

Recommendation Report for Planning Permission

REF NO: CM/49/19/PL

LOCATION: The Black Horse Public House
Climping Street
Climping
BN17 5RL

PROPOSAL: Single storey extensions to east/south elevation, first floor extension to north elevation, new garden building & change in materials in carpark. This application affects the setting of a listed building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct to the South-Eastern aspect of the host building, and extend an existing first floor projection of the host dwelling, on the Northern side of the host building. It also seeks to resurface the car park, and erect a garden building.
SITE AREA	1777sq.m.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The elevation facing the street scene (Western elevation) is bordered by a small, 1m wall. The Northern and Eastern elevations are bordered by a mixture of hedging, and fencing. The Southern elevation is reasonably open plan.
SITE CHARACTERISTICS	The Black Horse Public House is a C.18 two storey detached building. It is faced with flints, now painted with a tiled roof. Windows are casement in style.
CHARACTER OF LOCALITY	The host building is located within the attractive street setting of Climping which winds its way down to the attractive beach. The lane itself is rural in character with a limited number of cottages and other houses. The lane contains a significant number of trees and other vegetation.

RELEVANT SITE HISTORY

CM/50/19/L	Listed building consent for a single storey extensions to east/south elevation, first floor extension to north elevation, new garden building & change in materials in carpark.
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Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Climping Parish Council

Parish Council - No objection.

1 letter of support from local occupier:

- Encouragement should be given to the new owner to upgrade and revitalise the public house.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

Conservation Officer

Ecology Advisor

CONSULTATION RESPONSES RECEIVED:

Conservation Officer -

The Black Horse PH is a C.18 two storey detached building. It is faced with flints, now painted with a tiled roof. Windows are casement in style.

It is located within the attractive street setting of Climping which winds its way down to the attractive beach. The lane itself is rural in character with a limited number of cottages and other houses. The lane contains a significant number of trees and other vegetation.

There are a number of listed buildings in the lane, but none of them are in close proximity to the application site.

An extensive Heritage Statement has been provided which assists with the assessment of the proposals. On the basis of the complex information provided in both statement and plan form, I provide the following comments.

- Proposal

The proposal involves retaining the building in its existing use; that of a public house. Such an approach is acceptable as it accords with the NPPF/PPG in that the most optimum viable use is to be retained for the asset.

Having reviewed all of the information provided, it would appear that the following works can be identified:

- Various works to the interior

- Demolition of an extension
- Construction of two new extensions and works to the roof
- Works to the grounds/landscaping

Each shall be discussed in turn.

- Various works to the interior

These works are largely associated with the more recent works which have been undertaken to the building during the 20th Century. As indicated by the Heritage statement, a significant amount of repair and upgrade took place during this time period which has removed a significant amount of older fabric.

With regard to the first floor, the concept of blocking or repositioning of doorways to the rooms off the rear corridor is acceptable, subject to the retention of the existing doors and their re-use if they are of a traditional design/construction.

The removal of the en-suite WCs to two of the lettable rooms is supported as they sit in inappropriate locations. The proposed location of the replacement facilities, whilst sub-dividing a room into two, will utilise a space without a chimney piece and allow for a more suitable floor plan. Any joinery/skirting etc should match the existing.

Other alterations to the floor plans will not cause significant harm and will have a generally positive impact upon the layout and character of this part of the interior.

It is therefore considered that the proposed alterations to the floor plan etc will ensure that the existing use can be sustained, and the significance of the building not harmed.

- Demolition of an extension

As part of the proposal, it is recommended that a modern extension is demolished. This will provide for an improved side access and southern elevation more generally. Further, as this extension is of modern construction it will not result in the loss of any historic fabric. In fact, its loss might help this elevation to be better revealed and appreciated.

As a consequence, it is considered that this element of the proposal will not cause harm.

- Construction of two new extensions and works to the roof

Two new extensions are proposed; one at first floor level to the eastern elevation and one at ground floor level to the eastern elevation.

The first-floor extension will reflect the character of the existing, host dwelling in terms of appearance and scale. Whereas the proposed ground floor is larger and designed to be an attractive dining space. Whilst it is large in scale, it is considered that on balance, it will not harm the significance of the heritage asset. This is on the basis that good quality materials are used. I note that boarding is to be used on the southern elevation, and its treatment should be confirmed.

The removal of the modern section of roof to the rear elevation, and its replacement with a balcony will only affect modern fabric which was constructed during the 20 century, and of no significance.

This element of the proposal will open up the older rear elevation to public view, thereby increasing legibility and enabling this elevation to be better revealed. Such a proposal is therefore considered to be

acceptable.

However, this is subject to details of the balcony, and the materials to be used.

- Works to the grounds/landscaping

At present the car park is located to the rear of the building and is covered with a poor-quality tarmac surface. There is also a decked area which has previously used as an external seating area. Such poor landscaping does not enhance the listed building.

I note from the proposal that the intention is to replace this tarmac area with permeable, self-binding gravel. Such a material is considered to be much more appropriate for the building, and the location.

- Other

It is noted that double glazing is proposed. This should be of heritage standard, that is to say the thinner glazing in order to ensure that it better suits the character of the building.

It is not clear what all of the joinery on the new ground floor extension will look like, please can this be conformed?

Also, any change in exterior colours should also be provided to the LPA.

- Conclusion

The application is considered to not cause harm to the significance of the heritage asset or its setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments.

You will also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), taking in to account sections 16 and 66, where relevant.

The Council's Drainage Engineer -

The application site is within the Lidsey Catchment, therefore, surface water drainage should be carefully controlled.

The Engineer recommends a condition, relating to pre-commencement submission of surface water design.

Environment Officer -

The lighting scheme should be sensitivity designed in order to reduce unnecessary light spill. It is also required that a bat brick is incorporated into the South/South-Westerly wall.

It is also requested that a bird box be installed on the extension/ and or tree within the garden.

Southern Water -

Southern Water require that a formal application for any new connection to the foul and surface water sewer to be made by the applicant or developer. The relevant informative will be added.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
 Outside built up area boundary
 Grade II Listed Building
 Area of Special Control - Adverts

DEVELOPMENT PLAN POLICIESArun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
ENVDM5	ENV DM5 Development and biodiversity
DSP1	D SP1 Design
EMPDM1	EMP DM1 Employment Land: Development Management
HERDM1	HER DM1 Listed Buildings
SDSP2	SD SP2 Built-up Area Boundary

Clymping Neighbourhood Plan 2015 Policy CPN1 Protect Community Facilities

Clymping Neighbourhood Plan 2015 Policy CPN11 Quality of Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Climping Parish benefits from a 'made' Neighbourhood Development, of which Policies CPN1 and CPN11 have been considered as part 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 is considered to comply with relevant Development Plan policies relating to development

outside the built up area boundaries. The proposal accords with policy C SP1 (f). on the basis that it is a proposal for economic growth outside the built up area boundary which conforms with policy EMP DM1 (6.) of the Arun District Local Plan 2018.

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 key policy considerations in the determination of this application are those contained within the Arun Local Plan and the Climping Neighbourhood Development Plan. The application site is situated outside of the built up area boundary. Policy C SP1 of the Arun Local Plan will not permit development situated outside of the built up area boundary unless it is consistent with other Arun Local Plan policies. Policy C SP1 of the Arun Local Plan seeks to protect the countryside for its own sake and as such exerts strict control over development situated outside of the BUAB.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

In order to determine whether the proposals accord with development policies for proposals outside of the BUAB, the relevant Local Plan policy to assess the proposals against is Policy EMP DM1.

Policy EMP DM1 of the ADLP relates to circumstances in which economic growth outside the BUAB may be permitted. This policy states under (6) that planning permission will be granted on sites outside the built-up area, provided that it is satisfied the criteria in the policy. The proposal meets all of the other criteria set out in EMP DM1 (6.) in that it is an appropriately sized extension of an existing employment site. It is of a high standard of design, which is considered to be appropriate to the context and a sympathetic relationship to the surrounding area.

Policy CPN1 seeks to protect community facilities within the Parish of Climping, of which 'The Black Horse' is included. The policy seeks to sustain, or extend the viable use of existing community facilities. In this case, the proposal is considered to revitalise the currently closed asset, and extend the previous use.

Policy CPN11 of the Climping Neighbourhood Development seeks to ensure that proposals are of a high quality of design, in order to protect and enhance the character of the local area.

Paragraphs 80 and 84 of the NPPF support economic growth through the planning system generally and in rural designated locations. It is therefore clear that the NPPF lends support to the development proposed. This is particularly the case since the proposal is not considered to give rise to unacceptable harm in respect of such matters as visual amenity, design and amenity in general and is considered to be in accord with the Development Plan.

DESIGN AND VISUAL AMENITY

The proposed single storey extension is considered to be of an appropriate design, which appears subservient to, and well integrated with, the host building. This is especially due to the notably unattractive existing extension in this location being removed as part of the development in this area. The proposed extension is at ground floor level, and as a result of its siting, and boundary treatment within the area, will be visible from the street scene. However it is considered, that due to its design, it is in

accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan.

The proposed first floor addition to the host dwelling is considered to be a well designed, well integrated extension to the host building, in that it projects from an existing Eastern facing projection of the host building and is of materials that appear sympathetic to the host building. The proposed first floor addition is considered to be in accordance with D DM1, D DM4(a) and (b) of the Arun Local Plan, and those relevant within the Climping Neighbourhood Development Plan.

HERITAGE IMPACT ASSESSMENT

Section 66 of the Planning (Listed Building and Conservation Area) Act 1990 states that the decision as to whether or not to grant planning permission, for development which affects a listed building or its setting must have regard to the desirability of preserving the building or its setting. Paragraph 189 of the National Planning Policy Framework (NPPF) requires such information to be provided in order to assess the impact of the proposal upon these assets. In this instance, it is considered that the proposed development does not cause harm to the Listed building, and as such, the proposal should be determined in accordance with the relevant sections of the Development Plan. This is as a result of the design of the proposed development, and its use of materials.

NEIGHBORING RESIDENTIAL AMENITY

The proposed development is not considered to give rise to any significantly harmful impact upon the residential amenities of neighbouring dwellings. This is predominantly due to the siting of the host building being approximately 20m from the closest residential building, which is considered to mitigate any potential for overshadowing, or overlooking impact. Therefore, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

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

APPROVE CONDITIONALLY

- 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 approved shall be carried out in accordance with the following approved plans:

- Proposed Site/Block Plan - 600 -103 - Rev. E - Apr 2019
- Proposed Ground Floor Plan - 600 - 110 - Rev. D - Apr 2019
- Proposed First Floor Plan - 600 - 111 - Rev. D - Apr 2019
- Proposed Eastern Elevation - 600 - 123 - Rev. D - Jun 2019
- Proposed Southern Elevation - 600 - 122 - Rev. B - Jun 2019
- Proposed North Elevation - 600 - 121 - Rev. C - Jun 2019
- Proposed Roof Plan - 600 - 113 - Aug 2019
- Proposed Garden Outbuilding Plan - 600 - 799 - Aug 2019

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 No external lighting shall be installed on any part of the site or buildings until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the

Arun Local Plan.

- 5 Prior to completion of the development, details indicating how suitable provision will be made for birds, and bats' habitats have been submitted to and approved by the Local Planning Authority and such habitats shall be secured/provided before development is completed and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To safeguard the ecology of the area, and in the interests of bats and birds to ensure that a habitat remains for them during and after development in accordance with policies ENV DM1 and ENV DM5 of the Arun District Local Plan.

- 6 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 7 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 8 INFORMATIVE:
A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link: <https://beta.southernwater.co.uk/infrastructure-charges>