

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

REF NO: AB/10/18/HH

LOCATION: 84 Maltravers Street
Arundel
BN18 9DS

PROPOSAL: Conversion of existing pottery/workshop/studio to self-contained annex ancillary to main dwelling. This application may affect the character & appearance of the Arundel Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal is for conversion of a former pottery workshop into a detached self contained studio/annexe for use as ancillary accommodation to the main house. The only alteration referred to in the supporting statement is completion of the timber link. The floor plans do not indicate any layout changes. The building has previously been used for ancillary purposes.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Post and rail fencing to fields to rear. Walling to Maltravers Street
SITE CHARACTERISTICS	End of terrace property incorporating stuccoed rendered elevations with a slate roof. The pottery building has flint elevations with brick quoins and is linked by a timber extension to a former out house WC.
CHARACTER OF LOCALITY	The site is located close to the roundabout on the edge of town centre in a residential area.

RELEVANT SITE HISTORY

AB/118/16/L	Application for Listed Building Consent for construction of new opening in existing boundary wall.	ApproveConditionally 09-01-17
AB/53/88	Shed (flint, brick and slate) as an extension to existing shed	ApproveConditionally 01-08-88

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council
No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Area Advisory Committee - No Objection

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:
Grade 2 Listed Building
Conservation Area

DEVELOPMENT PLAN POLICES[Arun District Local Plan \(2003\):](#)

GEN7	The Form of New Development
DEV19	Extensions to existing residential buildings

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	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 and is 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.

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. The examination was completed in September 2017.

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. 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.

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).

The Arundel Neighbourhood Plan has been made but there are considered to be no relevant policies to the determination 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.

Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to conflict with these criteria in that it is considered to materially affect the character or the Grade II Listed Building and the character of the Conservation 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 agent has advised in the Planning Statement the timber framed link will be completed with dark stained timber cladding. The proposal would retain the existing walls, windows and doors with minor repair to timber frames and opening casements. The existing slate roof will be retained. Completion of the framed link between the outhouse and pottery will be carried out with timber boarding. The proposal is to retain the existing structure with only minor works to the timber framed link.

The planning history does not refer to the timber link between the outbuildings which is not clearly identified on the submitted plans as an addition/enlargement. The roof height of this part of the structure is not as indicated on the submitted elevation plans. The elevation plans which are annotated as existing and proposed do not reflect the existing design of the windows or stable door so it is clear that alterations are included which are not detailed.

It is not clear if the accommodation is to be used as permanent residential accommodation. The application is described as a self contained annexe and it is not clear from the information submitted what is included in the application and the degree of independence the annexe would have from the existing dwelling and whether any facilities would be shared with the main house. The application also states that the building would be ancillary in nature. No information is given in this respect either. The building already has an authorised ancillary use and was described as a shed in the 1988 planning permission. The use was not specifically restricted. The room type/sizes may not be appropriate if the building is to be used completely independently. It is assumed that the garden would be shared with the dwelling.

The extent of the works proposed is ambiguous and the level of detail submitted in the application does not clarify what works/alterations are proposed or how the proposed use would operate.

The application is therefore recommended for refusal for the following reason

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 Based on the limited information submitted with the application and having regard to the limited size of the unit and its position, its conversion into one self contained unit of accommodation would give rise to an un-neighbourly, over-development of the site and an unsatisfactory environment for the occupiers in conflict with policy GEN7 of the Arun District Local Plan.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.