

Ms M Tomaloua
Planning Officer
Arun District Council
Civic Offices
Maltravers Road
Littlehampton
West Sussex

24 October 2020

Dear Ms Tomaloua,

Planning Application AL/70/20/PL – Proposed Residential mews (Six New Build Terraced Houses), West Barn, Norton Lane, Norton.

On behalf of my client, Mr S McHale, I wish to express my concerns regarding the above application.

Drafting error

The block plan shows the dwellings as having individual gardens. Conversely all of the perspective drawings show a single communal rear garden. Visually and in terms of living conditions the two would be very different. Could the applicant please clarify what they propose.

Precedent referred to by the applicant

AL/34/20/PL – Sub-division of existing building to create a single one bedroom dwelling at Norton Farm House.

The conversion of existing buildings in the rural area is specifically allowed, notwithstanding their rural location and associated lack of accessibility to services, etc.

Whilst the Local Plan does not include any policies relating to the sub-division of existing dwellings paragraph 79 d) of the National Planning Policy Framework 2019 (Framework), specifically allows for the “sub-division of existing dwellings” in the rural area.

As this category of ‘appropriate and acceptable residential development’ in the countryside postdates the Local Plan, it weighs against policy C SP1 of the Local Plan.

The proposal involved an existing building that is already in residential use and its curtilage is in residential use.

The Council very reasonably found no visual, character or heritage concerns and noted the very minor nature of the proposal for a very modest one bedroom dwelling. The proposal would secure on-site cycle storage and electric charging point for the one bed dwelling, comprised an existing building and was very modest in size.

The Council then applied the presumption in favour of sustainable development in paragraph 11 of the Framework, taking into account all of the above factors and concluded that there was no reason to refuse the proposal.

In relation to accessibility account will have been taken of the fact it is an existing building. However, no analysis was undertaken regarding the proximity of bus stops; the nature of the access to them and the very limited service they provide. Irrespective of this accessibility is not a factor when considering the sub-division of an existing dwelling, in accordance with paragraph 79 of the Framework.

This conversion scheme is simply not comparable to the current proposal physically or in terms of policy.

Application site history

A very similar housing scheme has been refused and dismissed at appeal twice, once with costs being awarded against the applicant.

In relation to both appeals the Inspectors found:

- The site is some distance from basic services and facilities and poorly related to public transport links, such that it would increase reliance on private cars, notwithstanding the fact that the live/work units would reduce work related travel and internet shopping.
- The site would not be particularly accessible to public transport... Accordingly, in accessibility terms I find that the accommodation would be an isolated location.

The Inspector who determined the first appeal also concluded:

- It would have a harmful impact on the character and appearance of the area.

Current Proposal – Accessibility

The accessibility of the site has not changed since the previous two appeals.

The previous proposals were for live/work units where it was accepted that the work element would reduce the need to travel for the occupiers of the units. The current proposal is for six dwellings, with no workspace. As such the

reliance of the occupiers on private cars would be materially greater than with the refused schemes.

Also, the desire for housing to be accessible at Government level has increased and there is a strong drive to reduce greenhouse gases and to reduce traffic to combat climate change.

The Framework continues to support only sustainable development in rural areas and then only where it would meet a local need and maintain/enhance the vitality of rural communities. Chapter 8 of the Frameworks seeks safe and accessible places, with street layouts that allow for easy pedestrian and cycle connections; legible pedestrian routes and easy access to local services and facilities. Section 9 of the Framework states that the planning system should manage patterns of growth which promote opportunities to walk, cycle and use public transport.

The applicant has stated that guidance allows for walking up to one mile to community facilities and that people will walk up to 400 metres to catch a bus and 800 metres to catch a train.

The closest bus stop is some 650 metres from the application site and the bus stop on the opposite side of Nyton Road is some 750 metres from the proposed dwellings. The stops provide a very limited service with a two hourly service through only part of the day. Access to the bus stops entails walking along an unlit narrow through road with no street lights (Norton Road) and along a stretch of the busy Nyton Road (B2233), which similarly has not footpath or street lights.

The alternative would be to walk in excess of 1000 metres along footpath 310 which is a path that goes around the edge of arable fields and which is unsurfaced and unlit.

To walk to the closest shop, which is a petrol filling station, involves a 1.5 kilometre walk, along Norton Lane and Nyton Road. Virtually all of this route has no footpaths and all of it is devoid of street lights. The grass verges on the north side of Nyton Road are typically narrow and intermittent and the field margins on the south side of the road are elevated and overgrown.

In addition to this Nyton Road is busy, winding and not particularly wide. It is not an ideal road to cycle along, particularly in wet or dark weather conditions.

Barnham Station is 3 kilometres away and half of this distance is along unlit roads without pavements. To catch a bus to the station involves 650 and 750 metre walks and with a limited 2 hourly service is not attractive for people wanting to arrive at the train station when their train is due to arrive.

The above highlights the poor accessibility of the application site.

Looking to the future there are no strategic housing allocations which would make the application site more accessible.

Current Proposal – Heritage assets

With the previous schemes and appeals the way in which heritage assets were dealt with failed to comply with the strict requirements set out in the Framework. No assessment of the effect on the significance of the conservation area and listed buildings within it were carried out. With all proposals it is necessary to assess whether a proposal would lead to substantial or less than substantial harm to a heritage asset. Any harm found has to be weighed against any public benefits arising from the proposal.

The significance of Norton Conservation Area is derived from a combination of the following factors:

- It is a rural Sussex hamlet with farming origins. It is characterised by dispersed and informally sited farm buildings, farm and other dwellings dating from the C18th. The dwellings have a combination red brick, flint, rendered and tile hung walls under plain red tiled roofs and are enclosed by an abundance of hedges and brick and flint walls.
- Generous sized and mature landscaped gardens which border the open countryside.
- The conservation area is surrounded by flat arable open countryside which makes a very strong contribution to the rural appearance, character and origins of the conservation area.
- The open countryside round the conservation area provides expansive views into and out of the conservation area.
- The tree lines and hedges around the fields.

There are three listed buildings in close proximity to the application site, including Norton Farmhouse, located on the north side of the entrance track and Norton Grange Farmhouse and Letterbox Cottage a short distance from the entrance to the application site.

The application site is located on the edge and partially within the western edge of the Norton Conservation Area, adjacent to listed buildings and in the open countryside. It is also adjacent to former farm buildings that have been converted to holiday accommodation and dwellings over the years and which were likely associated with Norton Farmhouse. The large commercial building to the west of the proposed dwellings, either was or replaced a modern farm building. It is out of scale and keeping with the modest scale farm buildings to the northeast and the dwellings within the conservation area.

The proposed dwellings relate to this farm building but fail to relate in terms of form, siting, design or materials to any of the buildings in the conservation area.

The commercial farm building is physically separated from the original traditional farm buildings and dwellings within the conservation area. As a result, it is quite distinct from the conservation area.

With the proposal the proposed dwellings, with their commercial scale, form and appearance would encroach into the conservation area. Not only would it dilute the boundary between old and new, it would dilute the rural boundary to the conservation area, and would result in an uncharacteristic urbanisation. The situation would be exacerbated by the proposed large expanses of glazing and roof lights, which would result in considerable and uncharacteristic light pollution in a small hamlet devoid of street lights or large expanses of glazing.

Other factors that will affect the character and appearance of the conservation area and the listed buildings include additional traffic and activity within a farm yard complex.

Having regard to current legislation and guidance it would not be credible to conclude that the proposal would have no impact whatsoever, or a positive impact on the significance of the conservation area.

Collectively, whilst this harm would not be significant, it would nonetheless result in less than significant harm to the significance of the conservation area and the listed buildings. This harm needs to be weighed against any public benefits that would be brought about by the proposal.

Public benefit may be anything which delivers economic, social, or environmental objectives (Planning Practice Guidance paragraph 18a-020-20190723) and must flow from the proposed development. There would be short-term economic benefit during construction works, but these would be limited in time and extent. There could also be some economic and social benefits resulting from the provision of six dwellings and the contribution the residents would make to the local economy. However, these public benefits would fail to outweigh the less than substantial harm identified.

Sustainability Conclusion

For the reasons set out above the proposal would conflict with the social and environmental objectives of sustainable development.

Tilted Balance

Having concluded that the proposal would harm the significance of a designated heritage asset, the tilted balance set out in paragraph 11 of the framework does not apply.

If it was concluded that the development did not affect the conservation area and listed buildings at all, then the tilted balance would apply. The application would need to be determined having regard to relevant policies within the Local Plan and neighbourhood plan which do not specifically relate to out of date housing policies and to the policies in the Framework as a whole. The policies in the Framework seek to prevent isolated open market housing and housing located in places with poor accessibility. This harm would significantly and demonstrably outweigh the benefits of providing 6 dwellings on the application site. (It is noted that the tilted balance was relevant at the times of the previous appeals).

In conclusion the proposal is unacceptable due to its poor accessibility and the harm that it would cause to the character, appearance and significance of the Norton Conservation Area.

I ask that these comments are taken into consideration when the scheme is assessed and thank you for your time in this matter.

Yours sincerely,

Elizabeth Lawrence

Chartered Town Planner

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