

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

**REF NO:**      **A/90/13/**

**LOCATION:**    Avenals Barn  
                  Water Lane  
                  Angmering

**PROPOSAL:**   Proposed barn conversion ancillary to main dwelling

**SITE AND SURROUNDINGS**

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | As above. The footprint of the existing barn will remain largely unchanged although a timber framed terrace will be added to the northern elevation of the barn. The only other external changes will be in the form of removal of alterations to fenestration arrangements.                                                                                                                                                                                                                                                                                                                     |
| SITE AREA                  | Approximately 1.07 hectares.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| TOPOGRAPHY                 | Downward slope running from south to north.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| TREES                      | None affected by the proposed development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| BOUNDARY TREATMENT         | Approximately 1.2 metre high timber post and rail fencing with additional screening supplied by dense arrangement of mature trees, hedging and shrubbery around site boundary.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| SITE CHARACTERISTICS       | The site is occupied by a barn that has been converted into a residential dwelling. There is an extension to the western elevation which also forms part of the conversion. To the east is a storage barn, the subject of this application, which is attached to the main dwelling by way of an overhanging roof. There are further detached buildings on site used for storage and as garages. All the main buildings are flint walled with red brick quoins and window dressings and slate roofs. Brick buttresses have been added to the northern and eastern elevations of the storage barn. |
| CHARACTER OF LOCALITY      | The site is located outside of the built-up area and is set back from the highway, accessed by a private track.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

**RELEVANT SITE HISTORY**

|         |                                                                  |                                    |
|---------|------------------------------------------------------------------|------------------------------------|
| A/26/90 | Conversion of redundant farm buildings into single dwelling unit | ApproveConditionally<br>28-03-1990 |
|---------|------------------------------------------------------------------|------------------------------------|

A/77/90

Conversion of redundant farm buildings to form a single dwelling

Refused

06-06-1990

**Appeal: Allowed**  
**25 09 1990**

## **REPRESENTATIONS**

### **Representations received:**

Angmering Parish Council

No objection.

### **Comments on Representations received:**

Noted.

## **CONSULTATIONS**

Building Control

### **Consultations responses received:**

A fairly straight forward conversion under the Building Regulations.

Means of escape in the event of fire is not a problem.

We will require a Structural Conditions Report of the building for suitability of conversion to Residential Use as part of any Building Regulation Submission. This report would need to also include what remedial works or adaptations will be required.

### **Comments on Consultation responses:**

Noted. No further information is required in relation to planning matters.

## **POLICY CONTEXT**

Outside Built-Up Area

Permitted Development Restriction: No external alterations or additions without prior approval of LPA.

## **DEVELOPMENT PLAN POLICIES**

Arun District Local Plan:

[GEN3](#)

[GEN7](#)

[DEV19](#)

Protection of the Countryside

The Form of New Development

Extensions to existing residential buildings

## **PLANNING POLICY GUIDANCE**

NPPF

National Planning Policy Framework

## **POLICY COMMENTARY**

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

#### **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**

The proposal will not significantly alter the external appearance of the building, with the main changes being the provision of a balcony on the northern elevation. All distinctive features such as the wall buttresses will be retained. The building, in any case, is located on a well screened site set back from the road and, as such, the modest changes in appearance proposed will not adversely impact upon the character and appearance of the surrounding area.

The site is located outside of the built-up area, where the development is strictly controlled. The Local Planning Authority would be highly unlikely to allow the provision of an additional residential dwelling in this rural location due to the negative impact the increased density of residential development would have upon the peace and tranquility of the surrounding countryside and its unsustainable location. It is therefore considered imperative that a condition is attached to any given approval prohibiting the use of the converted building for any purposes other than those ancillary to the existing dwellinghouse and the occupants of it.

The building is set well away from boundaries shared with Avenals Farm, which is the only neighbouring residential property, and these boundaries are well screened by mature landscaping. It is therefore considered that the proposed change of use will not allow for invasive views towards that property. The modest scale of external works will also ensure that the building does not cause undue levels of overshadowing towards neighbouring property or appear overbearing.

It is therefore recommended that the application is 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 for 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 it has been determined that the proposal would result in a neutral impact 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).

As such, no specific mitigation measures are required.

## **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:-

Site Plan 1:1250  
Site Plan 1:500;  
Proposed Barn Conversion;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Avenals Barn as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 and DEV19 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation.

- 4      INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.