



APPLICATIONS & APPEALS SERVICES

**LAND ADJACENT TO MISTLETOE FARM
HORSEMERE GREEN LANE
CLYMPING
BN17 5QZ**

ERECTION OF DWELLING

**PLANNING, DESIGN
& ACCESS STATEMENT**

NJA/19/249

April 2021



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1.0 INTRODUCTION

1.1 Planning permission is sought for the erection of a chalet style three bedroom dwelling on land formally associated with Mistletoe Farm with the creation of a new vehicular access taken from Horsemere Green Lane.

1.2 This Supporting Statement addresses the design and access issues as well as relevant planning policy, having regard to the requirements of Article 8 of the Town and Country Planning (Development Management Procedure) Order 2015. The details of the proposals will be described and appraised having regard to the following aspects:

- **Physical Context** – explains the physical context of the site and its surroundings;
- **Planning Context** – the planning history of the site and broad policy requirements;
- **Use** – the purpose of the proposed additional accommodation;
- **Amount** – the extent of development on the site;
- **Scale** – the physical size of the development;

- **Layout** – the relationship of the proposed extension and alterations to neighbouring properties;
- **Appearance** – details of materials, style and impact upon the visual amenities of the area;
- **Landscape** – impact of the proposal on the existing landscape;
- **Heritage** – the impact of the proposal upon heritage assets;
- **Access** – access to the development and parking provision.

1.3 The Council is requested to consider this Statement alongside the submitted plans and this demonstration that the proposed development accords with the relevant planning policies and is acceptable in all respects. It is hoped that the Council will support the proposal and grant Planning Permission.

2.0 PHYSICAL CONTEXT

- 2.1 The site comprises a broadly rectangular parcel of land positioned to the west of Mistletoe Farm, Horsemere Green Lane, Clymping and historically formed part of its residential garden. Mistletoe Farm itself is a detached bungalow with elevations of render and brickwork set under a hipped tiled roof. The property is set deep within the plot set back from the highway by approximately 25m.
- 2.2 The land has since been separated from the curtilage of Mistletoe Farm through ownership of the land and the erection of a wooden fence and is laid to grass. The site is orientated to extend southwards from the public highway and occupies a corner site with a frontage to Horsemere Green Lane to the north and to Wooldridge Walk to the west. The boundary to Wooldridge Walk comprises conifer hedgerow with further fencing set behind; fencing also demarcates the site to 1 Wooldridge Walk to the south.
- 2.3 Access to the site is taken across the highway grassed verge to Horsemere Green Lane via a field gate set within post and rail fencing.

- 2.4 The wider street scene along Horsemere Green Lane has a domestic appearance with well-maintained front gardens and boundary treatments, which includes a mix of timber fencing, soft landscaping and brick walling. Whilst the majority of frontages are softened by landscaping, there is no overriding material used for site boundaries, giving a varied appearance to the street scene. The varied appearance also extends to the properties which range from detached two storey properties to chalet style bungalows and bungalows of a mix of materials and detail.
- 2.5 To the west, Wooldridge Walk comprises an estate development of bungalows with similar forms but with variety to the external appearance through materials and alterations made by homeowners over time. The area as a whole has a low density verdant appearance with properties all set in good sized plots with private amenity space and off street parking.
- 2.6 The site is located outside of any Settlement Policy Boundary and is therefore in the countryside. It is not located with any relationship to heritage assets and is not positioned within any Conservation Area. The site is located in Flood Zone 1 and is at low risk from surface water flooding as determined by the Environment Agency flood risk maps.

2.7 Set out below are some photographs of the site which provides further context.

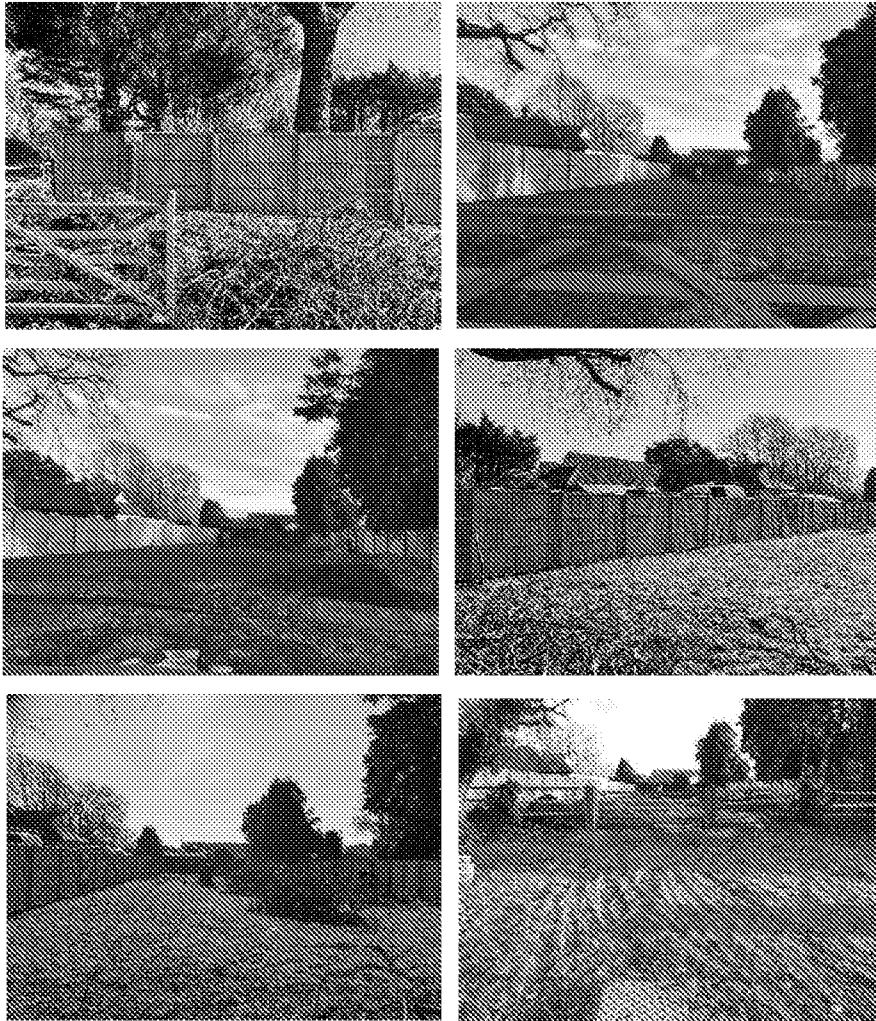


Mistletoe Farm, Horsemere Green Lane

Site Access



Views of site from Wooldridge Walk



Views through the site



Views through the site

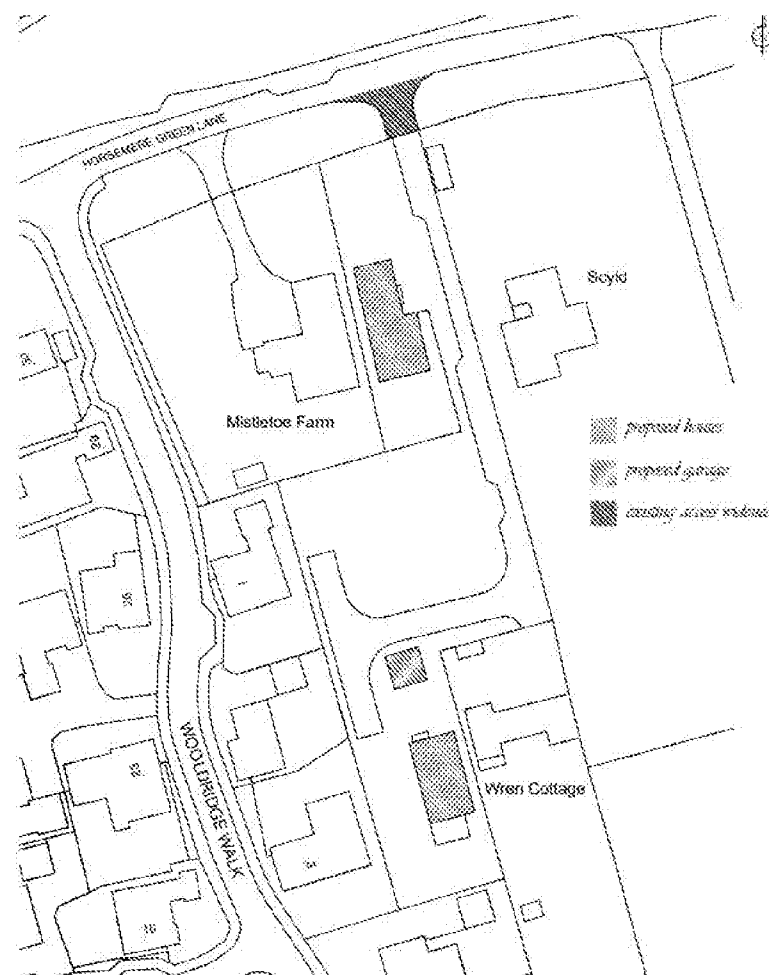
3.0 PLANNING HISTORY

3.1 Mistletoe Farm lies within the administrative area of Arun District Council for planning purposes. An examination of the online planning register reveals the following planning history:

- CM/46/20/HH - Construction of a 3 x bay carport with habitable roof space. Pending determination.
- CM/13/19/RES - Application for approval of reserved matters following outline approval CM/37/18/OUT for the redevelopment of site with 2no. 4 bed detached bungalows & associated works. Approved 26th July 2019.
- CM/37/18/OUT - Outline application with some matters reserved for the redevelopment of site with 2 no. 4-bed detached bungalows & associated works (resubmission following CM/10/18/OUT). Permission granted 6th March 2019. See Figure 1 for layout.
- CM/10/18/OUT - Application for Outline planning permission with some matters reserved for redevelopment of the site with 1 No. 4-bed detached bungalow, 1 No. 3-bed detached chalet bungalows & 2 No. 3-bed semi-

detached bungalows & associated works. Refused 28th September 2018.

Figure 1: Site plan for CM/37/18/OUT



4.0 PLANNING POLICY CONTEXT

National Planning Policy Framework (NPPF)

- 4.1 The NPPF (2019) sets its status within the planning process at paragraph 2 where it states: ***“The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions”***. The NPPF is therefore afforded weight in the decision-taking process whereby it sits as more up to date than the adopted development plan.
- 4.2 The NPPF reinforces the drive for sustainable development within paragraph 7 stating that ***‘the purpose of the planning system is to contribute to the achievement of sustainable development.’*** The pursuit of sustainable development continues to have three dimensions, now expressed as objectives, comprising an economic objective, a social objective and an environmental objective.
- 4.3 Paragraph 9 states that in pursuing sustainable development ***“Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances***

into account, to reflect the character, needs and opportunities of each area.” This paragraph is of paramount importance which identifies that the objectives of sustainable development outlined in paragraph 8 of the NPPF should be taken as a guide when determining what is sustainable, reinforcing that each planning decision has to be made on its own merits having regard to local circumstances.

- 4.4 The principle of proactively accepting new development is continued within paragraphs 10 and 11 of the NPPF. It is stated that where there are no relevant development plan policies or the relevant policies are out of date, planning permission should be granted unless the policies of the Framework indicate otherwise or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework considered as a whole. For decision taking, the NPPF states that this means approving development that accords with the development plan without delay.
- 4.5 Chapter 4 of the NPPF addresses decision-taking. Paragraph 38 states that ***‘Local planning authorities should approach***

decisions on proposed development in a positive and creative way.'

- 4.6 Chapter 5 addresses the supply of new homes. It is widely publicised that the building of new homes at present rates is not enough to meet demand. The NPPF therefore reinforces the need to take a positive and proactive approach to increasing the supply of housing and confirms the need for local planning authorities to significantly boost the supply of housing land. This sets out that the Government has the objective to boost supply through strategic policies that identify sufficient housing land to come forward that is deliverable, suitable and available.
- 4.7 Paragraph 68 in particular identifies that '***small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly***'. Paragraph 77 provides guidance on rural housing by advising that '***In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.***'
- 4.8 Paragraph 78 is also relevant where it states "***To promote***

sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby." The proposal would accord with paragraph 78 which should be afforded weight where the NPPF forms the more up to date policy position than the development plan.

- 4.9 Paragraph 79 addresses the issue of isolated homes, this replaces the former paragraph 55 of the NPPF (2012) and sets out that "***Planning policies and decisions should avoid the development of isolated homes in the countryside....***". This proposal is not deemed to result in any isolated home in this countryside location whereby it is located within a settlement that benefits from good access to local facilities and services and is not physically or visually separated from nearby built form.
- 4.10 The drive to support rural areas is additionally reinforced in Chapter 6 which confirms in paragraph 84 that 'to meet local business and community needs in rural areas', sites may have

to be found that are 'adjacent to or beyond existing settlements, and in locations that are not well served by public transport'. This should equally apply to the location of new housing with the key to acceptability being that the development is sensitive to the surroundings and has no unacceptable highways impact. Encouragement is given to **'sites that are physically well-related to existing settlements'**.

4.11 In respect of car parking provision, Chapter 9 of the Framework states that if setting local parking standards, Local Planning Authorities should take into account the accessibility of the development, its type, mix or use, the availability of and opportunities for public transport, local car ownership levels and an overall need to reduce the use of high emission vehicles.

4.12 Chapter 11 of the NPPF requires that development makes effective use of land with Paragraph 117 advocating that **"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living**

conditions". Paragraph 121 requires that a positive approach is taken to applications for alternative uses.

4.13 The NPPF places great emphasis upon the creation of high quality buildings and places within Chapter 12. Paragraph 127 sets out a number of tests for achieving high quality development set out within paragraph 127, which includes ensuring that developments (in summary):

- a) function well and add to the overall quality of an area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character, including the surrounding landscape setting.

4.14 Chapter 15 of the NPPF gives consideration to the natural environment. Paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils, by recognising the wider benefits of eco system services and by minimising impacts on biodiversity. This is continued within paragraph 174 which refers to biodiversity and states

that local planning authorities should preserve and enhance biodiversity. It is also required that new development should adequately mitigate against any potential harm, with encouragement given to incorporating biodiversity enhancements in and around new development.

- 4.15 In reinforcing the publicity that the building of new homes at present rates is not enough to meet demand, the NPPF promotes the need to take a positive and proactive approach to increasing the supply of housing and confirms the need for local planning authorities to significantly boost the supply of housing land. For decision taking, the NPPF states that this means approving development that accords with the development plan without delay.
- 4.16 The Framework requires the delivery of a wide choice of high quality homes in areas where people want to live, creating sustainable, inclusive and mixed communities. The intrinsic character and beauty of the countryside should also be recognised (paragraph 17).
- 4.17 The NPPF states that any development likely to lead to substantial harm or loss of a heritage asset is likely to be refused consent unless this harm is outweighed by matters

of public benefit. The consideration of the impact upon the significance of a designated heritage asset requires great weight to be given to the asset's conservation.

Local Planning Policy

- 4.18 The local Development Plan comprises the Arun Local Plan 2011 – 2031 which took effect in July 2018 and the Clymping Neighbourhood Plan 2015-2030 which was made in November 2014.

Arun Local Plan 2011 – 2031

- 4.19 The relevant Local Plan policies to this development proposal comprise:
- Policy SD SP1 – Sustainable development
 - Policy SD SP1c – Strategic Approach
 - Policy SD SP2 – Built-Up Area Boundary
 - Policy C SP1 – Countryside
 - Policy H SP1 – The Housing Requirement
 - Policy H SP2c – Strategic Allocations – Inland Arun
 - Policy D SP1 - Design
 - Policy D DM1 - Aspects of form and design quality
 - Policy D DM2 - Internal Space Standards

- Policy ECC SP2 – Energy and Climate change mitigation
- Policy T SP1 - Transport and Development
- Policy ENV SP1 – Natural Environment
- Policy ENV DM5 – Development and biodiversity
- Policy W DM1 – Water supply and quality
- Policy W DM3 - Sustainable Urban Drainage Systems

4.20 Policy SD SP1 (Sustainable development) states that a positive approach will be taken to development proposals that reflect the presumption in favour of sustainable development and will work proactively to find solutions to secure development.

4.21 Policy SD SP1c (Strategic Approach) seeks to meet the needs of the community through sustainable growth which supports the main coastal towns whilst also enabling development that provides for the growth of sustainable villages in the countryside, to meet the housing needs of the community by delivering 20,000 homes and protecting the natural and built environment.

4.22 Policy SD SP2 (Built Up Area Boundary) requires development to be focused within the boundaries.

4.23 Policy C SP1 (Countryside) recognises areas defined as the countryside will be recognised for its intrinsic character and beauty. Development will be permitted in the countryside which meets stated criteria, such as being for agriculture, recreation, the rural economy and which otherwise accords with other policies in the Plan.

4.24 Policy H SP1 (The Housing Requirement) confirms that within the plan period of 2011-2031, at least 20,000 new homes will be accommodated within the District.

4.25 Policy H SP2a sets out the details of the strategic allocations within the Local Plan to deliver the greatest proportions of housing. This includes allocation SD10 for the provision of 300 new homes on land to the south of Horsemere green Lane together with new retail and community facilities, a new library and contributions towards new healthcare facilities in Ford.

4.26 Policy D SP1 (Design) requires that new development makes efficient use of land whilst reflecting the characteristics of the local area in all aspects of design.

- 4.27 Policy D DM1 (Aspects of form and design quality) sets required criteria for the assessment of new development, having regard to character, appearance/attractiveness, impact, innovation, adaptability, crime prevention, trees and woodland, solar gain, public realm, layout, public art, density, scale and form.
- 4.28 Policy D DM2 (Internal Space Standards) requires development to be of an appropriate size to meet changing needs.
- 4.29 Policy ECC SP2 (Energy and Climate change mitigation) requires all new residential development to be energy efficient having regard to matters such as energy efficiency measures, design and layout and low carbon technologies.
- 4.30 Policy T SP1 (Transport and Development) requires development to minimise the use of the car, to provide for appropriate parking, and encourages healthy lifestyles.
- 4.32 Policy ENV SP1 (Natural Environment) encourages and promotes the preservation, restoration and enhancement of biodiversity and the natural environment through the development process.
- 4.33 Policy ENV DM5 (Development and biodiversity) requires that new development seeks to achieve a net gain in biodiversity and protects existing habitats on site. Regard is additionally given to ensuring that protected species is given appropriate consideration within development proposals.
- 4.34 Policy W DM1 (Water Supply and Quality) ensures that development can be provided with a sufficient water supply which does not cause detriment to supplies elsewhere.
- 4.35 Policy W DM3 (Sustainable Urban Drainage Systems) seeks to ensure that proposals incorporate SUDS within private areas of development. This can include the provision of green roofs, permeable driveways and parking, soakaways and water harvesting.
- Clymping Neighbourhood Plan 2015-2030**
- 4.36 The application site lies within the Neighbourhood Plan Designation Area for the ‘Clymping Neighbourhood Plan’ which was made in January 2016. Relevant policies to the consideration of the proposal comprise:

- Policy CPN 8 - Protection of Trees and Hedgerows
- Policy CPN 9 - Protection of Natural Habitats
- Policy CPN 11 - Quality of Design
- Policy CPN 12 - Reducing the risk of flooding
- Policy CPN 13 - Retain buildings or structures of character.
- Policy CPN 14 - Traffic and the Environment

4.37 Policy CPN 8 (Protection of Trees and Hedgerows) ensures that development that will damage or result in the loss of trees or hedgerows of arboricultural and amenity value will not be permitted. Encouragement is given to the retention of trees or hedgerows of good arboricultural and amenity value.

4.38 Policy CPN 9 (Protection of Natural Habitats) avoids harm to existing nationally and locally protected habitats unless the harm can be mitigated or equivalent alternative habitats are provided.

4.39 Policy CPN 11 (Quality of Design) requires new development must be of a high quality of design and protect and enhance local character having regard also to the local

environment, boundary treatments, materials, amenity, parking, detailing and low carbon usage.

4.40 Policy CPN 12 (Reducing the risk of flooding) sets out that new development must be designed and constructed to reduce the level of flood risk.

4.41 Policy CPN 13 (Retain buildings or structures of character) expects new development proposals to retain and enhance the local distinctiveness of the identified buildings and structures and their setting.

4.42 Policy CPN 14 (Traffic and the Environment) ensures that development does not have a detrimental impact on highway safety and the living conditions of residents, with provision for pedestrian and cycle networks.

5.0 DETAILS OF THE PROPOSAL: USE, AMOUNT & SCALE OF DEVELOPMENT

- 5.1 Planning law requires that applications for planning permission must have regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Arun Local Plan Policy SD SP1 has a positive approach to encouraging sustainable development that also meets the needs of the community through growth of existing settlements. This includes meeting housing needs whilst also protecting the natural and built environment (Policy SD SP1a).
- 5.2 Policy H SP1 of the Local Plan confirms that over the plan period it will be providing at least 20,000 new homes, to include 847 windfall sites. This proposal would contribute towards this high level of windfall sites required and also provide development within the Parish making efficient use of previously developed land.
- 5.3 In considering appropriate locations for housing development, the Local Plan remains the starting point which directs new housing to within the Built Up Areas

(Policy SD SP2) or to strategic allocations across the District, of which Clymping has an allocation of providing 300 units across the plan period, recognising Clymping as a 'large sustainable inland village' within Policy SD SP2c. The site at Mistletoe Farm would sit outside of the strategic allocation but is positioned in very close proximity to the strategic allocation 'SD10 Clymping' which extends southwards from Wooldridge Walk. Notably to the north of Horsemere Green Lane, almost opposite the site, also sits the allocation 'SD8 Ford' for at least 1500 dwellings. As such, the context of the site by virtue of these allocations will change.

- 5.4 The site itself sits outside of the Built Up Area boundaries and is within the countryside for planning policy purposes therefore the starting point is for consideration against Policy C SP1 (Countryside) of the Local Plan. This policy accepts development which meets certain criteria relating to the intrinsic needs of the countryside. This proposal would not accord with these criteria and therefore it is accepted to be contrary to Policy C SP1.
- 5.5 With the proposal contrary to the Local Plan, it is necessary to additionally give consideration to any other material

planning considerations which would otherwise make the development acceptable in planning terms. Weight should be afforded to the National Planning Policy Framework as a material consideration in the decision-taking process.

Housing distribution

- 5.6 The NPPF sets out the Government's planning policy for England and places sustainable development at the heart of the decision-taking process incorporating objectives for economic, social and environmental protection. These objectives seek to balance growth and local community needs against protection of the natural, built and historic environment.
- 5.7 In providing for sustainable development, the NPPF requires Local Planning Authorities to identify a five year supply of specific deliverable sites to meet housing needs. This is emphasised within paragraph 59 of the NPPF which states that 'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'.

- 5.8 Paragraph 65 requires local planning policies to identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. In particular, planning policies should identify a supply of specific, deliverable sites for years 1 to 5 of the plan period and specific, developable sites or broad locations for growth for years 6-10 and where possible, for years 11-15 of the plan. It is also recognised at paragraph 68 that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and such sites can often be built out relatively quickly.
- 5.9 In examining housing need, the most up to date Authority Monitoring Report available (Council website) is that of 2019/2020 (published December 2020). This states that the Council's land supply position sits at **3.3 years** supply at the 31st March 2020. With this reported position being the most up to date available data, the Council is unable to demonstrate the provision of the required 5 years housing land supply. The most important policies for determining housing distribution, comprising Policies SP SD2 and C SP1 should therefore be afforded reduced weight in the decision-taking process with greater weight afforded to Paragraph 11 of the NPPF with a proactive approach to housing as set out in Paragraph 14 of

the NPPF and a presumption in favour of sustainable development.

- 5.10 The presumption in favour of sustainable development in relation to housing has also received judgement at the highest level, by the Supreme Court in the cases of *Suffolk Coastal District Council v Hopkins Homes Ltd* and *Richborough Estates Partnership LP v Cheshire East Borough Council* [2017]. These cases examined the (then) paragraph 49 of the NPPF and clarified that in the absence of a five year housing land supply, the (then) paragraph 14 presumption in favour of sustainable development will be triggered.
- 5.11 The Supreme Court reinforced that it is a matter of planning judgement as to the weight housing policies are given; however policies affecting housing supply will have reduced weight in the tilted balance with there being an overriding need to boost the supply of housing except where the benefits are 'significantly and demonstrably' outweighed by the adverse effects. The judgement considers that, in the absence of a five-year supply of housing land, the decision-taker can apply a tilted balance and proportionally apply

weight to secure an adequate supply of housing rather than applying a rigid approach to the development plan.

- 5.12 The provision of this windfall site, whilst providing only a single unit, forms a valuable contribution towards the local housing stock and would not have any adverse harm to the implementation of other development plan policies. This site meets this requirement being limited in impact and also being available and deliverable in the short term. Weight should be afforded to the contribution of this housing to the local supply as a positive benefit of the scheme given that the development would make efficient use of land without any significant or demonstrable harm arising.
- 5.13 Any contribution towards the local housing supply should be afforded weight in the decision-taking process given that, as cited within *St Modwen Developments Ltd v SSCLG* [2017], 'the local planning authority can only do so much, that is to maintain a five year supply of deliverable housing land. The market, comprising house builders, finance and purchasers has to do the rest'. This reiterates the importance of the Council to plan positively and act proactively when smaller and more deliverable sites do come forward. This is pertinent where, until the Council provides clear evidence

within an up-to-date Monitoring Report of its housing provision, reliance on sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should be treated with a fair degree of circumspection.

Development outside of built-up area boundaries

- 5.14 In addition to the presumption in favour of sustainable housing development, the NPPF additionally accepts that development, even residential development, can occur outside of settlement policy boundaries when having regard to paragraphs 78 and 79 of the NPPF. Paragraph 78 provides for development in countryside locations where the site is not located in an ‘isolated location’ in order to promote sustainable development. It is stated that housing should be located **‘where it will enhance or maintain the vitality of rural communities’**.
- 5.15 The interpretation of ‘isolated’ was subjected to scrutiny (November 2017) within the High Court case of Braintree DC v SSCLG. The Judgement found that new homes should be considered ‘isolated’ only if they were positioned “far away from other places, buildings, or people, remote..” utilising the ordinary English definition. This Judgement provides for

opportunities to consider countryside locations for new residential development, with the drive for housebuilding strongly reinforced within the revised NPPF.

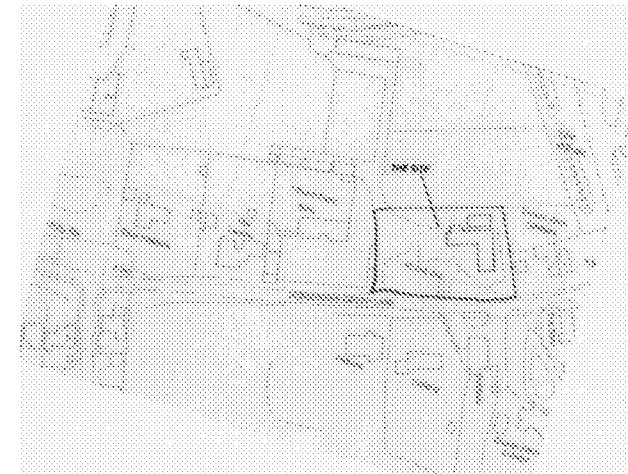
- 5.16 Furthermore, paragraph 14 of the Judgement states that ‘it is consistent with the Framework that sustainable transport opportunities are likely to be more limited in rural areas’ therefore further acknowledging that rural areas should not necessarily preclude new development as indicated at paragraph 78 of the NPPF which states that in order to promote sustainable development in rural areas ‘housing should be located where it will enhance or maintain the vitality of rural communities’.
- 5.17 In addition to paragraph 78, the NPPF at paragraph 103 states that whilst the planning system should actively manage patterns of growth in support of the Framework’s sustainability objectives (set out at paragraph 102 in respect of transport issues), it acknowledges that ‘...opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making’.

5.18 It is therefore reiterated that the site's location within the countryside does not necessarily make it 'unsustainable' simply by definition. Indeed, the Council has acted positively to development in the countryside, such as with the grant of outline permission under reference CM/37/18 for the erection of two dwellings on land derived from Mistletoe Farm positioned to the east and south of the overall site. This current application would therefore contribute to make effective use of the remainder of the plot with a property that accords with the local context.

5.19 In addition to the grant of permission at Mistletoe Farm, permission has also been granted to the east of Horsemere Green Lane for residential development, at land adjacent to Church Barn Farm for a single dwelling on the 11th December 2020. This decision also weighed on the absence of a five year housing land supply with a presumption in favour of sustainable development, recognising that there are social, economic and environmental benefits supporting the proposal in the public interest. Given the relationship to neighbouring properties, this scheme was not deemed to be within any isolated countryside location given the proximity to the surrounding properties.

5.20 The proposal at Mistletoe Farm, Clymping is similarly not isolated from other dwellings or development where it has a positive connection with the village and would be viewed in association with development within its immediate vicinity. Here there are a wide range of local services and facilities just a short distance away with the proposal able to contribute towards the vitality of the local rural community with occupiers of the new dwellings very likely to use local services and facilities which in turn helps local villages to grow and thrive, as encouraged by paragraph 78 of the Framework.

Figure 2: Location plan for land at Church Barn Farm



Previously developed land

- 5.21 In addition to the location of the development within a sustainable location, the NPPF strives for the efficient use of land as detailed within Chapter 11. Furthermore, the first criteria of HDPF Policy 33 sets out to '***Make efficient use of land, and prioritise the use of previously developed land...***'.
- 5.22 The NPPF provides a definition of 'previously developed land' which excludes, amongst other criteria, 'land in built-up areas such as residential gardens....'. This site is not located within a 'built-up area' having regard to the relationship to any settlement boundary adopted within the Arun Local Plan. The garden to Mistletoe Farm should therefore be seen as 'previously developed land' and acceptable for development, with the provision of a windfall site through the subdivision of gardens accepted within the Neighbourhood Plan.

Sustainable development

- 5.23 In addressing the objectives of sustainable development, the proposal would bring economic benefits associated with the construction process and a contribution towards local services and facilities from use by future occupiers. There

is also likely to be local spending as a new home owner makes a house their home. The occupants are likely to support the local community thus having a social role within this part of the village. Finally, the development would seek to retain the existing boundary vegetation whilst also adopting current energy efficient standards fulfilling the environmental objective. All three strands of sustainable development can therefore be met simultaneously from permitting this development.

- 5.24 In addition to the location of the development within a sustainable location, the NPPF strives for the efficient use of land as detailed within Chapter 11. The provision of this windfall site, whilst providing only a single unit, forms a valuable contribution towards the local housing stock and would not have any adverse harm to the implementation of other development plan policies. This site meets this requirement being limited in impact and also being available and deliverable in the short term. Weight should be afforded to the contribution of this housing to the local supply as a positive benefit of the scheme given that the development would make efficient use of land without any significant or demonstrable harm arising to the character and appearance of the area.

Conclusion on the principle of development

- 5.25 In addressing the objectives of sustainable development, the proposal would bring economic benefits associated with the construction process and a contribution towards local services and facilities from use by future occupiers. There is also likely to be local spending as a new home owner makes a house their home. The occupants are likely to support the local community thus having a social role within this part of the village. Finally, the development would seek to retain the existing boundary vegetation whilst also adopting current energy efficient standards fulfilling the environmental objective. All three strands of sustainable development can therefore be met simultaneously from permitting this development.
- 5.26 This Statement demonstrates that having regard to NPPF paragraph 11, there are no adverse impacts of granting planning permission that would significantly or demonstrably outweigh the benefits when assessed against the policies of the NPPF when taken as a whole. The proposed development will make a small but important contribution to housing land supply within the District and in particular to the Council's windfall target. In having regard to NPPF paragraph 68 in particular, the site is deliverable now and for the reasons set

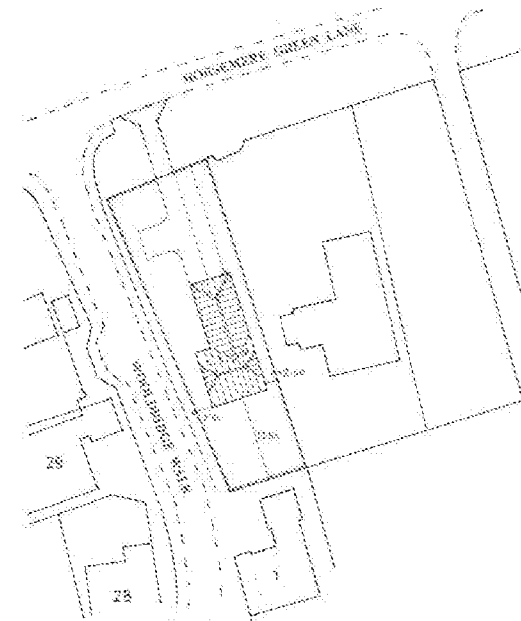
out; it is sustainably located and would make efficient use of land.

6.0 LAYOUT, DESIGN & APPEARANCE

- 6.1 The NPPF sets out that the Government attaches great importance to the design of the built environment (paragraph 56). Local Plan Policies D SP1, D DM1, D DM2 and the Neighbourhood Plan Policy CPN 11 consider matters of design, requiring new development to be of a high quality, with an attention to detail. These policies place weight upon the effect of new development upon its surroundings having regard to matters of design, scale, materials, siting and layout as well as the relationship to neighbouring development and the setting in the landscape.
- 6.2 In having regard to the development plan policies, it is fully intended for the new dwelling to be of a high quality and have full regard for the character of the location. The proposed development is therefore sensitive to the site and its surroundings whilst also making efficient use of land. The unit proposed is to be modest in size and by virtue of its design and positioning within the plot, would not distract or adversely dominate Mistletoe Farm and would sit comfortably within the street scene.

- 6.3 The proposal also has regard to providing a unit that is tailored to meeting long term accessibility and mobility needs as required by Policy D DM2 of the Local Plan. The proposal is also to provide adequate internal circulation and storage space to account for long terms needs and also as needs change according future occupants in perpetuity.

Figure 3: Proposed block plan



- 6.4 Policy D DM1 (Aspects of form and design quality) is prescriptive in its criteria for the assessment of new development as addressed below. Many of the criteria also overlap with Neighbourhood Plan Policy CPN 11.

Aspects of form and design quality

When considering any application for development the Council will have regard to the following aspects:

- 1. Character - Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.*
- 2. Appearance/attractiveness
Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area.*

- 6.5 Criteria 1 and 2 overlap, both referring to materials and landscaping and are therefore considered together.
- 6.6 The application site comprises a large garden area already in residential use and provides a plot of size greater than many plots within the immediate vicinity of the site, particularly within Wooldridge Walk. With a modest sized property proposed, the footprint would not overdevelop the

plot nor, with its chalet style design, appear disproportionate in scale to the nearby properties or the wider character of the street scene. This provides an ideal opportunity to make efficient use of the land, providing a spacious area of amenity space without appearing cramped or overdeveloped in the street scene. The proposal would therefore reflect with the character of the area in terms of plot size and density.

- 6.7 The scale and massing of the proposed property is to sit comfortably adjacent to Mistletoe Farm when viewed from Horsemere Green Lane. This is achieved by positioning the new dwelling parallel to Mistletoe Farm to respect the building line set by this property, by placing the first floor accommodation deep into the site and to make use of materials commensurate with the character of the area. To further conform with the character of the area, the property will have space about its elevations and retain ample distances between Mistletoe Farm and 1 Wooldridge Walk to ensure that any cramped appearance in the street scene does not arise.
- 6.9 The size of the plot also allows for a sensitive approach to be given to the siting of bin and cycle storage to minimise

the visual effect of these additional requirements for a residential dwelling.

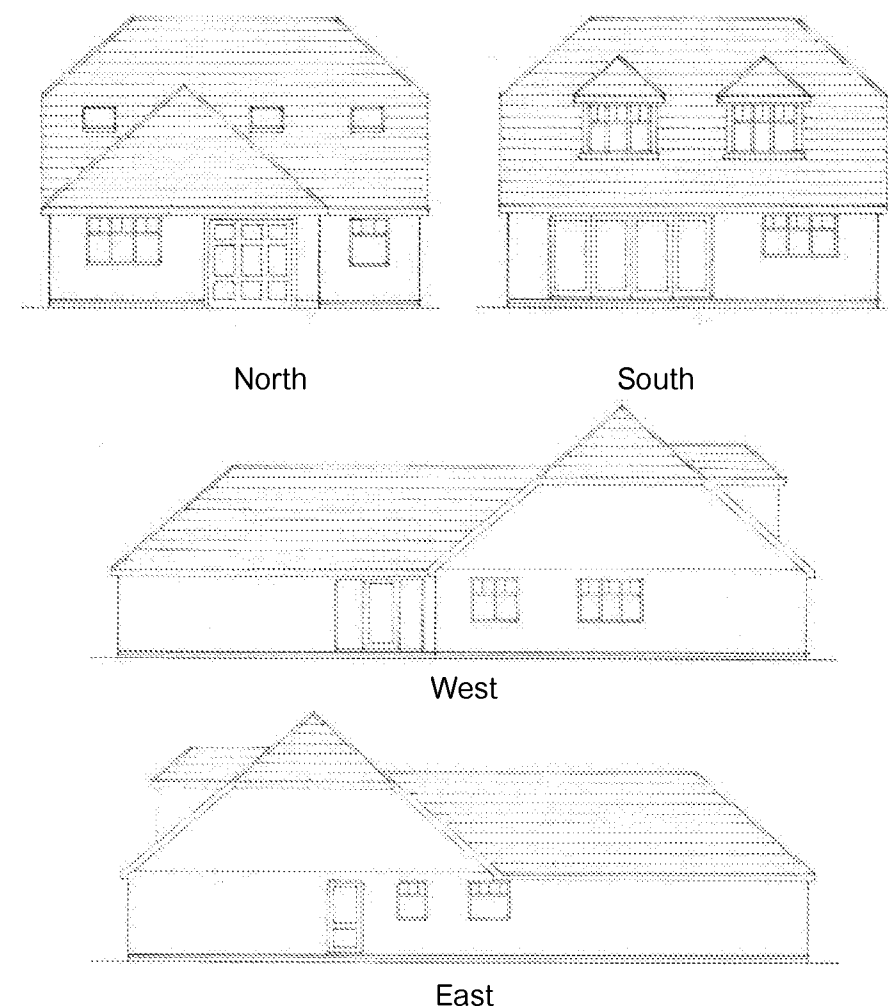
3. Impact

Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.

- 6.10 Criteria 3 seeks to protect the amenities enjoyed by neighbouring development which is generally considered to address matters of privacy, access to sunlight and daylight, noise, vibration, and pollution. In this instance, the closest residential properties will be Mistletoe Farm to the west and 1 Wooldridge Walk to the south.
- 6.11 The creation of a new infill property would not result in any harm to the privacy of neighbouring properties. The ground floor accommodation would have fenestration viewing into the curtilage of the site only; therefore these views would be contained by boundary treatments and would also provide natural surveillance for security. At the first floor level, there will be rooflights facing north and dormer windows facing south. These would have views towards 1 Wooldridge Walk however these views, with an intervening distance of 13.5m

to the boundary, would look towards the garage and roofscape of this property rather than any private amenity area. There would be no adverse harm to amenity.

Figure 4: Proposed elevations



6.12 Views from the dormer windows would also extend at an oblique angle towards the southern dwelling granted permission under CM/37/18/OUT. Again, this would look towards the driveway rather than any private amenity space. Given the height and orientation of the plot, there would be no harmful impacts upon daylight or sunlight.

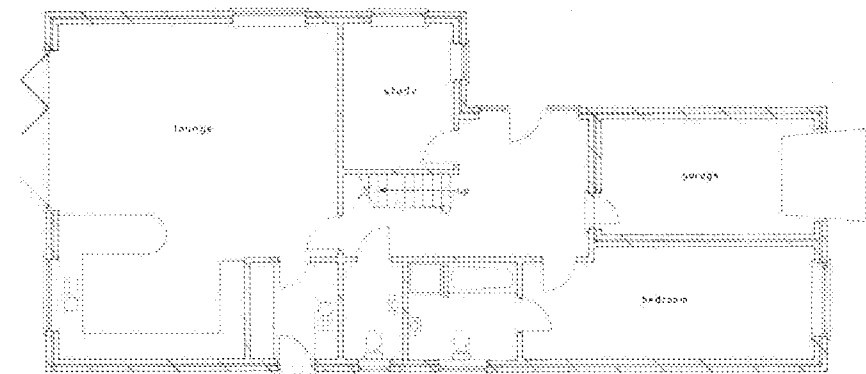
6.13 The neighbouring properties would receive some disturbance during construction works but this would be over a short duration and therefore not be adversely harmful.

4. Innovation

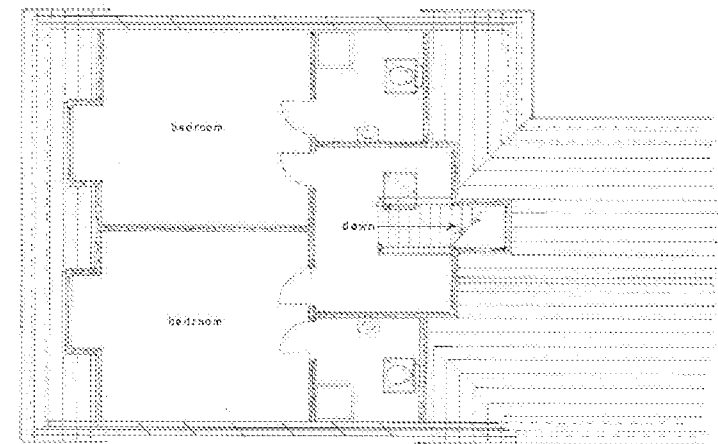
Raise standards of design by embracing appropriate innovative design, new technologies and construction techniques, where a development proposal has the potential to do so.

6.14 The development will ensure that required standards of energy efficiency are met as set by Building Regulations. This would include having consideration to fixtures and fittings to ensure sustainable water use. The proposal would therefore be energy efficient in terms of layout, design and technologies as required by Policy DCC SP2 of the Local Plan.

Figure 5: Proposed Floor plans



Ground Floor Plan



First Floor Plan

5. Adaptability

Acknowledge diversity and difference. Buildings and places should be flexible to future adaptation, including the changing needs of occupants (for example ageing users, family circumstances), changes in wider work and social trends, and be able to accommodate potential differing uses of public space.

- 6.15 The proposed development would accommodate the needs of future occupants in perpetuity given the provision of an en-suite bedroom at the ground floor. The development does not include public space therefore this aspect of the criteria is not relevant.

6. Crime prevention

Provide security measures that make places feel safer. This shall be achieved through natural surveillance and human presence by locating buildings and play areas along public routes and spaces, and making a clear division between private and public land to foster a mutual protection through territorial belonging. With respect to crime prevention, regard shall be had in particular to the document 'Secured by Design' and the 'Safer Places - The Planning System and Crime Prevention'.

- 6.16 The property is provided with fenestration that would provide for natural surveillance across the clearly defined public and private areas of the site. The property would also

be constructed with appropriate security fixtures to secure the building itself.

7. Trees and woodland

All new development will be expected to incorporate existing and new tree planting as an integral part of development proposals.

- 6.17 The proposed site seeks to retain the existing boundary planting which contributes to the character of the area and is visible to the street scene to the south. The resultant garden would also be landscaped to also contribute to the area and net biodiversity gains.

8. Solar gain

Within the constraints of the site and local context development proposals should, maximise sunlight and passive solar energy. Ideally development should be positioned (within a 15-20 degree margin) broadly south, with streets having an east-west pattern.

- 6.18 The orientation of the site is prefixed and would have the front elevation facing north, giving a south facing rear garden. The design throughout however does seek to maximise natural light within internal spaces through the positioning and size of the fenestration. This would also

contribute to internal heating but not result in excessive internal temperatures.

9. Public realm

Provide or enhance layouts, streets and public spaces so that they are attractive, socially inclusive, safe and secure, adaptable, with appropriate provision for planting, street furniture, and facilities for bicycle storage to create a place with attractive and successful outdoor areas.

- 6.19 The development is for a single property only which would have a contribution to the street scene but would not be providing for any public realm features.

10. Layout – movement

Utilise existing networks or improve access via delivery of a variety of integrated networks, to and from residential areas, commercial zones, open spaces, facilities and public transport. Development schemes should carefully consider walking and cycling as an integral part of the overall design concept.

- 6.20 The property would be provided with its own vehicular and pedestrian access to ensure that the property can provide for off-site parking. The proposal would also provide for on-site cycle parking.

11. Layout – legibility

Deliver or contribute to the ease of navigation within a new or existing development scheme through use of focal points (landmarks, gateways, vistas, corner buildings, active edges, existing topography), and/or a variety of detail within the public realm (sculpture, planting, street furniture, building materials, building detail, signage).

- 6.21 The proposed development is specifically designed to provide a property that has a recessive appearance in the street scene. This is achieved by not providing focal points or distinctive embellishments. However, to ensure that the property remains legible, the site will be appropriately landscaped to ensure that visitors can identify with the public and private areas of the plot, for instance with a clearly main entrance from both the highway and into the property.

12. Public art

Public Art should be incorporated into schemes where there is capacity to do so. Public art can encompass a wide variety of elements to include art as part of the design of buildings and developments, landscape and planting, street furniture, signage and lighting in the public realm which is accessible to all. This can also result in physical, permanent artworks and sculptures.

- 6.22 The proposal is for a single private residential dwelling therefore provision of public art is not relevant.

13. Density

The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity.

- 6.23 The development seeks to make efficient use of land and, reuse an area otherwise given over for storage. With only one property proposed, the proposal achieves a density that respects the character of the area and would not result in any overdevelopment of the site nor a cramped appearance in the street scene. The density would sit commensurate with the locality.

14. Scale

The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement.

- 6.24 Matters regarding scale and massing have been addressed in relation to criteria 1.

15. Aspects of form and design quality

Development should also comply with the Arun District Council Design Guide.

- 6.25 Matters regarding scale and massing have been addressed in relation to criteria 1. No Supplementary Planning Document titled 'Arun District Council Design Guide' could be found on the Council's website therefore it is not possible to specifically refer to this. Notwithstanding this, the proposal is considered to accord with the requirements of the development plan with regard to all aspects of design and is therefore considered to have an acceptable impact upon the character and appearance of the area.

Natural Environment

- 6.26 The NPPF requires that local planning authorities preserve and enhance biodiversity and that new development adequately mitigate against any potential harm. Locally, Policies ENV SP1 (Natural Environment) and ENV DM5 (Development and biodiversity) requires that new development seeks to achieve a net gain in biodiversity and protects existing habitats and protected species on site. The Neighbourhood Plan Policy also seeks to provide for the

protection of trees and hedgerows within Policy CPN 8 and for natural habitats within Policy CPN 9.

- 6.27 The site is not located within any area designated for its ecological interest however it is acknowledged to be in a rural location and has potential for providing a suitable habitat for protected species. The proposed development would not result in the demolition of any buildings that are likely to accommodate any protected species and whilst the site would result in new built form, this can be achieved whilst being sensitive to the natural environment. Notwithstanding this, the works would be undertaken with a precautionary approach and advice taken on ecological matters at the appropriate time should any protected species be found.
- 6.28 It is intended to retain the natural boundaries to the site which provide a natural wildlife corridor and screening, whilst also contributing to landscape character. The final development would also be landscaped to further contribute towards biodiversity gains and the local landscape character. There is no conflict with the relevant development plan policies or advice set out in the NPPF addressing biodiversity.

- 6.29 The site sits within an area that is at low risk from fluvial flooding and low risk from pluvial flooding. Any drainage can be appropriately addressed through a sustainable drainage strategy to ensure that no new impacts arise. This will ensure that the development would accord with Policy W DM3 (Sustainable Urban Drainage Systems) of the Local Plan and Policy CPN 12 (Reducing the risk of flooding) of the Neighbourhood Plan.
- 6.30 Policy W DM1 (Water Supply and Quality) ensures that development can be provided with a sufficient water supply which does not cause detriment to supplies elsewhere. The proposal is for a single dwelling and a connection would be agreed with the local water authority under the Water Industry Act 1981.

7.0 ACCESS AND PARKING

- 7.1 Local Plan Policy T SP1 (Transport and Development) and Neighbourhood Plan Policy CPN 14 (Traffic and the Environment) ensures that development meets its transport demands and is designed to minimise additional traffic generation, provides for safe and easy movement and meets parking requirements.
- 7.2 The development is a traffic generating use however the creation of a single additional property in this location would not generate significant numbers of additional vehicular movements to the area ensuring no new interruption to the free flow of traffic on the highway.
- 7.3 The proposed dwelling would require a new direct access from the public highway which is designed to ensure that space is available for the manoeuvring of vehicles serving the property and would have appropriate visibility onto the public highway to ensure that highway safety would not be compromised. The driveway would be laid to hardstanding to provide for on-site parking which is wholly contained within the planning unit. This area is to be retained for

parking in perpetuity and would meet the needs of the occupiers and their visitors.

- 7.4 Within the site, the resultant dwelling would also be provided with space for cycle storage to ensure that encouragement can be given to use of alternatives to the car. The proposal therefore accords with the Development Plan policies addressing transportation.

Figure 6: Vehicle Access and Tracking



8.0 INFRASTRUCTURE

- 8.1 The Local Plan is concerned with the infrastructure requirements of new developments. The provision of an additional dwelling at this site would not add significantly to the demand for local infrastructure services. As set out within the NPPF (2019), the development would also not qualify for affordable housing. The application has nevertheless been accompanied by the required Community Infrastructure Levy form.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 Planning permission is sought for the erection of a modest sized, three bedroom property on land which already benefits from an extant residential use; formally part of the garden to Mistletoe Farm. The site is positioned between existing residential properties and therefore the development would form a logical infill plot within a street frontage, making efficient use of the land with a plot of a greater area than those properties set within Wooldridge Walk. Furthermore the design of the property is sensitive to the setting of the street scene and its relationship to Mistletoe Farm. Use would be made of material appropriate to the area with minimum embellishments.
- 9.2 The site is located within the village and in a location that is not isolated when having regard to the NPPF and case law. Importantly, the proposal would contribute towards the mix of housing in the locality and also to add choice in the type of accommodation within the village in perpetuity. The proposal can also be brought forward in the short term and is therefore to be considered a deliverable form of development. The site also has a good relationship to the local services and facilities, however does sit outside of any

Built Up Area boundary. It is therefore within the countryside and thus contrary to the spatial approach for the distribution of housing within the District as set out in the Local Plan. However it is put that, in the absence of the Council being able to demonstrate a five year housing supply, reduced weight must be afforded to the most important policies for the distribution of housing.

- 9.3 In accordance with the NPPF (paragraph 11), where relevant policies are considered out of date permission will be granted unless the application of policies in the Framework that protected areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 9.4 In applying Paragraph 11, the site has no relationship to any protected sites or assets. The proposal would simply make a small contribution towards the local housing supply with provision of a windfall property upon previously developed land. This would deliver economic and social benefits and, with new landscaping contributing to further to the character of the site and to biodiversity net gain, together with energy

efficient measures installed to meet Building Regulations, the environmental objective of sustainable development would be met. Mindful of the Framework's aim to achieve sustainable development, achieving these aims should be afforded moderate weight.

9.5 No other conflicts have been identified with remaining policies of the development plan which are considered to still align with the NPPF. With the proposal respecting the character and appearance of the area, providing for residential amenity and causing no adverse harm to highway safety, such compliance with other main policies should be afforded significant weight in the planning balance. It is therefore concluded that in accordance with paragraph 11, the application of policies in the Framework when taken as a whole are not considered to provide a clear reason to refuse permission. The presumption in favour of development should therefore apply.

9.6 This Statement has set out that there would be no harm to the landscape character of the site, highway safety or the countryside location. It is concluded that the proposal complies with the elements of sustainable development and therefore complies with the NPPF and the relevant policies contained within the adopted Development Plan.