

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

REF NO: AL/73/20/HH

LOCATION: St Helier
Hook Lane
Aldingbourne
PO20 3TE

PROPOSAL: Replace existing garage with residential annexe after AL/1/20/HH allowing conversion and refurbishment of existing garage for sleeping accommodation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to demolish an existing garage and construct a detached annexe. An application to convert an existing garage for residential use was approved in 2020 however upon further investigation, the building requires demolishing.
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RELEVANT SITE HISTORY

AL/1/20/HH	Refurbishment of redundant garage & change of use to sleeping accommodation.	ApproveConditionally 23-03-20
AL/90/19/CLP	Lawful development certificate for a proposed conversion of free standing garage in to sleeping accommodation.	PP Required 24-12-19
AL/105/11/	Renewal of unimplemented planning permission AL/78/08 for extension to existing dwelling to incorporate 2No. dormers into the existing roof.	ApproveConditionally 13-01-12
AL/78/08/	Amendment to planning permission AL/123/07/ to incorporate 2 No. dormers into the existing roof	ApproveConditionally 18-12-08
AL/92/02/	Renewal of unimplemented planning permission AL/68/97 for extension to existing dwelling.	ApproveConditionally 15-11-02

REPRESENTATIONS

Aldingbourne Parish Council provided no objection subject to the conditions ensuring it remains ancillary to the host dwelling.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

South Downs National Park - No comment to make on the application.

Drainage (Engineers) - Apply standard drainage condition.

Comments noted. An outbuilding can be constructed under permitted development and with the structure a replacement, it is not considered the condition is necessary.

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design

[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

CONCLUSIONS

PRINICPLE

The key policies considered are D DM1 of the Arun Local Plan.

Aldingbourne has a made Neighbourhood Plan with policy H1 of relevance to the application. The proposal complies with this policy. Aldingbourne Parish Council are working on a new Plan which has been submitted for Regulation 14 consultation.

BACKGROUND

The property has an existing structure which had permission for conversion for use as an annexe. Upon further investigation this was deemed unsuitable for conversion and a replacement structure is proposed.

DESIGN AND VISUAL AMENITY

The proposal will be sited in the same location as the existing structure to the south east of the host dwelling. The footprint is marginally larger with a depth of 6m and width of 5.5m.

The roof will be pitched with a height of 5.5m which is around 1m higher than previously approved, with eaves to around 2.85m.

The structure is set back from the street scene by around 26m separation and as such, it is not considered to appear unduly dominant.

The proposal will use larch cladding and render and is considered appropriate for its location.

The proposal is not considered to result in harm upon the character of the area and accord with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

Whilst the proposal is higher than previously approved it retains approximately 2.5m to the boundary which has sufficient planting and fencing, and is not considered to give rise to significant impacts in which a refusal is justified.

Whilst the change to habitable accommodation would result in a more intensive use, due to the size and siting, it is not considered to result in adverse impacts upon neighbouring amenity. Whilst relatively modest in size, a condition will be included to ensure the use remains ancillary to the dwelling.

Alterations to the windows and doors are not considered to give rise to adverse overlooking additional to that which is already achievable, with only one high level window to south which faces towards the neighbouring property. There are some rooflights also however due to the height above finished floor level again will not result in overlooking.

The proposal is not considered to give rise to adverse impacts upon amenity and accord with D DM1 of the Arun Local Plan.

SDNPA

The site falls outside of the South Downs National Park and as such has no direct adverse impact upon it as a result of the siting and modest scale of the proposal. The site does however fall within the 12km zone for Singleton and Cocking Tunnel which relates to the safeguard of bats. The proposal falls within the edge of this zone and there are no known bats present within the structure. SDNP have no comment to make and as a result, the proposal is not considered to give rise to adverse impacts bats and due to the distance from the tunnel the loss of the building would not have a significant impact. An informative will be included relating to the protection of bats if any habitats are found.

SUMMARY

The proposed development is deemed to comply with 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.

CIL DETAILS

This application is CIL Liabe therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply).

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 and Block Plan - DD/SH/5.0
 - Proposed Plans - DD/SH/3.1

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1of the Arun Local Plan.
- 3 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of St Helier, 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.

- 5 **INFORMATIVE:** This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.