Expiry Date - 08/04/2014

Development Control – Delegated Officer Report

Application Number: AWDM/0016/14 **Recommendation – Refuse**

Site: **Little Vines West Street Sompting Lancing**

Proposal: **Demolition of existing workshop and construction of garage/workshop accessed via lane to the east.**

Site and Surroundings:

The application site comprises the detached house Little Vines; its long more established, deep rear garden; a more recent enlargement of the rear garden to the east (garden annexe) and a private track running to the east of the above garden annexe.

The site of the proposed new garage/workshop is the east side of the garden annexe adjacent to the track on the site of the now demolished, former derelict packhouse shed variously described as garage/store/workshop.

The application site lies in Sompting village at the eastern end of the historic part of the settlement and is adjoined by a Victorian detached house to the west with deep rear garden merging into the countryside (reportedly in part acquired from a now defunct nursery-see below) and a short Victorian terrace of cottages with shallower rear gardens.

The Marquis of Granby PH stands to the north east, virtually opposite at the junction of West St with Church Lane.

To the south and east of the site is functional countryside, typified by a patchwork of open fields and hedgerows with sporadic small outbuildings, chiefly serving the horseyculture uses in the immediate area and larger more open arable fields to the south. The area was historically used for horticulture, typically watercress beds.

The track to the east of the garden Annexe is unmade for all the first few metres and unadopted. It serves a large livery stable (approved under AWDM/0464/11) based around a large modern building and the grazing fields in the immediate area, as well as a small electricity substation opposite the garden annexe and a pair of detached garages linked to a pair of 190s semis to the east of the track and the adjacent fields. The track peters out to the south. The livery stable replaced some large semi derelict former agricultural buildings.

The character of the area is rural fringe countryside, albeit containing the historic Sompting village.

The ground slopes gently from north to south.

Little Vines is a large house with car port at the side and hardstanding in front. It was originally built as Keewatin in 1968 under outline permission S/21/64 and approval of reserved matters S/61/66 in association with an adjacent nursery.

Its functional separation from the nursery as a discrete dwelling was recognised under a 2009 Certificate of Lawfulness (ADC/0255/09) as it had not been use as such since 1988 and no condition was imposed on the original planning permission to restrict such occupation. The curtilage of the dwelling as defined in the issued certificate was restricted to only the immediate area behind the house in recognition of the actuality of use. The remainder and the part to the east (subject of the current application i.e. garden annexe, including the (former packing) shed) was excluded. Part of the nursery area to the west had been previously separated and sold off to the house to the west.

A conservatory has been added at the rear.

A poplar tree protected by a Tree Preservation Order was felled in the garden annexe in 2007 on the eastern side of the land close to the proposed site of the new building and a replacement tree required to be planted (unimplemented). The large stump is a feature of the site, close to the proposed new building.

The southern most part of its current garden is more informal and less domesticated than the more managed area immediately behind the house, and more akin to a field and accommodates play equipment.

The garden annexe was later added to the garden defined under ADC/0255/09 in 2010, by means of ADC/0298/10. A condition was imposed removing Permitted Development rights for the construction of any incidental building to preserve the rural setting.

The garden annexe is linked to the main garden by a small grassed bridge over a small stream which runs underneath West St and emerges in the garden annexe and runs align the boundary between the main garden and the garden annexe. The annexe garden is somewhat overgrown with the character of a separate field rather than a garden. It is separated from the main garden by a fence and hedgerow and the derelict remains of the former aforementioned packing shed, now described as garage/workshop are found in the eastern part , close to the track and just to the south of an existing farm style gate.

The boundary with the east most cottage at 4 Southview Terrace is formed by sheds belonging to the neighbour, fence and vegetation.

Little Vines itself and around half of its established rear garden are within the Sompting Village Conservation Area. All of the village including the

application site is designated as countryside – outside the built up area and forms part of the strategic gap between the settlements of Worthing and Sompting.

Description of Development

The application is to build a new garage and studio on the garden annexe. The location is similar to the collapsed former packhouse (given as 4.6 ms long 3.4 ms to ridge/2.3 ms to eaves and 3.7 ms wide) but the new building is substantially larger (7.7 ms long; 5ms ridge/2ms eaves; and 5.1 ms wide) with a floorspace of just under 40 sq ms .

The new building is set off the eastern boundary by between 500mms and 1 metre. Its principal elevation is west where a pair of double doors serving the single (sub divided) garage and bi folding four glazed French doors face Little Vines. The southern elevation is wholly glazed including gable. The north elevation which is hipped is faced in timber weatherboarding. The east elevation looks out onto the track and contains a pair of high level windows as well as a conservation style rooflight. The roof is faced in plain tile. Just under 25 sq ms of the building is for non garage purposes- just under 4ms for storage and the remainder for "studio". The agent describes this as ; *The new building will be used by the owners as an extension to the main house, Studio being the catch all description for store and games room etc. no commercial use intended in any way.*

The Design and Access Statement indicates that

d. The new building will be accessed from the house via the garden and protected covered way, across the access bridge into the garden.

e. All services to the new building will be from the main house ducted for safety and security.

f. Drainage from the new building will be via a pumped manhole system to the drains to the house.

The layout has been kept basic, facilities will be provided as the studio develops, with drains and all services attached to the main house.

The area of the garden including the new drive on the site will be landscaped to enhance the natural features on the site. The free flowing stream running through the site will be tidied and the pond cleared. The main areas will be of lawns and with softwood sleepers to protect critical areas.

A new bridge is referred to in the plans but no details are shown. No hard surfacing to forma an access track is shown.

The proposal was the subject of pre-application advice which stated that:

This lies outside of the development boundary and in the strategic gap and also adjacent to the Conservation Area. Permitted Development rights have been removed here so all out buildings require express planning permission.

I do not know the provenance of the existing building here but any increase in size/activity in such circumstances would be viewed critically to retain the open character of the area as the urban boundary here is quite pronounced and the building proposed would I, in my view, erode the rurality of the countryside, contrary to policy .

Quite apart from the above, the building is large and I would be sceptical over its long term use – it could convert to a dwelling without too much difficulty. A new dwelling would be resisted strongly.

There are Tree Preservation Order trees on the site and these would need to be safeguarded- I am unclear if there is clash here.

It is unclear if the building is to be a freestanding commercial building or incidental to the house. Impact on the neighbour from use of the access and the operation of the use would need to be carefully considered. The design, in itself, may not be problematic , subject to the above.

I am not aware of any compelling arguments as to need either.

The proposal is highly problematic.

Date of Site Visit:

17.2.14

Neighbours Checked:

Y / N

Representations And Relevant Consultation Responses:

Sompting PC:

The Council objects to this application due to:-
It is an infringement of the strategic gap.
It is in a conservation area (or immediately adjacent to it) and is detrimental to the amenity of the area.
It asks that there is a condition placed on the approval (if granted) that the garage is for non - business use.

Conservation Area Advisory Group: Approve

Environmental Health Officer: no objections

Highway Authority

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Local Development should be considered to be advice only, with respect to this planning application.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments.

From the supporting information and from evidence available on OS it appears that garaging and servicing has existed previously at the site for a number of years. Whilst both the existing and former use may have resulted in some short term parking on West Street, the site does appear to benefit from an access with a good level of visibility. In addition no accidents have been recorded at this point of access. Therefore the proposal is unlikely to materially alter the traffic patterns to and from the site.

Drainage Officer

The site lies within flood zone 1 and within areas identified to experience surface water flooding. The area of highway immediately south of the Marquis of Granby Pub is currently under water which is issuing from a series of springs located in the area. Much of this spring water is flowing down the access track to the east of the property, running into the area of the proposed development.

Rainwater from the roof of proposed development and any associated hard standings should be discharged to either a soakaway or directly to the adjacent stream. Soakaways will obviously back up and fail to operate properly when there are high ground water levels, this may lead to the surrounding area becoming boggy hence the need for hard standings which are not currently indicated..

I note from the application drawings that a bridge is proposed - providing this is a clear span then the proposal is acceptable but if there is an intention to introduce culverts then an application to WSCC will be required for consent to install these. I further note that the applicant intend to clear the ditch and the pond this is a riparian requirement and should be undertaken regardless of the success of the application.

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Relevant Planning Policies:

Saved Adur Local Plan Policies; AC1; AC4; AB4, AH7, AP7
Revised Adur Draft Local Plan Policies 2, 10, 14, 15, 28, 30, 31, 34 and 35
The National Planning Policy Framework
National Planning Practice

Planning Assessment:

The main issues raised by this proposal are:-

Principle of development in the countryside/strategic gap and impact on such

Impact on the amenity of neighbours

Visual impacts including Conservation Area

Access.

Principle of development in the countryside/strategic gap and impact on such

The starting point for assessing the application is the Development Plan. Saved Local Plan policies AC1 and AC4 resist new development outside the development boundary in the countryside and strategic gaps, unless essential for quiet recreation; horticulture, agriculture or forestry, subject to design quality and minimising visual impacts. This is in order to protect the countryside for its own sake and to prevent the coalescence of the adjacent urban areas in pursuit of the wider spatial strategy and in the interest of sustainability.

The relevant parts of the National Planning Policy Framework, taken as a whole, are supportive of this stance. Whilst the presumption in favour of sustainable development is the golden thread running through the guidance, Paragraph 17recognises the intrinsic character and beauty of the countryside, whilst paragraph 109 protects and enhances valued landscapes and paragraphs 17; 111 give priority to brownfield land over greenfield sites and paragraph 114 seeks to plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.

The Revised Draft Adur Local Plan is still emerging but, rooted in the approach of the National Planning Policy Framework and sympathetic to the spirit of the Adopted Local Plan, some weight may be drawn from Policies 2,

10 and 20. These effectively retain the current strategic gap as protected a local gap and countryside outside of the built up area boundary; resist development which results in the coalescence or identity of settlements, and, in particular, seeks to safeguard the character and countryside location of Sompting Village; and protects local green gaps between Sompting/Lancing and Worthing as green infrastructure.

Whilst the benefits to the householder of the proposal are noted, the proposal fails when judged against this framework due to its location; its greenfield status; and size, design, siting and potential and consequent harmful impacts. These are elaborated below.

First and foremost, unsuitable location. The site lies in the countryside, outside of the defined development boundary. Its situation is characterised as rural fringe in a recognised Strategic/Local Green Gap and contributes to this scenically vital green infrastructure preventing urban coalescence and helping define local identities. It is readily visible from Sompting village and the adjacent network of tracks and countryside. Historically, it has been part of a horticultural holding and has incrementally become severed from this and domestically attached to Little Vines only in very recent times. It is visually, integral and strongly related to the surrounding countryside and its shape and boundaries reflect historic field plots.

Secondly, the application site is essentially greenfield land with the character of an open small field rather than a domestic garden and is relatively remote from the main functional garden area of Little Vines. It has only accommodated a small lightweight shed in the past and this has now collapsed.

Thirdly, its size, design, siting and potential suggested by its characteristics, and harmful impacts . Objectively, the new building is large- wide and tall and sited very close to the track. It would dwarf any of the sheds in the rear gardens of the nearest residential properties. The activity likely to be generated by such a building is quite significant in a relatively quiet part of the rural fringe – lighting, noise etc and would impact on the rural ambience. Furthermore, the design and orientation of the building would also require extensive hard surfacing to enable a vehicle to access and manoeuvre into the garage. This is not shown but would urbanise the site still further. The proposed bridge could add to this.

Additionally, the development's particular characteristics are also suggestive of other potential aspirations which require comment. Whilst the proposed building is described by the applicant as a garage and studio for use in connection with Little Vines, it is the size of a large studio flat and the building is tall enough to easily insert an upper floor of at least 10 sq ms. Its design is far from a utilitarian, functional outbuilding; rather, it would benefit from all services and its architectural design is urbane and very domestic; indeed, akin to a small house or cottage, with its extensive glazing, stylish rustic architecture and facing materials. Under Building Regulations, a standard of construction very similar to that required for a new dwelling would result, save

perhaps for thermal insulation. The building is remote from the main house and its value as a summer house so close to the track seems limited. It would read as an independent dwelling regardless of its actual use, adding to its anomalous character, regardless of its rustic character. A building of the design and size proposed could set a precedent for a subsequent application for an independent new dwelling.

In this light, the application would appear visually anomalous and obtrusive and erode and fragment a vital part of the rural fringe in the countryside and green infrastructure. Accordingly it does not qualify as sustainable development under The National Planning Policy Framework and the harm significant and demonstrably outweighs any benefits that may arise.

Finally, it should be noted that, in many ways, the current application was anticipated under the planning permission ADC/0298/10 in imposing a condition removing permitted development rights for outbuildings. The current may be viewed in the context of the planning history of the decline and break-up of the former nursery and functional separation of Little Vines and acquisition of the garden annexe.

Impact on the amenity of neighbours

The new building is somewhat remote from the nearest houses and orientated so that the animated elevation face away from their gardens. Some marginal increase in traffic could arise, but, given the usage of the track, not significantly.

Visual impacts, including on Conservation Area

Paragraphs 126 to 134 of The National Planning Policy Framework safeguard heritage assets including the setting of Conservation Areas. The character of the small linear historic core of Sompting Village derives from its countryside setting. The green space around the village retains a strong rural identity and merges with the actual settlement in a very informal and indented fashion. The proposed building by reason of its size and siting would anomalously erode this setting and identity by encroaching into countryside.

The architectural design of the building itself, is relatively sympathetic in its palette of material and shape but this does not mitigate its harmful impacts due to its size. Furthermore, its appearance as an independent dwelling would add to its anomalous character.

Access.

Access rights to use the track exist and the increase in usage would be marginal.

Manoeuvring to access the garage would be awkward but not impractical.

The need for the garage to park a car is questionable as a car port exists at the side of the Little Vines with hardstanding space for a further car

The Highway Authority raises no objections.

Other environmental Impacts

Drainage issues are described by the Drainage Officer in his comments. Residuals impacts may be addressed by condition.

Recommendation

Refuse for the reason:-

The proposal would by reason of its design, size and siting appear visually anomalous and obtrusive and erode and fragment a vital part of the rural fringe in the countryside and green infrastructure and harm the characterful rural setting of Sompting Village Conservation Area. Accordingly it conflicts with Saved Adur Local Plan Policies; AC1 and AC4 and The National Planning Policy Framework and fails to qualify as sustainable development.

Is recommendation contrary to any representations? N

Case Officer signed: P. Devonport Date: 2.4.14

Authorised and signed by: Gary Peck Date: 2 April 2014

IS RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION? y