

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

REF NO: Y/88/20/HH

LOCATION: Hobbs Court, Dovecote
Bilsham Road
Yapton
BN18 0JY

PROPOSAL: New window in existing external wall. This application affects the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a new window to the ground floor northern elevation.

RELEVANT SITE HISTORY

Y/11/15/L	Application for listed building consent for conversion of existing carport into garage	ApproveConditionally 17-03-15
Y/10/15/HH	Conversion of existing carport into garage	ApproveConditionally 17-03-15
Y/81/17/L	Listed building consent for the retention of existing fencing, satellite dish, window & door designs and original hayloft crane & house sign adjacent to front door	ApproveConditionally 29-03-18
Y/80/17/HH	Retention of existing fencing, satellite dish, window & door designs and original hayloft crane with house sign adjacent to front door	ApproveConditionally 29-03-18

REPRESENTATIONS

Yapton Parish Council provided no objection.

1 letter of support received from nearby occupier.

- As an immediate neighbour, I would be most affected and I support the proposal.
- The proposal is minimal and in keeping with the property.
- Natural light would be an advantage to the environment.

- Whilst appreciating it is a Listed Property, the area is no longer a farmyard as once was.

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Outside Built up area boundary
Grade II Listed Building

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment

[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 site is located outside of the built-up area boundary as set out within both the Yapton Neighbourhood Development Plan (YNDP) and the Arun District Local Plan (ADLP). YNDP policy BB1 seeks to restrict new development in the countryside and does not include householder development within the list of exceptions to this. However, policy C SP1 of the ADLP does state that 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. ADLP policy D DM4 refers to extensions & alterations to existing buildings. Therefore, subject to compliance with D DM4 and other policies of the ADLP, the proposal will be acceptable in principle.

DESIGN AND VISUAL AMENITY

The proposal seeks to construct an additional window to the ground floor northern elevation. As a result of its siting, this is not visible from the wider area.

The window is proposed timber to match the existing and as such it is considered to appear well integrated and appropriate to the existing design of the dwelling.

Due to the minor development that is proposed, it is not considered to result in harm upon the character of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The window will be to the northern elevation and will overlook the garden of the host dwelling. The

closest neighbouring property is 'The Potting Barn' with its southern elevation running along the rear boundary of the host dwelling. However with the window at ground floor and due to the boundary fencing and distance it is not considered to give rise to adverse overlooking.

Due to the type of development, it is not considered to result in adverse harm upon amenity and accord with D DM1 and D DM4 of the Arun Local Plan.

LISTED BUILDING

The proposed window would be to the side elevation of a Grade II Listed Building.

Para 189 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The property forms part of a number of barns that were converted for residential use is of historical significance.

Para 190 requires the LPA consider the significance of the impact upon that heritage asset. The window proposed is to replicate an existing ground floor window and this is considered acceptable. Noted are also the proposed lintol and facing brick work which again will match. As such the minor alteration to the external appearance will not harm the significance of the heritage asset.

Due to the siting and minor alteration, the proposal is not considered to cause harm to the Listed Building and accord with HERDM1 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 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 and Block Plan - 321/01
 - Block Plan - 321/01A
 - Proposed and Existing Elevations - 321/02
 - Site Plan and Floor Plan - 321/01A
 - Window Details -321/03
 - Picture demonstrating window details and materials (15/9/20)
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 materials and finishes of the window and lintol/brickwork hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 of the Arun Local Plan.
- 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.