

Recommendation Report for Planning Permission

REF NO: A/106/18/PL

LOCATION: Somerset House
High Street
Angmering
BN16 4AG

PROPOSAL: Change of use of the Old Bakery to be used as a self contained annexe for family dependents (applicant's parents) & a holiday let, plus the construction of a new vehicle crossover & off-street parking for 2no cars - This application is within the Angmering Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	1) Change of use of an outrigger extension building (the Old Bakery) in the curtilage of an existing dwellinghouse from a residential garage on the ground floor and a B1 commercial use at first floor to a single two storey self contained 2 bedroomed annexe or holiday let. 2) Addition of a further car parking space in the rear garden next to an existing car parking space. The scheme has been amended during the process of consideration of the application removing the creation of two parking spaces at the front of the property and the demolition of a 2 metre high red brick wall which was considered to be of heritage value. A further car parking space outlined at 2) above has been added to the scheme.
SITE AREA	0.08 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The property has a 0.8 metre high red brick wall to the front of the property on High Street immediately in front of the dwellinghouse with a 5 metre section of 1.8 metre high matching red brick wall to the east side of the property to be demolished and set back 5.8 metres to the east side of the property. A 2 metre high painted brick wall and 2 metre high metal gates face onto the lane on the west side of the property.
SITE CHARACTERISTICS	A two storey Victorian red brick detached property on a large plot with a large rear garden fronting onto High Street, Angmering a local distributor road. The property has a number

of extensions on the west side and including a two storey outrigger extension behind an attached double garage at the rear (the Old Bakery) fronting onto a vehicular access lane at the west side of the property.

The two storey annexe was a double garage, on top of which a first floor was added following a successful appeal against refusal of a planning application to provide a B1 commercial studio for a Graphic Design firm.

CHARACTER OF LOCALITY

The site is located within the Angmering Conservation Area consisting of a variety of detached, semi detached and terraced properties from the Georgian and Victorian period built incrementally over time such that there is no one defined type of historic property or architectural style typifying the locality.

RELEVANT SITE HISTORY

A/29/10/	Proposed alteration to existing garage (Resubmission following A/126/09)	ApproveConditionally 26-04-10
A/126/09/	Proposed alterations to existing garage	ApproveConditionally 16-12-09
A/92/04/	Conversion of existing domestic store to hobbies room.	ApproveConditionally 11-08-04
A/59/90	Change of entrance to lock-up garage for access purposes ancillary to graphics art studio	ApproveConditionally 08-05-90
A/194/89	Change of use of first floor from storage to Graphics Art Studio and ground floor lock-up garage for access purposes ancillary to Graphics Art Studio.	ApproveConditionally 22-01-90
A/155/88	Change of use of first floor from storage to Graphic Art Studio	ApproveConditionally 07-11-88

The first floor of the Old Bakery received planning permission for use as a Graphic Design studio however it has been vacant for the past 4.5 years.

A/194/89 - Condition 3 - Permitted Development rights to alter the garage/outbuilding subject of this application were removed under the original planning permission for use of the first floor as a graphics

studio

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Environmental Health

Economic Regeneration

Conservation Officer

WSCC Strategic Planning

Planning and Housing Strategy

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Officer - Objection (Objections addressed through alterations to the scheme during the planning application process).

The application affects an attractive property along the high Street in Angmering. It is requesting a change of use of the Old Bakery to be used as a self-contained annexe for family dependents & a holiday let, plus the construction of a new vehicle crossover and off-street parking for 2no cars.

The change of use to residential accommodation is of no concern, as the host dwelling is located within a predominantly residential area. I note that the change of use necessitates both internal and external alterations which have the potential to affect the character of the building.

The internal works are considered to be acceptable in this instance, as they allow the building to be put in to a sustainable use.

On the whole the amendments to the external appearance of the bakery can be supported.

However, there are a few issues; the use of the rooflights is problematic, and should be of conservation standard, and the use of plastic windows and doors is disappointing, especially in terms of the west (front) elevation which is visible from the public domain.

The provision of the off street parking is, also problematic, as it results in the loss of an attractive feature on the street-scene, which forms part of the enclosure of the street. The provision of walling adjoining the pavement is a feature of surrounding properties, and its loss cannot be supported.

Conservation Area Advisory Committee - Objection (Objections addressed through alterations to the scheme during the planning application process).

Loss of wall to front of property integral to street scene within Conservation Area.

WSCC Highways - No objection subject to conditions and informatives.

Economic Development - No comment.

ADC Environmental Health - No objection subject to a condition relating to hours of construction.

COMMENTS ON CONSULTATION RESPONSES:

The scheme has been amended deleting the two parking spaces at the front of the property and foregoing the removal of the 2 metre high brick wall at the front and including conservation rooflights and a timber front door. A further parking space has been added at the rear of the property next to an existing space in the rear garden which does not involve the alteration of the boundary treatment.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

CONS AREA

CLASS B ROAD

PD RESTRICTION

BLDGS SPEC CHAR

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
EMPDM1	EMP DM1 Employment Land: Development Management
HERSP1	HER SP1 The Historic Environment
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas
TOUDM1	TOU DM1 Tourism related development
TOUSP1	TOU SP1 Sustainable tourism and the visitor economy
DSP1	D SP1 Design

[Angmering Neighbourhood Plan 2014 POLICY HD4](#) Materials

Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design

Angmering Neighbourhood Plan 2014 POLICY ER2 Local Employment

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.

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 following policies of the Angmering Neighbourhood Plan are considered relevant to this application;

Policy EH1 - Development in the Conservation Area

Policy ER2 - Local Employment

Policy HD4 - Materials

Policy HD8 - Parking Standards

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 within the built up area boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan provided it is in accordance with other policies of the Local and Neighbourhood Plan covering such issues as loss of commercial floorspace, design, residential amenity, tourism, highway safety & parking

LOSS OF COMMERCIAL:

Arun Local Plan policy EMP DM1 ("Employment Land: Development Management") states that

"Existing employment sites and premises will be protected where there remains a reasonable prospect of employment use. Excepting Permitted Development Rights or Local/Neighbourhood Development

Orders, change of use from Business Class (B1-B8) or similar sui generis uses will not be permitted unless:

- a. It is demonstrated that the site is no longer required and is unlikely to be re-used or re-developed for industrial/commercial purposes. This should include clear demonstration of marketing, viability appraisal and the suitability of the site to accommodate the proposed use - using a methodology to be agreed by the District Council at pre-application advice stage; or
- b. The existing location poses insurmountable environmental harm or amenity which cannot be satisfactorily resolved.

The Council will require evidence that the site has not been made deliberately unviable, that marketing has been actively conducted for a reasonable period of time and that alternative employment uses have been fully explored."

Policy ER2 - Local Employment of the Angmering Neighbourhood Plan states;

There will be a general presumption against the loss of locations that provide employment within the Parish, either as a result of proposals for a change of use or for the redevelopment of existing premises or sites of employment for non-employment use.

Proposals for change of use or redevelopment, which would result in the loss of employment use, will only be acceptable if they demonstrate the following:

The premises or site is no longer required for employment use in terms of need or demand, by the premises or site having been marketed for a period of not less than one year for employment use and no occupier has been found. Full details relating to the marketing must accompany any proposal.

That the alternative use proposed is considered to be a positive contribution to the sustainability of Angmering.

The proposed change of use conflicts with the above policies which seek to prevent the loss of commercial floorspace subject to conditions relating to the marketing of the property for commercial use. The agent has submitted a statement to this effect however it must also be taken into consideration that ;
1) given the small scale of the commercial use it could be carried out ancillary to the use of the dwellinghouse (Somerset House) without the need for planning permission. In addition the loss of such a small commercial space is unlikely to have a significant impact on commercial need or demand in Angmering.

2) evidence has been provided by the agent in a statement on 18th November that the first floor of the Old Bakery has not been used for commercial purposes for the past 4.5 years and that the building is not in a fit state to be marketed for commercial use without renovation and therefore marketing for commercial purposes is not currently possible. The first floor building, due to the renovation costs could be considered to be unlikely to be re-used or re-developed for industrial/commercial purposes.

3) no objection to the proposal has been received following consideration by Angmering Parish Council

4) the Council's economic development officers have not raised any concerns with the loss of this employment space.

5) it is acknowledged that the existing building already has residential uses on the ground floor and is surrounded by residential properties where there could be potential for conflict between residential and commercial occupiers of the Old Bakery at 1st floor level.

In summary, despite the conflict with policy EMP DM1 of the ALP and policy ER2 of the Angmering Neighbourhood Plan, it is not considered that refusal would be sustainable on these grounds.

CHARACTER AND DESIGN.

Policy D DM1 of the Arun Local Plan 2011-2031 (ALP) 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.

Policy HD4 Materials of the Angmering Neighbourhood Plan seek to ensure that the materials used are harmonious with the local area and reflect local materials and features evident in the surrounding area.

The key points regarding the proposed annexe/holiday flat conversion are that;

The materials of construction are not significantly different than the materials currently used in the current building including the use of UPVC windows and rainwater goods and would not be inharmonious in the local area. The installation of a timber door and Conservation rooflights would represent an improvement in quality of materials and the building as a whole would be restored as a result of the scheme.

There is a great variety of different styles of detached houses in the locality which developed in an incremental and as such there is no uniform character in the area and the property would not be out of character following the proposed alterations.

Having regard to the overall design of the proposed altered annexe, it is considered that the proposed dwelling would not have a detrimental impact on the building, street scene and wider area. The proposal is therefore considered to comply with policies D SP1 and D DM1 of the Arun Local Plan and policy HD4 of the Angmering Neighbourhood Plan.

RESIDENTIAL AMENITY:

Arun Local Plan 2011-2031 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."

It is not considered that there will be any harm associated with the proposed use of the ground and first floors for residential use. The proposed windows at first floor level are not significantly over and above what are already permitted and would not cause a loss of privacy to the future occupiers or neighbouring properties at The Gables, Shalimar and Maruno, detached and semi detached properties bordering the site. The new windows at first floor level are to be constructed as rooflights and will not overlook other residential windows at neighbouring properties or their outdoor amenity space.

INTERNAL AND EXTERNAL SPACE STANDARDS:

The proposed flat is to be used as an annexe ancillary to the main dwelling or as a holiday let. 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 residential unit offers a good level of facilities and its floor area at approx. 90m² reflects this. This would comply with the standards for a 2 bed unit (79 sq.m.) and 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 Old Bakery shares amenity space with the main dwelling Somerset house to which it is ancillary which is considered acceptable.

It is therefore considered that the proposal complies with Arun Local Plan policies D DM1 & D DM2 , and the guidance on amenity within the NPPF.

HIGHWAYS & PARKING:

Arun Local Plan policy T SP1 and policy HD8 of the Angmering Neighbourhood Plan 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"

Regard should also be had to paragraph 109 of the NPPF which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The West Sussex County Council Car Parking Demand Calculator advises that in this location the likely parking demand for the new 2 bed annexe flat would be 1 space. A total of 4 spaces would be provided

on site, 2 spaces in the remaining double garage and two spaces in the garden which provide for the main dwelling house (3 spaces) and the new 'flat'.

It is therefore considered that the proposal complies with Arun Local Plan policy T SP1 and policy HD8 of the Angmering Neighbourhood Plan.

IMPACT ON CONSERVATION AREA AND BUILDING OF SPECIAL CHARACTER

Arun Local Plan policy HER DM3 - Conservation Areas requires at that ;

b. Alterations or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings, townscape or streetscape in the area'.

c. Traditional features such as shop fronts, walls, railings, paved surfaces and street furniture are retained and restored;

d. Unsympathetic features are removed and missing features are restored or reinstated;

e. It retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges;

In addition Somerset House is designated as a building of special character and therefore the following policies apply Policy HER DM2 - Locally Listed Buildings or Structures of Character

'Proposals for the alteration or extension of buildings on the Local List will be expected to relate sensitively to the building or structure and its setting and respect its architectural, landscape or historic interest. The Local Planning Authority will seek to preserve features of such buildings which contribute to that interest.'

Policy HER SP1 - The historic environment in relation to buildings of special character states;

'Non-designated heritage assets including locally listed heritage assets (Buildings or Structures of Character and Areas of Character) and their settings will also need to be conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment;

Development likely to prejudice any of the above, including their settings, will be refused. Any proposals for development will be required to comply with all other relevant policies and reflect any relevant appraisals or management proposals adopted by the Local Planning Authority.

The Local Planning Authority will encourage the re-use of vacant or underused Listed Buildings or unlisted buildings by approving proposals that contribute positively to their conservation either individually or as part of wider strategies for regeneration. Where changes of use are proposed, the Local Planning Authority will consider these in a flexible way but will favour proposals which improve public access where these are not prejudicial to existing character or appearance.'

Angmering Neighbourhood Plan Policy EH1 requires that sufficient information is supplied such that the proposals can be properly understood. The proposed plans provided are considered sufficient given the scale of the proposal.

Given the above policy it is considered that a flexible view regarding the proposed change of use should be taken allowing for the re-use of a vacant part of the Somerset House and that the proposed alterations are sympathetic with the features and qualities of the existing building and represent an enhancement to the building of special character in accordance with the policy set out above.

TOURISM

Policies TOU SP1 and TOU DM1 encourage and support sustainable tourism and tourist related development that promotes and provides access to the South Downs National Park, and ensures a viable visitor economy which additional holiday rental accommodation would support. The location of the proposal in Angmering is considered to be a reasonably sustainable location with local facilities a walking distance away, bus services close by and a railway station within 1.5 miles of the site. AS usch the proposal while on a small scale makes some contribution toward tourism in Arun and is consider to comply with policies within the local plan.

SUMMARY:

This is an acceptable proposal for a residential scheme including use of a former commercial first floor and residential ground floor garages as a proposed holiday home or annexe use for elderly relatives subject to a condition that the Old Bakery building is not used as a separate unit of accommodation. The proposal will bring an existing commercial use into line with other residential uses within the building and nearby. There is conflict with the Arun Local Plan in respect of policy EMP DM1 of the ALP and Policy ER2 of the Angmering Neighbourhood Plan and the loss of commercial space. However, given that such a use could occur under permitted development rights, it is not considered that this is so harmful so as to prevent the residential use of this small and currently vacant commercial space.

The proposed change of use and alterations to the elevations of the Old Bakery building are considered to comply with policies within the ALP and Angmering Neighbourhood Plan with regard to the buildings location within the Conservation Area and it's status as a Building of Special Character.

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;

Location & Site Block Plan dwg.no. 0225/101 revision D dated 27.11.18
Proposed Floor Plans & Elevations dwg.no. 0225/102 revision C dated 27.11.18

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 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Somerset House as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies D DM1 and D SP1 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 The windows on the east elevation of the building shall at all times be glazed with obscured glass and be fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM4 of the Arun Local Plan.
- 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.