent to demolish and rebuild existing boundary wall to Bonhams Barn, and demolish part of existing boundary wall to widen access to Bonhams Farmhouse.	ApproveConditionally 13-04-99
Y/69/98/	Move existing boundary wall to enhance existing vehicle access and visibility splays to Bonhams Barn, and formation of wider access to Bonhams Farmhouse.	ApproveConditionally 13-04-99
Y/32/18/PL	Variation of condition 2 imposed under Y/1/17/OUT relating to rewording of condition to read 'the development hereby permitted shall begin not later than one year from the date of the approval of the last of the reserved matters to be approved'.	

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Yapton Parish Council provided no objection to the application.

No representation from nearby occupiers.

CONSULTATIONS

Engineers (Drainage)

Engineering Services Manager

Conservation Officer

Directorate of Airspace Policy

Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

Southern Water - If the pool produces filter backwash water then this would need to be discharged to the public foul sewer. This would have to be agreed with Southern Water. The applicant is advised to discuss the matter with Southern Water. Full comments are available online.

Conservation Officer- A conversation was had in which it was not considered the proposal would adversely impact the area or the listed building.

Drainage (Engineers) - No condition is requested.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

DEVELOPMENT PLAN POLICES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

[Yapton neighbourhood plan 2014 Policy BB1](#)

Built-up Area Boundary

Yapton neighbourhood plan 2014 Policy E8

Conservation Areas

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

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principal of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are DDM1 and DDM4 of the Arun Local Plan.

Yapton has a 'made' Neighbourhood Plan with policy BB1, E8 and E9 of relevance to the application. The proposal complies with these policies.

DESIGN AND VISUAL AMENITY

The proposal seeks to construct a swimming pool to the rear of the property in replacement of an existing modern sunken garden with block paving and as such the proposal is not visible from the street scene.

The pool is to be 10m in length and 5m width with a paving/gravel surround and planting and is located within a large plot situated relatively close to the host dwelling. This is considered to allow the pool to appear well integrated within the surrounding environment.

With no views from the wider street scene, the proposal is not deemed to adversely impact the spatial pattern or character of the area and accord with DDM1 and DDM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The pool retains a sufficient separation distance of 27m to the front and side boundary and 4m to the rear. There are however no properties to the rear of the dwelling. The pool will sit at ground floor level and therefore any views from nearby occupiers will be limited. The proposal is not considered to harm neighbouring amenity by way of overshadowing, overbearing or overlooking and accord with DDM1 and DDM4 of the Arun Local Plan.

CONSERVATION AREA

The proposal is situated within the Yapton Conservation Area. Given the siting of the pool, it is not visible from the wider area and as such is not considered to give rise to any adverse impacts upon the area. The application form states no trees or hedges will be removed or pruned in order to carry out the proposal. As the property falls within a Conservation Area relevant consents will need to be obtained if there were to be any trees removed. An informative will be included regarding this. The proposal is considered to preserve the appearance of the Conservation Area and accord with HERDM3 of the Arun Local Plan.

LISTED BUILDING

The swimming pool is located to the rear of a Grade II Listed building. The garden is large and with the pool being open in appearance it is not considered to significantly detract from the visual appearance of the Listed Building. Due to the siting and design of the proposal it is not considered to adversely impact the setting of the listed building and accord with HERDM1 of the Arun Local Plan.

Para 189 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 190 requires the LPA consider the significance of the impact upon that heritage asset - the proposal has limited impact on the significance of the heritage assets

Para 192 requires us to take account of other factors - it is considered there are no other factors to outweigh the above consideration.

SUMMARY

The proposal is deemed to accord with the relevant development 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
 - Site Plans - 181430/03 Rev B
 - Proposed Plans - 181430/02 Rev B
 - Design and Access and Heritage Statement

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 **INFORMATIVE:** The proposed development may affect trees within the site or on neighbouring land. The applicant should ensure that adequate tree protection methods are in place and any consents required are in place.

- 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.