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

REF NO: **AL/24/17/HH**

LOCATION: Tithe Barn
Lidsey Barns
Lidsey Road Bognor Regis

PROPOSAL: Conversion of garage to form office over with store below ancillary to main dwellinghouse.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The garage doors would be replaced with two four light windows and in filled below with brick clad with softwood boarding to match.
SITE AREA	0.05 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1.8m wall to rear (west) boundary and side (north). Other boundary treatments are not relevant to the application.
SITE CHARACTERISTICS	Barn conversion attached to single storey stable conversions. The dwelling is single storey but has a high pitched roof which has accommodation within. Detached barn style roof double garage to side (north).
CHARACTER OF LOCALITY	Rural with small amount of residential dwellings. Caravan park to west of site.

RELEVANT SITE HISTORY

AL/54/06/	Construction of 2 bay oak framed garage, timber up and over doors, weatherboard exterior, reclaimed plain clay tiles	ApproveConditionally 14-08-2006

Garage granted planning permission is 2006 included condition for garage to remain for motor vehicle storage unless permission is granted by the Local Planning Authority.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

No objection.

Comments on Representations received:
Comments noted.

CONSULTATIONS

Consultations responses received:
None
Comments on Consultation responses:
N/A.

POLICY CONTEXT

Designation applicable to site:
Outside of the built up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	DEV19	Extensions to existing residential buildings
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
Publication Version of the Local Plan (October 2014):		D DM1 Aspects of Form and Design Quality D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential) D SP1 Design SD SP2 Built-Up Area Boundary
Aldingbourne Neighbourhood Plan 2016 POLICY EH1		Resist development outside
Aldingbourne Neighbourhood Plan 2016 POLICY GA3		Parking and new development
Aldingbourne Neighbourhood Plan 2016 POLICY H1		New housing or altering dwellings Quality of Design

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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. 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 may also be material consideration to take into account.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry 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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

Aldingbourne NDP policies will be considered as part of the 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.

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

Saved policy GEN2 and emerging policy SD SP2 aim to restrict development outside of the built up are boundary where this site is located. In this instance, the development would be an extension and conversion of an existing garage serving a residential unit. It is not considered to create a significant change to the character of the countryside outside of the built up area thus an exception can be made to policy and the principal is acceptable.

DESIGN AND VISUAL AMENITY

The windows and timber clad to match existing are considered acceptable to the front of the garage, respecting the 'barn' style of the building. The rear dormer window, roof extension whilst large, will sit within the existing roof slope and also respect the character of the existing detached garage building. Materials to match have been specified and will be ensured via condition in compliance. The development is considered to be in compliance with saved policies DEV19, GEN7 and Aldingbourne NDP policy H1.

RESIDENTIAL AMENITY

The change to windows to the front of the garage would have a limited impact in terms of residential amenity. They windows would look over the communal driveway and fronts of dwellings and not add any mass to the building.

The rear dormer window roof extension would not be directly visible from the neighbouring dwellings and would face the caravan park car park and further away, the caravans themselves. However, it is not considered close enough to create potential overlooking to the caravans, which are only occupied seasonally. Nor is the extension large enough or located close to the caravans to have a detrimental impact in terms of visual intrusion of overshadowing.

PARKING

With the loss of 2 off street parking spaces within the garage, the site will retain off street parking spaces for 3 cars to the front of the garage and dwelling. 3 spaces meets the requirements of WSCC parking standards and Aldingbourne NDP Policy G3 for a 4 bedroom dwelling.

The application is recommended for conditional permission as it meets the requirements of Development and Neighbourhood Plan policy.

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 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:

Site Location Plan
Block Plan

PVM/JP/001

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 The materials and finishes of the external walls and roofs of the development hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

4 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Tithe Barn, Lidsey Barns, Bognor Regis as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy GEN7 of the Arun District 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.

5 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.