

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** EG/14/17/HH**LOCATION:** Wanley Lodge
Wandleys Lane
Fontwell Eastergate**PROPOSAL:** New demountable steel framed canopy for historic vehicle, 3.5m wide x 7.0m long x 3.2m high**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The applications seeks to build a canopy for a historic vehicle.
SITE AREA	Approximately 743 sq.m.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The boundary is 1.8m high fencing all of the way around, except part of the Southern (road-facing) side which has hedging.
SITE CHARACTERISTICS	The site is populated by a dwelling on the east side of the site, with a large garage and hobby room on the west side.
CHARACTER OF LOCALITY	Rural. Tree lined road, with fields in the surrounding area and some development.

RELEVANT SITE HISTORY

EG/34/99/	Extention to side and rear to provide replacement kitchen & bathroom with additional bedrooms	ApproveConditionally 15-06-1999
EG/92/99/	Replacement double garage with home office/hobby room above	ApproveConditionally 17-02-2000
EG/87/04/	Replacement double garage with home office & hobby room above & home gym below	ApproveConditionally 16-09-2004
EG/87/05/	Conservatory to south elevation	ApproveConditionally 22-11-2005
EG/27/08/	Two storey extension to north elevation to provide bedrooms, new study and enlarged master bedroom.	ApproveConditionally 20-06-2008

EG/1/14/	New timber clad caravan/camper/trailer store with pitched gabled roof and driveway widening	ApproveConditionally 25-02-2014
----------	---	------------------------------------

Existing detached garage granted planning approval in 2014.

REPRESENTATIONS

Representations received:

N/A

Comments on Representations received:

N/A

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)

Consultations responses received:

DRAINAGE ENGINEER:

" It would be worth considering guttering and some form of surface water drainage for the structure. This could be a small soakaway or French drain or similar."

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Outside built up area boundary
Lidsey Catchment Area

DEVELOPMENT PLAN POLICIES

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

[Publication Version of the Local Plan \(October 2014\):](#)

The Form of New Development

C SP1 Countryside

D SP1 Design

D DM1 Aspects of Form and Design
Quality

D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)

SD SP1 Sustainable Development

[Barnham & Eastergate Neighbourhood Plan 2014](#)
[POLICY ES1](#)

Applications for new development must meet the local drainage requirements

[Barnham & Eastergate Neighbourhood Plan 2014](#)
[POLICY ES5](#)

Quality of design

[Barnham & Eastergate Neighbourhood Plan 2014](#)
[POLICY ES10](#)

Trees and hedgerows

[Barnham & Eastergate Neighbourhood Plan 2014](#)
[POLICY GA4](#)

Parking and new development

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
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.

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; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Whilst an NDP is under preparation it will be afforded limited 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).

Burnham and Eastergate NDP has policies relevant to the 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 development would be outside of the built up area boundary, where new development is normally resisted. In this instance, the proposal is a minor development within the curtilage of an existing dwelling. Therefore, the principal of the development is considered acceptable.

DESIGN & AMENITY

The design of the development is considered to be considerate of the surrounding rural area, the proposed materials are not considered to be particularly prominent in an agricultural area. The black steel frame with black onduline is not an uncommon sight in a rural area. Furthermore, approximately 0.6m of the development will be above the road-facing fencing which is limited. As such, the development would have a limited impact on the street scene and surrounding area.

SURFACE WATER DRAINAGE

The development would be located on existing hard standing. Therefore, it would add little additional opportunity for surface water run off.

NEIGHBOURING AMENITY

The closest neighbouring dwelling to the development is 800m away. It is not considered to have a significant impact on neighbouring residential amenity.

This application is recommended for approval subject to the stated conditions.

HUMAN RIGHTS ACT

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:

- Location & Block Plan, Existing & Proposed Plans & Elevations, Proposed Section - Jan 2017 - PL1

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 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.