

Recommendation Report for Planning Permission

REF NO: AL/52/20/PL

LOCATION: North Cottage
Arundel Road
Aldingbourne
PO18 0JX

PROPOSAL: Erection of a block of 3 stables. This application is in CIL Zone 3 (Zero Rated) as 'other development'.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed block would be 18.3m wide, 3.4m deep and 2.15 high to the eaves, would be characterized by a shallow pitched roof with an overhang. It would comprise a 7.2m wide open hay store and three 3.6m wide stables , each with a small window and door. The walls would be from soft wood and roof would be covered with corrugated roofing sheets. The structure would be situated to the north-west of North Cottage, towards Arundel Road.
SITE AREA	1.6 hectares
TOPOGRAPHY	The site is gently sloping down towards Norton Lane to the west.
TREES	None affected by the development.
BOUNDARY TREATMENT	Post and rail fencing along the access road, combined with trees and hedging along A27 and to the west and east.
SITE CHARACTERISTICS	Area for exercise of horses and grazing.
CHARACTER OF LOCALITY	Predominantly rural with some housing consisting of converted barns and cottages located a short distance to the south of the A27(T), approximately a mile west of the village of Fontwell.

RELEVANT SITE HISTORY

AL/24/61	Alterations And Additions	Permit'd Devel
AL/31/20/PD	Notification for Prior Approval under Part 3, Class PA for change of use building (Class B1(c)) to 1 No dwelling (Class C3).	No Object'n + Conds 15-06-20
AL/9/15/CLE	Application for a Certificate of Lawfulness for an existing use or development - Use of land for the stationing of a	Refused 13-03-18

mobile home for the purposes of human habitation

AL/73/05/	Amendments to planning permission AL/1/98 - conversion of two barns to form two dwelling houses	ApproveConditionally 15-12-05
AL/15/05/CLE	Application for a Certificate of Lawfulness for an existing use of land for commercial/domestic storage and siting of residential mobile home	Refused 04-05-05
AL/30/04/CLE	Application for a Certificate of Lawfulness for an existing use - siting of a mobile home in permanent residential occupation.	Refused 07-09-04
AL/58/00/	Change of use of land for storage of lorries/vans, freezer container bodies and caravans.	Refused 10-10-00

Noted.

REPRESENTATIONS

No response.

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Engineers; Due to the location and scale of the development, I do not intend to request conditions in respect to surface water drainage. I do note that water butts are proposed for water re-use.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside the Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
EQU DM1	EQU DM1 Equine Development

[Aldingbourne Neighbourhood Plan 2016 POLICY EE7](#) Rural buildings

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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.

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.

Aldingbourne has a "made" Neighbourhood Plan and the relevant policy is EE7.

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 not considered to conflict with the relevant Development Plan policies in that it would not have a materially adverse effect on the visual amenities of the locality and the residential amenities of the adjoining properties, and it would not have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE

The site lies outside the built up area boundary for which Local Plan Policy C SP1 states that

development is generally unacceptable unless it falls into a certain category. For the protection of the countryside, proposal for stables should consider the effect the development will have on the countryside and the local area.

Policy EQU DM1 of the Arun Local Plan states that non residential planning permission will be granted for horse related activities provided that:

- a. It will use of existing buildings wherever possible and ensure that new buildings and structures are of a high standard of design and satisfactory blend into the landscape in terms of their siting, design and materials;
- b. It is well related to the existing bridleway network and the bridle network is sufficient to accommodate the scale of use from the proposed development;
- c. The associated access and parking is acceptable;
- d. With reference to the other facilities in the area, the cumulative impact of the development would not have an adverse impact on the character, appearance and amenities of the area, taking account of factors including the likely level of activity to be generated, parking and access requirements and the adequacy of the bridleway network to accommodate additional use arising from the development;
- e. That there will be no detrimental impact on water quality;
- f. Sufficient land (1 -1.5 acres per horse) is available for grazing and exercise where necessary to prevent overuse of the land.

The structure would be of an appropriate design and would blend into the landscape given its siting, simple design and materials. The associated access to the proposed block of stables and parking are acceptable and it is not considered that the cumulative impact of the development would have an adverse impact on the character, appearance and amenities of the area. A sufficient land of 1.6 ha is available for grazing and exercise.

Therefore it is considered that the proposal would accord with the requirements of ALP policy EQU DM1.

VISUAL AMENITY

The stables would complement the scale and massing of the exiting buildings, providing a satisfactory relationship between an existing and new and would be visually subservient and ancillary to the residentially Northern Cottage. Due to its traditional appearance it would not disrupt from the surrounding area. The proposed block of 3 stables is considered acceptable.

RESIDENTIAL AMENITY

The closest dwelling is North Cottage which is approximately 25m away. The open part faces onto the access road. Therefore it is not considered that the proposal would result in any significant loss of residential amenity.

SUMMARY

The block of stables would satisfy the requirements of policy EQU DM1 and it is not considered to result in any significant loss of residential or visual amenity, therefore it is recommended that the application is approved subject to the following conditions.

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.

CIL DETAILS

This application is in CIL Zone 3 (Zero Rated) as 'other development'.

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 (1: 1250)

Block Plan (1:500)

Cross Section, Floor Plan, Front, Rear and Side Elevation

Submitted on 15/07/2020.

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 **INFORMATIVE:** The applicant should consider installing formal overflows from the butts (to deal with flows when they are full) to perhaps shallow soakaways. No surface water should be discharged to the foul drainage system ie. septic tank.
- 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.