

Recommendation Report for Planning Permission**REF NO:** AL/107/12/**LOCATION:** The Barn
Aldingbourne Community Sports Centre
Olivers Meadow Westergate**PROPOSAL:** Minor internal alterations to storage barn to provide sports changing facility and model railway club storage. Addition of high level windows to one elevation and cladding of building with timber boarding.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application seeks consent to clad the exterior of the building with timber cladding and insert high level windows in the west elevation.
SITE AREA	720 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	2 metre high wire mesh fence to part north and west boundary. Mature tree screen to south. 1.8 metre high close boarded timber panel fence to east.
SITE CHARACTERISTICS	Detached storage barn constructed from blockwork with corrugated iron roof and timber sliding access door on north elevation. Building is partly enclosed by high fencing. The site also contains the renovated Barnham Signal Box.
CHARACTER OF LOCALITY	Semi-rural. Recreation ground and Aldingbourne Community Centre to the east and north. Residential development to the west.

RELEVANT SITE HISTORY

AL/21/01/	The proposal of a new building which will provide new changing rooms and snooker hall to replace existing changing rooms of inadequate size	Approve Conditionally 03-07-2001
AL/60/07/	The erection of two masts to support an array of CCTV cameras and associated civil works to bury cables from the masts to the centre building including the construction of two inspection pits	Approve Conditionally 18-07-2007

AL/107/12/

AL/33/08/	Siting of a container (metal) for storage purposes	Approve Conditionally 30-05-2008
AL/81/08/	Installation of street lighting around the community building	Approve Conditionally 10-10-2008
AL/54/09/	The re-siting of Barnham Signal Box to recreation ground at Olivers Meadow, from its present position at Barnham Railway Station. Building to be used as a clubhouse and meeting place for Bognor Regis Model Railway Club. Works include erection of fencing.	Approve Conditionally 07-08-2009
AL/44/09/	The erection of a modular building for community purposes, to be enclosed with a chain link fence	Refused 13-08-2009
AL/109/09/T	Reduce crown by 10% & crown thinning to 1no. Oak Tree	Approve Conditionally 16-12-2009
AL/6/10/	Erection of detached pre-school building - resubmission following AL/44/09/	Approve Conditionally 23-04-2010
AL/65/10/	Extension to provide storage.	Approve Conditionally 04-08-2010
AL/5/12/	Relocation of a wooden portable cabin building with entrance hall for use as a club room incorporating some landscaping	Refused 02-05-2012
AL/62/12/NMA	Application for a non-material amendment following a grant of planning permission AL/54/09/ for alterations to stairs & balcony to the upper floor	Approve 03-07-2012
AL/71/12/	Small extension to house toilet & entrance facilities for use of the clubs members	Approve Conditionally 25-10-2012

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

Support. The application seeks approval for works to the 'Barn' which has previously been used for storage of materials and equipment used by the Aldinbourne Community Sports Centre and clubs/organisations who are users of the facilities on the site. The Barn is currently an unattractive building and the proposed works will improve the visual appearance of the site.

5 letters of Objection (2 from the same address):

- Noise
- Fire risk

- Not in keeping
- Times of usage are unfair
- Windows overlook our kitchen
- Development may impact on natural drainage
- No details on toilet/shower facilities
- Area is residential, not commercial/industrial
- Building may be used late at night, with constant flow of traffic
- Description of application is misleading
- Proposed works are not minor, but major
- Building contains asbestos
- Biodiversity - there are stag beetles and bats on the site
- Hours of use are not stipulated
- Is a soakaway in place
- Cladding may reflect the sun and does not blend in with surroundings
- Building will be used as an informal meeting place
- Appearance of building is satisfactory
- Light pollution
- Several instances of loud music since clearing out the barn and working late into the night

Comments on Representations received:

Comments noted.

- Use of the building for storage, changing facilities and occasional use for repairs of model railways is not anticipated to generate significant noise disturbance beyond the existing situation. In the event of noise disturbance, this may be controlled by separate legislation and reported to Environmental Health.
- Combustible cladding is controlled by Building Control. A building control submission will be required to assess extent of the cladding permitted. Alternative materials include non-combustible Eternit or Hardi-plank.
- No windows are proposed in the east flank elevation adjoining neighbouring residential properties and this will be conditioned as such.
- With regard to soakaways, the building is in situ and there is no proposed extension or increase in the size of the building.
- Toilet, shower and basin is indicated on proposed floorplan drawing P01.
- Area is not designated industrial estate (B2 or B8 use). Area is a recreation ground designated as public open space with residential development to the west.
- No increase in the footprint of the building or material change of use; therefore, there is not anticipated to be an increase in traffic movements associated with the refurbishment of the building.
- Proposal seeks to refurbish an existing building in situ. There is no other development proposed with the application.
- Asbestos is not a material planning consideration, but will be dealt with, if found to be present, as part of Building Regulations
- The site is not a designated SSSI (Site of Special Scientific Interest or Site of Natural Conservation Interest).
- It is considered unreasonable and unnecessary to impose a condition stipulating hours of use, given the nature and intensity of the use of the building for storage/changing facilities/ancillary repairs of model railways. If a material change of use occurs, the Local Planning Authority may review this.
- Reflection of the sun is not a material planning consideration, given the materials proposed (timber cladding. Timber cladding painted to match the adjacent Signal Box will replace grey blockwork and will improve the visual appearance of the building.
- The planning permission does not grant consent for use of the building as a meeting place

(D1 use) but as storage with sports changing facility (as existing) and ancillary repairs of model railways. If the frequency, intensity and nature of the use of the building changes and a material change of use subsequently occurs, a further planning application may be required.

- Proposal seeks to improve the visual appearance of the building
- No windows are proposed in the flank elevation or roofslope adjoining neighbouring residential properties and gardens to protect amenity
- Noise pollution must be reported to Environmental Health Officers. If a statutory noise nuisance occurs, this will be dealt with under the appropriate legislation.

CONSULTATIONS

Southern Water Planning

Consultations responses received:

Southern Water: The Council's Building Control officers/technical staff or Environment Agency should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

Comments on Consultation responses:

Comments noted. With regard to soakaways, the building is in situ and there is no proposed extension to the building.

POLICY CONTEXT

Designation applicable to site:
Outside built-up area boundary
Special control of adverts
Tree Preservation Order
PD restriction
Class A road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN12	Parking in New Development
	AREA5	Protection of Open Space

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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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.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the NPPF, the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

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

PRINCIPLE

The site is within Aldingbourne Community Recreation Ground on an area designated as public open space. The site is located outside the built-up area boundary where new development is strictly controlled.

PROPOSAL

The proposal seeks to re-clad the exterior of the 'Barn' and to insert high level windows in the east elevation facing into the site. The building is to be used as secure storage for the Railway Club, with ancillary and occasional use for repairs to model railway layouts and the assembly of models. A sports changing room will be retained for sports officials.

PROTECTION OF PUBLIC OPEN SPACE

The 'Barn' is a detached, pitch roof building constructed from blockwork with a profile metal sheet roof. The building is in situ. It is located on the edge of the sports ground in an area enclosed by 2 metre high wire mesh fencing. The building is used for the storage of sports equipment and two changing rooms. Barnham Railway Signal Box is located to the east. It was relocated to the site in 2009 and is under renovation by Bognor Regis Model Railway Club.

Policy AREA5 seeks to protect designated open space from development, other than associated recreational development. The policy allows an exception to the loss of public open

space where it can be demonstrated that the development materially enhances the existing facilities or satisfies an essential social need that is unable to be provided elsewhere in the locality and where the amount of open space is not significantly reduced. In this case, the building is in situ in an area enclosed from the main playing field. The building is essentially to be used for the same purpose (storage with changing facility and occasional repair of model railways) and the criteria of policy AREA5 is therefore not applicable in this instance, as there will be no loss of public open space. Sports equipment currently in storage will be re-located to a building outside the application boundary within the sports ground.

VISUAL AMENITY AND DESIGN

The building is to be re-clad with timber in a colour, texture and style to complement the adjacent signal box, which is clad in timber painted cream and green with a tiled, pitch roof. The existing building is of blockwork with a profile metal sheet roof. It is of no architectural merit and design and therefore, the external refurbishment of the building to complement the adjacent Signal Box, is supported and will enhance the visual amenity of the building and the surrounding area, to comply with policy GEN7.

RESIDENTIAL AMENITY

The building is currently used as storage with sports changing room. It will be retained for this purpose with occasional use for the assembly of model trains and repairs to model railway layouts. Provided this is ancillary to the main use of the building as storage, the use is considered to be compatible with the surrounding area. A condition is recommended to this effect. The refurbishment of the building takes into account the impact on adjoining residential properties to the east, as no windows or openings are to be inserted in the east flank elevation of the building adjoining neighbouring properties. Given the close proximity of the building to the east boundary and neighbouring residential properties (approximately 4 metres) a condition is recommended to prevent further openings and windows to prevent overlooking.

With regard to noise and disturbance, the use of the building is not anticipated to generate significant noise disturbance beyond the existing situation. Should any noise disturbance arise, this is addressed by separate legislation and may be reported to Environmental Health Officers. For clarification, the application does not seek consent for use of the building as a meeting place (D1 use) but as storage with sports changing facility (as existing) and ancillary repairs of model railways. If the frequency, intensity and nature of the use of the building changes and a material change of use subsequently occurs, a further planning application may be required.

SUMMARY

In summary, the proposal seeks to refurbish and improve the visual appearance of the building, which in turn, will improve the visual amenity of the area. The use of the building as storage and sports changing room, with ancillary repair of model railways, is not considered to have an adverse impact on residential amenity. It is therefore recommended that consent is granted, subject to the conditions outlined below.

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 to 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 (Neutral) 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).

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: drawing P04 Block Plan, drawing P03 Location Plan, drawing S01 Plans and Elevations, drawing P01 Proposed Plan, drawing P02 Proposed Elevations, received on 8 October 2012.

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) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the east wall of the building without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The building shall be used for storage and sports changing facilities and for no other purpose whatsoever, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to maintain control in the interests of

amenity in accordance with Arun District Local Plan policy GEN7 of the Arun District Local Plan.

- 5 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls 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 exterior cladding of the building.

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

- 6 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

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

LOCAL PLAN: GEN7, GEN3, AREA5

NATIONAL POLICIES: National Planning Policy Framework (2012)

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 7 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.