

PLANNING APPLICATION REPORT**REF NO:** AL/106/10/**LOCATION:** Old Dairy Lane (formerly known
as farm buildings rear of New
House Farm) Norton Lane Aldingbourne**PROPOSAL:** Change of use of implement & equipment store approved under AL/92/08/ to
tourist accommodation unit**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	0.0168 hectares
RESIDENTIAL DEVELOPMENT DEN	60 dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Flint walling to the front and a mature tree screen to the rear.
SITE CHARACTERISTICS	Redundant dairy farm. The building in question is a single storey barn of precast construction. the building has precast concrete wall framing and eaves level roof beams supporting a steel framed roof truss.
CHARACTER OF LOCALITY	Rural farmland with linear residential properties with road frontage.

RELEVANT SITE HISTORY

AL/92/08/	Re-use of redundant farm buildings for mixed use development - B1 offices, residential dwellings & tourist accommodation units	Approve Cond 21-01-2009
AL/104/09/	Change of use of existing agricultural land to paddocks & erection of a private use stable building	Withdrawn 03-12-2009
AL/114/09/	Proposed tourist units in redundant farm building- amendment to AL/92/08 (in lieu of the B1 use approved) - This application is a Departure from the Development Plan	Refused 03-02-2010
AL/27/55	Outline for residential development	Refused 09-11-1955

AL/3/74

Outline for one dwelling

Approve Cond

13-02-1974

REPRESENTATIONS

Representations received:

Awaited

Three e-mails of objection.

The residents of the property known as The Hovel have not been informed of this application by the applicant.

It is believed that the unit will not be used for tourist accommodation in line with others approved. The development approved under AL/92/08 is being carried out in breach of conditions. The windows on the south elevation and proposed access will unacceptably overlook and spoil the use of adjoining garden by way of visual intrusion and comings and going of traffic.

The application site carries the same name as other residential property known as New House Farm and this is causing unnecessary distress by stream of callers, visits etc.

The submitted drawing is not the same as that submitted under AL/92/08. The building has since been altered without permission and the application should therefore be refused as they impact on the neighbouring property and the character of the area.

1 letter of support

It is in all's interest that this final building is finished. A holiday let would be in keeping and preferable to a commercial use which would carry an inappropriate 24 hour use.

Comments on Representations received:

Comments noted. A site notice was prominently sited and disputes between neighbours are not material planning considerations.

The alleged breach of conditions imposed under AL/92/08 are currently being investigated by the Council's compliance section.

This is a single storey building and the fence between the site and The Hovel is proposed to be retained and will ensure that privacy is not materially harmed.

The use of the access will not be 24/7 unlike that potentially by the former agricultural use of the site.

Allegations concerning previous alterations to the building are noted. However, the current proposal needs to be considered on the basis of the building depicted in the submitted plans.

CONSULTATIONS

WSSCC Local Development Divis.

Conservation Area Advisory Com

Consultations responses received:

West Sussex Highways

Advice. There are no apparent visibility issues where accident records do not highlight any accidents. Turning on site is adequately provided and the 2 parking spaces provided is appropriate amount.

ADC Structural Engineer

There are no major structural alterations proposed and new doors/window openings will be picked up during Building Control stage.

Conservation Area Advisory Committee

Comment. The roof should be of natural slate.

Comments on Consultation responses:

Noted. The drawings do not depict the proposed materials to be used. A materials condition will therefore be imposed.

POLICY CONTEXT

Designation applicable to site:
Outside Built up area boundary
Within designated conservation area

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPB6 SEPTSR2	Management of the Historic Environment Rural Tourism
Arun District Local Plan:	AREA2 GEN2 GEN3 GEN7 DEV34 DEV2	Conservation Areas Built-up Area Boundary Protection of the Countryside The Form of New Development Tourist Accommodation and Attractions Conversion of Rural Buildings for Residential Use

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPS7	Sustainable development in rural areas
PPS5	Planning for the Historic Environment
PPS3	Housing

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 particularly the rural conservation area or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area. A structural survey has been submitted which states that the buildings can be converted without major alterations or rebuilding, and is for predominantly commercial uses.

Where the building is located in a Conservation Area, Section 71(1) of the Act 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 comply with these criteria in that the development would preserve the character and appearance 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

Principle

The site is part of a redundant dairy farm which has been subdivided. The disused farm buildings are not compatible with modern farm standards and therefore are redundant. The proposal is to convert the final barn with a roadside frontage to a tourist to let use. The other barns have been converted to tourist accommodation under approval AL/92/08.

Local Plan Policy DEV2 permits the conversion of rural buildings to domestic use provided there have been reasonable attempts to market the property for business use and buildings are structurally sound, of permanent construction and capable of conversion without rebuilding or significant alteration or extension.

In terms of the reuse of the building for business purposes all the other agricultural buildings associated with the former dairy farm were granted permission to be used for tourist accommodation in 2008 under AL/92/08. It would therefore be unreasonable now to seek a report outlining the attempts that have been made to market the building for business use.

A structural survey has been submitted with the application which states that the building is capable of conversion without major alteration or rebuilding. The report has been verified by the Council's structural engineer.

Countryside policies are intended to protect the countryside for its own sake. Therefore development will not be permitted unless it is to meet the needs of agriculture or for the diversification of the rural economy. PPS7 states that Planning authorities should support a wide range of economic activity in rural areas. The government supports the reuse of suitably constructed existing buildings in the countryside and states that economic development will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of buildings. Indeed mixed uses are encouraged. PPS7 also states that tourism is vital to many rural economies, and promotes the conversion of existing rural buildings to tourist accommodation. This is reinforced by the newly published PPS4.

The proposal therefore conforms with policy DEV1 in that a commercial use is a preferable reuse of rural buildings.

STRUCTURAL STABILITY

A structural survey has been submitted with the application which confirms the building is capable of conversion without significant rebuilding or alterations. The survey has been passed on to the Council's structural engineer to comment on and concurs with this assessment.

VISUAL AMENITY

The proposal will make a positive contribution to the Conservation Area by bringing back into use

the barn on the front elevation with no significant alteration to the visual appearance of the building. The redundant buildings will have become dilapidated over time if left. The manner of conversion of the building is also considered in keeping with the traditional agrarian design of the buildings. Therefore the conversion in accordance with national and local plan policies will be an enhancement to the area.

RESIDENTIAL AMENITY

The residential amenities of neighbouring properties are not considered to be adversely affected. There is a fence, which is proposed to be retained, between the application building and the abutting residential property The Hovel. This will ensure that The Hovel's privacy will be maintained at an acceptable level. The tourist accommodation will not be an all year activity so it is considered that any general noise and disturbance from visitors will be less than what would be expected of an all year round working dairy farm as previously experienced.

AFFORDABLE HOUSING

This is a proposal for residential accommodation (Class Use C3) restricted to tourism use only. As such it falls to be considered against the Council's affordable housing policy and a legal agreement has been entered into and completed with an undertaking that a commuted sum towards the provision of affordable housing be paid on completion of this development. This is in line with the policy.

SUMMARY

The proposal for the conversion of the redundant farm building to tourist accommodation is considered to conform with both Local Plan and guidance/policy from central government contained in Planning Policy Statement 7 (PPS7) and PPS4. The structural survey has demonstrated that the conversion can be undertaken without major alterations or rebuilding. The effect on the countryside is therefore acceptable and there are considered to be no significant adverse effects on visual and residential amenity. In line with Council policy an affordable contribution has been drawn up in the form of a section 106. Therefore it is recommended that the application be approved subject to the following conditions.

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 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/setting of the the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, 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: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The use of any land for car parking shall not be commenced until it has been laid out, surfaced and drained and such land shall not be used thereafter for any purpose other than the parking of vehicles.

Reason: To ensure a satisfactory standard of development in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The tourist accommodation hereby approved shall be used for individual lets for up to and no more than 28 consecutive nights.

Reason: To preserve the availability of the accommodation as a holiday let in accordance with policy DEV34 of the Arun District Local Plan and to prevent the establishment of permanent dwellings in the open countryside in accordance with policies DEV1 of the West Sussex Structure Plan and GEN3 and GEN7 of the Arun District Local Plan.

- 6 No development, demolition or alterations to buildings shall take place until details indicating how suitable provision will be made for bats/owls' habitats have been submitted to and approved by the Local Planning Authority and such habitats shall be secured/provided before development commences and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To safeguard the ecology of the area, and in the interests of bats/owls to ensure that a habitat remains for them during and after development in accordance with policies GEN30, DEV2 of the Arun District Local Plan.

- 7 This permission relates to the following approved plans: PL01, EX01.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and DEV1 of the Arun District Local Plan.

- 8 The existing fence on the south boundary of the application site shown on the approved plans to be retained will thereafter be maintained at a height on 1.5m to the satisfaction of the Local Planning Authority.

Reasons: In the interest of the amenity of occupiers of nearby property in accordance with policy GEN7 of the Arun District Local Plan.

- 9 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

SOUTH EAST PLAN: SEPBE6, SEPTSR2

LOCAL PLAN: GEN3, GEN7, DEV1, DEV35, AREA2

NATIONAL POLICIES: PPS1, PPS4, PPS7, PPS9, PPG13, PPG15, Good Practice Guide on Planning for Tourism.

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.