PLANNING APPLICATION REPORT

REF NO: **WA/53/10/**

LOCATION: Days
Days Lane
Fontwell Arundel

PROPOSAL: Various extensions, alterations & demolition

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application is to demolish a small modern extension at the rear and reconstruct the wash house, breakfast room extension at the side 4m x 4m. The repair of stables and conversion to tourist accommodation. The reinstatement of original opening. Demolition of porch and erection of glazed link from stables to main house.
SITE AREA	3.64 hectares
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat. The site is on higher ground than the road. Site drops down to side on grazing area.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Flint wall to front and rear, brick to side.
SITE CHARACTERISTICS	Red brick with front in Roman cement. Slate roof. Front modern porch in timber and brick. Traditional timber front door. Sash window 16 pane. On the front wing (brick) is a stone and Gothic doorway. Side wing which has buttresses, and a roof light, Gothic windows. At the rear are single storey rear extensions with tiled roofs. At rear cat slide roof with one ground floor window and one door. Flint at the rear elevation. Rear courtyard with cat slide roof. Rear oil store. Timber shed. Single storey rear pig sty. To the rear of the dwelling and adjacent to Days Lane is a stable block in brick. Cast iron rainwater gear. Side elevation to field is flint with Gothic window and one modern casement window. Internal window shutters. Side vehicular access. To the rear chicken coop and tractor. To the rear of the stables are grazing horses, caravan and geese. Brick timber structure. Shed in dilapidated state for hay.
CHARACTER OF LOCALITY	Rural, with small residential settlement, adjacent to National Trust woodland.

RELEVANT SITE HISTORY

WA/76/04/CLE	Application for a Certificate of Lawfulness for an existing use - use of cottage in grounds as a separate private dwelling house.	Refused 26-11-2004 **Appeal: Withdrawn 03 06 2005**
WA/92/06/CLE	Application for a Certificate of Lawfulness for an existing use of cottage in grounds as a separate private dwelling house	Refused 09-10-2006
WA/48/10/L	Application for listed building consent for various extensions, alterations & demolition	Approve Cond 07-09-2010

REPRESENTATIONS

Representations received:

Walberton Parish Council

No objection. Request a Listed Building Consent application is submitted.

Comments on Representations received:

A Listed Building application has accompanied the planning application.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary
Trunk Road
Class A Road
Listed Building Grade II

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN12	Parking in New Development
	DEV1	Conversion of Rural Buildings for Industrial or Business Use
	DEV34	Tourist Accommodation and Attractions

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS5	Planning for the Historic Environment
PPS7	Sustainable development in rural 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.

The above policies combine to describe the criteria against which the application will be assessed particularly with specific regard to impact upon the Listed Building.

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 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 or the character or setting of the Grade II Listed Building.

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 dwelling is Listed Grade II. It has been left empty for several years post the previous owners death. Therefore the property has become somewhat derelict and is in urgent need for repair and restoration. This application is to demolish a modern rear extension and rebuilding of the wash house at the rear on a slightly bigger footprint and erect a small extension 4m x 4m. The stable block at the rear are to be repaired and converted to tourist accommodation and reinstatement of a side window overlooking the garden area and courtyard.

Policy DEV1 Conversion of Rural Buildings for Industrial or Business Uses
This policy states that proposals for conversion of buildings for business uses outside the built up area will be permitted provided that the building is structurally sound, of permanent construction and capable of conversion without rebuilding or significant alteration or extension. In this case the applicant has submitted a structural survey which states that although the stable block is in a poor state of repair, the remaining walls can be stabilised by the insertion of inner block work and cross walls on suitable foundations with wall ties. Some repairs and repointing with a suitable line based mortar will ensure the structure is sufficiently stable. It is intended to insert a pitched roof to replace the existing flat roof. This will be a visual enhancement and is reinstating a previous pitched roof which were identified on historic records. The existing doors will be replaced in timber and the plastic windows replaced in timber.

The only change to the existing appearance is to insert roof lights on the west elevation. As the pitched roof is a visual enhancement, this is considered to be acceptable.

The resultant building and use will not have an adverse effect on the character of the area given the scale and limited extent of accommodation. The resultant building would be sympathetic to its

rural setting and proximity to the Listed Building in terms of its design and form.

Therefore it is considered that the proposal conforms to policy DEV1.

The change of use to tourist accommodation is considered to be a satisfactory change of use of a rural building particularly as it is in close proximity to the residential property.

PPS7 Sustainable Development in Rural Areas
The policy statement seeks to protect the countryside from unnecessary development, for the enjoyment of all.

Paragraph 31(i) encourages the re-use of existing rural buildings. Therefore the proposal is in accordance with this policy.

PPS5 Planning for the Historic Environment Policy HE9
The Government policy is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life for future generations. This policy states that the historic relationship between places is important to the setting of the Listed Building. In this case the setting of the building is the importance of its relationship to agriculture. It is therefore important that the related extensions and buildings are retained, which is the case here. The hovel and stables are being incorporated into the proposal with the above mentioned change of use.

All internal changes and effects on the Listed Building are dealt with in application WA/48/10/L.

Therefore it is considered that the application accords to this policy.

Visual Amenity
The existing building has become dilapidated as it has remained empty for some 8-10 years. It is in urgent need of repair. The proposed demolition of the rear 20th Century extension would be a visual enhancement. The principal elevation remains unaltered within the street scene. The site can be clearly seen from Dukes Road and it is considered that the replacement of the workhouse with a slightly longer footprint would be a visual enhancement. The proposed side conservatory is proposed to allow the residents to enjoy the garden amenity area which is principally to the side. This is considered to be well designed and be in keeping with the dwelling and therefore visually in keeping with the area. The converted stables will remain unaltered within the street scene apart from the insertion of roof lights. Therefore it is considered that overall the proposal would not result in any significant loss of visual amenity.

Residential Amenity
The dwelling is in the countryside with no immediate neighbours, therefore the proposed alteration to the stables and the extensions will not result in any significant loss in residential amenity.

Summary
The proposed alterations and extensions to the Listed building would not result in any significant loss of visual or residential amenity. It would be a visual enhancement to restore this dilapidated building which itself is visually prominent within the street scene. The proposed change of use is in accordance with policies and will not result in any significant loss of amenity. It is therefore recommended that the application is approved subject to the following conditions.

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 This permission relates to the following approved plans PO15/L001, PO15/P011(C), PO15/P001, PO15/P005, PO15/P002, PO15/P012(B), PO15/P004, PO15/P005, PO15/P013(D), PO15/P014(F), PO15/P007, PO15/P006, PO15/P018(A), PO15/P017(A), PO15/P016(F), PO15/P015(E)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and setting of the the Listed Building by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

4 No development, demolition or alterations to buildings shall take place until details indicating how suitable provision will be made for bats'/owls' habitats have been submitted to and approved by the Local Planning Authority and such habitats shall be secured/provided before development commences and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To safeguard the ecology of the area, and in the interests of bats/owls to ensure that a habitat remains for them during and after development in accordance with policies GEN30 and DEV2 of the Arun District Local Plan.

5 The tourist accommodation hereby approved shall be used for individual lets for up to and no more than 28 consecutive nights. Upon the tourist use ceasing, the accommodation shall be solely used as ancilliary or incidental accommodation in connecting with the main dwelling at The Days.

Reason: To preserve the availability of the accommodation as a holiday let in accordance with policy DEV34 of the Arun District Local Plan and to prevent the establishment of permanent dwellings in the open countryside in accordance with policies GEN3 and GEN7 of the Arun District Local Plan.

6 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY
This planning permission is granted because it complies with the policies listed below in

that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN3,GEN7,GEN30,DEV1,DEV34

NATIONAL POLICIES: PPS1,PPS3,PPS5,PPS7,Good Practice Guide on Tourism

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

7 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amendd) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.