

PLANNING APPLICATION REPORT**REF NO:** AL/67/11/**LOCATION:** The Old Barn
Northfield Lane
Westergate**PROPOSAL:** Demolish and rebuild new bungalow**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application is to replace a timber clad dwelling with a brick bungalow on the same footprint.
SITE AREA	0.0168 hectare approx.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Hedging to the side, brick entrance wall to the front and 2m high with wooden gates.
SITE CHARACTERISTICS	Single storey timber clad dwelling with concrete tiled roof. Summer house to the rear and hardstanding. This was a former stable block which was granted consent as a dwelling under application AL/24/09/CLE.
CHARACTER OF LOCALITY	Rural fringe with some residential along the southern end of Northfield Lane.

RELEVANT SITE HISTORY

AL/13/04/	Erection of three stables	Approve Cond 15-04-2004
AL/24/09/CLE	Application for certificate of lawfulness for an existing use - conversion of stables to a dwelling	PP Not Required 10-06-2009
AL/94/09/	Retention of domestic store, garages/dayroom & associated hardstanding area	Approve Cond 04-11-2009
AL/100/09/	Retention of replacement stable building	Approve Cond 05-11-2009

AL/124/10/	Replacement dwelling	Withdrawn 01-02-2011
AL/37/11/	Replacement dwelling & double garage	Refused 06-06-2011
AL/46/85	Stables - one block of 3 stables 12'x12' each stable. For private use of owner	Approve Cond 29-05-1985

REPRESENTATIONS

Representations received:

Awaited.

None.

Comments on Representations received:

None.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Outside the Built-Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN3 GEN7	Protection of the Countryside The Form of New Development
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PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS7	Sustainable development in rural areas

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.

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 lies outside the built up area boundary where any development is strictly controlled. The existing dwelling was granted Consent by a Certificate of Lawfulness of an existing use (CLE) AL/24/09/CLE. The proposal is to demolish the existing structure which is a converted stable and replace with a brick built bungalow.

HISTORY

The dwelling was granted Consent AL/24/09/CLE for a residential use in a converted stable. The unit comprised of two bedrooms, a kitchen/living room, bathroom and hardstanding. The curtilage therefore is tightly drawn as defined by the red edge of this application.

A previous application AL/37/11/ to demolish the existing structure and erect a larger bungalow was refused because the proposal was too large an extension of the footprint granted by the application AL/24/09/CLE. As the converted stables were granted consent through a CLE the amount of the development should be strictly controlled.

THE PROPOSAL

This replacement dwelling only proposes minor increases in the height and footprint. The existing height is 3.5m and it is proposed to increase this by 1m and also to increase the length of the building by 1m. The maximum width is increased by 0.5m. This is considered to be satisfactory as a replacement dwelling. This overcomes the reason for the previous refusal.

COUNTRYSIDE POLICIES

The site lies outside the Built-Up Area Boundary. Countryside Policies seek to protect the countryside for its own sake. Any development therefore, should be strictly controlled. Development should be sustainable, any large extensions would be contrary to these policies. This proposal is significantly reduced in scale on the previously refused proposal. It is therefore considered that the proposal accords with countryside policies.

VISUAL AMENITY

The proposal is to replace the existing timber structure with a brick bungalow on the footprint as existing. It is not considered that this will create any significant loss of visual amenity subject to the withdrawing of Permitted Development Rights.

RESIDENTIAL AMENITY

The site is in a rural location and the closest dwelling is approximately 25m to the east. It is, therefore, considered that the proposal will not result in any loss of residential amenity,

SUMMARY

The proposed replacement dwelling is not considered to result in any significant loss of either visual or residential amenity. Therefore, it is recommended that the application is approved subject to the following Conditions

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 drawings 1/4 substitution 8/9/11, 2/3 and 3/3.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed replacement dwelling have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction 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.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In order to control the development in the interests of the character and appearance of this building group which is outside the built-up area, as defined, where normally only that development essential in the interests of agriculture/forestry is permitted in accordance with policy GEN7 of the Arun District Local Plan.

- 5 No development shall be carried out until all buildings and structures existing on the application site at the date of this permission have been demolished, the debris removed from the site and the site cleared.

Reason: In the interests of the amenities of the locality 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: GEN3, GEN7

NATIONAL POLICIES: PPS1, PPS3, PPS7

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