

Recommendation Report for Planning Permission

REF NO: AB/103/17/PL

LOCATION: Former Reception Building
Arundel Equine Hospital
Tortington Lane Arundel

PROPOSAL: Change of use from veterinary office & treatment room (D1 Non Residential Institutions) to 1 No. additional dwellings with alterations to external fenestration. This application is a Departure from the Development Plan (amendment to AB/82/16/PL).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above

The proposal seeks amendment to a previous permission AB/82/16/PL for a conversion to a single residential dwelling comprising of 2 bedrooms, a lounge, kitchen and bathroom by adding accommodation at first floor by increasing the roof height by 800mm and adding dormers and roof lights and extending to the rear. These alterations would result in the creation of a total of 2 x 3 bedroom semi detached dwellings, one more than previously approved, The red edge to the application site has also increased the size of the curtilage to the south by approx. 18m depth and 12m width.

SITE AREA

725 sq m

RESIDENTIAL DEVELOPMENT DENSITY (NET) 28 dwellings per hectare

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Front boundary is open, rear boundary has hedging approximately 2.5m in height, west and east side boundary walling.

SITE CHARACTERISTICS

Single storey building on south side of entrance road formerly comprising reception and admin/office, stables to west. Elevations white painted brickwork, white window frames with a corrugated roof.

CHARACTER OF LOCALITY

Rural lane with sporadic housing, Tortington House to south of site, Tortington Manor has

apartments and dwellings to east of site.

RELEVANT SITE HISTORY

AB/75/02/	Conversion of veterinary offices and treatment room to residential dwelling.	Refused 14-10-2002
AB/114/04/	Change of use for conversion of veterinary offices & treatment room to residential dwelling.	ApproveConditionally 10-08-2004
AB/70/09/	Change of use of veterinary office and treatment room to residential dwelling.	ApproveConditionally 01-09-2009
AB/113/15/PL	Change of use of veterinary office (D1 non-residential Institutions)& treatment room to 1 no. residential dwelling (C3 Dwelling House) with alterations to external fenestration	App Cond with S106 16-10-2015
AB/82/16/PL	Change of use of veterinary office & treatment room (D1 Non-Residential Institutions to 1 no. residential dwelling (C3 Dwelling House) with alterations to external fenestration (resubmission following AB/113/15/PL). This application is a Departure from the Development Plan.	ApproveConditionally 05-09-2016

REPRESENTATIONS**Representations received:**

Arundel Town Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

Archaeology Advisor

Engineering Services Manager

Engineers (Drainage)

Engineers (structural)

Building Control

Consultations responses received:

Archaeology Officer - No Objection . It is unlikely that works would impinge on archaeological deposits to the extent that refusal or the requirement for further mitigation measures would be justified.

Structural Engineer - All conversion works would be covered by Building Regulations

Drainage Engineer - No comment. No change in footprint.

Comments on Consultation responses:

- comments noted

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary
Area of Special Control for Advertisements
PDR Restriction
No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: GEN3
GEN7
DEV2

Publication Version of the Local
Plan (October 2014):

Protection of the Countryside
The Form of New Development
Conversion of Rural Buildings for
Residential Use

D DM1 Aspects of Form and Design
Quality
D DM2 Internal Space Standards
D DM3 External Space Standards
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)
H DM3 Agricultural, Forestry &
Horticultural Workers' Dwellings
SD SP2 Built-Up Area Boundary
C SP1 Countryside

Arundel Neighbourhood Plan 2014 POLICY1:

The Presumption in Favour of Sustainable
Development

Arundel Neighbourhood Plan 2014 POLICY 2:
Arundel Neighbourhood Plan 2014 POLICY 3:
Arundel Neighbourhood Plan 2014 POLICY 4:
Arundel Neighbourhood Plan 2014 POLICY 6:

A Spatial Plan for the Town
Housing Supply
Housing Site Allocations
Transport, Access & Car Parking

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has

taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Policies 1, The Presumption in Favour of Sustainable Development 2, A Spatial Plan for the Parish 3, Housing Supply 4, Housing Site Allocations and 6 Transport, Access & Car Parking of Arundel Neighbourhood Plan are considered relevant to consideration of this application.

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

The single storey building which was previously used as reception with admin/offices and treatment room is located on the southern side of the site and is currently empty. The equine hospital had been trying to relocate for a number of years and relocation has recently taken place.

Previous applications AB/114/04, AB/70/09, AB/107/12, AB/113/15/PL and AB/82/16/PL for the change of use of veterinary office and treatment room to a single residential property have been approved.

The provision of an additional dwelling as a result of conversion of the existing premises would accord with policy 1 of Arundel Neighbourhood Plan in that whilst the development is not located within the Town Centre as referred to in Policy 2 or an allocated site as referred to in Policies 3 and 4, there are material considerations to indicate that the proposal should be supported. These are that the proposal represents conversion and an extant residential permission has already been approved on this site. Policy 6 of the Neighbourhood Plan refers to support and promotion of walking, cycling and public transport. The site is not well linked to public transport by footpaths, but it is considered that the proposal represents a decrease in overall traffic generation to the site when considered against the previous equine hospital use.

AB/82/16/PL has not yet been implemented and this application is to vary the permission by adding accommodation in the roof area using dormer windows and providing a single storey rear extension (5.2m by 4.8m approx.) comprising a garden room to each unit. The existing openings are to be utilised with the addition of two new French door openings on the southern elevation and dormers and roof lights in the roof. In view of their position and adequate boundary screening it is not considered that the alterations would detrimentally harm the occupiers of the neighbouring property Tortington House by way of overlooking or loss of privacy. The dormers would be restricted to the front roof slope and would face onto the access driveway. There would be a gap of 8m to the dormer windows on the recently approved dwellings opposite.

The proposal would have the appearance of a traditional agricultural building with a low eaves and ridge height. The profile and ridge height remain unaltered and the extensions are limited. It is not considered that the amended conversion in its current form would detract from the character or appearance of the surrounding residential area and the traffic generated is likely to be less than the previous use.

The proposal would meet the National Internal space standards for 2 storey 4 bedroom dwellings for 7 people. 115 sq metres are required and 121 sq metres are provided. Most bedroom and living areas also meet the policy requirements (although the bedroom/study room at first floor in plot 4 is not large enough to constitute a single bedroom) . The external space standards set out in policy DDM3 of the Emerging Local Plan require 100sq m and the application provides in excess of 170sqm to each plot. The minimum garden depth of 10m is also met.

The buildings were utilised until recently and no deterioration requiring the submission of an updated structural survey is apparent. There has been no material change in planning policy/circumstances since the previous approval and the proposal was previously considered to accord with the requirements of policy DEV2. The roofing materials were previously agreed to be altered and although the roof height is now being increased, the additional 800mm is not considered to be significant or overly visually apparent when considered against the overall appearance of the dwelling. The proposed extensions are also not considered to be excessive in footprint and are therefore acceptable.

The proposal also includes an increase in the red edge area of the application site. This was part of the land included within the ownership of the equine hospital and is adjacent to the boundary with adjoining dwelling to the east. The Paddock area to the south is still excluded from the red edge. It is considered that this minor increase in the garden length which results in a tapered and elongated shape to the gardens would have no adverse impact on the visual amenities or character of the area. The area has not recently been used for agricultural purposes.

It is therefore recommended that planning permission should be granted, subject to the following conditions.

HUMAN RIGHTS ACT

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, 1:500 block plan P302 A, Site Layout Plots 3&4 P301 A, Floor Plans 08 C, Elevations 10 B, Roof Plan 09 C, Shed/Bike Store plans.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In order to control the development in the interests of the character and appearance of this building group which is outside the built-up area, as defined, where normally only that development essential in the interests of agriculture/forestry is permitted in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No development shall begin until a construction method statement and details are provided demonstrating how the existing building stability is maintained during execution and completion of the works.

Reason: To ensure that the building converted without rebuilding or significant alteration in accordance with policy DEV2 of Arun District Local Plan.

- 5 **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.