

Parish:  
Sidlesham

Ward:  
Sidlesham

**SI/16/01058/FUL**

**Proposal** Change of use from agriculture to 1no dwelling (C3 use class) and erection of pitched roof over building, alternative to part 3, class Q prior approval SI/15/03438/PA3Q.

**Site** 83 Fletchers Lane Sidlesham West Sussex PO20 7QG

**Map Ref** (E) 484610 (N) 99238

**Applicant** Mr S Heath

**RECOMMENDATION TO PERMIT**



**NOT TO  
SCALE**

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## **1.0 Reason for Committee Referral**

Parish Objection - Officer recommends Permit

## **2.0 The Site and Surroundings**

- 2.1 The site is located to the eastern side of Chalk Lane, in a countryside location, to the north west of the settlement of Sidlesham. It comprises a number of single storey former agricultural buildings and an associated residential dwelling to the south of these buildings. The building subject to this application is a single storey flat roof building, constructed with block brick. Vehicular access to the site is via a private track from Fletchers Lane, situated between the dwelling and agricultural buildings.
- 2.2 Directly to the north of the site is land also within control of the applicant. To the east is open countryside. There is a scatter of residential and horticultural development along Fletchers Lane. The area maintains a rural appearance.

## **3.0 The Proposal**

- 3.1 The proposal seeks to improve on the development approved under Part 3 Class Q Prior Approval Application, reference (SI/15/03438/PA3Q) for the change of use of the agricultural building into residential accommodation. It proposes to alter the existing flat roof to a pitched slate roof.

## **4.0 History**

15/03438/PA3Q      YESPAP      Part 3, Class PA3Q: Change of use of agricultural building to 1 no. dwelling (C3 Use Class).

## **5.0 Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
South Downs National Park	NO
EA Flood Zone	NO
Historic Parks and Gardens	NO

## **6.0 Representations and Consultations**

### Parish Council

- 6.1 Sidlesham Parish Council discussed the above Planning Application at its Planning Committee Meeting on 20th April 2016. The Parish Council object to this Application. It objected to the original change of use and commented that the buildings were considered to be built to substandard specifications and unsuitable for conversion. The Council now believes the changes requested confirm this assumption. The extent of the residential curtilage of the converted building is unclear from the planning statement

and if different in area or location from that shown in the original change of use, will need a further application. The council would wish noted its ongoing concerns over the impact these residential units, if allowed under the agricultural change of use legislation, will have on an already overloaded foul drainage system.

## **7.0 Planning Policy**

### The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Sidlesham.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 33: New Residential Development

Policy 39: Transport, Accessibility and Parking

Policy 40: Sustainable Design and Construction

Policy 45: Development in the Countryside

Policy 46: Alterations, Change of Use and/or Re-use of Existing Buildings in the Countryside

Policy 47: Heritage

Policy 48: Natural Environment

Policy 49: Biodiversity

Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas

### National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

*For decision-taking this means unless material considerations indicate otherwise:*

*- Approving development proposals that accord with the development plan without delay; and*

*- Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

- 7.4 Consideration should also be given to paragraph 17 (Core Planning Principles), sections 7 generally.
- 7.5 The government's New Homes Bonus (NHB) which was set up in response to historically low levels of housebuilding, aims to reward local authorities who grant planning permissions for new housing. Through the NHB the government will match the additional council tax raised by each council for each new house built for each of the six years after that house is built. As a result, councils will receive an automatic, six-year, 100 per cent increase in the amount of revenue derived from each new house built in their area. It follows that by allowing more homes to be built in their area local councils will receive more money to pay for the increased services that will be required, to hold down council tax. The NHB is intended to be an incentive for local government and local people, to encourage rather than resist, new housing of types and in places that are sensitive to local concerns and with which local communities are, therefore, content. Section 143 of the Localism Act which amends S.70 of the Town and Country Planning Act makes certain financial considerations such as the NHB, material considerations in the determination of planning applications for new housing. The amount of weight to be attached to the NHB will be at the discretion of the decision taker when carrying out the final balancing exercise along with the other material considerations relevant to that application.

#### Other Local Policy and Guidance

- 7.6 The aims and objectives of the Council's Sustainable Community Strategy are material to the determination of this planning application. These are:

B1 - Managing a changing environment  
D3 - Housing fit for purpose

### **8.0 Planning Comments**

- 8.1 The main issues arising from this proposal are:

- i. Principle of Development
- ii. Impact on character of the area
- iii. Biodiversity

#### Assessment

- i. Principle of Development
- 8.2 The principle of the change of use has been established through the granting of prior approval application SI/15/03438/PA3Q, for the change of use of the agricultural building to residential. This assessed the proposal against the limitations as contained within the Part 3 Class Q of the General Permitted Development Order 2015. This includes highways, contaminated land, flooding, noise and design issues. It also assessed whether the building would otherwise be impractical of conversion and whether it would be structurally capable of conversion. In granting the application for prior approval, this accepted the limitations of the General Permitted Development Order 2015 where complied with.

- 8.3 The residential curtilage of the dwelling is restricted to the red line boundary of the approved plan (Sheet 1 Location Plan) and covers the same area as permitted under the prior approval application. The curtilage has been restricted by planning condition.
- 8.4 Subsequently, the residential use of the building under application SI/15/03438/PA3Q could be implemented without further need for consent. This is a material consideration and carries weight in the assessment of the current application.

ii. Impact on character of the area

- 8.5 The existing building is rectangular in form, with block brick walls and a flat roof. One of the Part 3, Class Q criteria is that the building must not extend beyond the existing. This means that no changes can be made to enlarge the building. This application seeks only to erect a pitched roof over the flat roof. The pitch would be low at 30 degrees and slate tiles would be used.
- 8.6 In forming a pitched slate roof it is considered that the building would represent a visual enhancement to the character and appearance of the rural area it is located within. The use of slate tiles would tie in with the rural location and it is considered that the low pitch of the roof is modest and thereby in-keeping with the scale of the overall development. Overall it is considered that the proposal for a pitch roof would result in a significant visual enhancement to the host building and the character of the surrounding rural area.

iii. Biodiversity

- 8.7 The site lies within the 5.6km buffer of Chichester Harbour, a designated Special Protection Area (SPA), Solent Maritime Special Area of Conservation (SAC), Ramsar site, and a Site of Special Scientific Interest (SSSI). The LPA has a duty to protect this area under the Habitat Regulations and through the NPPF and policy 50 of the adopted Local Plan. Residential development within this buffer could have a significant effect on the features for which the site is internationally and nationally designated. As set out and explained in the Interim Statement on Development and Disturbance of Birds in Special Protection Areas and identified Compensatory Habitats, each proposed site for residential occupation attracts a charge of £176 to off-set recreational disturbance and fund mitigation within the harbour. This applies to all sites for residential occupancy including gypsy and traveller sites and affordable housing. The applicant has agreed to pay this fee.

Significant Conditions

- 8.8 As the application derives from a prior approval application, whereby the building has no permitted development rights, it is considered proportionate to remove permitted development rights in this regard. In addition, the conditions contained attached to the decision for the prior approval have been included as part of this recommendation.

## Section 106 Agreement

8.9 This development is liable to pay the Council's CIL charge.

## Conclusion

8.10 Based on the above assessment it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

## Human Rights

8.11 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

## **RECOMMENDATION PERMIT**

- 1 A01F Time Limit - Full
- 2 B01G No Departure from Plans
- 3 U01958 - materials
- 4 U01959 - curtilage
- 6 U01961 - cycle parking
- 7 U01962 - parking
- 8 U01963 - no extensions
- 9 U01960 - fuels
- 10 U01964 - no outbuildings
- 11 U01965 - no windows or doors
- 12 U01966 - boundary treatments

## INFORMATIVES

- 13 W01F Disclaimer - Other Consents
- 14 W36H Wildlife
- 14 W44F Application Approved Without Amendment

For further information on this application please contact Caitlin Boddy.