

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

REF NO: AL/14/20/HH

LOCATION: The Old Stables
Old Dairy Lane
Norton
PO20 3AF

PROPOSAL: Proposed enclosure of open sided carport (This application may affect the character and appearance of the Norton Lane Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to enclose an existing open sided car port.

RELEVANT SITE HISTORY

AL/49/18/HH	Retention of hardstanding, internal & external changes to existing carport to allow a change of use of this part, retention of garden shed, retention of carport/garden store & erection of single storey link extension between existing dwelling house & carport. This application affects the character & appearance of the Norton Lane, Norton Conservation Area.	ApproveConditionally 24-08-18
AL/72/12/	Conversion from storage in relation to tourist accommodation to 1 No tourist accommodation unit together with provision of ancillary car port	ApproveConditionally 17-10-12

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

No response received

1 letter of representation received from a nearby occupier.

- It will be used as a photography studio with a similar application already refused.
- Previous works have been completed retrospectively.
- It will affect my privacy.
- The site is overdeveloped

Conservation Area Advisory Committee provided no objection.

Comments noted and addressed in conclusion. The previous application that was refused was for a new studio in a different location and therefore is not comparable to this proposal, with the structure already in existence.

CONSULTATIONS

Engineers (Drainage)

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - The application is considered to not cause harm to the significance of the heritage assets or their setting.

Drainage - Due to the scale there are no conditions to request.

POLICY CONTEXT

Outside built up area boundary

Conservation Area

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

[Aldingbourne Neighbourhood Plan 2016 POLICY EH1](#) Resist development outside

Aldingbourne Neighbourhood Plan 2016 POLICY EH9 Conservation Area

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The proposed development falls outside of the built up area boundary. However the application seeks permission for alterations of an existing garage located within an existing residential area. Therefore the principle of development is considered acceptable and as such will be assessed against relevant development plan policies

Aldingbourne has a made neighbourhood Plan with policy EH1 and EH9 of relevance to the application.

DESIGN AND VISUAL AMENITY

The existing car port is set back from the road and due to its siting is unlikely to be visible from the street scene. The existing car port is open fronted to the west and the proposal seeks to enclose this side and install bi-fold doors. Matching materials will be used which will ensure the works appear well integrated.

Due to the development proposed and the siting with the majority of the structure already enclosed, the works are not considered to result in adverse appearance upon the character of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

CONSERVATION AREA

The site is located to the boundary of the Norton Lane Conservation Area. The proposal would reflect the character of both the site and surrounding area.

Para 190 requires the LPA to consider the significance of the impact upon that heritage asset. The proposal has limited impact on the significance of the heritage asset as a result of the minor alteration proposed and the use of matching materials.

Where the building is located in a Conservation Area, Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 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 it is not considered to materially affect the character of the Conservation Area. The proposal is considered to accord with HERDM3 of the Arun Local Plan.

RESIDENTIAL AMENITY

The existing car port is located to the eastern boundary with the western side open in appearance. This fronts the driveway and host dwelling and with the structure being enclosed it is not considered to give rise to overlooking, with no views additional to that which is already achieved.

As a result it is considered to accord with D DM1 and D DM4 of the Arun Local Plan.

PARKING

The alteration to the garage may result in the loss of 1-2 parking spaces. The dwelling is situated within a private road and there is little to no on street parking. There is however space retained to the front of the property for the parking of 2-3 cars and the alteration is not considered to increase adverse impacts on the highway.

USE OF STRUCTURE

The use is proposed as a garage/photography workshop. The use of bi fold doors does restrict its use as a garage due to the access and would only allow 1 car to fit in the space. A Statement submitted with the application states the use would be solely for the benefit of the owners in conjunction with the residential use of the property. The use of the outbuilding as a photography studio is considered incidental to the use of the property. A condition will be included to ensure this and it is not used a separate unit of accommodation.

SUMMARY

The proposed development is considered to accord with the relevant development plan policies and as

such is recommended for approval subject to the following conditions and informatives.

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

- Plans and Elevations - January 2020
- Design and Access Statement - February 2020

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 The outbuilding hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of The Old Stables as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent

dwellings.

- 4 **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.