

Recommendation Report for Planning Permission

REF NO: F/2/25/PL

LOCATION: Newhouse Farm Barns
 The Mill Studio
 Ford Lane
 Ford
 BN18 0EF

PROPOSAL: Change of use (conversion) of Studio 2 to residential accommodation to include its ancillary facilities including a new porch connecting to existing dwelling. This application is in CIL Zone 3 and is CIL Liable as a new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to change the use of an existing studio to form an annexe ancillary to the main dwelling on site. A small extension will be constructed to enable access from the annexe to the main house.
TOPOGRAPHY	Predominantly flat.
TREES	None
BOUNDARY TREATMENT	The buildings form the boundary of the site. A brick wall is situated to the south with gates for vehicular access.
SITE CHARACTERISTICS	The site is occupied by a detached single storey dwelling. There is also a single storey building that wraps around the site to the north and west and forms workshop/studio space.
CHARACTER OF LOCALITY	The area is mixed in use with residential, commercial and open space present. The site in which the proposal is located predominately forms a small parcel of commercial units along with the residence of the host dwelling. The west of the site features commercial/horticultural uses with residential beyond.

REPRESENTATIONS

Ford Parish Council provided no comment.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

ADC Ecology - No objection subject to conditions.

Natural England - No objection.

WSCC Highways - No objection.

Private Sector Housing - No objection subject to the development remaining ancillary use.

Environmental Health - No objections subject to conditions regarding noise from construction.

South Downs National Park - No comment.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. A condition for noise is not considered necessary as the extension to link the properties is minor in size. The host dwelling is the only residential property on site.

POLICY CONTEXT

Outside Built up Area Boundary
Area of Special Advert Control
Arun Valley SPA Impact Zone

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
CSP1	C SP1 Countryside
ENVDM5	ENV DM5 Development and biodiversity
TSP1	T SP1 Transport and Development

Ford Neighbourhood Plan 2019 Policy BUA1

Ford Neighbourhood Plan 2019 Policy EH8	Built Up Area (BUA) boundary
Ford Neighbourhood Plan 2019 Policy H1	Light Pollution
Ford Neighbourhood Plan 2019 Policy GA2	Quality of Design
	Parking and new development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

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 not result in harm to visual character of the area nor upon neighbouring amenity.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
 - (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is exempt from Biodiversity Net Gain (BNG) as development is below the de minimis threshold

CONCLUSIONS

PRINCIPLE

The development falls outside of the built up area boundary. However the application seeks permission for an extension and change of use of an existing building. The proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM4 of this plan. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy (as this development is in accordance with D DM4). In this case, the key policy considerations are D DM1 & D DM4 of the Arun Local Plan. Therefore the principle of development is considered acceptable and as such will be assessed against relevant development plan policies.

Ford has a made Neighbourhood Plan (FNDP) which is also of relevance.

DESIGN AND VISUAL AMENITY

Arun Local Plan policy D DM1 looks at aspects of form and design quality. Policy D DM4 relates to extensions to existing buildings and seeks any extension to sympathetically relate to the existing building and have an acceptable impact on the residential amenity of neighbouring properties.

Policy H1 of the FNDP seeks design to be high quality and sympathetic to the area.

The site is not visible from the wider area, set behind existing buildings. The buildings surround a central

courtyard with an L shaped building extending along the north and west of the site. This is used as a studio/workshop with 6 studios contained within. A separate residential building is located to the eastern side with access into the site from the south.

The proposal seeks to change the use of the workshop with one of the studios to be converted to form ancillary residential accommodation. There are a number of existing windows and apart from the addition of two rooflights there will be no other external alterations to enable the change of use.

The proposal also seeks a minor corridor extension which will link up the main residential dwelling on site, to that of the annexe. This has a length of approximately 6m and a width of 1.75m. This does not extend beyond the front of the residential property and is minor in size. The porch extension will have a pitched roof although is set below that of the main dwelling and appears subservient in appearance.

Materials will match the host dwelling and wider site featuring stained weatherboarding, slate roof and painted timber casement windows.

Part M of the Arun Design Guide requires extensions 'take a simple and unobtrusive form which does not overpower the existing or neighbouring properties, integrates roof form with the existing dwelling, responds to existing elevations through the size and positioning of doors and windows; and maintains established building lines'. The proposal meets these criteria.

The extension is minor in size and the change of use would not result in adverse harm upon the appearance or character of the area in accordance with ALP policy D DM1 and D DM4 and the Arun Design Guide and H1 of the FDNP.

RESIDENTIAL AMENITY

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land.

The applicant has confirmed that the unit would be used for ancillary accommodation to the main dwelling and would not form a separate residential unit. The change of use of the studio would introduce two additional rooflights to the western elevation however due to their height above finished floor, no views would be achievable. There are a number of windows to the northern elevation however the windows overlook a large car parking area which serves 2 business units within the wider parcel and with the rooms already in use, overlooking would not significantly increase.

The extension is located between existing development on site and would not be visible from the wider area, no other residential units located in the courtyard. As a result, it would not give rise to adverse overbearing, overshadowing or overlooking. There would be a window to the western side, however this overlooks the courtyard serving the development.

Due to the scale and type of development proposed, it would not result in adverse harm upon neighbouring amenity in accordance with ALP policy D DM1 and D DM4.

PARKING

Arun Local Plan Policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian, and bridleway network.

Policy GA2 of the FDNP seeks to ensure parking is consistent with current standards.

The site has sufficient space in the internal courtyard to accommodate parking for the annexe with 4 designated spaces currently available. There is also an existing garage on site between Studio 3 and 6

which could be utilised. As the annexe would remain ancillary to the host dwelling, it would not generate a requirement for a separate allocated parking area.

No detail of cycle parking are provided however there is sufficient space on site for this to be provided and in this case it will not be conditioned.

The proposal would provide sufficient parking and transport connections to support the partial change of use. The proposal is in accordance with policy T SP1 of the ALP and the Arun Parking Standards.

BIODIVERSITY

Policy ENV DM5 of the Local Plan requires development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. They shall incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

Biodiversity Net Gain for small sites became a requirement on the 2 April 2024, and requires developments to provide 10% BNG. However, in this case the property is exempt, as the development is minor and will not result in the loss of priority habitats. Two bird boxes and an insect hotel will be incorporated into the design. No trees or shrubs will be removed to enable the proposal and further hedging will be planting. These will help to enhance biodiversity on site and are acceptable in this case.

The site falls in the Arun Valley SPA Impact Risk Zone for Bewick's swans. There is no habitat alteration proposed, with the development consisting of internal change of use and a small porch within the confines of an existing residential property. In the absence of suitable foraging and roosting habitat, it is not considered the development would result in a direct or indirect disturbance on the swans within the Arun Valley SPA.

Policy EH8 of the FNDP states 'Development proposals should respect the unlit environment of the neighbourhood area'. No external lighting is proposed however with the building already in use, the change would not result in a significant increase than compared to existing.

The proposal is in accordance with ALP policy ENV DM5. A condition will be applied below securing the biodiversity enhancements as listed within the Biodiversity Enhancement Statement.

SUMMARY

The proposal 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.

CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

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 Plan - 10/01/2025
- Proposed Elevations - 18/12/2024
- Proposed Elevations - 18/12/2024
- Proposed Floor Plan - 18/12/2024 Rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1.

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

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1.

4 Prior to occupation of any of the approved annexe, the biodiversity enhancements as included within the 'Biodiversity Enhancement Statement' (Received 16/01/2025) shall be implemented. This includes the following:

- Installation of bird boxes
- Installation of insect hotel
- Planting of hedgerow to the garden.

Reason: In the interests of securing biodiversity net gain in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

5 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Newhouse Farm Barns as a dwelling and shall not be used as a

separate unit of accommodation.

Reason: To accord with Arun Local Plan policy D DM1 and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

6 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

7 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.