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

REF NO: **CM/12/17/HH**

LOCATION: Waysmeet Cottage
Grevatts Lane
Climping

PROPOSAL: Erection of double garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	It is proposed to construct an double oak framed car parking barn with an open front 5.65 metres in width, 5.3 metres in length with an eaves height to the front of 2.1 metres and ridge height of 3.9 metres. The roof would drop to 1 metre at the rear. The proposed garage would be set back 5.5 metres behind the front elevation of Waysmeet cottage, an attractive thatched roof cottage with historic brick panelled walls with a framework of wooden beams visible within the walls. The materials of construction of the new garage would be clay tiles on the roof and brickwork to the side and rear elevations wioth a front elevation of wooden oak beams.
SITE AREA	1500 sq.m.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	1.2 metre high post and rail fence to the front1.4 metre wall with hedgerow to the curtilage boundary with the open countryside.
SITE CHARACTERISTICS	An attractive thatched roof cottage with historic brick panelled walls with a framework of wooden beams visible within the walls with a large garden to the front side and rear. The proposed development is to be accessed by a gravel drive in the south side garden which is currently extends 12 metres to the side of the dwellinghouse and is laid to lawn.
CHARACTER OF LOCALITY	A rural area. Waysmeet cottage is a sporadic dwelling within an open agricultural landscape close to the A259 between Bognor Regis and Littlehampton.

RELEVANT SITE HISTORY

CM/14/04/	Two bay garage	ApproveConditionally 16-07-2004
CM/17/16/CLE	Application for Certificate of Use for an Existing Use - Use of the Studio & the Barn as two separate residential units of accommodation.	Approve 12-10-2016

The garages and outbuildings to the north of the dwelling were recently granted a Certificate of Lawful Use for residential use leaving the main property without a garage of its own.

REPRESENTATIONS

Representations received:

Climping Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

N/a

POLICY CONTEXT

Designation applicable to site:
NO PUBLIC SEWER
ADOPTED LOC PLN
OUTS BUILT AREA
SPEC CONT ADVTS
CLASS A ROAD

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	DEV19	Extensions to existing residential buildings
	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
Publication Version of the Local Plan (October 2014):		C SP1 Countryside D DM1 Aspects of Form and Design Quality D SP1 Design
Clymping Neighbourhood Plan 2015 Policy CPN11		Quality of Design

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account.

Arun District Council's Development Plans:

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.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

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 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 it 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The relevant policy of the Clymping NP has been taken into account.

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 application site falls outside of the built area boundary where the principle of development is not acceptable. However, it must be considered that the proposed development will be situated within the curtilage of an established residential unit. Therefore, the principle of the development is considered acceptable and will be considered in conjunction with policy GEN7 of the Arun District Plan and the National Planning Policy Framework.

DESIGN AND VISUAL AMENITY
The proposed access track will be located to the south of the existing dwelling in the side garden behind the rear elevation of the dwelling house minimising the impact of the structure on the street scene. The front elevation would present oak beams and an open space beneath matching the oak beam framing of the elevations of the main house and would have a rustic character similar to an agricultural barn which would not be out of keeping in its setting against the back drop of the rural garden with open agricultural fields beyond.
The brick of the walls proving it matches in colour and texture the bricks of the main dwellinghouse would not look out of character.

Therefore, the proposed development is considered to accord with policy GEN7(ii) of the Arun District Local Plan and policy CPN 11 of the Clymping Neighbourhood Plan.

RESIDENTIAL AMENITY
The proposals the subject of this application by virtue of their design and location are not considered to give rise to any unacceptable impacts upon residential amenity and therefore accord with policy GEN7(iv) of the Arun District Local Plan.

SUMMARY
The proposed development is considered to accord with relevant development plan policies and is therefore recommended for approval subject to the below 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;
Dwg.no. - S 01/01 Proposed Plans, Sections & Elevations
Dwg.ref.no. C0023-SSK001A - Site Layout Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 of the Arun District Local Plan.

3 The materials and finishes of the external walls of the building hereby permitted shall match in colour and texture those of the existing building. The roof tiles shall be clay tiles.

Reason: In the interests of amenity in accordance with policies GEN7 of the Arun District Local Plan.

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.