

PLANNING APPLICATION REPORT

REF NO: LY/16/10/

LOCATION: Blakedene
Lyminster Road
Lyminster

PROPOSAL: Change of use from garage to holiday accommodation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The existing garage will not be increased in size, the only external changes will involve new fenestrations. The proposed accommodation will be split over two levels.
SITE AREA	Approximately 945 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	There is a low flint wall to the front of the site with additional hedging behind it, up to a height of approximately 0.7 metres. Other boundaries are marked by approximately 2 metre high hedging and walling.
SITE CHARACTERISTICS	The site is occupied by a detached two-storey dwelling which has red brick and flint elevation walls and a clay tiled hipped roof. The dwelling is set back from the road and has a hard standing area to the front. A detached double garage has been added to the front of the dwelling, alongside the northern site boundary. A two-storey extension has been added to the rear of the dwelling where there is also a single storey outbuilding at the eastern end of the site as well as a number of small single storey extensions. The dwelling has been identified locally as a building of character.
CHARACTER OF LOCALITY	The site is located alongside a main road. Although it is outside of the built-up area, there is a concentration of residential dwellings both lining the road and also set further back from it, this collection of buildings form the Lyminster Conservation Area which is defined as an attractive rural settlement comprised of a collection of variety of types of buildings in an informal layout.

RELEVANT SITE HISTORY

LY/16/90	Erection of double garage at north west corner of site	Approve Cond 24-04-1991
LY/4/02/	Change of use from nursing home to private residence	Approve Cond 19-03-2002

REPRESENTATIONS**Representations received:**

Lyminster & Crossbush Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Area Advisory Com

Consultations responses received:

Objection to the introduction of a third rooflight so close to the road.

Comments on Consultation responses:

Noted. The garage already possesses two rooflights and it is considered that the addition of a further rooflight would not significantly alter the appearance of the roof or the wider conservation area. It should also be noted that the addition of the rooflight, on its own, would be permitted development under Class E of The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

POLICY CONTEXT

Designation applicable to site:

Outside Built-Up Area

Within Conservation Area

Building of Character

Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN3](#)

[GEN7](#)

[GEN22](#)

[AREA2](#)

[DEV34](#)

[DEV17](#)

Protection of the Countryside

The Form of New Development

Buildings or Structures of Character

Conservation Areas

Tourist Accommodation and Attractions

Affordable Housing

PLANNING POLICY GUIDANCE

PPS1

PPS7

PPS5

PPS3

Delivering Sustainable Development

Sustainable development in rural areas

Planning for the Historic Environment

Housing

SUPPLEMENTARY POLICY GUIDANCE

XXX4

Supplementary Planning Guidance for
Conservation Areas

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 conflict with Arun District Council's interim affordable housing policy in that the applicant has failed to provide the required contribution towards affordable housing for an application of this nature.

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

The proposal will not significantly alter the appearance of the existing double garage, the only changes being the removal of the existing garage doors and replacement with a ground floor window and the formation of additional ground floor window to the rear and an additional rooflight on the south facing roof slope. It is not considered that this will significantly alter the appearance of the building and, as such, it is considered that the character and appearance of the surrounding Conservation Area will be preserved.

It is considered that the use of the building as a holiday let, within this rural location, is acceptable as it would not result in any additional buildings being erected and is within an established settlement. It is however considered important to attach a condition to ensure that the building is used for holiday accommodation only and not as separate residential accommodation in order to prevent an intensification of residential use.

It is considered that the use of the existing garage for holiday accommodation will not have an adverse impact upon the amenities of neighbouring residents. None of the new windows will face directly towards neighbouring properties and, therefore, no harmful levels of overlooking will arise. Further, the scale and bulk of the building itself will be unchanged and, as such, it will not represent an overbearing or overshadowing element.

However, whilst the principal of the Change of Use appears to be acceptable, the applicant has failed to make a contribution towards affordable housing in the district. A contribution is required to be made for a development of this kind, being a C3 use, as per the Council's interim affordable housing policy which was adopted in 18th August 2010. It should be noted that there is currently a shortfall of affordable housing in Arun District. Failure to contribute towards affordable housing therefore renders this application as conflicting with the Council's affordable housing policy and the aims and objectives of PPS3 to facilitate increased provision of affordable housing.

It should be noted that the Council are being consistent in taking this approach. A commuted sum has been received for an application for a similar development of tourist accommodation recently approved as planning reference AL/106/10/.

It is therefore recommended that the application is refused for the following reason.

RECOMMENDATION

REFUSE

- 1 The proposed development makes no contribution towards affordable housing provision and is thereby contrary to the aims and objectives of PPS 3, policy DEV17 of the Arun District Local Plan 2003 and the Council's interim affordable housing policy adopted on 18 August 2010