

Recommendation Report for Planning Permission

REF NO: EP/14/22/PL

LOCATION: Land Fronting 15 and 31 Sea Road
East Preston

PROPOSAL: Erection of Village Clock. This application is in CIL Zone 4 and is not CIL liable as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Erection of public viewing clock up to 4.6m in height to open space adjacent to shops.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
SITE CHARACTERISTICS	Small strip of open amenity space sandwiched between Sea Road and the Sea Road Shop's slip road.
CHARACTER OF LOCALITY	The surrounding area has a mix of residential dwellinghouses and a parade of shops and small businesses.

REPRESENTATIONS

1 letter of support;

- Good siting of public feature.
- Replacement of similar 1960's clock.
- Statement of village's civic pride.

1 letter of objection;

- Question as to why is a clock needed.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

WSCC Highways - Advice

- Development is not anticipated to cause visibility obstruction nor the free flow of movement in the location.
- Advice that clock faces are clearly legible.

COMMENTS ON CONSULTATION RESPONSES:

Comment noted.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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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.

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

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Policy D SP1 of the Arun Local Plan requires that development proposals make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy D DM1 of the Arun Local Plan requires the Council have regard to certain aspects including character and scale and policy D SP1 "Design" states that: 'All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.'

The Arun Design Guide Supplementary Planning Document (SPD), a material consideration in the determination of applications, was adopted on 25th January 2021 and expects development to respond to and complement the existing character and appearance of the wider townscape in terms of scale, massing, materials, openings and roof form. This is best achieved through simple and unobtrusive design.

Policy QE SP1 relates to the 'Quality of the Environment' and requires that development contributes positively to the quality of the environment and does not negatively impact on residential amenity amongst other things.

Policy T SP1 ensures development of the transport network so that it reduces the need for car travel, promotes green infrastructure, protects the major road network, maintains appropriate levels of parking standards and requires applications to consider and design for development in relation to transport infrastructure.

Policy 4 of the East Preston Neighbourhood Development Plan seeks to ensure that development within Design Area 3 sustains and enhances that historic character of the area, through the use of building materials that harmonise with the existing building. Also, it seeks to preserve boundary walls, and restrict and control the construction of apartment blocks.

DESIGN

The clock will be positioned within a narrow strip of amenity land between Sea Road and the Sea Road slip road servicing the shops. The clock will be 600mm from the roadside and 4.3m set in from the edge of the junction with slip road. The clock has a narrow base with a cube configuration 4-sided clock above. The clock faces are set 3m above ground level. It has a traditional elegant design, suited to its setting within the historic heart of the village and a scale which relates well to pedestrians and the built environment surrounding it. Its design is respectful of the environment in which it will be sited, and it is considered that it is suitably located on a vacant piece of land in accordance with D DM1 and QE SP1 of the Arun Local Plan, Policy 4 of the EPNP and the Arun Design Guide.

RESIDENTIAL AMENITY

The clock will be located with good surrounding vantage points for both pedestrians and road users. There is various street furniture and road signage positioned within the immediate area of the proposed clock, however, the small strip of land it is proposed to be sited on is clear of items. As the site is located between the roadside and pavement it will not impact the movement of pedestrians using the area and will not adversely affect residents living nearby in accordance with policies D DM1, D SP1 and QE SP1 of the Arun Local Plan.

HIGHWAY SAFETY

The base of the clock is a narrow column, at its widest point 360mm in diameter. It has been confirmed by WSCC Highways that given the classification of the road, its positioning away from the junction and current traffic data, that it will have no adverse effects on highways safety, however, they have requested that the clock face be clearly legible. From inspection of plans, the scale of the clock faces suitably allow

for the time to be read easily. The clock is considered to accord with Policy T SP1 of the Arun Local Plan in that it will create a safe and secure highway layout for traffic, cyclists and pedestrians.

SUMMARY

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

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;

- 213097/02 Rev A Site Plan
- 213097/03 Rev A Elevations
- 213097/04 Rev A Location and Block Plans
- 213097/05 Photomontage

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D SP1 and D DM1 of the Arun Local Plan.

- 3 The village clock hereby permitted shall be constructed in stainless steel with a GRP base and be finished in black. It will remain finished in black and it shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: In the interests of amenity of the public realm in accordance with policies D SP1 and QE SP1 of the Arun Local Plan.

- 4 **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.