expires 16/1
(subject to S106)

Development Control – Delegated Officer Report

Application Number: ADC/0546/08 **Recommendation - Application Permitted**

Site: **Dovecote Cottage Upper Brighton Road Sompting Worthing**

Proposal: **Conversion of workshop, store and 3 covered parking bays into ancillary habitable accommodation (retrospective)**

The Application

The application relates to former farm buildings in an 'F' shape located on the south side of Upper Brighton Road to the west of Sompting village. The buildings are single storey and comprise former cow stalls and a cart shed, flint-built.

Planning permission was granted in 1996 for the change of use and associated alterations to convert the buildings into a four bedroom dwelling (S/9/96). Work on the conversion has been slow but it appears to be nearing completion. The part of the building subject of this application is the northernmost wing of the 'F' shape which was originally approved for use as a workshop/store and 3 open fronted covered parking bays. Planning permission was subsequently granted in 2004 for the installation of rooflights on the southern roofslope of the building (S/18/04).

This application seeks retrospective consent for works to the building to convert it into living accommodation. The works comprise the formation of a kitchen, dining area and games room on the ground floor with 2 ensuite bedrooms in the roof space. The open fronted bays have been infilled with flint, brickwork and timber boarding. The applicant has stated that the accommodation is not intended to be a separate dwelling but is to be used for incidental purposes to the main dwelling.

A previous application (ADC/0286/08) was refused as it was considered that the development was tantamount to the formation of a separate dwelling in the countryside. However, on that occasion, there was a lack of clarity as to the final use of the building and no legal agreement was in place to secure its use as ancillary accommodation. This application differs in that the applicant has confirmed that it is to be used as ancillary accommodation and has agreed to enter into a legal agreement to ensure that the building remains in single ownership and is not sold separately.

Consultations and Representations

Consultations/Comments

None

Third Parties

ADCAG – Fully support the Council's view on the previous application (i.e. object to the proposal)

Sompting Parish Council – No objection

1 letter of support received from the occupier of 2 Westout Cottages stating that the buildings have been converted sympathetically and it has improved the appearance of the area

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, LOC2, CH1, CH3, CH4, DEV1
Adopted Adur District Local Plan 1993 – 2006 (ADC 1996) (saved policies): AG1, AC1, AC4, AC9, AB4, AH7
PPS1 'Delivering Sustainable Development (ODPM 2005)
PPS7 'Sustainable Development in Rural Areas' (ODPM 2004)
PPG15 'Planning and the Historic Environment (DoE 1994) and Circulars 01/01 and 09/05

Planning Assessment

Policies

Policy CH3 of the Structure Plan and Policy AC4 of the Local Plan lists 'strategic gaps' of countryside separating built-up areas (including that between Lancing and Shoreham in which the site is located) in order to preserve the separate identity and character of the settlements concerned. It states that any development which would undermine this objective or lead to the actual or perceived coalescence of settlements should not be permitted.

Structure Plan policies seek to protect, and where possible, enhance the character and distinctiveness of an area, requiring high standards of design, layout and construction (DEV1). Within conservation areas the aim is to preserve or enhance the character and appearance of the area, as set out in policy CH4.

Policy AC1 of the Adur District Local Plan seeks to protect the countryside from development which does not need a countryside location and states that permission will not normally be granted for the extension of isolated groups of buildings or the consolidation of linear or sporadic development. AC7 allows new residential accommodation in the countryside provided it is required in connection with agriculture or another essential rural activity.

Policy AC9 of the Local Plan states that the conversion or change of use of buildings in the countryside will be permitted provided, among other criteria, that they are structurally sound and conserve the character, fabric and setting of the buildings. Priority is given to small-scale commercial uses over residential uses. Policy AB4 requires a high standard of design and construction materials such as to preserve or enhance the character and appearance of the conservation area.

Government policy is set out in Planning Policy Statement PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be accepted.

Visual amenity and character

The works front an internal courtyard and are not visible from outside the site. Consequently, they do not have a wide visual impact. While the works involve the loss of the original open fronted bays, the infilling has been carried out using sympathetic matching materials and is in keeping with the other buildings.

The works result in there being 2 kitchens, 2 dining rooms and 6 bedrooms in total at the property. The applicant has stated that it is intended to use the additional accommodation as an annex for a family member. However, it is quite capable of being used as a stand alone unit of accommodation, being physically separate from the main dwelling, and the applicants have agreed to enter into a legal agreement to prevent the accommodation from being sold separately.

Residential amenity

The buildings are quite separate from neighbouring dwellings and the proposal will not result in any adverse impact on residential amenity.

Access and Parking

There is sufficient space within the site to provide additional car parking where required.

Recommendation

Subject to the satisfactory completion by 16 January 2009 of a S106 legal agreement securing the use of the building hereby approved as ancillary habitable accommodation. APPROVE for reason that :-

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Subject to:

1. The existing walls within the curtilage of the site shall be retained and repaired prior to the occupation of the accommodation hereby approved and, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (and amendments thereto) no gate, fence, wall or other means of enclosure shall be erected unless permission is granted by the Local Planning Authority in an application on that behalf.
   Reason – In the interests of the character and appearance of the site and its surroundings and having regard to policies AC9 and AB4 of the Adur District Local Plan and CH4 and DEV1 of the West Sussex Structure Plan
2. C18B (amended) Add after "extended" "or altered externally in any way".
   Reason (amended) – Policies AC9 and AB4; CH4 and DEV1

Case Officer..... Date..15/1/09

15/1