

Recommendation Report for Planning Permission

REF NO: WA/30/19/PL

LOCATION: Walberton House, The Annexe
The Street
Walberton
BN18 0PJ

PROPOSAL: Application for change of use from part of accommodation of Walberton House to separate self-contained dwelling. This application affects the character and appearance of the Walberton Village Conservation Area and the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to change the use of an annexe as part of accommodation of Walberton House to a separate self contained dwelling.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site has brick walling to the north and east of the site with a gate for access. To the rear there is sufficient planting.
SITE CHARACTERISTICS	The site is occupied by a detached chalet bungalow which has an attached annexe. A detached outbuilding located on the site was given permission for use a separate dwelling in 2017.
CHARACTER OF LOCALITY	The area is predominately residential set within the Walberton Park complex.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Walberton Parish Council

Walberton Parish Council provided no objection.

Conservation Area Advisory Committee provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Natural England

Arboriculturist
Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - The application will therefore reflect the existing character of the immediate local area. The application is considered to not cause harm to the significance of the heritage asset or the neighbouring ones

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary
Tree Preservation Order
Conservation Area

DEVELOPMENT PLAN POLICES

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

DDM1	D DM1 Aspects of form and design quality
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development

Walberton Neighbourhood Plan Policy 2017 VE4	Conservation Areas and Areas of Special Character
Walberton Neighbourhood Plan Policy 2017 VE5	Buildings and Structures of Character

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

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.

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 have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant 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 application site is situated outside the built up area boundary as defined in SDSP2. The proposal however is for the change of use of an existing annexe. Therefore the principle of development is considered acceptable and as such will be assessed against relevant development plan policies.

Walberton has a 'made' Neighbourhood Plan with policy VE4 and VE5 of relevance to the application. The proposal is considered to accord with this policy.

CSP1 refers to land Outside the Built-Up Area Boundaries (as identified on the Policies Maps) and will be defined as countryside and will be recognised for its intrinsic character and beauty. Development will be permitted in the countryside where it is: f. in accordance with other policies in the Plan which refer to a specific use or type of development.

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 HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, proposals should protect the setting of these buildings.

Policy HER DM3 ensures that development will only preserve or enhance the character of the Conservation Area of which they area within, or affect the setting of.

Policy VE4 of the Walberton Neighbourhood Plan states proposals that affect the setting of the two Conservation Areas will not be supported

Policy VE5 of the Walberton Neighbourhood Plan relates to building and structures of character and proposals relating to them will be expected to retain their local distinctiveness and removal of part or all of them will not be permitted unless it can be demonstrated that they cannot be put to an alternative

beneficial or viable use.

DESIGN AND VISUAL AMENITY

The annexe is situated behind sufficient boundary walling and is therefore not visible from the street scene and wider area. The proposed change of use would not involve any alterations to the external elevations of the annexe and therefore it would retain its existing appearance.

Only minor works to erect a fence to enclose the rear garden is required to create a separate dwelling and this is unlikely to be visible from the wider area as a result of its siting.

The change of use is not considered to impact upon the established character of the area as it is predominately residential. The change of use is therefore similar to existing and would not be out of character in the area.

The proposal is not considered to harm the spatial pattern or character of the area and accord with DDM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The annexe has been occupied for a number of years as accommodation and therefore the proposed change of use is not considered to adversely alter in terms of its intensity. There are no additional openings proposed and with the proposed use similar to that which exists and to other residential properties within the locality the change is not considered to give rise to additional adverse harm upon neighbouring amenity as a result.

There are no properties to the rear of the site however a recently converted store situated approximately 10m to the west has permission for use as a dwelling though with sufficient separation and planting at the boundary the change of use is not considered to result in adverse impacts upon this property.

The change of use is not considered to harm neighbouring amenity and considered to accord with DDM1 of the Arun Local Plan.

INTERNAL SPACE STANDARDS

Arun Local Plan policy D DM2 states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance".

Whilst the annexe has existing living accommodation it is necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard).

The requirement for a single storey, 2 bedroom 4 person dwelling is 70m² and the annexe far exceeds this. There is also a large rear garden provided and therefore the property provides more than adequate external amenity space also.

HIGHWAY/PARKING

The dwelling would provide space 2No. parking spaces. No new access is being created onto The Street and as a result is not deemed to adversely impact upon highway or parking in the vicinity.

IMPACTS UPON CONSERVATION AREA

The property is located within the Walberton Village Conservation Area. It is also located in close proximity to a number of listed buildings; Walberton Park, Manor lodge, the gate piers to Walberton Park

and the old vicarage. Within the conservation area there are impressive individual buildings and groups of buildings, of a mixture of age and type. The area is further enhanced by attractive boundary walling (including long sections in flint) and hedges. The application affects a large property in the centre of the conservation area. It is an area where a neighbouring large property has already been subdivided to form a number of apartments. The application will therefore reflect the existing character of the immediate local area. Para 190 of the NPPF requires the LPA to consider the significance of the impact upon that heritage asset. The application is considered to not cause harm to the significance of the heritage asset or the neighbouring ones.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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
 - Location and Block Plan
 - Proposed Plans

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 **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.