

PLANNING APPLICATION REPORT

REF NO: Y/42/20/PL

LOCATION: The Crickets
Hoe Lane
Flansham
Yapton

PROPOSAL: Extension & alterations to main dwelling & conversion & extension of existing annexe to 2 No. holiday letting units (resubmission following Y/117/19/PL).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks alterations to the dwelling which include increasing the height, width and depth. The application seeks to alter an annexe to form a detached building forming 2No. holiday lets.
BOUNDARY TREATMENT	Dwarf brick wall with piers approximately 1m in height to the front, approximately 1.5-2m high fence supplemented with dense tree planting/vegetation to the north, east and west.
SITE CHARACTERISTICS	The site is on the northern of Hoe Lane and contains a two storey detached two bed dwelling set in landscaped curtilage. The original garage has been extended and converted to provide annexe accommodation and car port linked to the host property via a covered porch.
CHARACTER OF LOCALITY	The site forms part of a low density residential development in the hamlet of Flansham which consists principally of houses, converted farm buildings and paddocks screened to the highway by hedgerows and mature trees. Although generally street fronted, there is an informality of layout where space between buildings is important. The area has a mature verdant character.
	Hoe Lane is a cul-de-sac off a roundabout on the A259 Bognor Regis Relief Road. To the south of the is recent and extensive residential development. The hamlet of Flansham grew up around two historic farmsteads with linear development along Hoe Lane.

RELEVANT SITE HISTORY

Y/117/19/PL	Extension & alterations to main dwelling and extension and conversion of existing annexe to three holiday letting units (resubmission following Y/74/19/PL).	Refused 18-03-20
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Noted. An application was refused in March 2020 for similar works however it proposed 3 holiday lets.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council - Objection

- Overdevelopment.
- The holiday lets is a departure from the existing structure size and proportions.
- Parking does not sufficiently demonstrate the 7 spaces proposed are adequate for the site.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in conclusion.

CONSULTATIONS

Southern Water Planning

Engineering Services Manager

Engineers (Drainage)

Arboriculturist

Economic Regeneration

Environmental Health

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Southern Water - Include standard informative relating to connection to the sewerage system.

ADC Engineers (Drainage) - The site falls in the Lidsey Catchment. Apply standard condition.

Environmental Health - No objection but recommend a condition relating to hours of construction work.

WSCC Highways - The applicant is to retain existing access and no alterations are proposed. Arun Parking Standards require 3 parking spaces for a property of this size and 4 spaces and a double garage are proposed. This sufficient for demand. The holiday lets have 1 allocated space each. The guidance does not give advice on space for holiday lets however with 1 space per bedroom. PROW must be maintained. The LHA does not consider the proposal would have an adverse impact on the highway.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Outside built up area boundary

Lidsey Catchment

DEVELOPMENT PLAN POLICIESArun 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
CSP1	C SP1 Countryside
QESP1	QE SP1 Quality of the Environment
TOUDM1	TOU DM1 Tourism related development
TOUSP1	TOU SP1 Sustainable tourism and the visitor economy
TSP1	T SP1 Transport and Development
DDM2	D DM2 Internal space standards
TDM1	T DM1 Sustainable Travel and Public Rights of Way
WDM1	W DM1 Water supply and quality

Yapton neighbourhood plan 2014 Policy BB1

Built-up Area Boundary

Yapton neighbourhood plan 2014 Policy PK1

Parking standards for new residential development

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.

Yapton Parish Council has a made Neighbourhood Plan.

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."

There is conflict with the Yapton Neighbourhood Development Plan (YNDP) in respect of its location within the countryside but the proposal is considered to comply with all other relevant Development Plan policies in that it would not have a materially adverse impact on the residential amenities of nearby properties or on 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 site is outside of built up area. Policy C SP1 states that development in the countryside will only be permitted where it relates to certain criteria including where in accordance with another policy of the Plan. Extensions & alterations are permitted in principle by policy D DM4. In addition, policy TOU DM1 sets out that holiday accommodation in the countryside is appropriate if small scale. It is also considered that although, the change of use of the annex is a form of development, as the accommodation is already in a residential use, the change would not be inappropriate development within the countryside. Therefore, there is no conflict with policy C SP1.

Policy D SP1 relates to design in that development should reflect the characteristics of the site and local layout in relation to various characteristics, respond to locally distinctive patterns of development and respect, improve and enhance the existing surrounding environment.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality

Policy TOU SP1 seeks that sustainable tourism development will be encouraged where it protects and enhances the natural and built environment of Arun and policy TOU DM1(2) states that tourism related development in the countryside will demonstrate that it is required and is compatible with its countryside location and is sensitively designed to minimise potential impact on the countryside.

Yapton has a made Neighbourhood Plan with Policy BB1 of relevance. The policy states that development outside of the BUAB will not be permitted unless it is in accordance with one of four criteria. The proposal does not comply with these categories. However, it should be noted that section 38 (5) of the Planning and Compulsory Purchase Act 2004 states: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document". Any conflict between the YNDP and the Arun Local Plan, should therefore be resolved in favour of the latter.

DESIGN AND VISUAL AMENITY

The proposal seeks extensions and alterations to the dwelling and the addition of holiday lets. The property is a two storey detached dwelling which reduces to single storey forming an annexe and car port. The buildings will alter with the single storey element detaching from the host dwelling and increasing to 1 storey with pitched roof forming 2 holiday lets. The dwelling remain two storey although extend in width and depth.

Alterations to the dwelling include an increased ridge height by around 0.9m and as a result the alteration is not considered a subservient addition. The dwelling will increase in width to the west at 6.2m, part consisting of an attached garage which has been reduced in height from the refused application. The rear will increase in depth by around 3m. Whilst the dwelling increases in scale, it is well integrated and sympathetic in appearance to the property and is not considered overdevelopment for the site.

The single storey annexe and car port to the east side of the dwelling will be replaced with a detached

building forming 2 holiday lets. This is situated around 1m to the east of the host dwelling.

The building will have a barn hip roof with low level eaves. This has been reduced slightly in height and in width by approximately 3.3m from the previous application and the reduction improve its appearance in the street scene reducing its massing and increasing the separation to the boundary. The detached building appears appropriate in scale which is smaller than that of the host dwelling.

The development is set back from the front boundary by around 16m which helps to reduce its dominance upon the area and there is existing vegetation to the south-east which would provide some screening of the dwelling.

The proposal increases the visual impact the property has in the street scene however it is appropriate to the size of the site and for its setting and due to the design and siting of the development, it is not considered to result in adverse impact upon the spatial pattern or character of the area. With regard to the above, the proposal would comply with policies C SP1, D SP1, D DM1, D DM4, TOU SP1 and TOU DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposal increases the footprint and height of the development. However with around 3.4m retained to the east boundary and 1.2m to the west boundary, it is considered sufficient to ensure there no adverse overbearing or overshadowing impacts upon amenity.

Due to its siting the proposal is not considered to have an adverse impact on occupiers of nearby properties by way of overshadowing, overbearing or overlooking due to the separation distances between neighbouring properties and accords with D DM1 and QE SP1 of the Arun Local Plan.

HIGHWAY ISSUES

Arun Local Plan policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.

Arun Parking Standards (2020) dictate that a dwelling of this size in this location requires at least three car parking spaces and the proposal complies with this. The proposal provides 4 spaces for the dwelling including a double garage and an additional space for each holiday let. Parking requirements for holiday lets are one parking space per bedroom and this requirement has been demonstrated.

Footpath 147 runs along this part of Hoe Lane. It is likely that the PROW (Public Right of Way) may be affected by an increase in vehicular traffic either before or after development completion. It is noted that public use of the PROW takes precedent over private vehicular traffic and further consent must be sought for any alterations to this.

The proposal in a sustainable location in walking distance of local shops, amenities and bus stops. WSCC Highways consider parking provision sufficient for anticipated demand and do not consider the proposal has unacceptable impact on highway safety. The proposal complies with TSP1 of the Arun Local Plan and PK1 of the Yapton Neighbourhood Plan and there are no transport grounds to resist the proposal.

SURFACE WATER DRAINAGE

The site falls in the Lidsey Wastewater Treatment Catchment Area. ALP policy W DM1 only requires a drainage impact assessment where a non-mains solution is proposed. The applicant has stated in their Foul Drainage Statement that the property and annexe currently drain to the mains drainage system and that there will be no change to this. Neither the Council's drainage engineers nor Southern Water raise

any objections.

CONVERSION TO HOLIDAY LETS

The Arun Local Plan indicates support for new tourism development which is appropriate to its location. The policies place the emphasis on development that respects established spatial and pattern of the place, sensitive and appropriately integrated into its landscape setting, which forms the dominant feature in the countryside, where the proposed development is located. Policy TOU SP1 of the ALP supports tourism which is compatible with its countryside location and is sensitively designed to minimise potential impact on the countryside.

The two holiday units are considered appropriate in relation to its size on the site and appear integrated in its landscape setting due to the design, which appears subordinate to the host dwelling.

The use of 2 holiday lets by reason of their size are not deemed to adversely increase the intensification of the site, which is located in a sustainable location in walking distance to local shops.

Previously refused application (Y/117/19/PL) raised concerns regarding parking dominating the front of the property and its countryside setting. This has been addressed through the addition of a garage to the host dwelling and the reduction of 1 holiday let. There are now 4 spaces located to the east and west sides of the site, which are visually partially restricted via existing planting. This reduces the visual impact on the area and is now considered acceptable.

The use of holiday lets are considered acceptable and accord with relevant policies.

CONCLUSION

The proposed development is deemed to accord with 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.

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:
 - Proposed Site Plan - P104
 - South West and North East - P103
 - Proposed North West and Roof Plan - P102
 - Proposed South East and First Floor Plan- P101
 - Proposed Ground Floor Plan - P100
 - Location and Block Plan - P105
 - Bin Storage Statement
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 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.
- 4 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 D DM1 of the Arun Local Plan.
- 5 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.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

6 Notwithstanding the provision of Part C, Class C3 Dwelling House to the Schedule of the Town and Country Planning (Use Classes) Order 1987, (or any order revoking or re-enacting that order), the detached building shall be used for the purpose of holiday accommodation only and for no other purpose, including any other purpose within Class C3 of the Order, without the prior permission of the Local Planning Authority. The property shall not be occupied by any persons for a total period exceeding 28 days. The owner shall maintain a register of occupiers for each calendar year which shall include:

1) The full names, occupation, permanent address and contact telephone numbers of all of the person(s) occupying the premises; and

2) The start and end date of the stay and the purpose of the stay. It shall be made available for inspection by the Local Planning Authority at any time, and a copy of the register shall be supplied to the Local Planning Authority at the end of each calendar year.

Reason: The site is located outside the settlement boundary where the provision of dwellings is only acceptable if justified on agricultural grounds or are required for a purpose for which a countryside location is necessary and in accordance with policies TOU SP1, TOU DM1 and DDM1 of the Arun Local Plan.

7 No construction activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no noisy working activities on Sunday or Bank or Public Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adoption Arun Local Plan 2011 - 2031

8 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on 01903 737555.

9 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

10 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning

Y/42/20/PL

(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.

BACKGROUND PAPERS

The documents relating to this application can be viewed on the Arun District Council website by going to <https://www.arun.gov.uk/weekly-lists> and entering the application reference or directly by clicking on this link.

Y/42/20/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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