

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** BE/74/14/HH**LOCATION:** Randall Cottage
111 North Bersted Street
Bersted**PROPOSAL:** Restoration and reuse of outbuilding. This application affects the character and appearance of the North Bersted Conservation Area.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 400 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has wall approximately 1.2m in height, east side boundary has close boarded fencing plus flint wall approximately 1.8m-2m in height, west side boundary flint wall approximately 2m in height.
SITE CHARACTERISTICS	Grade II Listed Building. Two storey detached with conservatory on west side. The dwelling has painted cream walls with a thatched roof and wooden window frames painted white. The detached outbuilding the subject of this application is sited on the north east boundary and is constructed of stone and brick with clay tiled roof.
CHARACTER OF LOCALITY	Within the North Bersted Conservation Area. Mixture of residential properties, some are thatched and of notable character.

RELEVANT SITE HISTORY

BE/9/92	Addition to existing building and change of use to one bedroomed living accommodation	Refused 30-03-1992	<i>Appealed</i> Appeal: Dismissed 05 11 1992
BE/67/11/	Demolition of existing conservatory and construction of replacement conservatory	ApproveConditionally 27-07-2011	

REPRESENTATIONS

Representations received:

Bersted Parish Council
Awaited

Comments on Representations received:

None

CONSULTATIONS

Conservation Officer

Consultations responses received:

Conservation Officer

The proposal is to restore the building and put it back into a use is supported. Further information will need to be provided with regards to external joinery (windows and doors). Further, the roof lights should be of a conservation standard.

Conservation Area Advisory Committee
Commend restoration work. Note Bognor Rock.

Comments on Consultation responses:

Comments noted
Conditions relating to the external joinery and roof lights will be imposed on the Listed Building application BE/75/14/L.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary
Within Conservation Area
Listed Building Grade II
Class C Road
No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [DEV19](#)
[GEN2](#)
[GEN7](#)

[Publication Version of the Local Plan - Excluding the Spatial Portrait, Employment, Housing Allocations, Transport, Monitoring and Implementation sections \(February 2014\):](#)

Extensions to existing residential buildings
Built-up Area Boundary
The Form of New Development

D DM1 Aspects of Form and Quality
D DM4 Extensions & Alterations to Existing Buildings
D SP1 Design
HER DM1 Listed Buildings
HER DM3 Conservation Areas
HER SP1 The Historic Environment
SD SP2 Built -Up Area Boundary

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 215 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 agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place once the remaining chapters/policies have been published.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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 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). "

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, character and appearance 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

The application seeks to restore the existing stone and brick detached outbuilding.

The detached outbuilding is located to the rear of the dwelling on the north east boundary and is two storey in height. At the time of the officer's visit it was used for storage and was in need of repair. The hipped roof outbuilding has a clay tiled roof and is constructed in brick with stone. On the south side elevation there is an existing opening and a new window is to be installed with the installation of two roof lights. On the north side a new window is to be installed in the existing door opening. The east side elevation has a window at first floor level and this is to be retained and a new door is to be installed in the existing opening. The internal alterations will create a workshop with wc on the ground floor and a new mezzanine floor is proposed with new staircase that will provide first floor accommodation which is to be used as a gallery/store. It is considered that the proposed alterations will improve the appearance of the building and will revitalise its use.

It is not considered that the alterations would impact upon the residential amenities of the neighbouring properties or harm the character and appearance of the surrounding residential area and the Conservation Area.

The application is recommended for approval, subject to 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 a neutral impact has 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).

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 received on 11th July 2014:

Location 1:1250/Block 1:500

Existing Ground Floor Drg No 1413-01 dt September 2013

Existing First Floor and Section A-A Drg No 1413-02 dt September 2013

Existing North & East Elevations Drg No 1413-03 dt September 2013

Existing South & West Elevations Drg No 1413-04 dt September 2013

Existing End Elevation of property Drg No 1413-05 dt September 2013

Proposed Ground Floor Drg No 1413-101a dt May 2014

Proposed First Floor & Section A-A Drg No 1413-102a dt May 2014

Proposed North & East Elevations Drg No 1413-103a dt May 2014

Proposed South & West Elevations Drg No 1413-104a dt May 2014

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

- 3 **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.