

Recommendation Report for Planning Permission

**REF NO:** Y/80/18/PL

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

**PROPOSAL:** 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

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| <b>SITE AND SURROUNDINGS</b> |
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|                                   |                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DESCRIPTION OF APPLICATION</b> | The application proposes to change the use of part of the building to a separate residential unit. The building is split into Unit 2 and 3. Unit 2 is already occupied a 1No. bed residential unit. This application seeks to change the use of Unit 3 from a cowshed to a residential unit. A mezzanine floor will also be installed to both units to provide an extra bedroom. |
| <b>TOPOGRAPHY</b>                 | Predominantly flat.                                                                                                                                                                                                                                                                                                                                                              |
| <b>TREES</b>                      | None of any significance affected by the proposed development.                                                                                                                                                                                                                                                                                                                   |
| <b>BOUNDARY TREATMENT</b>         | The property is open to the front for parking with fields to the north and western elevation.                                                                                                                                                                                                                                                                                    |
| <b>SITE CHARACTERISTICS</b>       | The site is occupied by a main dwellinghouse, 1 Church Farm Cottages. To the south there is barn which forms part of another application which seeks to convert it to an ancillary unit. There is also a listed building 'Manorial Dovecote' to the rear of the buildings.                                                                                                       |
| <b>CHARACTER OF LOCALITY</b>      | The area is predominately residential with a number of redundant farm buildings.                                                                                                                                                                                                                                                                                                 |

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| <b>RELEVANT SITE HISTORY</b> |
|------------------------------|

|            |                                                                                                              |
|------------|--------------------------------------------------------------------------------------------------------------|
| Y/81/18/HH | Loft conversion involving addition of dormer. This application affects the setting of a Listed Building.     |
| Y/83/18/HH | Change of use of barn to ancillary accommodation. This application affects the setting of a listed building. |

|          |                                        |
|----------|----------------------------------------|
| Y/15/00/ | Proposed two storey extension to rear. |
|----------|----------------------------------------|

ApproveConditionally  
12-05-00

Relevant planning history noted.

The existing building which forms part of this application also has an application proposing the conversion of the loft and the installation of two dormers.

The outbuilding opposite this structure also forms part of an application in which to convert it from a barn to an ancillary unit.

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Yapton Parish Council

Yapton Parish Council provided no objection.

No representation from nearby occupiers.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

## CONSULTATIONS

Southern Water Planning

Engineers (Drainage)

Engineering Services Manager

WSCC Strategic Planning

### CONSULTATION RESPONSES RECEIVED:

WSCC Highways - The site is accessed by a private road with no evidence to suggest the junction is operating unsafely or the change would exacerbate an existing safety concern. The applicant has shown 6 spaces which is sufficient for a development of this size. The applicant should provide secure and covered cycle storage to encourage the use of sustainable transport modes which will be secured via condition. We would not anticipate that the proposed development would have a severe impact on the highway.

Southern Water- Request an informative is included for connection to a formal connection to the foul sewer.

Drainage - The application is for a change of use and seems to be no change to roof areas or impermeable surfaces and therefore we have no conditions to request.

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions will be included.

## POLICY CONTEXT

Designation applicable to site:

Outside the built up area boundary.

## DEVELOPMENT PLAN POLICES

|        |                                                         |
|--------|---------------------------------------------------------|
| DDM1   | D DM1 Aspects of form and design quality                |
| TSP1   | T SP1 Transport and Development                         |
| DDM4   | D DM4 Extensions&alter to exist builds(res and non-res) |
| DSP1   | D SP1 Design                                            |
| CSP1   | C SP1 Countryside                                       |
| HDM4   | H DM4 Conversion of rural buildings for residential use |
| DDM2   | D DM2 Internal space standards                          |
| HERDM1 | HER DM1 Listed Buildings                                |

|                                                           |                                                           |
|-----------------------------------------------------------|-----------------------------------------------------------|
| <a href="#">Yapton neighbourhood plan 2014 Policy PK1</a> | Parking standards for new residential development         |
| 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 policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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.

### 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 otherwise than in accordance with the Development Plan and/or legislative background.

## CONCLUSIONS

### PRINCIPLE

The application site is situated outside the built up area boundary as defined by SDSP2 of the Arun Local Plan. The proposal is for the change of use to an existing building. However the proposal is in accordance with CSP1 of the Local Plan as it is in accordance with HDM4, DDM1 and DDM4 of this plan. Development can be in accordance with CSP1 if it refers to a specific use or type of development that is covered by another policy. In this case the key policies considered are HDM4, DDM1 and DDM4 of the Arun Local Plan.

Yapton has a made 'Neighbourhood Plan' with policy BB1, E9 and PK1 of relevance to the application. The proposal complies with these policies.

### CONVERSION OF RURAL BUILDINGS

Policy HDM4 of the Arun Local Plan states that buildings should be capable of conversion without rebuilding or significant alteration or extension. The policy states a structural survey may be required to demonstrate this however whilst this has not been provided the building is already partially used a residential unit and therefore appears to be in a suitable condition for conversion. The height and size would also remain as existing with the main exterior alteration consisting of the installation of 2 dormers and additional doors and windows. The proposal is deemed to accord with HDM4 of the Plan.

### DESIGN AND VISUAL AMENITY

The proposal due to its siting is not directly visible from the private access road which serves the building or the wider street scene. There would be a number of additional doors and windows installed however the materials used would match that of the existing. The alterations proposed to the building are well integrated and appear subservient to the original building.

The proposal are not considered to impact upon the spatial pattern or character of the area and as such accord with DDM1 and DDM4 of the Arun Local Plan.

### RESIDENTIAL AMENITY

The proposal would change the use of part of the building to form a residential unit. This would involve the installation of 3 additional windows to the northern elevation. The proposed windows to the north will overlook the rear which consists of open space/countryside and with the windows at ground floor level and with around 35m to the nearest neighbour at the north west this is considered sufficient in which it should not give rise to any adverse overlooking impacts. There will be an additional window to the southern elevation however at ground floor level again views aren't considered significant.

The height and size of the building will remain as existing and as such it is not considered to appear overbearing or give rise to any overshadowing. A mezzanine floor would be created to both units which would provide an additional bedroom. 2 dormers will be constructed to serve this which form part of a separate application. Whilst the dormers would give rise to some overlooking towards 1 Church Farm Cottages with around 18m separation to the property and the ancillary unit at single storey level it is not considered overlooking would be significant in which is refusal is justified.

The proposed change of use is not considered to give rise to any adverse impacts upon neighbouring

amenity and accord with DDM1 and DDM4 of the Arun Local Plan.

#### IMPACT ON THE LISTED BUILDING

The proposal would retain much of its existing appearance and it is not considered to adversely affect the setting of the adjacent listed building. It would not result in a building of urban appearance and is considered to preserve the historic character of the listed building and accord with HERDM1 of the Arun Local Plan.

#### HIGHWAY CONSIDERATIONS

The building is accessed via a private access road. Due to the siting of the building there is enough space for the parking of at least 6 cars with sufficient space to manoeuvre which is sufficient for a development of this size. There are considered to be no adverse effects on highway safety.

#### SPACE STANDARDS

Arun Local Plan policy D DM2 states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance".

It is therefore necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) in order to determine whether the proposed cowshed is suitable for residential use.

| Beds | Persons | Required |
|------|---------|----------|
| 2b   | 3p      | 61m2     |
|      | 4p      | 70m2     |

The proposed floor space would be 62m2 and therefore would not meet requirements as a 2b4p. If however the property served as a double and a single and therefore 2b3p it would require 61m2 which the proposal meets and it therefore accords with the guidance above and DDM2 of the Arun Local Plan.

The units would not have a designated garden space. The land to the rear of the residential units would remain as existing which currently serves as a sand school for horses. There is however sufficient space available within the red edge on the submitted plan for garden/amenity space which could be used by the occupiers if required.

#### SUMMARY

The proposal for the change of use is considered to comply with relevant development policies and 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  
- Location/Block Plan - 171164/07 B  
- Plans and Elevations Proposed - 177164/02  
  
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 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.  
  
Reason: To provide car-parking space for the use and in accordance with policy DDM1 of the Arun Local Plan.
- 4 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority and retained thereafter once agreed.  
  
Reason: To provide alternative travel options to the use of the car in accordance with policies DDM1 of the Arun Local Plan.
- 5 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 6 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.