

Recommendation Report for Planning Permission

REF NO: CM/18/19/PL

LOCATION: Land at Entrance to Waterford Gardens
Horsemere Green Lane
Climping
BN17 5PQ

PROPOSAL: Erection of 2 No 3 bed dwellings with off-road parking and associated landscaping

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to erect 2No. 3 bedroom, two storey houses, with associated on-site landscaping and parking.
	The dwellings front Horsemere Green Lane, where they are served by an access.
SITE AREA	Approximately 0.05ha.
RESIDENTIAL DEVELOPMENT DENSITY	40 dwellings per hectare.
TOPOGRAPHY	The site appears predominantly flat, although the land is higher than Horsemere Green Lane.
TREES	None affected by the development.
BOUNDARY TREATMENT	Mature hedging to north, road-facing border. Fencing and hedging to east neighbouring 29 Waterford Gardens. Open to south and west onto Waterford Gardens.
SITE CHARACTERISTICS	Flat, grassed area, with decorative pond at its Western end.
CHARACTER OF LOCALITY	Predominantly residential character within a semi-rural setting. Dwellings in the locality are predominantly semi-detached, or detached and two storey. Telecottage, to the West, is of a commercial use.

RELEVANT SITE HISTORY

CM/23/17/PL	Erection of 1 No. dwelling with detached garage (resubmission of CM/29/14/PL). This application is a Departure from the Development Plan.	ApproveConditionally 22-09-17
CM/29/14/PL	Erection of 1 No 4 bed dwelling and garage. This application is a Departure from the Development Plan.	App Cond with S106 04-11-14

CM/18/11/ Renewal of unimplemented planning permission
CM/10/08/ - Erection of 1 no. 4 bed dwelling

App Cond with S106
01-02-12

CM/10/08/ Erection of 1 no. 4 bed dwelling.

App Cond with S106
07-01-09

CM/10/08 approved a single dwelling with the most recent renewal of this permission being in 2017, under extant application CM/23/17/PL.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Climping Parish Council

Objection

- It is an over-intensive development of the site.
- It would create an additional exit onto Horsemere Green Lane.
- It would be out of character with the street scene.

20 letters of objection:

- Overdevelopment of the site.
- Design should be in keeping with the existing dwellings in the area.
- The application is a departure from the development plan.
- The site is of archeological interest.
- Reports/statements dating back to 2003 submitted in support of the application are out of date.
- There has been no ground investigation or soil report.
- No indication of ground levels or below surface drainage which will affect adjoining properties.
- No Lighting assessment has been completed.
- No cycle parking has been shown on plans.
- There are inadequate gardens areas, which are not in keeping with area.
- Loss of village character.
- Increase in traffic as a result of the locality.
- Far from a hospital and a dentist.
- No infrastructure.
- Noise pollution will increase.
- Dangerous entry/exit onto Horsemere Green Lane.
- Destroy the open environment of the area.
- Flooding is more likely due to less soil.
- Loss of wildlife.
- Loss of privacy for existing elderly residents.
- No visitor parking.

The following are non material planning considerations:

- The dwellings should be thatched.
- There is no pavement.
- Loss of children's amenity area.
- Vehicles do not adhere to speed limits.
- No street lighting.

1 letter of 'no objection':

- Access from Horsemere Green Lane is an improvement to previous access from Waterford Gardens.
- The Block Plan shows infringement onto the pond and landscaping area.
- Construction vehicles should access via Horsemere Green Lane, not Waterford Gardens.
- The services (water, gas etc.) should be different to those serving Waterford Gardens.
- The hours of construction should be controlled to ensure that there is no harm to local residents.

COMMENTS ON REPRESENTATIONS RECEIVED:

The majority of comments will be addressed in the conclusion section of the report. However, only material planning considerations will be addressed. The Councils mapping systems does not designate the site as to having any special archaeological interest.

CONSULTATIONS

WSCC Strategic Planning
 Surface Water Drainage Team
 Parks and Landscapes
 Arboriculturist
 Engineering Services Manager
 Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

WSCC Highways - No objection.

The Highway Authority do not consider the proposal has a 'severe' safety impact on the operation of the highway network. Request conditions, relating to Visibility Splays, Parking and Cycle Parking.

The Council's Drainage Engineers -

Some detail has been provided of the surface water drainage proposals which are based on infiltration testing. It is not clear at what time of year, or depth this testing was completed. No winter groundwater monitoring results have been provided. Please apply standard conditions.

Lead Local Flood Authority - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
 Outside Built-up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

CSP1

C SP1 Countryside

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems

[Clymping Neighbourhood Plan 2015 Policy CPN11](#) Quality of Design

Clymping Neighbourhood Plan 2015 Policy CPN14 Traffic and the Environment

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans. The Arun Local Plan was adopted on 18th July 2018.

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The Clymping Neighbourhood Plan has been made and the relevant policies have been taken into account in the consideration of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal conflicts with relevant Development Plan policies in that the site lies outside the built-up area boundary where unrestricted residential development or redevelopment does not accord with policy C SP1 of the Local Plan. Furthermore, the proposal for two dwellings is considered to be an overdevelopment of the site out of keeping with the character and appearance of the locality

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is outside the built up area boundary where the policy principle is to prevent new unrestricted development unless there are other material considerations to indicate otherwise. In this case there are considered to be material considerations to outweigh conflict with policy C SP1 of the Arun Local Plan, which have been addressed in previous applications, and are reiterated below.

The Annual Monitoring report, published on the 18th of June 2019, identifies the current five year housing land supply situation. The current housing land supply (with a 'policy off' position) is 4.7 years.

The National Planning Policy Framework (NPPF) provides information on the issue of the weight that can be given to the Arun Local Plan or 'made' neighbourhood development plans, where the District Council cannot demonstrate the 5 year supply of deliverable housing sites. These details are set out in full in Paragraph 11(d), where it is stated that permission would be granted, unless there are any adverse impacts that would demonstrably outweigh the benefits.

HISTORY/CONTEXT

Permission for 1No. 4 bed dwelling was granted planning permission under reference CM/10/08. This was renewed under permission CM/18/11, CM/29/14/PL and CM/23/17/PL. This supports the residential use of the site.

SUSTAINABILITY

The site is not a significant distance from the nearest settlement boundaries of Littlehampton and Yapton/Ford where day to day services can be found.

Bus stops are located nearby in Church Lane, and at the end of Horsemere Green Lane. Ford railway station is 2.25km to the north and Littlehampton station is 3.1 km. As a result of these links the site is located in a sustainable location and new residents would not be entirely reliant on the private car to access local shops and services.

DESIGN AND VISUAL AMENITY

The principle of development on this site is well established, for 1no. 4 bed dwelling. This proposal is materially different in that it seeks the erection of 2 no. 3 bed dwellings.

The application site will be accessed from Horsemere Green Lane and the frontage of the properties set in by just over 7m from the carriage way. This together with two amenity areas to the side of the properties gives the proposal a contrived and cramped appearance and will appear as an alien feature in the street scene.

This alien appearance will be enhanced by the fact that a currently open and verdant area measuring 18m wide and 15m deep immediately abutting Horsemere Green Lane will be replaced by hard development comprising a new access road, two properties, their associated hardstanding, and means of enclosure. This would constitute a hard, impenetrable barrier, that would be out of character with the current open and semi rural established character of the site.

Whereas the front of properties in Waterford Gardens are laid out to face the road these two proposed properties will have their backs facing Waterford Gardens adding to their awkward appearance as seen from Waterford Gardens.

The development does not respond positively to the character and appearance of the surrounding area in conflict with policy D DM1 of the Arun Local Plan and policy CPN11 of the Climping Neighbourhood Development Plan.

TECHNICAL HOUSING STANDARDS - NATIONALLY DESCRIBED SPACE STANDARDS

The dwellings meet the internal space requirements for room sizes and as such complies with national guidance.

NEIGHBOURING RESIDENTIAL AMENITY

The dwellings are situated on an area of greensward away from neighbouring properties to the south and west and separated further by an access road. There is approximately 20m to the rear eastern boundary.

It is considered the proposal would be acceptable with regard to impact on residential amenities of nearby dwellings. The proposal is in accordance with D DM1(3) of the Arun Local Plan.

HIGHWAYS AND PARKING

There is no objection from West Sussex County Council regarding highway safety issues, subject to appropriate conditions. It is considered the proposal is acceptable in highways and parking provision.

SUMMARY

The use of this area to site two semi detached dwellings will have a harmful and unacceptable impact on the area and is recommended for refusal for the following reason.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

REFUSE

- 1 The proposed development due to its location, limited site area and design will have an unacceptable harmful impact upon the character of the area in conflict with policies D DM1 of the Arun Local Plan, and CPN11 of the Climping Neighbourhood Development Plan.
- 2 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority

has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.