

Recommendation Report for Planning Permission

REF NO: AL/139/21/PL

LOCATION: Old Hundred
Sack Lane
Lidsey
PO22 9PE

PROPOSAL: Conversion of existing 2 No. residential dwellings to 1 No. 4 bed residential dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to convert 2No. residential dwellings into 1No.dwelling.
TREES	None affected by the development.
SITE CHARACTERISTICS	The site is occupied by a two storey semi detached property which joins with 2 Lidsey Lodge Cottage. There is a flint wall along the southern elevation with a garden to the front of the property.
CHARACTER OF LOCALITY	Located towards the end of a rural lane with a small number of dwellings and surrounded by arable fields.

RELEVANT SITE HISTORY

AL/110/21/CLP	Lawful development certificate for the proposed conversion of 2 No. dwellings into 1 No. dwelling.	PP Required 19-11-21
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A CLP was submitted to ascertain whether permission was required for the conversion of 2No. dwellings to 1.

REPRESENTATIONS

Aldingbourne Parish Council provided no objection although noted if ADC are not meeting their housing need then decisions should be made on the change of 2 houses into 1.

2 letters of support have been received.

- It would be great to see the houses back into one as they were originally built.
- It will be more in keeping with the larger properties surrounding the site.
- Marketing and sales of the properties has difficulties due to flying freehold and shared drainage.
- Limited public transport in the area.
- Will improve parking in the area.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in the conclusion.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Outside built up area boundary

Area of character

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
HERDM4	HER DM4 Areas of Character
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

[Aldingbourne Neighbourhood Plan 2019-31 Policy EH8](#) Buildings and structures of character

Aldingbourne Neighbourhood Plan 2019-31 Policy GA3 Parking and new developments

Aldingbourne Neighbourhood Plan 2019-31 Policy H8 Outdoor space

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

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.

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 not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The site is outside the built up area boundary defined by SD SP2 of the Arun Local Plan. The proposal is for the conversion of existing dwellings. The proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM1 of this plan. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy. The key policy considerations are D DM1, D SP1, T SP1, HER DM4 of the Arun Local Plan and the Arun Design Guide.

The proposal would result in the loss of one housing unit and, whilst this is regrettable, the loss of one unit would not be significant in terms of the overall land supply (currently 2.42 years) and would have no material impact on housing supply. As such, whilst the proposal would not accord with Local Plan housing policy, which seeks to increase supply, its impact would be acceptable in this respect.

Aldingbourne has a made Neighbourhood Plan with policy EH8, H8 and GA3 of relevance to the application.

Para 11 c of the NPPF states:

11. Plans and decisions should apply a presumption in favour of sustainable development

For decision-taking this means:

(c) approving development proposals that accord with an up-to-date development plan without delay

BACKGROUND

The applicant has detailed some issues relating to the current arrangement of the dwellings

- The set up of the existing dwellings result in a shared floor space with the ground floor kitchen located below the bedroom of the neighbouring dwelling.
- Bedrooms split over 2 floors (first and second) making it undesirable to both families and the elderly
- A shared cesspit with no option to separate as the cesspit is not on our property, and we do not own enough land to place a new one.
- The garage for one of the properties is 50% over the middle of the neighbouring properties garden.

DESIGN AND VISUAL AMENITY

The property seeks to convert the property from 2No. dwellings (namely Old Hundred and 2 Lidsey Lodge Cottage) into 1No. dwelling.

The dwellings are located to the rear of Sack Lane situated within a small cluster of properties. The conversion would not result in any changes to the external appearance of the dwelling.

With the dwelling located within an existing cluster of properties and with the dwelling retaining its existing appearance, the change of use will not impact the spatial pattern or character of the area and accord with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The changes to the building only involve internal alterations and with no new windows or doors proposed, the change of use will not give rise to an increase in adverse overlooking upon neighbouring amenity. It is not considered the use would be intensified from that which already occurs and therefore impacts such as noise would not significantly increase from that which is already achieved.

The conversion will not result in adverse harm on neighbouring amenity in accordance with D DM1 of the Arun Local Plan.

PARKING

Arun Parking Standards require a 4 bed property in this location (Parking Zone 1) to provide 3 parking spaces. It does not appear as if Old Hundred has any private parking spaces with cars currently parked on Sack Lane, to the front of the building next to the entrance gate. 2 Lidsey Lodge Cottage has a detached garage to the front of the property which could be used for 1 vehicle.

The parking provided does not comply with guidance. This is not considered to result in a significant impact on the highway. The parking would continue with the existing arrangement whereby vehicles are parked in the lane and if the properties were converted it would reduce the vehicles in the area with demand from only 1 property instead of 2.

Whilst not compliant with the ADC Parking guidance, it is not deemed to result in harm upon the highway and complies with T SP1 of the Plan and GA3 of the ANP.

SPACE STANDARDS

Policy D DM2 states: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance. It is necessary to assess the proposal against internal space standards set out in

the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the building is suitable for use as a single dwelling.

A 4 bed, 8 person, 2 storey dwelling should provide a floor space of 124sqm. The property far exceeds this and complies with D DM2 of the Plan and H8 of the Aldingbourne Neighbourhood Plan.

EXTERNAL SPACE STANDARDS

Section H.04 of the recently adopted Arun Design Guide SPD advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It states rear gardens should have a minimum depth of 10.5m and buildings should be set back by 2m from the plot boundary to mark defensible space.

There is an adequate sized garden although is located to the front of the property. Whilst its location is not ideal, this is existing set up of the property and is acceptable.

AREA OF CHARACTER

The property falls in Sack Lane which is considered an Area of Character. With no external changes proposed to the properties, the conversion would not result in harm upon the area. It is considered that the building was originally one premises and this will help restore its original use. The proposal is in accordance with HER DM4 of the Arun Local Plan and EH8 of the ANP.

SUMMARY

The proposed conversion is deemed to accord with relevant development plan policies in accordance with para 11 c of the NPPF and is recommended for approval subject to the following conditions and informatives. The loss of one residential unit will impact on the level of housing available in the district but not to a material extent.

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 Plan - 01
 - Existing and Proposed North and South Elevations
 - Existing and Proposed East and West Elevations
 - Proposed Ground Floor Plan
 - Proposed First Floor Plan
 - Existing and Proposed Second Floor Plan
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 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.