

Parish: Southbourne	Ward: Southbourne
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SB/16/03751/FUL

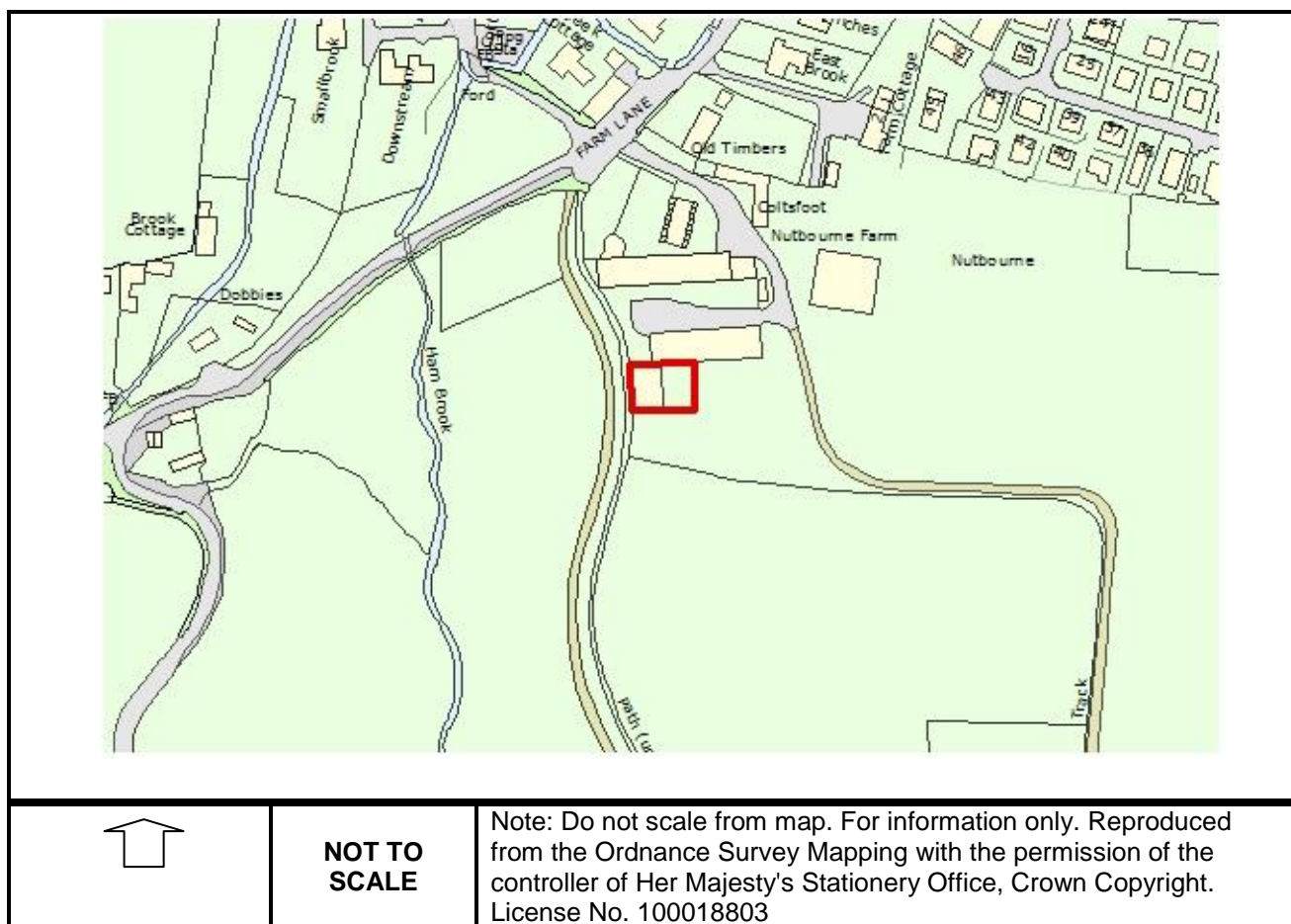
Proposal Change of use of existing storage building to a 2 bed holiday let.

Site Nutbourne Farm Barns Farm Lane Nutbourne PO18 8SA

Map Ref (E) 477751 (N) 105322

Applicant Mrs A Walter

RECOMMENDATION TO PERMIT



1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

- 2.1 The application site falls outside of the Settlement Boundary (SB) and therefore comprises a countryside location. The application site falls within the Chichester Harbour Area of Outstanding Natural Beauty (AONB) and local designated walking routes are present to the south, within walking distance. Adjacent to the western elevation of the building is a public footpath which provides pedestrian access to the waterfront of the AONB.
- 2.2 The application site comprises 1 no. existing storage building within an existing agricultural farmstead. The building comprises a single storey building with mono pitched roof. The elevations of the building are clad with metal sheeting. A timber post and rail fence identifies the formal curtilage of the building. The building is accessed via an internal private road within the Nutbourne Farms boundary. The private access road within Nutbourne Farm serves both the existing farmstead buildings and a number of existing agricultural buildings that have since been converted to residential use.
- 2.3 The application site falls within Flood Zones 2 and 3 and the Chichester Harbour AONB. There are no further local or statutory designations that implicate upon the determination of the application.

3.0 The Proposal

- 3.3 The application proposes the change of use of the existing agricultural storage building to a 2 bed holiday let at Nutbourne Farm Barns, Farm Lane, Nutbourne. The application building comprises a mono pitched roof with taller eaves on the eastern elevation. The plans detail the insertion of new glazing and cladding of the existing walls. Forward of the eastern elevation would be an un-metalled road and associated turning area, cycle store and garden area. The plans detail the insertion of new roof lights and solar panels in the mono pitched roof.

4.0 History

93/01466/LBC	REF	Conversion of disused agricultural barns to 1 dwelling, B1 industrial use and offices.
93/01474/FUL	REF	Conversion of disused barns to 1 dwelling, B.1 industrial use and offices.
96/00839/FUL	WDN	Re-use of redundant farm buildings as a managed livery stable for 18 horses, a dwelling, office, stores, tack room together with parking, an exercise yard and grazing.

96/00880/LBC	PER	Change of use to livery stables. Insertion of loose boxes within existing floor space. Demolition of modern additions to Barn B and alterations to form office/store/tackroom. Alterations to Barn C to form dwelling.
97/01273/COU	PER	Partial use of barn by P Carrell & K May for the repair/servicing of farm machinery not used on Nutbourne Farm.
03/02949/FUL	REF	Use of farm buildings as managed livery stables for 18 no. horses, ancillary stores and facilities, together with parking and an exercise yard.
03/02950/LBC	PER	Retrospective application for insertion of rooflights, replacement cladding and windows. Non-structural partition walls and alterations to Barn B.
04/02319/FUL	PER	Use of farm buildings as managed livery stables for 16 no. horses, ancillary stores and facilities, together with parking and an exercise yard.
09/04602/FUL	PER	Re-use of redundant stable block to provide a single dwelling.
10/01436/NMA	PER	Non-material amendment to planning permission 09/04602/FUL. Amendments to internal layout, provide new windows and rooflights.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	YES
Strategic Gap	NO
Tree Preservation Order	NO
South Downs National Park	NO
EA Flood Zone	
- Flood Zone 2	YES
- Flood Zone 3	YES
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Southbourne Parish Council

Objection

There is insufficient information provided on what effectively is a demolition and new build rather than a change of use.

Officer note: Subsequent information has been provided on 14 June 2017 detailing the building's capability of conversion.

6.2 Chichester Harbour Conservancy

Recommendation - No objection, subject to implementation with the specified building materials, that no obstruction of the adjoining public footpath occurs during the adaptation of the building and that a condition would be applied preventing use as a separate dwelling within Class C3.

I made a site visit 1.12.16 and viewed the site from the public footpath adjoining the site and wider views at distance further down Farm Lane.

Pre-application discussions were had with the applicant's agent 16.2.15, where I suggested a business plan be developed to demonstrate the use would be viable and that this also demonstrates this agricultural building is not vital to the operation of the farm. I also wanted to know where the 'curtilage' of the holiday let would be: that has been demonstrated with the red line location plan and appears modest enough to provide some adjacent amenity space and car parking.

The only material changes in circumstance since the Conservancy expressed its support in principle have been the adoption of a Neighbourhood Plan and greater sensitivity to the

'dark skies' agenda has evolved through the Conservancy's Planning Principle 09: this is a rather secluded part of the AONB and there may be some longer, distant views from the Harbour.

The existing building appeared structurally sound and its western edge is the boundary wall that abuts the public footpath.

An adaptation of the building proposed with enclosure of its eastern edge, with similar building materials to the rest of the structure.

The building already is in the AONB landscape and seen in the context of other farm buildings.

Policies 43-44 and 46 are considered most relevant, but other Policy matters and guidance are listed below.

It is noted that the NFU fully support the proposals and that paragraph 28 of the NPPF supports farm diversification. The holiday let would be well placed in terms of connection with public footpaths to explore and enjoy the AONB and would no doubt appeal to those seeking a tranquil break/walking holiday.

The proposal still has the support of Conservancy Officers, but with one small caveat. Because of the concern about light pollution in secluded areas at night, some mitigation of the skylights proposed to the main habitable space could be considered. Their replacement with windows in the south elevation should be considered by the applicant. If privacy for occupants is a consideration, these could be high level windows.

6.3 CDC Economic Development Service

The Economic Development Service recognises the importance of the agricultural sector to the economy and support re-use of redundant agricultural buildings. As the majority of the business is run from their Hayling Island base, this building would appear to be surplus to requirements at this site. The provision of tourist accommodation will keep this site in economical use.

The South East attracts the highest tourism spend for any region outside London. In Chichester District, tourism and leisure generates significant direct expenditure and is the largest private sector employer. According to Visit England data, tourism produces the following in Chichester District:

- 5.2 million day trips each year generating a spend of £144 million
- 405,000 'staying' trips each year, equating to 1.3 million 'bed nights', and generating a spend of £75 million
- C. 7,500 jobs in tourism and leisure, plus numerous 'support' jobs

For these reasons, The Economic Development Service supports this application.

6.4 Natural England

No objection.

6.5 Third Party Objection

Four letters of objection have been received, raising the following issues;

- a) unsuitable access (single track) for construction and use of the development;
- b) construction vehicles likely to damage track;
- c) insufficient parking in the locality to accommodate the development;
- d) not enough capacity in the foul drainage network;
- e) waste from nearby stables would result in an unsatisfactory living environment & pose a risk to children's health;
- f) concern that the applicant has close professional ties to officers of CDC;
- g) not part of a farm diversification scheme;
- h) project viability calculations are incomplete – raises questions over use of building if holiday let fails – could be used as long term lets by the applicant's family;
- i) could lead to further expansion of holiday lets on the site in the future;
- j) unsure proper notification has been undertaken;
- k) sensitive designations and public rights of way are in close proximity to the site; and
- l) existing vegetation has been removed.

6.6 One letter of support has been received, making the following comments;

- a) welcoming visitors to an otherwise derelict corner of the farm, will encourage management decisions favourable to the landscape and wildlife objectives of the Harbour;
- b) will be an enhancement enhanced the site's amenity and wildlife value;
- c) the application site cannot be seen from the harbour and as such the change of use will have no direct bearing on the landscape and visual status of the AONB;
- d) application offers an opportunity to improve the visual appearance of an otherwise untidy corrugated metal shed; and
- e) this proposal should similarly be seen as providing an asset to the wider community through enabling local enhancements to the area that we all enjoy.

6.7 Applicant/Agent's Supporting Information

Following comments received by Southbourne Parish Council the Local Planning Authority requested a structural survey from the applicant detailing the building's capability of conversion. This structural survey was undertaken and submitted to the Local Planning Authority for consideration. This survey confirms that the building is capable of conversion.

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. The Southbourne Parish Neighbourhood Plan was made on the 01 December 2015 and forms part of the Development Plan against which applications must be considered.

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 30: Built Tourist and Leisure Development

Policy 42: Flood Risk

Policy 45: Development in the Countryside

7.3 Southbourne Parish Neighbourhood Plan:

- Policy 7 Environment

National Policy and Guidance

7.4 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.

7.5 Consideration should also be given to paragraph 17 (Core Planning Principles).

Other Local Policy and Guidance

7.6 The following Supplementary Planning Documents are material to the determination of this planning application:

Adopted Joint Chichester Harbour Area of Outstanding Natural Beauty (Supplementary Planning Document)

Planning Obligations and Affordable Housing SPD

7.7 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i) Principle of development
- ii) Design/visual amenity
- iii) Impact upon Chichester Harbour AONB
- iv) Impact upon neighbouring amenity
- v) Flood risk

i) Principle of Development

8.2 Policy 45 of the Chichester Local Plan supports development in the countryside, in principle, where it requires a countryside location and meets the essential, small scale and local need which cannot be met within or immediately adjacent to existing settlements.

8.3 The application proposes the conversion of an existing building in the countryside to a self-catering holiday let. The re-use of an existing building situated in countryside location would typically provide favourable access to local tourist attractions, such as the Chichester Harbour AONB. On this basis, the development of an existing building in the countryside would therefore be necessary to facilitate such a use. Concern was raised by the Parish Council regarding the building's capability for conversion. The applicant commissioned a structural survey that confirmed that the building would be capable of conversion. On this basis, the proposal would re-use an existing building that is capable of conversion.

8.4 Taking the above into account, the development would accord with Policy 45 and would therefore comprise appropriate development in the countryside. Therefore, the principle of development is accepted.

ii) Design/Visual Amenity

8.5 The application is for the conversion of an existing building. Whilst some operational development is proposed, these alterations to the external elevations are considered reasonable and necessary to facilitate the change of use. Such changes include the insertion of velux style roof light; the cladding of the building, whilst not necessary would represent a positive and beneficial change to the appearance of the building. The the silhouette and siting of the building as existing would be retained, which would preserve the overall agricultural vernacular of the building. The external and finish should be the subject of a condition requiring their submission and approval to ensure the quality of the development is maintained.

8.6 Taking into account the above, the development would achieve a high quality design and would therefore accord with the contents of Policies 30 and 45 of the Chichester Local Plan and Section 7 of the NPPF.

iii) Impact upon Chichester Harbour AONB

- 8.7 The applicant entered into extensive pre-application discussions with the Chichester Harbour Conservancy prior to the formal submission of this application. The consultation response received from the CHC confirms that the development would not likely have any detrimental impact upon the natural or locally distinctive features of the AONB.
- 8.8 The proposed design of the building would result in an adaptation of the existing building which is enclosed on its eastern edge. The building would be finished in similar building materials to the rest of the structure. The building is already in the AONB landscape and is currently seen in the context of other farm buildings and this would remain the same in the conversion of this building.
- 8.9 The CHC comments make reference to the current dark skies policies; however, the roof lights would be small and would not allow for significant light spill from the building. Equally, any light spill would be seen in the overall envelope of the existing adjacent residential properties where light spill already occurs. The proposed extent of roof lights, combined with the rooms that they serve, would not be considered so significant that it would have a detrimentally harmful permanent impact upon the dark skies of the AONB.
- 8.10 The applicant has indicated some indicative landscaping surrounding the site. The detailed landscaping would provide an opportunity to soften the appearance of the building into its wider AONB setting. As such, a condition securing the landscaping of the site would enhance the natural and locally distinctive features of the AONB.
- 8.11 Taking account of the above, the development would therefore accord with the contents of Policies 30 and 43 of the Chichester Local Plan and according SPG guidance.

iv) Impact upon Neighbouring Amenity

- 8.12 Concern was raised throughout the public consultation period regarding the impacts of construction traffic on the amenities of adjacent neighbouring occupiers. The application building is served by a private internal road which is shared for the purposes of access with the neighbouring residential properties. A condition requiring a Construction Method Statement to be submitted and approved would therefore be necessary to regulate the location, timings, parking and loading etc of vehicles throughout the construction process.
- 8.13 The use of the building as a holiday let would not result in any further noise or disturbance that would be expected adjacent to other residential properties. The boundary treatment along the eastern boundary comprises an existing agricultural barn which would aid in mitigating any visual or auditory impacts from the nearby residential properties. Therefore, it is considered that the development would not detrimentally impact upon the amenities of neighbouring residents.
- 8.14 Having regard to the above assessment, it is considered that the development would not result in demonstrable harm on the amenities of neighbouring occupiers. The development would therefore accord with the contents of Policies 30 and 45 of the Chichester Local Plan.

v) Flood Risk

- 8.15 The application site falls within a designated area of risk at flooding and a Flood Risk Assessment (FRA) was submitted. This FRA detailed appropriate mitigation measures to safeguard the occupants from risk of flooding. The application of the sequential test is not required for the conversion of existing buildings.
- 8.16 A condition would be necessary, requiring the development to be undertaken in accordance with the proposed measures which would safeguard the occupants of the building from risk of flooding. Such a condition would ensure that the impacts associated with the flood risk location would be sufficiently mitigated.
- 8.17 Taking into account the above condition and contents of the submitted FRA, it is considered that the development would not result in any demonstrable impacts in terms of flood risk. Therefore, the development would accord with the contents of Policy 42 of the Chichester Local Plan.

Conclusion

- 8.18 Based on the above it is considered the proposal complies with the development plan policies, and in particular would not have an adverse impact on the visual amenities of the area or wider AONB, and therefore the application is recommended for approval.

Human Rights

- 8.19 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 subject to the following conditions and informatives:-

- 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 permitted shall be carried out in accordance with the approved plans; Drawing No. 1 - Block and Location Plans, Drawing No. 4 - Proposed Plan and Roof Plan and Drawing No. 5 - Proposed Elevations and Section.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) Notwithstanding any details submitted **no development/works shall commence** until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out

in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

4) No development shall commence, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

- (a) the anticipated number, frequency and types of vehicles used during construction,
- (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (c) the loading and unloading of plant, materials and waste,
- (d) the storage of plant and materials used in construction of the development,
- (e) the erection and maintenance of security hoarding,
- (f) the provision of road sweepers and/or wheel washing facilities to mitigate the impact of construction upon the public highway
- (g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles
- (h) measures to control the emission of noise during construction,
- (i) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (j) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas, and
- (k) waste management including prohibiting burning.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

5) No part of the development hereby permitted shall be first occupied until the proposed measures detailed within the applicant's submitted Flood Risk Assessment dated 29 March 2017 have been provided. Once provided, these measures shall be retained at all times thereafter.

Reason: To safeguard the occupants of the building from risk of flooding.

6) The development hereby permitted shall not be first brought into use until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, and for large scale developments shall include a program for the provision of the landscaping. In addition all existing trees and hedgerows on the land shall be indicated including details of

any to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. The approved scheme **shall be carried out in the first** planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the proposed accommodation shall be used for holiday accommodation only and shall not be used for any individual's main or sole residential dwelling and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order). A register of all occupiers, detailing dates, names and usual addresses, shall be maintained by the owner and shall be kept up to date and available for inspection at all reasonable hours by the Local Planning Authority. Any occupation of the units by a single party for a consecutive period exceeding 1 month shall be required to provide evidence of their place of primary accommodation.

Reason: To ensure that the accommodation is only used as holiday / tourist accommodation, since the site lies within an area where additional residential properties would not normally be permitted and to prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site.

INFORMATIVES

- 1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2) The development hereby permitted by the approved plans shall comprise conversion works only to the existing building on site.

For further information on this application please contact James Cross on 01243 534734.