

Recommendation Report for Planning Permission

REF NO: A/16/20/PL

LOCATION: Downsvie
Littlehampton Road
Angmering
BN12 6PW

PROPOSAL: Change of use from workshop to workshop storage space and first floor office space with external parking for works coaches.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application is for the change of use of a workshop building to use for workshop and storage with offices above and the parking of coaches in the courtyard area.
SITE AREA	552 sq.metres
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	3 metre high close boarded fencing around the yard area.
SITE CHARACTERISTICS	The site is a former workshop and yard adjacent to a residential dwelling.
CHARACTER OF LOCALITY	Mixed use commercial and residential uses on the northern side of Littlehampton Road, Ferring

RELEVANT SITE HISTORY

A/89/14/PL	Erection of garage/workshop and an increase in height to the front boundary by 300 mm.	ApproveConditionally 10-09-14
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The outbuilding has permission (A/89/14/PL) for use for the repair and storage of boats.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council
No objection.

No comments received from neighbouring properties.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

WSCC Strategic Planning

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

WSCC Highways - No objection

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

CLASS A ROAD

OUTS BUILT AREA

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
SDSP3	SD SP3 Gaps Between Settlements
TSP1	T SP1 Transport and Development

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.

No policies in the Neighbourhood Development Plan are considered relevant to this application.

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 has an existing employment generating permission. The assessment in this case is what impact the proposed change of use has on the character and residential amenity of this location which is also part a gap between settlements.

In principle the development is therefore considered acceptable.

DESIGN

The development would not involve any additional built form and would be located behind high fences around the existing yard area such that it would not have an adverse impact on the character of the surrounding area. The proposal would accord with policy D DM1 of the Arun Local Plan in this respect.

LOCAL GAP

Policy SD SP3 will only be permitted within the gaps if (amongst others) it would not undermine the physical and/or visual separation of settlement and would not compromise the integrity of the gap.

The proposal does not include any additional built form and would be located on an enclosed site and would not have a significant impact on the character of the surrounding area. It is not considered to undermine the visual separation of settlements or compromise the integrity of the settlement gap. The development could not be located elsewhere because of the need to locate the development on the next to the owners house. The development would therefore accord with policy SD SP3 of the Arun Local Plan.

RESIDENTIAL AMENITY

The closest dwelling would be in excess of 120 metres away from the property on the other (southern) side of the A259. As such there would be no impact on the residential amenity of any neighbouring properties in accordance with policy D DM1 of the Arun Local Plan.

HIGHWAYS AND PARKING

The proposed development results in 40 sq.m. of office space and 80 sq.m. of storage space. This creates a parking demand in accordance with the Arun Parking Standards Supplementary Planning Document for a minimum of 2 spaces which can be accommodated at the owners house.

Space for 6 minibuses which the owner would work on is also proposed.

The proposal has been assessed by County Highways and they opine that the proposal would not generate a large increase of trips over the existing practice. An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury collisions within the vicinity of the site. Therefore there is no evidence to suggest that the existing assess is currently operating unsafely.

With the above in mind they are therefore of the opinion that the proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

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:

Elevations, Floor Plans, Site Plan & Location Plan Dwg.No. 124/01

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 building and use hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of Downsview as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D DM1 of the Arun District 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.

- 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.