

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

REF NO: Y/9/19/HH

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

PROPOSAL: New crossover to single dwelling. This application may affect the setting of a listed building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a new vehicle crossover for access to The Potting Barn, Hobbs Court.
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RELEVANT SITE HISTORY

Y/4/18/L	Listed Building Consent for retention of existing timber utility area, external air source heat pump & timber fence	ApproveConditionally 26-03-18
Y/3/18/HH	Retention of existing timber utility area, external air source heat pump & timber fence	ApproveConditionally 26-03-18
Y/96/18/CLP	Certificate of lawfulness for a proposed use - erection of freestanding victorian arch	PP Not Required 30-01-19

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Yapton Parish Council provided no objection.

2 letters of support received from nearby occupiers.

- It won't interfere with the Hobbs Court entrance in any way.
- We see no reason why this should not reopen as access.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSSC - WSSC was re-consulted on this application following the request for amended visibility splays. These were received and it was demonstrated that there proposal is not anticipated to result in any highway safety concerns. Conditions should be applied.

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary
A.S.C (Adverts)

DEVELOPMENT PLAN POLICESArun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
CSP1	C SP1 Countryside
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment

Yapton neighbourhood plan 2014 Policy BB1

Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is situated outside of the built up area boundary as defined by SD SP2 of the Arun Local Plan (2011-2031). The proposal is for extensions and alterations to an existing building with the plot of an existing dwellinghouse. However, the proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM1 of this plan. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy . In this case, the key policy considerations are deemed to be D DM1.

Yapton has a 'made' Neighbourhood Plan with policy BB1 of relevance to the application. The proposal complies with this policy.

The site comprises of buildings that have been converted into 5 dwellings with the host dwelling separate from the main courtyard development.

DESIGN AND VISUAL AMENITY

The proposal seeks to construct a new vehicle crossover to provide access to the dwelling. Access is currently from the Bilsham Road only via a single shared entrance.

The crossover will provide direct access to the dwelling separate from the main courtyard entrance. An existing gate will be removed which will close up access from the Potting Barn to the internal parking

within Hobbs Court drive. A fence and shrub planting will infill the entrance to match the existing boundary treatment adjacent. The gate will be re-sited at the proposed new crossover set back 7.5m from the road.

The proposed access was previously used for the construction of the property however was not fully implemented and location altered on a subsequent permission. With the dwelling sited on a main road there is no off road parking and therefore it is not out of character for vehicle crossovers.

The proposal is not considered to adversely impact upon the spatial pattern or character of the area and accord with DDM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed crossover is not considered to give rise to any unacceptable adverse harm to the residential amenity and have a minimal impact on the users and occupiers of nearby land in accordance with D DM1 of the Arun Local Plan.

LISTED BUILDING

The proposed crossover is located a considerable distance from the listed building at a minimum of 60m. The crossover will result in minimal change and therefore is not considered to result in a significant impact upon the heritage site and as a result preserve the appearance of the listed building and accord with HERDM1 of the Arun Local Plan.

HIGHWAY SAFETY

West Sussex County Council have been consulted in relation to the proposed vehicular access and does not consider the proposal will result in a severe impact upon the operation of the highway network. A condition and an informative have been requested and included in accordance with their consultation response.

SUMMARY

The proposed development 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
 - Proposed Site Block Plan - 011B
 - Site Location and Block Plan - 010B
 - Proposed Site Plan - 013A
 - Design and Access 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 Access: The use of the car parking and turning space shall not commence until such time the vehicular access has been constructed in accordance with the details shown on the drawing titled Proposed Site Block Plan - 011B
Reasons: To provide car-parking space for the use and in accordance with DDM1 of the Arun Local Plan.
- 4 No part of the development shall be first occupied until visibility splays of 2.4m by 120m to the south and 2.4m by 116m to the north have been provided at the proposed site vehicular access onto Bilsham Road in accordance with the details shown on the drawing titled Proposed Site Block Plan - 011B. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6m above adjoining carriageway level or as otherwise agreed.

Reasons: In the interests of road safety and in accordance with DDM1 of the Arun Local Plan.
- 5 The use of the access shall not commence until such time as the parking and turning area has been constructed in accordance with the details shown on the drawing titled Proposed Site Block Plan-011B. These spaces shall therefore be retained at all times for their designated purpose.

Reasons: Reasons: To provide car-parking space for the use and in accordance with DDM1 of the Arun Local Plan.
- 6 INFORMATIVE: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on to the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-forms/

Online applicants can be made at the link below, alternatively please call 01243642102
www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/.

- 7 **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.