

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

REF NO: K/3/18/HH

LOCATION: West Kingston Barn
Kingston Lane
Kingston
BN16 1RP

PROPOSAL: Renovation of existing stables & office/workshop to create a two bedroom Annexe ancillary to main dwelling & replace existing flat roof with pitched roof incorporating 8 No. rooflights.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
	The proposed development comprises the conversion of the existing stable building to annex accommodation. There is no extension to the length or width of the building, however, the shallow roof is replaced with a new roof which would be approximately 4.7m high (max) stepping down to 3.4m on the eastern end.
	Materials would be weatherboarding to match the existing building and roof tiles to match the main house.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The stable building to be converted is built on the front boundary. The property also has timber fencing.
SITE CHARACTERISTICS	The property is a former barn set within a courtyard setting. The specific building to be converted is a single storey weatherboarded stable. The property is set on a spacious plot.
CHARACTER OF LOCALITY	The site is located within a rural area with sporadic development albeit to the west there is more defined housing areas. To the south west is open countryside in sue for agriculture.

RELEVANT SITE HISTORY

K/22/98	Installation of two new windows to match existing and velux	Approve 26-06-98 REPORT(ODB)
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K/13/98	Installation of two new windows to match existing and velux	Refused 27-03-98
K/36/97	Installation of two new windows to match existing and velux.	Refused 20-01-98

There is no relevant planning history.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Kingston Parish Council

Kingston Parish Council responded as follows:

No objection to the proposal providing the case officer gives consideration to the following:

- Is there sufficient, adequate and safe onsite parking (given that the access to Kingston Lane is on a sharp bend)
- There should be a condition that the accommodation will be occupied solely for purposes ancillary to the occupation of the existing dwelling and will not be used as a separate unit of accommodation. There is particular concern about this because it appears that an existing Annexe (possibly approved under K/15/97) has been advertised for holiday let and this matter will be raised with the Arun Compliance Officer.

No response to public consultation.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted and addressed in the conclusions below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Outside built up area

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

GEN3	Protection of the Countryside
DEV19	Extensions to existing residential buildings
GEN7	The Form of New Development

Publication Version of the Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
C SP1	Countryside

Kingston Neighbourhood Plan 2014 Policy KPNP7 DESIGN & DEVELOPMENT**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
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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 and is 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.

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 has taking place. 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. The examination was completed in September 2017. A consultation into the proposed modifications ended mid February 2018.

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. 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.

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).

The relevant policy in the Kingston Parish 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 not considered to comply with relevant Development Plan policies in that it is development outside a built up area where it conflicts with policy GEN3.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background namely that it is development within an existing and unrestricted dwelling where the proposal 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.

CONCLUSIONS

The application site is situated outside the built up area boundary where the proposed development would conflict with policy GEN3 however there are other material considerations which outweigh this conflict with the development plan subject to compliance with other relevant development plan policy relating to visual and residential amenity.

The application site is situated within an open countryside area with typical rural sporadic development closeby. The proposed building is a relatively large structure but there is no increase in footprint the alterations are primarily internal apart from the new pitched roof. The design of the building including proposed materials is not untypical of a rural location and in itself is acceptable. However, the proposed annex is sited close to the main house within the main courtyard

Policy GEN7 seeks to ensure that proposed developments are an acceptable form of development. The policy advises that development will be acceptable if it complies with a number of specific criteria. Criteria (ii) states, "demonstrates that it responds positively to the identified characteristics and resources of the site and the area to create attractive places and spaces with the needs of people in mind and respects and enhances local distinctiveness". The aim of the criteria would be to ensure that new development has regard and is not harmful to the character and appearance of the area. Given the proposal is a conversion of the existing building and that the roof is also appropriate to the building and the area it is considered that the proposed development complies with policy GEN7.

It is also accepted that the proposed development would be an ancillary use to the main house , the comments of the Parish Council are noted but such a use could be controlled by a suitable planning condition.

Given the position of the stable building the nearest property Newcote Farm is approximately 12m south

east. Given this distance and the height of the proposed roof it is not considered that the proposal will be harmful to the residential amenity of the occupiers of this property.

There are no different and unacceptable parking implications arising from the proposed development. The building is in situ and as proposed would experience vehicular activity no different to what it is recommended to be approved for, that is ancillary to the main dwellinghouse.

Therefore, in summary, it is not considered that there would be any adverse harm to the living conditions of neighbouring properties or the character of the area. As such it would comply with adopted planning policies in the Arun Local Plan 2003 and the Kingston Neighbourhood Plan.

It is therefore recommended that permission be granted subject to the following 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 1132.01.b

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

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling known as West Kingston Barn, Kingston Lane, Kingston and shall not be sold or let separately from the property known as West Kingston Barn, Kingston Lane, Kingston nor shall it be used as holiday accommodation.

Reason: In the interests of the amenity and character of the area in accordance with policy GEN7 of the Local Plan.

- 5 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.