

Recommendation Report for Planning Permission

REF NO: A/49/20/PL

LOCATION: Flint Court
Rectory Lane
Angmering
BN16 4JU

PROPOSAL: Change of use of Flint Course from forming part of Grey Barn to an independent commercial residence for letting purposes. This application affects the character & appearance of the Angmering Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Continued use of a part of a residential property 'Grey Barn' as a separate residential use.
SITE AREA	120 sq.m.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	High flint walls surround the site as a whole.
SITE CHARACTERISTICS	The site forms the east wing of a barn which is converted to residential use. Flint Court is let out as a dwelling independent from the main dwelling house (Grey Barn).
CHARACTER OF LOCALITY	A residential area of Angmering within the Conservation Area.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Angmering Parish Council
No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Arun District Conservation Area Advisory Panel - Objection due to concern over what commercial use might mean.

COMMENTS ON CONSULTATION RESPONSES:

IT is quite clear from the plans and documents submitted that the proposal is to let out the property for residential use as it is currently.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

CONS AREA

BLDGS SPEC CHAR

PD RESTRICTION

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM2	D DM2 Internal space standards
HERDM3	HER DM3 Conservation Areas
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.

The Neighbourhood Development Plan

No policies in the Angmering Neighbourhood 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 there is no impact on the external appearance of the property nor the residential amenity of any nearby properties.

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character of the Conservation 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 is located within the built up area boundary where the principle of development is acceptable in accordance with policy SD SP2 of the Arun Local Plan subject to compliance with policies D DM1, D DM2, T SP1 and HER DM3

DESIGN AND RESIDENTIAL AMENITY

The proposal does not involve any external development just an application for a retrospective change of use for Flint Court as a separate unit of residence. There are no issues with residential amenity as there is no new development. The development is therefore considered to comply with policy D DM1 of the Arun Local Plan.

INTERNAL SPACE STANDARDS

The internal space is 51 sq.m. which accords with the Nationally Described Space Standards for a 1 bedroom dwelling. The proposal therefore complies with policy D DM2 of the Arun Local Plan

PARKING

The development provides two parking spaces which accords with the Arun Parking Standards Supplementary Planning Document. The development is therefore considered to comply with policy T SP1 of the Arun Local Plan.

CONSERVATION AREA

The change of use would not involve any new building and would therefore have no impact on the Conservation Area and would comply with policy HER DM3 of the Arun Local Plan.

The application for retrospective change of use is considered to comply with policy of the Arun Local Plan and is recommended for approval 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:

Block Plan dwg.no. B1 Rev B
Floor Plan received 16-03-2020

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 **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.