

Kents Yard, Crookthorn Lane, Climping

Change of use of barns to create
3no dwellings



Design, Access and Planning Statement

ADDENDUM TO STATEMENT OF MAY 2019

OCTOBER 2019

APPLICANT: MR A CROWLEY

PREPARED BY: STEPHEN JUPP MRTPI, 348 CHICHESTER ROAD, BOGNOR REGIS, PO21 5BX

Contents

1	<u>BACKGROUND</u>	<u>1</u>
2	<u>THE OFFICER REPORT TO THE COMMITTEE</u>	<u>1</u>
3	<u>CONSIDERATION BY COMMITTEE</u>	<u>3</u>
4	<u>THE AMENDED SCHEME</u>	<u>4</u>

Appendices

- 1 Committee Report for CM/25/19/PL
- 2 Decision Notice for CM/25/19/PL

1.0 BACKGROUND

- 1.1 My original Planning, Design and Access Statement, dated May 2018 accompanied the previous application for the change of use of the barns to form 3 no dwellings.
- 1.2 This Statement is an Addendum to that Statement and supports the resubmitted application for the change of use of the barns to form 3 dwellings.
- 1.3 This Addendum sets out the Officer Committee Report to PERMIT the application and details the reason the Committee cited for refusing permission along with other concerns that were raised. The Addendum then details the changes made to this application in an attempt to address the concerns of the Committee.

2.0 THE OFFICER REPORT TO THE COMMITTEE

- 2.1 The Officer Report to committee is attached at Appendix 1.
- 2.2 On the matter of the Conversion Policy H DM4 the report states:

With regard to the impact on the character of the area being acceptable the alterations are not considered significant and the extension to the northern section of the eastern wing is deemed acceptable in terms of the extent of alteration of the buildings as a whole.

It is considered that all of the new spaces that are created as a result of the internal alterations are such that they attempt to retain some of the open character of the building and therefore sympathetic to the rural setting in terms of form and bulk. The layout of the proposed courtyard in comparison to the previously approved scheme shows an significant improvement, maintaining an open character.

In respect of highway matters the advice from highways in previous applications has found the conversion of the barn into two units acceptable. In this there is no reason to suggest a differing opinion given that the additional dwelling proposed has been allocated two off street car parking spaces.

The proposal is compliant with the conversion policy and is in keeping with the rural character of the building.

Policy CPN 11 of Climping Neighbourhood Plan requires new development, including rebuilding and alterations to be of high

quality design and to protect and enhance local character. It is considered that the treatment of the building does protect the rural character and quality of the area by providing additional accommodation in a sympathetic conversion which comprises a acceptable and limited extension.

- 2.3 On the matter of Residential Amenity it was considered that "The addition of 1 more unit will not have an appreciable increase on the level of impact on neighbouring residential amenity compared to that already found acceptable for two approved units."

- 2.4 With regard to 'Gaps Between Settlements' officers considered:

Policy SD SP3 stresses that the generally open and undeveloped nature of gap between settlements, as defined on the Policies Maps (Littlehampton and Middleton-on-Sea, along with others listed) will be protected to prevent coalescence and retain their separate identity. Development will only be permitted within the gaps subject to certain constraints.

As part of the proposal the barns will be retained and will utilise and maintain the internal courtyard, the residential curtilage is provided to the west as previously approved. This curtilage size is desirable to reduce the impact of the development on the surrounding countryside The buildings would be extended marginally and their visual prominence would not increase due to a sensitive approach of design.

- 2.5 On the matter of 'Heritage Considerations' Officers considered:

National Planning Policy Framework (NPPF) paragraph 193 states that in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to asset's conservation and Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) stresses that when considering whether to grant permission for development which affects a Listed building or its setting the Local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The proposal would not adversely affect the setting of the adjacent Listed building. It would not result in a building of urban appearance. It does not detract from the rural appearance and character of the existing buildings which contribute to the rural setting of the building. The Council's Conservation officer shares the opinion that the application is considered to not cause harm to the significance of the heritage assets or their setting.

Therefore the proposed development would satisfy the requirements of NPPF, Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and policy HER DM1 of the Arun Local Plan.

- 2.6 The final issue identified by Officers was 'Compliance With Internal Floor Space Standards' and Officers concluded:

The proposal relates to gross internal floor spaces of approx. 86 sqm for 2 bedroom unit, 125 sqm for 3 bedroom unit and 156 sqm for 4 bedroom unit which exceed considerably the minimum gross internal floor areas requirement for a storey dwelling as set out in the Nationally adopted space standards. (70 sqm for 2 bedroom, 95 sqm for 3 bedroom and 117 sqm for 4 bedroom dwelling).

- 2.7 Taking all of these factors together, Officers recommended that planning permission granted, subject to conditions.

3.0 CONSIDERATION BY COMMITTEE

- 3.1 Taken from the Minutes from the meeting it is clear that:

Member concerns were expressed around the disparity of the garden sizes, particularly that the garden for the proposed three bedroom property was significantly smaller than for the remaining two properties. Officer advice was given that the central courtyard area would provide additional amenity space for all the dwellings and that, due to the character of the area and rural buildings, it would be anticipated that smaller amenity space would be provided.

- 3.2 The Committee were advised by the Group Head of Planning that :-

- (1) The Council's relevant policy HDM4 relating to the conversion of rural buildings stipulated that the proposals should minimise the amount of land used as residential curtilage; and*
- (2) The amenity space provided for the proposal was in fact larger than that provided for the previously approved conversion two years ago.*

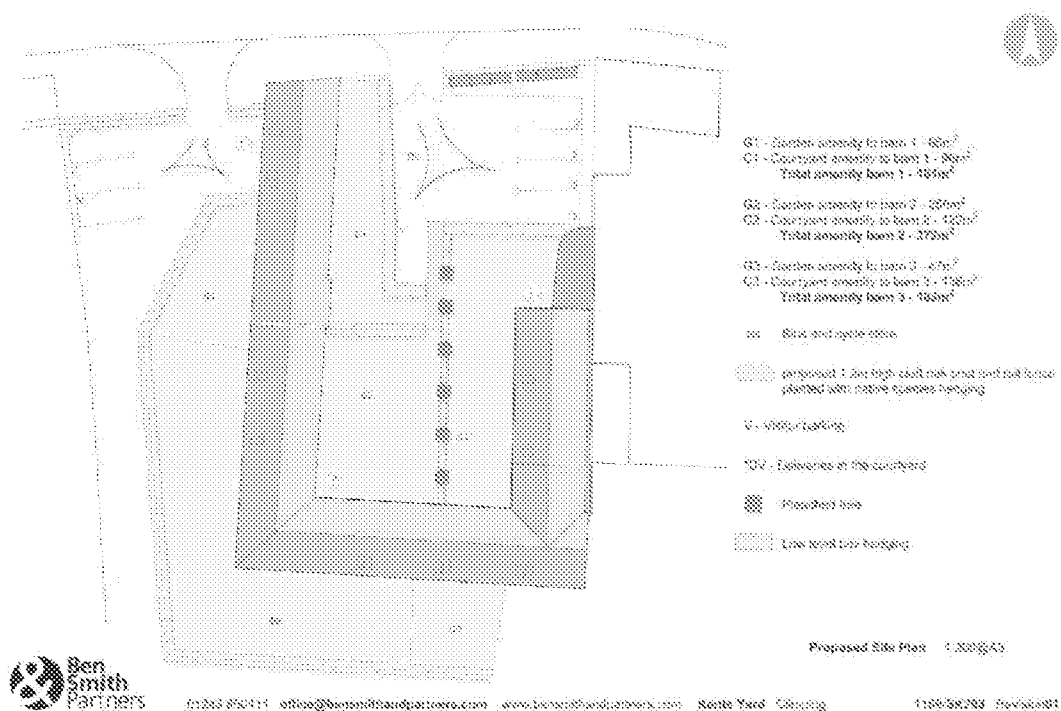
- 3.3 However, Members maintained that the proposal was inappropriate and RESOLVED that the application be refused for the following reason:-

The proposals would result in a form of development that would be cramped and over intensive with inadequate amenity space, resulting in an adverse impact on the character of the area contrary to policy D DM1 of the Arun Local Plan.

- 3.4 The Committee also made reference to the lack of visitor parking and queried where delivery vehicles would park, citing congestion during school drop off and pick up times.

4.0 THE AMENDED SCHEME

- 4.1 Drawing on the concerns raised by Members, this amended scheme seeks to address the issues of amenity space and parking.
- 4.2 Dealing with parking first, the scheme now has 2no visitor spaces provided – one within the courtyard and one on the west side by the spaces for unit 1.
- 4.3 On the matter of deliveries, these will be undertaken from the courtyard and drawing SK203 shows where the deliveries will be undertaken within the courtyard.
- 4.4 On the matter of amenity areas, the same drawing – see extract below – shows a more detailed arrangement for the courtyard, providing simple linear divisions created by low fencing and low level box hedging.



- 4.5 This amended arrangement enables a higher amount of external amenity to be provided for the three bed roomed unit [3].

the development plan unless material considerations indicate otherwise.

- 4.12 **For the reasons set out above the proposed development is clearly in full accordance with the development plan. Permission should therefore be forthcoming – it would be wholly unreasonable to withhold the grant of permission.**

APPENDIX 1

OFFICER COMMITTEE REPORT

PLANNING APPLICATION REPORT

REF NO: CM/25/19/PL

LOCATION: Kents Yard
Brookpit Lane
Climping
BN17 5QT

PROPOSAL: Change of use of barns to 3 No dwellings (resubmission following CM/24/18/PL).
This application may affect the setting of a listed building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to convert and extend the former farm stable buildings to create 3 separate dwellings. One 4 bedroom, one 3 bedroom and one 2 bedroom. The current application proposes three dwellings instead of previously approved two and comprises: - A slightly deeper east wing. - An existing flat roof above east wing would be replaced with a pitch roof. - A small section of the court yard has been allocated for parking and bin/cycle store. - The parking spaces are replaced from the central position of the yard to the west of the former farm buildings. - A new entrance is proposed. - Three Flash conservation roof lights are proposed to the western roof plane facing to the yard.
SITE AREA	0.14 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	21 dwellings/hectare.
BOUNDARY TREATMENT	To Crookthorne Lane 2m high flint wall. To east overgrown bund planted with hedging. To east 2m high brick wall.
SITE CHARACTERISTICS	The proposal site is located on the southern side of Crookthorne Lane and comprises single storey traditional flint and brick built farm buildings enclosing an inner yard area.
CHARACTER OF LOCALITY	The area is rural in character with a few neighbouring properties with one residential property on the opposite side of the road and a group of five to the south-east. Residential properties adjoin the site to the east and on the opposite side of Crookthorne Lane.

RELEVANT SITE HISTORY

CM/19/17/PL	Conversion of former agricultural buildings to form two dwellings (Revised design). Resubmission following CM/28/16/PL. This application affects the setting of a Listed Building.	ApproveConditionally 25-10-17
CM/28/16/PL	Conversion & extension of barns to form 2 No. dwellings & detached car port This application affects the setting of a Listed Building.	Refused 09-02-17
CM/19/15/PL	Change of use of argicultural building to 2 No. dwellings. This application affects the setting of a Listed Building.	ApproveConditionally 05-11-15
CM/38/14/PD	Prior notification under Class MB part (a) for change of use of agricultural building to dwellinghouse (Use Class C3)	No Objection 19-12-14
CM/40/14/PD	Prior notification under Class MB part (a) for change of use from agricultural building to dwellinghouse (Use Class C3)	No Objection 19-12-14

CM/28/16/PL related to conversion to 2 x 4 bed units and was refused for the following reasons:

- The proposed conversion is unacceptable in that it includes an extension to the approved residential curtilage and involves significant and unsympathetic rebuilding and alteration which together with the number and size of the new openings has an unacceptable impact on the rural character and appearance of the building and the wider locality. The proposal is therefore considered to conflict with policies GEN3, GEN7, AREA10 and DEV2 of the Arun District Local Plan.
- Given the design and extent of alteration the proposal involves damage to the setting of a Grade 2 Listed Building, and therefore conflicts with the provisions of the National Planning Policy Framework.

Application CM/19/17/PL satisfactorily addressed the reasons of refusal in CM/28/16/PL.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Climping Parish Council

Climping Parish Council has objected stating:

1. It will be detrimental to the setting of a Listed Building with which it shares a structural wall.
2. It is completely out of character with the area.
3. It will be detrimental to the amenity of this quiet rural area.

4. It is an over-development of the site. The previous permission is for just two dwellings.
5. The design is out of scale to the existing building.
6. It will adversely affect wildlife as a number of protected species are present including bats.
7. Drainage issues have not been resolved. This is a serious issue as there is no mains sewerage available.
8. There is an inadequate arrangement for parking with restricted space for turning on site or to accommodate visitor parking or delivery vehicles. This will encourage parking in Brookpit Lane that provides the access to the local primary school and is used by large farm vehicles.
9. The site is shown as not currently developable in the current Housing and Economic Land Availability Assessment (HELAA) study.
10. It is contrary to the Clymping Neighbourhood Plan policies.

1 letter of objection as follows:

- Two dwellings is acceptable but three would be out of character with the area.
- The locality cannot cope with extra traffic.

1 letter of support as follows:

- The proposed scheme is sensitively designed and an effective use of land.
- Meeting the need for homes should be supported.

COMMENTS ON REPRESENTATIONS RECEIVED:

The proposed change of use would secure the maintenance of a structurally sound abandoned group of former farm buildings. The external appearance would be maintained and it would not be detrimental to the setting of the Listed Building Grade II. The agent has submitted Bat Survey Report and an Environment Officer hasn't raised any objection. The footprint of the building would be marginally extended and the curtilage of the property would provide sufficient parking spaces for the proposed 3 units. The site is located outside of the flooding zone and the Drainage Engineer has raised no objection.

CONSULTATIONS

Building Control

Ecology Advisor

Environmental Health

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer Comments:

Kents yard creates a part of a former historic farm group which includes Kents Farm House a two storey detached Listed Building. The outbuildings are single storey and of traditional construction with a strong agricultural character. The neighbouring Listed Building is visible from the barns, and as a consequence can be considered to be clearly within that buildings setting.

The current application is a variation in the design. There are no concerns over a change in use from agricultural to residential accommodation and with the increase in the number of units to three.

It is considered that the design of this space, and the materials used, will greatly impact upon the character of the barn. It is not clear what the design of the courtyard will be, and details of this area should be provided for by way of condition. This will include materials. The courtyard should maintain an

open character when redeveloped.

A series of wooden doors to be placed in front of some of the new glazing should be designed to reflect the size of the openings, and constructed so that they are fully functioning. Details of this along with the details of any proposed colours of the joinery should be provided for by way of condition.

The application is considered to not cause harm to the significance of the heritage assets or their setting.

Ecology Comments:

The precautionary mitigation for bats is acceptable. A condition should be used to ensure this takes place. The lighting scheme for the site will need to take into consideration the presence of bats by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

Drainage Engineer Comment. No Objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted - no objections to the proposals are raised by the statutory consultees subject to the condition required by a Conservation Officer regarding to the design of the courtyard and materials used.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary
Within Strategic Gap
Grade II Listed Building
2km Buffer of the Site of Special Scientific Interest

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ENVDM5	ENV DM5 Development and biodiversity
HDM4	H DM4 Conversion of rural buildings for residential use
HERDM1	HER DM1 Listed Buildings
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
SDSP3	SD SP3 Gaps Between Settlements
HDM3	H DM3Agricultural forestry and horticultural Rural dwellings

Clymping Neighbourhood Plan 2015 Policy CPN11 Quality of Design

Clymping Neighbourhood Plan 2015 Policy CPN13 Retain buildings or structures of character

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 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.

The Neighbourhood Development Plan

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.

Policy CPN 9 Protection of Natural Habitat, CPN 11 Quality of Design, CPN 13 Retain buildings or structures of character and CPN 14 Traffic and the Environment of the Clymping Neighbourhood Plan is considered to be relevant to determination 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 in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties or the setting of the Listed building, nor would it have an adverse impact upon the established character of the surrounding area.

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 lies outside the built up area where residential development is not permitted unless it is for agricultural purposes or complies with other policy in the Arun Local Plan. In this case Arun Local Plan Policy H DM4 allows conversion of rural buildings worthy of retention to be converted to residential use, subject to certain constraints.

BACKGROUND

The site has been subject to 2 applications for permitted development for conversion of 2 smaller sections of the building to 2 residential units (CM/38/14/PD and CM/40/14/PD). The recent application CM/19/17/PL for the conversion of barns to form two dwellings, including the rebuilding of the east wing has been approved. A subsequent application was submitted for the conversion of the buildings to form 4 no dwelling (CM/24/18), however a number of concerns has been raised with particular regard to the loss of the sense of the barns internal open character and this application was withdrawn. The current application addresses those concerns proposing conversion of the existing barns to 3 units with an improved layout and elevations of the converted group of former farm buildings resulting in a substantially improved appearance with a more sensitive approach to the host properties as well as the setting of Grade II Listed Kents Farm to the east.

CONVERSION POLICY

Conversion of rural buildings to residential use is only acceptable if they are compliant with policy H DM4 of the Arun Local Plan.

This policy states that it needs to be demonstrated that reasonable attempts have been made to market and use the premises for business purposes, and any application must be supported by a statement of the efforts that have been made or that residential conversion is part of a subordinate scheme for business re-use. This application does not contain any marketing information, but as it benefits from a relatively recently approved CM/19/17/PL an additional Marketing Efforts Statement is not therefore required. The previous Statement outlined the marketing that had been undertaken without success.

In addition the policy requires evidence to demonstrate that the building is structurally sound, of permanent construction and capable of conversion without rebuilding or significant alteration or extension. A structural survey accompanies the application indicating that it is structurally sound. The proposed change of use involves a marginal extension of a triangular shape to the east wing; the existing flat roof above would be replaced with shallow pitched roof resulting in a slightly wider but better balanced appearance. This is not considered to represent a significant alteration or extension.

With regard to the impact on the character of the area being acceptable the alterations are not considered significant and the extension to the northern section of the eastern wing is deemed acceptable in terms of the extent of alteration of the buildings as a whole.

It is considered that all of the new spaces that are created as a result of the internal alterations are such that they attempt to retain some of the open character of the building and therefore sympathetic to the rural setting in terms of form and bulk. The layout of the proposed courtyard in comparison to the previously approved scheme shows a significant improvement, maintaining an open character.

In respect of highway matters the advice from highways in previous applications has found the conversion of the barn into two units acceptable. In this there is no reason to suggest a differing opinion given that the additional dwelling proposed has been allocated two off street car parking spaces.

The proposal is compliant with the conversion policy and is in keeping with the rural character of the building.

Policy CPN 11 of Climping Neighbourhood Plan requires new development, including rebuilding and alterations to be of high quality design and to protect and enhance local character. It is considered that the treatment of the building does protect the rural character and quality of the area by providing additional accommodation in a sympathetic conversion which comprises an acceptable and limited extension.

RESIDENTIAL AMENITY

The addition of 1 more unit will not have an appreciable increase on the level of impact on neighbouring residential amenity compared to that already found acceptable for two approved units.

GAPS BETWEEN SETTLEMENTS

Policy SD SP3 stresses that the generally open and undeveloped nature of gap between settlements, as defined on the Policies Maps (Littlehampton and Middleton-on-Sea, along with others listed) will be protected to prevent coalescence and retain their separate identity. Development will only be permitted within the gaps subject to certain constraints.

As part of the proposal the barns will be retained and will utilise and maintain the internal courtyard, the residential curtilage is provided to the west as previously approved. This curtilage size is desirable to reduce the impact of the development on the surrounding countryside. The buildings would be extended marginally and their visual prominence would not increase due to a sensitive approach of design.

HERITAGE CONSIDERATIONS

National Planning Policy Framework (NPPF) paragraph 193 states that in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to asset's conservation and Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) stresses that when considering whether to grant permission for development which affects a Listed building or its setting the Local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The proposal would not adversely affect the setting of the adjacent Listed building. It would not result in a building of urban appearance. It does not detract from the rural appearance and character of the existing buildings which contribute to the rural setting of the building. The Council's Conservation officer shares the opinion that the application is considered to not cause harm to the significance of the heritage assets or their setting.

Therefore the proposed development would satisfy the requirements of NPPF, Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and policy HER DM1 of the Arun Local Plan.

COMPLIANCE WITH INTERNAL FLOOR SPACE STANDARDS

The proposal relates to gross internal floor spaces of approx. 86 sqm for 2 bedroom unit, 125 sqm for 3 bedroom unit and 156 sqm for 4 bedroom unit which exceed considerably the minimum gross internal floor areas requirement for a storey dwelling as set out in the Nationally adopted space standards. (70 sqm for 2 bedroom, 95 sqm for 3 bedroom and 117 sqm for 4 bedroom dwelling).

CONCLUSION

The application is therefore 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

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:

Location Plan 1169/SK01 Revision 01
 Block Plan 1169/SK02 Revision 01
 Proposed Site Plan 1169/SK03 Revision 01
 Ex & Proposed North and West Elevation 1169/SK06 Revision 01
 Ex & Proposed South and East Elevation 1169/SK07 Revision 01
 Ex & Proposed West and North Elevation 1169/SK08 Revision 01
 form inside the courtyard
 Proposed Floor Plan 1169/SK05 Revision 01
 Section A 1169/SK09 Revision 01
 Section B 1169/SK10 Revision 01
 Section C 1169/SK11 Revision 01
 Section D 1169/SK12 Revision 01
 Section E 1169/SK13 Revision 01
 Section F 1169/SK14 Revision 01

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 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun Local Plan.

- 4 No development shall take place unless and until details of the design of the courtyard and material used, the details of any proposed colours of the joinery and the details of new wooden doors to be placed in front of the new glazing have been submitted to and approved by the Local Planning Authority and implemented in accordance with the approved details.

Reason: To enable the Local Planning Authority to exercise the necessary statutory control over works likely to affect the character of the Listed Building in accordance with the National Planning Policy Framework and policies HER DM1 and HER SP1.

- 5 Development shall proceed in accordance with the Bat Survey Report (May 2016), though a Natural England Licence will not be needed. As a precautionary approach conversion works to the buildings should be undertaken by hand with careful stripping of the internal and external roof space in the presence of a suitably qualified ecologist. If a bat is found all works must stop and Natural England consulted. Temporary roosting opportunities must be made available by installing bat boxes within the trees onsite prior to any construction works. Roosting opportunities must also be incorporated within the conversion as detailed within paragraph 8.3 of the Bat Survey report including the use of bat tubes and such details shall be submitted to the Local Planning Authority for approval prior to conversion works beginning and the development shall proceed in accordance with the details so approved and retained in perpetuity.

Reason: To safeguard the ecology of the area, and in the interests of bats/birds to ensure that a habitat remains for them during and after development in accordance with policy ENV SP1 of Arun Local Plan.

- 6 Prior to occupation nesting cups shall be installed within the building to allow continued nesting opportunities for swallows in accordance with details to be submitted to and approved by the Local Planning Authority. The nesting cups as approved shall be retained in perpetuity.

Reason: To safeguard the ecology of the area, and in the interests of bats/birds to ensure that a habitat remains for them during and after development in accordance with policy ENV SP1 of Arun Local Plan.

- 7 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car parking space for the use in accordance with policy T DM2 of Arun Local Plan

- 8 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved site plan. This facility shall thereafter be retained at all times for their designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and policy T DM1 of Arun Local Plan.

- 9 Prior to the commencement of development (parts 1, 2) and prior to occupation (parts 3, 4) approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policies QE DM4 of the Arun Local Plan .

- 10 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy QE DM4 of the Arun Local Plan.

- 11 Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy QE DM4 of the Arun Local Plan.

- 12 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

- 13 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost,

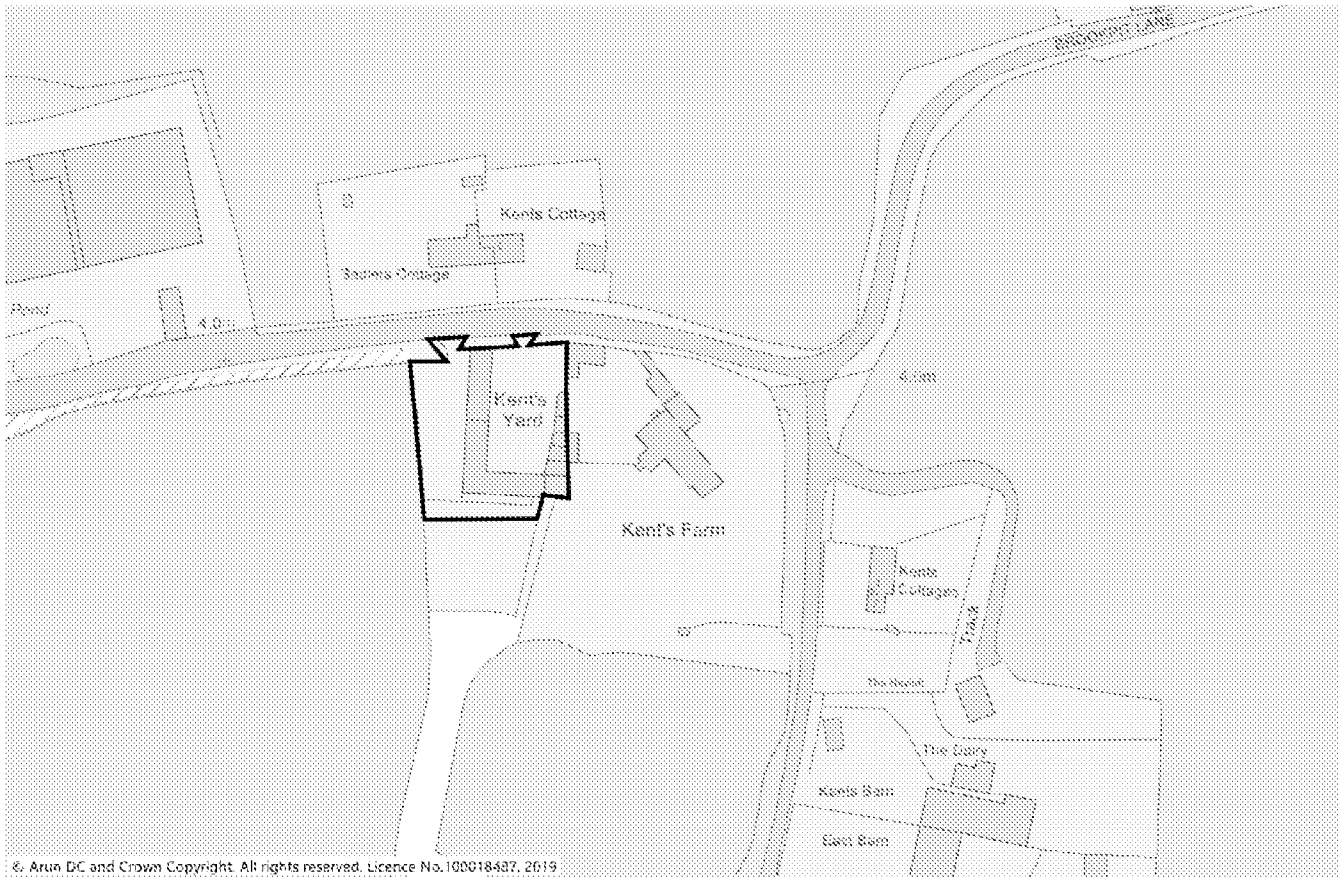
whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

- 14 INFORMATIVE: Any lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should 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.
- 15 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.

BACKGROUND PAPERS

The documents relating to this application can be viewed on the Arun District Council website by going to <https://www.arun.gov.uk/weekly-lists> and entering the application reference or directly by clicking on this link.

CM/25/19/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright.
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council
 100018487. 2015

APPENDIX 2

MINUTES FROM MEETING AND DECISION NOTICE

DEVELOPMENT CONTROL COMMITTEE

7 August 2019 at 2.30 pm

Present: Councillors Bennett (Chairman), Bower, Brooks (substituting for Councillor Mrs Hamilton), Mrs Catterson (substituting for Coouncillor Ms Thurston), Chapman (substituting for Councillor Oliver-Redgate), Charles, Clayden (substituting for Councillor Roberts), Coster, Lury, Northeast, Mrs Pendleton, Mrs Stainton and Mrs Yeates.

Councillors Mrs Hamilton and Huntley were also in attendance for part of the meeting.

155. APPOINTMENT OF VICE-CHAIRMAN FOR THE MEETING

The Committee

RESOLVED

That Councillor Chapman be appointed as Vice-Chairman for the meeting.

156. WITHDRAWN APPLICATIONS

The Chairman advised that Previously Considered Planning Applications P/134/16/OUT and P/25/17/OUT and Planning Application A/9/19/PL had been withdrawn from the agenda and would not be considered at this meeting.

157. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors B. Blanchard-Cooper, Mrs Hamilton, Oliver-Redgate, Mrs Hamilton, Ms Thurston and Mrs Worne.

158. DECLARATIONS OF INTEREST

Planning Application P/30/19/OUT – Councillor Coster stated that he wished to make the meeting aware that he may have made public statements as part of his election campaign and that he had concerns about this particular item, although he had never specifically referred to it or the application. He advised that these could possibly have been the views he held at that time; however, he had an open mind regarding the matter and would listen and consider all the relevant issues presented to the Committee today and confirmed that he would reach his decision on merit.

Development Control Committee - 7.08.19

159. MINUTES

The Minutes of the meeting held on 10 July 2019 were approved by the Committee and signed by the Chairman as a correct record.

160. PREVIOUSLY CONSIDERED APPLICATION P/134/16/OUT, LAND NORTH OF SEFTER ROAD & 80 ROSE GREEN ROAD, PAGHAM

P/134/16/OUT – Outline application for the development of up to 280 dwellings (including affordable homes), land for a replacement scout hut, land for an Ambulance Community Response Post Facility and land for either a 1FE primary school or care home. Provision of a primary vehicular access from Sefter Road and demolition of No. 80 Rose Green Road and creation of a pedestrian and emergency only access. Provision of Public Open Spaces including associated children's play areas, landscaping, drainage and earthworks. This application also falls within the parish of Aldwick, Land north of Sefter Road & 80 Rose Green Road, Pagham Having received legal advice on the matter, the Committee had been advised that this application had been withdrawn from the agenda and would not be considered at the meeting.

161. PREVIOUSLY CONSIDERED APPLICATION P/25/17/OUT CHURCH BARTON, HORNS LANE, PAGHAM PO21 4NZ

P/25/17/OUT – Outline application with all matters reserved. Erection of up to 65No. dwellings, access roads, landscaping, open space & associated works, Church Barton, Horns Lane, Pagham Having received legal advice on the matter, the Committee had been advised that this application had been withdrawn from the agenda and would not be considered at the meeting.

162. P/30/19/OUT LAND NORTH OF HOOK LANE PAGHAM

(Councillor Mrs Hamilton and Huntley spoke on this item as Ward Councillors.)

P/30/19/OUT – Outline application with some matters reserved for the construction of up to 300 No. new homes, a care home of up to 80 beds, D1 uses of up to 4,000sqm including a 2 form entry primary school, the formation of new means of access onto Hook Lane & Pagham Road, new pedestrian & cycle links, laying out of open space, new strategic landscaping, habitat creation, drainage features & associated ground works & infrastructure. This application may affect the setting of a listed building (resubmission following P/6/17/OUT), Land north of Hook Lane, Pagham

Having received a report on the matter, the Committee had also been circulated at the meeting with the officer's written report update which appraised Members of the following:-

- A consultation response from Natural England advising they had no objection to the proposal subject to mitigation measures as detailed in the update.

- Four letters of representation which raised matters that had previously been considered.
- Two letters of representation from Pagham Parish Council raising matters detailed in the update.
- Advice that a Tree Preservation Order (TPO) had been made for a Pedunculate Oak situated on the eastern boundary of the site this had no impact on the development.
- Clarification that the recommendation should grant delegated authority to the Group Head of Planning to make minor amendments to the S106 Agreement that were substantially in accordance with the Heads of Terms and to grant planning permission, subject to the S106 Agreement, conditions and informatives.

The planning application sought outline permission, with all matters reserved save for access, and the Principal Strategic Planner presented the detail by way of a number of slides to illustrate the location of the site and how it sat within the built up area boundary as defined by policy SD SP2 of the Arun Local Plan.

The Committee was advised that the application site fell within strategic allocation SD2 under policy HSP2a of the Arun Local Plan, a site allocated to make a key contribution to housing supply in the District. The principle of the proposed development had been considered and was found to be acceptable and in accordance with relevant development plan policies. The site would provide 300 dwellings, which would result in 90 affordable housing units,

As the site was currently in agricultural use, Members were reminded that the development of the site and loss of the agricultural land had been the subject of consideration through the Examination in Public of the Arun Local Plan and that had been found acceptable by the Inspector.

Officers, in addition to the Habitats Regulation Assessment and appropriate assessment that had been undertaken in the preparation of the Local Plan, had commissioned independent consultants to undertake a further habitat regulation assessment and appropriate assessment of the development proposed. This work concluded that, subject to mitigation, the development would not result in there being a likely significant effect in combination with other developments. Natural England had been consulted on the Appropriate Assessment and had raised no objection to the conclusions. The necessary mitigation would be secured through the S106 Agreement and suitably worded conditions.

The Principle Strategic Planner highlighted the work undertaken around highways issues, particularly in light of the refusal of planning application P/6/17/OUT, which was currently the subject of an appeal. The proposed accesses from the site onto Pagham Road and Hook Lane had been the subject of a Road Safety Audit and a further assessment of the Road Safety Audit had previously been commissioned by the Council. West Sussex County Council had been consulted as the local Highways Authority and no objection had been raised in relation to the proposed accesses.

Development Control Committee - 7.08.19

Through the submission of the applications for the Pagham Strategic Allocations, the developers had worked together to prepare a cumulative assessment of the transport impacts. However, officers were of the view that a more stringent approach should be adopted and, consequently, Dougall Baillie Associates had been appointed to undertake a further sensitivity assessment of the junctions that would be impacted by the development. The work had been undertaken using much more stringent assumptions than that originally adopted by the developer and agreed with West Sussex County Council. Following this further assessment, a number of junctions had been identified as requiring enhancement and a cumulative mitigation package was prepared to address the needs of the entirety of the Pagham Strategic Allocation. This application would therefore make a financial contribution towards the improvement of the Lower Bognor Road/Pagham Road junction, as well as the Sefter Road/Pagham Road junction. In addition, the developer would be required to deliver enhancement works to the B2166 Vinnetrow Road Roundabout.

Highways contributions had been identified by officers, in consultation with Highways England and WSCC, to mitigate the impact of the development upon the highways network. These contributions were considered acceptable by officers as well as Highways England and WSCC. However, as planning application P/6/17/OUT had been refused on the basis of the development's highways impact, Members were advised that, should they feel that the highways mitigation package was insufficient to address the concerns previously raised, then an additional mitigation package had been proposed by the developer and could be taken into account in the decision. The additional package would be in the form of an agreement to undertake a monitoring scheme prior to the commencement of development, occupation of 150 dwellings and full occupation. If that monitoring identified a material worsening of highway safety, then a contribution of £100,000 would be made available to WSCC for the implementation of further enhancements along the Pagham Road corridor.

A financial contribution of £30,612 had also been secured towards the enhancement and upgrade of footpaths 101, 104 and 106 to provide an alternative off road cycle link from Pagham to South Mundham, which would link into the existing Selsey to Chichester cycle route.

Members participated in a full debate and views were expressed on a number of issues, which included:-

- Concerns that the sewage discharge network was inadequate
- Concern that since the Local Plan had been adopted, a number of issues had come to prominence that impacted on the efficacy of the Plan, e.g. climate change; development growth; environmental matters, etc.
- This site had been included in the Local Plan and Members were therefore obliged to take account of that as it was a statutory document.
- Other strategic sites in Pagham had been approved based on the same transport assessments that P/6/17/OUT had been refused on, which was illogical.
- The highways mitigation being proposed did not override the potential for traffic chaos

- A member view was put forward that the policies contained in the Local Plan were contrary to approval of this application and a number of examples were cited. The Group Head of Planning advised that Members needed to look at the Local Plan as a whole and not pick out parts of it. He also confirmed that the allocation had been tested by the Inspector who had considered the matters raised.

A lengthy discussion between Members highlighted the opposing views held. Some expressed support that this application, as part of the strategic allocation for Pagham in the Local Plan, should be granted planning permission, particularly as mitigation measures had been put in place to address highways issues and a refusal could result in substantial costs being awarded against the Council at appeal. It was stressed that the Local Plan was a statutory document that had been adopted and therefore there was a process to be adhered to. In addition, there had been no evidence put forward to support a refusal.

Counter views were put forward that the highways mitigation was not sufficient to address Members serious concerns and that there were a number of policies in the Local Plan which were contrary to the impact that this application would have on the locality and the community.

The Group Head of Planning advised that the application had been accompanied by an extensive amount of documentation which had been duly and widely consulted on. The issues had been addressed by the consultees.

A motion was proposed "that the question be now put". However, this was not seconded but, as there were no more speakers, the Chairman moved to the vote.

The Committee

RESOLVED – That

- (1) Delegated authority be granted to the Group Head of Planning to make minor amendments to the S106 Agreement that are substantially in accordance with the Heads of Terms; and
- (2) Planning permission be granted, subject to the S106 Agreement, conditions and informatives.

As a request had been made for a recorded vote to be taken, those voting FOR were Councillors Bower, Chapman, Charles, Clayden, Northeast, Mrs Pendleton and Mrs Stainton (7). Those voting AGAINST were Councillors Bennett, Brooks, Mrs Catterson, Coster, Lury, and Mrs Yeates (6). There were no abstentions.

The Chairman then called a short adjournment to the meeting.

163. Y/103/18/PL 10 ACRE FIELD, NORTH OF GREVATTS LANE, YAPTON

Development Control Committee - 7.08.19

Y/103/18/PL – Single Chapel Crematorium with car parking, landscape works, surface water drainage features & associated highway improvements. This application is a Departure from the Development Plan, 10 Acre Field, North of Grevatts Lane, Yapton

Having received a report on the matter, the Committee had also been circulated at the meeting with the officer's written report update which advised Members of the following:-

- Agricultural Land - the details of the applicant's submitted Soil Resource Survey and a Soil Resource (Management) Plan had now been received. Yapton Parish Council had been consulted on these additional documents and had until 13 August 2019 to provide a response. A new condition would be included in any approval, as set out in the officer report update.
- Access Arrangements – the applicant had been requested to consider amendments to the access in order to (1) guide visitors to the A259 rather than turning right towards Bilsham Road; and (2) amending the junction of Grevatts Lane West with the A259 in order to deter/prevent right turns onto the A259. The detail of the outcome of liaison with County Highways was provided in the update, together with amendment of Condition 17 to take account of changed Drawing 128.001.007 Revision D "Access Road Amendments to show the addition of both signage and road lining to discourage a right turn when exiting the site onto Grevatts Lane West.
- Traffic Regulation Order(TRO) – legal advice had been provided that, as the TRO would be subject to the Road Traffic Regulation Act 1984, it could not be achieved through a planning condition and therefore must be subject to a S106 Agreement.
- Additional objections were detailed and officer comment made that the majority of the objections referred to matters already discussed within the report or matters were outweighed by the lack of an objection from County Highways.
- Clarification was provided that the recommendation should delegate the approval of planning permission, subject to the S106 Agreement and the recommended conditions (as amended) to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman.

The Principal Planner presented this report on the detail of an application for a single chapel crematorium and advised that, although there was a conflict with the Local Development Plan, there was a clear need for such a facility and it would provide long term benefits.

In debating the matter, Members expressed serious concerns with regard to access to and from the site; access onto the A259; and the safety of cyclists using the cycle route along the A259. It was acknowledged that there was a need for a crematorium but that did not override the fact that Members were of the view that the access arrangements were unsatisfactory and that an additional junction onto the A259 was totally unsuitable. A view was expressed that the potential for a slow moving

funeral cortege on the A259 could have a severe detrimental impact on the traffic flows in the area.

In light of the comments made, the Group Head of Planning cautioned the Committee that this application had been subject to a road safety audit undertaken by an independent consultant on behalf of the applicant, which had been assessed by County Highways and, as stated in the report, they did not consider there would be any severe harm to the safety or convenience of the local highway network.

Following this advice, it was formally proposed and duly seconded that the application should be deferred to enable a further road safety assessment of the access onto the A259 to be undertaken on the grounds that the original assessment had been carried out on Friday 28 December 2018 at 9.30 a.m. and again on 2 January 2019 when the traffic flows would have been exceptionally light. Member comment was also made that the road safety assessment should be subject to 4 separate site visits, two mid-morning and two mid-afternoon.

The Committee therefore

RESOLVED

That the application be deferred to enable a road safety audit to be undertaken.

164. CM/4/19/PL LAND SOUTH OF THE A259, GREVATTS LANE, CLIMPING BN17 5RE

CM/4/19/PL – Construction of a crematorium comprising of a crematorium building & associated structures, car parking, access & landscaped spaces. This application is a Departure from the Development Plan, Land south of the A259, Grevatts Lane, Climping

Having received a report on the matter, the Committee had also been circulated at the meeting with the officer's written report update which advised that, following submission of a Soil Survey and Plan and an Agricultural Policy Considerations Report, the proposed reason for refusal 1 was no longer appropriate and should therefore be deleted from the recommendation.

The Principal Planning Officer presented the detail of the report and confirmed that the recommendation for refusal was reliant on the fact that there was an alternative suitable site as demonstrated by the previous application on the agenda, which was still on the table. The two reasons for refusal were based on the fact that the site was located within the Littlehampton to Middleton Gap between Settlements and that, as this site had been identified as land liable to flood, an alternative site at lower risk of flooding had been identified for the use proposed.

Development Control Committee - 7.08.19

Members participated in some discussion and, whilst comment was made that the access and egress to the site onto the A259 was preferable to planning application Y/103/18/PL, general support was expressed for the officer recommendation to refuse.

The Committee therefore

RESOLVED

That the application be refused as detailed in the report and the officer report update.

165. AW/134/19/HH 33 BALLIOL CLOSE, ALDWICK CLOSE PO21 5QE

AW/134/19/HH – Single storey side and rear extension with habitable roofspace and conversion of existing roofspace to habitable use, together with porch removal and replacement windows, 33 Balliol Close, Aldwick Having received a report on the matter, together with the officer's written report update detailing an additional objection received from Ward Member Councillor Dixon and an additional comment from Aldwick Parish Council, a site visit was requested and seconded in order to assess the impact of the proposal on the neighbouring property.

The Committee

RESOLVED

That the application be deferred to enable the Site Inspection Panel to visit the site.

166. A/9/19/PL POUND PLACE, ROUNDSTONE LANE, ANGMERING BN16 4AL

A/9/19/PL – Demolition of existing dwelling & erection of a 62 bedroom care home (C2 Residential Institution) with car park, landscaped gardens & access from Roundstone Lane (resubmission following A/51/18/PL), Pound Place, Roundstone Lane, Angmering Having received a report on the matter, the Committee had been advised that this application had been withdrawn from the agenda and would not be considered at the meeting.

167. AB/23/19/PL 67/69 TARRANT STREET & 2A ARUN STREET, ARUNDEL BN18 9DN

AB/23/19/PL – Conversion & change of use of retail unit (A1 Shops) to 2 No. residential units (C3 Dwelling Houses). This application affects the character & appearance of the Arundel Conservation Area, 67/69 Tarrant Street & 2A Arun Street, Arundel Having received a report on the matter, together with the officer's written report update detailing an additional representation received, the Committee

RESOLVED

That the application be approved as detailed in the report.

168. CM/25/19/PL KENTS YARD, BROOKPIT LANE, CLIMPING BN17 5QT

CM/25/19/PL – Change of use of barns to 3 No. dwellings (resubmission following CM/24/18/PL). This application may affect the setting of a listed building, Kents Yard, Brookpit Lane, Climping Having received a report on the matter and a presentation on the detail of the proposal from the Planning Team Leader, the Committee participated in some discussion on this item.

Member concerns were expressed around the disparity of the garden sizes, particularly that the garden for the proposed three bedroom property was significantly smaller than for the remaining two properties. Officer advice was given that the central courtyard area would provide additional amenity space for all the dwellings and that, due to the character of the area and rural buildings, it would be anticipated that smaller amenity space would be provided.

The Committee

RESOLVED

That the officer recommendation to approve not be accepted.

Members then considered reasons to refuse the application in respect of lack of amenity space and a cramped overdevelopment of the site and were advised by the Group Head of Planning that :-

- (1) The Council's relevant policy HDM4 relating to the conversion of rural buildings stipulated that the proposals should minimise the amount of land used as residential curtilage; and
- (2) The amenity space provided for the proposal was in fact larger than that provided for the previously approved conversion two years ago.

However, Members maintained that the proposal was inappropriate and

RESOLVED

That the application be refused for the following reason:-

The proposals would result in a form of development that would be cramped and over intensive with inadequate amenity space, resulting in an adverse impact on the character of the area contrary to policy DDM1 of the Arun Local Plan.

169. CM/16/19/PL RUDFORD INDUSTRIAL ESTATE, UNIT J1, J2 & Z, FORD ROAD, FORD BN18 0BF

Development Control Committee - 7.08.19

CM/16/19/PL – Variation of conditions imposed under CM/1/19/PL relating to conditions 2 – plans condition relating to external appearance & 3 – amendment of wording to remove reference to acoustic metal cladding to south elevation, Rudford Industrial Estate, Unit J1, J2 & Z, Ford Road, Ford Having received a report on the matter, the Committee was advised by the Planning Team Leader that the changes being proposed to the external cladding on the south side of the building had been considered by Environmental Health and confirmation had been received that it would achieve the same aims as the original condition. It was proposed to change the wording of Condition 3 to reflect the changes within the application.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

170. PLANNING APPEALS

The Committee noted the appeals received.

(The meeting concluded at 6.45 pm)

Application for Planning Permission

DECISION NOTICE

Application Ref: CM/25/19/PL

1 To Addressee

Mr S Jupp
Sally Field Lodge
Rotten Row
Sidlesham
Chichester
PO20 7QB

2 Site Address

Kents Yard
Brookpit Lane
Climping
BN17 5QT

3 Description of Development

Change of use of barns to 3 No dwellings (resubmission following CM/24/18/PL). This application may affect the setting of a listed building.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council **REFUSE** to approve the development as described in the application and plans for the reasons stated.

- 1 The proposals would result in a form of development that would be cramped and over intensive with inadequate amenity space resulting in an adverse impact on the character of the area contrary to Policy D DM1 of the Arun Local Plan.

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 clearly setting these out in the reason(s) for refusal. Furthermore, Members of the planning committee which took the decision to refuse planning permission have been asked to consider whether there are opportunities to amend the development to address this harm. Where a potential way forward has been identified, this has been communicated to the Applicant. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.



Neil Crowther
Group Head of Planning

Case Officer: Ms M Tomalova

Decision Issued: **8th August 2019**

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against this planning application decision, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).