

Recommendation Report for Planning Permission

REF NO: AL/81/18/PL

LOCATION: Woodend
Slindon Bottom Road
Fontwell
BN18 0SL

PROPOSAL: Change of use of existing separate annexe to furnished holiday let

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	Existing rear two storey attached annex with conservatory attached to the host premises Woodend. Benefits from independent side access and private amenity space, and shared gravel parking.
CHARACTER OF LOCALITY	The site is located outside the built up area.

RELEVANT SITE HISTORY

AL/112/85	Application Of Continuance Of Use Of Property Without Complying With Condition 2 Of Al/81/69	Approve 15-01-86
AL/8/14/	Application for the removal of condition 4 following a grant of planning permission AL/106/04 relating to occupancy of extension	Refused 01-04-14
AL/124/05/	Proposed conservatory to rear.	ApproveConditionally 09-12-05
AL/106/04/	Two storey extension to existing detached building	ApproveConditionally 26-11-04
AL/9/88	Conversion of existing coach house to Grannie Annexe	Refused

AL/106/04 - The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Woodend as a dwelling and shall not be used as a separate unit of accommodation.

The owner occupants have been letting the rear annex out to third parties as a holiday annex for some time in breach of the condition, hence the formal application to seek formal consent for a holiday let as per this application.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldingbourne Parish Council

Aldingbourne Parish Council raise no objection - providing a condition is imposed preventing the annexe from becoming a separate unit of accommodation. The annexe should be ancillary to the main dwelling.

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A.

CONSULTATIONS

Economic Regeneration

CONSULTATION RESPONSES RECEIVED:

Economic Development are keen to increase the supply of good quality visitor accommodation. We would support this application and advise that our Tourism Officer is available to assist with advice.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designations applicable to site:

Built Up Area Boundary.

DEVELOPMENT PLAN POLICES

CSP1	C SP1 Countryside
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
TOUDM1	TOU DM1 Tourism related development

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

Aldingbourne Neighbourhood Plan 2016 POLICY
H1

New housing or altering dwellings

Quality of Design

Aldingbourne Neighbourhood Plan 2016 POLICY
H9

Items to consider e.g. - bin stores

Attention to detail

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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. 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; Littlehampton; Rustington; Walberton; Yapton.

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).

The relevant Aldingbourne Neighbourhood Plan policies have been considered in this report.

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."

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 new Arun Local Plan 2011-2031 (ALP) was adopted on the 18th July. The application site lies outside of the defined settlement boundary (built up area boundary or BUAB) as shown within the ALP and therefore falls within countryside. Policy C SP1 states that development in the countryside will only be permitted where it relates to certain criteria. It is considered that the proposal is capable of being either (d) for the diversification of the rural economy or (f) in accordance with other policies in the Plan which refer to a specific use or type of development - and as such would be appropriate development within the countryside.

Policy TOU DM1 states that holiday accommodation outside of the BUAB can be acceptable provided that they are small scale and relate to quiet, informal recreation and enjoyment of Arun's countryside. Furthermore, in all cases, development in the countryside must demonstrate that it is compatible with its countryside location and is sensitively designed to minimise potential impact on the countryside.

It is considered that the proposal would comply with policy TOU DM1 in that it is very small in scale and allows for a limited number of people at a time to enjoy this part of Arun's rural environment. The holiday accommodation use and associated rules have also been designed by the applicants to minimise any harm to neighbouring properties. It is therefore considered that the proposal represents acceptable development within the countryside.

It is also necessary to consider the policies of the Aldingbourne Neighbourhood Development Plan (ANDP). The ANDP was made (adopted) in July 2014 on the basis of the saved policies in the 2003 Arun District Local Plan and the draft policies in the 2014 publication version of the emerging Arun Local Plan.

The proposed site is also outside of the BUAB within the ANDP and therefore policy EE7 is relevant: "The re-use, conversion and adaption of rural building for tourism purposes will be supported subject to following criteria: b) The use proposed is appropriate to a rural location c) The adaptation works respect the local character of surrounding area.

The proposal appears to be in accordance with both the Local Plan and the Neighbourhood plan provision, it represent the the reuse of existing building which is considered to protect the existing character of the buildings and ensures a development that is compatible with its countryside location and designed to minimise potential impact on the countryside. The evolution of the building from annex to serve the enjoyment of the occupiers of Woodend to a Holiday annex in control by the occupiers to let according to their requirements is considered as an informal, quiet use supported by Policy TOU DM1.

It is also noted that paragraph 83 of the National Planning Policy Framework (NPPF) states that: "Planning policies and decisions should enable: (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and (c) sustainable rural tourism and leisure developments which respect the character of the countryside." This further supports the principle of the proposal.

CHARACTER & VISUAL AMENITY

ALP policy D DM1 requires that the Council have regard to certain aspects including:

(1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";

(2) Appearance/attractiveness - "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area";

(13) Density - "The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity"; and

(14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement."

Furthermore, policy D SP1 "Design" states that:

"All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details"

It is also necessary to consider Policies H1 (Quality of Design) & H9 (Attention to detail) of the Aldingbourne Neighbourhood Development Plan (ANDP) should be noted.

It is not considered that the change in the use of the building results in any visual harm to the character of this area given that the building is a conversion of an existing annex. It is therefore considered that the proposal complies with policies D DM1, D SP1 of the Arun Local Plan.

RESIDENTIAL AMENITY

Arun Local Plan policy D DM1 requires that the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance."

Furthermore, policy QE SP1 states that:"The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District."

In regard to Aldingbourne Neighbourhood Development Plan (ANDP) It is also necessary to consider Policies H1 (Quality of Design) & H9 (Attention to detail) with the requirement to provide an adequate level of bin storage. Bin stores and recycling facilities should be designed to screen bins from public view, whilst being easily accessible for residents. Bin stores must be placed in a position that meets the County Council's Highways standards.

Officers consider there is no amenity impact to the neighbouring occupiers as a result of the proposal. This is considered by virtue of the siting and well established character of the amenity space serving the unit. A Bin and recycling store has been provided in land in association with the host premises 'Woodend'. This appear of acceptable standard to meet policy provision.

INTERNAL AND EXTERNAL SPACE STANDARDS:

Although the holiday unit will not be occupied on a permanent basis, it is necessary to ensure that it still

provides a good standard of accommodation. ALP policy D DM2 states that:

"The planning authority will require internal spaces to be an appropriate size (having regard to the exceptions that may apply as referred to in paragraph 13.3.4) to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance."

The proposed holiday unit offers a good level of facilities and its floor area at approx. 110m² reflects this. This would comply with the standards for a 2 bed unit therefore is acceptable.

Arun Local Plan policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to replace policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until such time as this Design Guide is published, there is no policy within the Arun Local Plan regarding private gardens sizes. However, regard should be had to paragraph 127 of the NPPF which requires that new development has a high standard of amenity for existing and future users. The proposal complies with this as the cottage has its own private amenity space which is of a size that is sufficient for a holiday but would not be acceptable itself as a separate residential dwelling.

HIGHWAYS & PARKING:

Arun Local Plan policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of parking, it states that:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

In respect of highway safety, it states that:

"The Council will support transport and development which: Explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In regard to Aldingbourne Neighbourhood Development Plan (ANDP) Policy GA3; Proposals must provide adequate parking in accordance with the standards adopted at the time. Curtilage parking should be encourage to the side of dwellings rather that at the front so does not dominate the street scene.

The site benefits from off-street parking area with a number considered as accordance to serve the host premises and holiday unit. it is not considered the occasional access of the holiday property by 1 or possible 2 cars amounts to a use that materially intensifies the existing residential use of the site to such an extent as to create harm to the safety and convenience of the highway. It is not therefore considered that the proposal is in conflict with the relevant Arun Local Plan or Aldingbourne

CONCLUSION:

The proposal is considered to comply with all of the relevant the Arun Local Plan or Aldingbourne Neighbourhood Development Plan policies and it is not considered that any part of the proposal results in harm that would be unacceptable in what is a residential environment bordering agricultural land. A condition will be imposed to ensure that there is no permanent separate occupation of the building. On this basis, it recommended that the application be 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.

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);
Approved conservatory Plan (1:50);
Ground Floor and elevation Plans (1:50/1:100).

All dated 21/08/18

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 Notwithstanding the provision of Part C, Class C3 Dwelling House to the Schedule of the Town and Country Planning (Use Classes) Order 1987, (or any order revoking or re-enacting that order), the premises shall be used for the purpose of holiday accommodation only and for no other purpose, including any other purpose within Class C3 of the Order, without the prior permission of the Local Planning Authority. The property shall not be occupied by any persons for a total period exceeding 28 days. The owner shall maintain a register of occupiers for each calendar year which shall include:

- 1) The full names, occupation, permanent address and contact telephone numbers of all of the person(s) occupying the premises; and
- 2) The start and end date of the stay and the purpose of the stay.

The register shall be made available for inspection by the Local Planning Authority at any time, and a copy of the register shall be supplied to the Local Planning Authority at the end of each calendar year.

Reason: The building and the associated garden is considered to be unsuitable in size to be a permanent dwelling and occupation as a dwelling would result in an unsatisfactory relationship with 'Woodend'. In accordance with Arun Local Plan policies D DM1 & D DM2 and the guidance on good design in the National Planning Policy Framework.

- 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.