

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

REF NO: K/19/22/HH

LOCATION: Flint Barn
Peak Lane
Kingston
BN16 1RN

PROPOSAL: Conversion of hobby room/gym into a one bedroom self contained annex. The building will not be physically increased in size or height. The proposal will see 2 existing single glazed wooden framed windows approximately 1000mm x 1000mm in size, on the West elevation being replaced by a single UPVC glazed door and UPVC window measuring 1100mm x 1800mm. Whilst maintaining some of its current uses this will also allow the space to be used as a temporary dwelling, for use as an extension to the main house, by extended family and friends. The converted space will consist of a sitting room/kitchenette, bedroom and shower room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The conversion of a hobby room/gym into a dwelling/annexe ancillary to the main house. It will also include the conversion of two wooden windows to a UPVC glazed door and a UPVC window.

REPRESENTATIONS

Three letters of objection citing the following:

- increased car use of the property as a whole.
- noise pollution.
- smells.
- light pollution.
- heat loss.
- loss of tranquillity.
- contrary to policy.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
SDSP3	SD SP3 Gaps Between Settlements

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD11	Arun Parking Standards 2020

CONCLUSIONS

The key policies are C SP1, SD SP3, D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Kingston Neighbourhood Development Plan.

Policy C SP1 - Countryside - Development will be permitted in the countryside where it is in accordance with other policies in the Plan which refer to a specific use or type of development.

Policy SD SP3 - Gaps between settlements - The generally open and undeveloped nature of the following gaps between settlements, as identified on the Policies Maps will be protected to prevent coalescence and retain their separate identity.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public Realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

KPNP 2 Built Up Area Boundary states account should be taken of the intrinsic character and beauty of the countryside outside the Built-Up area and the need to support thriving rural communities within it, in the context of a presumption in favour of sustainable development.

PRINCIPLE

The change of use from a hobby room to ancillary accommodation is covered within policy D DM1 and the alterations to the building are covered within policy D DM4 of the Arun Local Plan thus making the development acceptable within the countryside.

No additional built form is proposed and therefore there is no effect on the gap between settlements.

The proposal complies with policy KPNP2 in that the intrinsic character and beauty of the countryside outside the Built - Up area is protected due to no new buildings being constructed.

DESIGN

The alterations to the building (adding a window and a door) are minor and not considered to have an impact on the design of the building. The change of use is not considered to have a significant impact on the nature of the building subject to a condition preventing the use of the building as a separate dwellinghouse.

NEIGHBOUR AMENITY

The additional window and door will not have any impact on the neighbouring properties as they will be lower than the 2 metre boundary fence therefore no overlooking will occur as a result. It is not considered that there will be a significant increase in noise and disturbance over and above the use of the building as a hobby room.

The smells emanating from the use amount to occasional cooking smells which is not considered sufficient a form of pollution to warrant refusal of the application.

Light pollution over and above the existing use is not likely to occur.

PARKING

A garage and a car port are retained as part of the scheme and there is plenty of external parking and turning space such that there is no problem with a lack of parking as part of the scheme. There is a total of 5 car parking spaces which complies with the Council's parking standards which are 3 spaces for a 4 bedroomed home and 2 spaces for a 1 bedroomed home.

SUMMARY

The principle of the development is acceptable and the design, neighbour amenity and parking are not a cause for concern such that the development is considered overall to be acceptable.

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:

Proposed Plans and Elevations received on 18/05/2022

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

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

Reason: To accord with policies D DM1 of the Arun Local Plan 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.

- 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.