

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** **WA/20/13/****LOCATION:** The Farmhouse
 Eastergate Lane
 Walberton**PROPOSAL:** Conversion of existing stable block into residential 1 bedroom annexe to accommodate a dependent relative**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above. The propopsal involves conversion of a former stable to a residential annexe. The accommodation would comprise a lounge/dining/kitchen area, entrance hall, shower room and bedroom. The existing stable building would be increased in width to the north by 1.2 metres and the roof would be raised and increased in pitch. Additional openings are proposed in all elevations.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Stables are located on boundary . Close boarded fencing to adjacent access road.
SITE CHARACTERISTICS	Detached relatively recent 2 storey farmhouse with brick elevations and plain tile roof. Stables are located within curtilage on rear boundary adjacent to Eastergate Lane. The building to be converted is single storey with stained timber clad elevations.
CHARACTER OF LOCALITY	Predominantly rural characterised by detached farm buildings in a broadly linear arrangement adjacent to Eastergate Lane. Some stables on adjoining site to east have been converted.

RELEVANT SITE HISTORY

WA/82/03/	Two storey extension (Resubmission of previous application WA/73/02)	Refused 10-10-2003
WA/110/03/	Two storey extension (re-submission of previous application WA/82/03).	Approve Conditionaly 08-01-2004

WA/62/11/

Conversion of redundant rural building into single bedroom annexe to accommodate elderly relatives

Approve Conditionally
18-11-2011

REPRESENTATIONS

Representations received:

5 letters of support - Proposal is merely a conversion. Materials would be appropriate. This fits in very well with a conversion on the adjoining site and would be in keeping. The proposed alterations will not spoil the appearance of the lane. This is similar to permission WA/62/11 which was for conversion of buildings to accommodate elderly relatives. The proposed accommodation is of a type and scale suitable for this rural location. This would release another dwelling Arun for occupation by someone else thus positively contributing to housing provision.

1 letter of objection - Brookfield Farm has a covenant agreement over the Farmhouse that it should not be used for any other purpose than as a single residential property in single family occupation. This application would make 2 dwellings. Question the need to convert another building when only 2 people live in the 4 bedroom farmhouse.

Comments on Representations received:

Letters of support agreed.

Covenants are a private legal matter. Current occupation levels of the house are not relevant. The application has not been submitted for overspill accommodation, it is for a dependant relative. Even if current occupancy levels are low they could increase at any time in the future.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary
Class C road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN3	Protection of the Countryside
	DEV2	Conversion of Rural Buildings for Residential Use
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

The Development Plan consists of the Arun District Local Plan 2003.

report

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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 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 proposal is to convert a rural building to residential use. The resultant dwelling would be ancillary to the main dwelling at The Farmhouse and the stable building is located within the residential curtilage.

COUNTRYSIDE POLICIES AND RURAL CHARACTER

The site lies outside the built-up area boundary, but represents conversion of an existing building within a residential curtilage it would not therefore constitute expansion of the built form in the countryside. Its appearance with mainly timber clad elevations would be in keeping with its countryside location and would have no adverse impact on the rural character of the area.

POLICY DEV2

The application falls to be considered under policy DEV2 of the Local Plan. It is compliant with this policy in that

(i) whilst there is no evidence to demonstrate that the building has been, unsuccessfully, marketed for business purposes, it is the intention to use the building for ancillary residential purposes for a dependent relative linked to the main dwelling The Farmhouse.

(ii) the building does not comply with this requirement since it would be significantly altered and extended to the front elevation and the roof pitch and materials would change. However, this needs to be weighted against the fact that the building is within the residential curtilage and the increased domestic appearance would not be inappropriate in this location. In principle a new annexe building of this size in this location as a replacement for the stable block would be acceptable.

iii) The nature of the development proposed will not result in alterations to the appearance of this traditional stable building. Whilst it would involve a raising of the height of the stable by 0.9m and altering the stable openings, the shiplap elevational treatment would remain and the slate roofing would be acceptable. The changes would not alter the agricultural character of the stable building to the detriment of the rural character of the area. The proposal is therefore appropriate to its setting and responds positively to local characteristics.

(v) Traffic and activity levels are unlikely to materially increase as the stable is small only proposing 1 no bed accommodation. Access and parking spaces are to be shared with The Farmhouse.

RESIDENTIAL AMENITY

Given the limited footprint of the dwelling, its ancillary nature and the fact that the building is not sited close to any adjoining residential property boundaries there would be no adverse impact on residential amenity.

AFFORDABLE HOUSING

No affordable housing contributions have been requested since the unit would be occupied by family members and not available on the open market. It is recommended a condition is imposed to restrict the use to purposes ancillary to the main dwelling The Farmhouse.

SUMMARY

The building is located in very close proximity to Brookfield Farm and the conversion of this barn will have very limited impact on the character and appearance of the area and will not result in the introduction of an unrestricted dwelling in the Countryside in conflict with policy.

The application is therefore recommended for approval subject to the following conditions.

FOR APPROVAL

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(the right to respect for 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

In assessing this proposal no negative 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).

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 13065/P101 PI, P102, P100 P1.

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 accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of The Farmhouse, Eastergate Lane as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 and GEN3 of the Arun District 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 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.

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