

Recommendation Report for Planning Permission

REF NO: EP/3/20/PL

LOCATION: Village Green
Sea Road
East Preston
BN16 1LP

PROPOSAL: Erection of a cast iron lamp post to match the existing lamp posts on the Village Green, and attachment of 3 No. CCTV cameras to post.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed lamppost will be constructed of cast iron, have a Victorian style lantern, and be 4m in height above ground level. There would be 3 x CCTV 'bullet' cameras attached to the post.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
SITE CHARACTERISTICS	The site consists a small area of grassy land on the western edge and near the north western corner of the Village Green in East Preston.
CHARACTER OF LOCALITY	Open green space in village setting with residential properties surrounding the Village Green.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

No comments received.

No representations received from local residents.

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:****ADC ENVIRONMENTAL HEALTH:**

No concerns with regard to excavation works as not contaminated land.

Suggest planning conditions to require details of lighting and a timer control system, to protect

appearance of area, neighbouring occupants from light pollution, and local wildlife.

WSSC HIGHWAYS:

No objection raised.

TREES OFFICER:

No comments received.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and matters addressed in 'Conclusions' section of report.

POLICY CONTEXT

Designation applicable to site:

Built-Up Area Boundary

Open Green Space

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

DSP1 D SP1 Design

QEDM2 QE DM2 Light pollution

QESP1 QE SP1 Quality of the Environment

ENVDM4 ENV DM4 Protection of trees

[East Preston Neighbourhood Plan 2014 Policy 4](#) Design in Character Area Three

East Preston Neighbourhood Plan 2014 Policy 5 Design in Character Area Four

East Preston Neighbourhood Plan 2014 Policy 6 Open Spaces

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

EPDS East Preston Village Design Statement

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.

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. 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).

The relevant policies contained within the East Preston Neighbourhood Plan (made 2015) have been taken into account in the determination of this current 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 an acceptable impact on the visual amenity of the area, the residential amenity of neighbouring occupants, highways and trees.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE:

The site is located within the Built-Up Area Boundary, where the principle of development is acceptable, in accordance with Arun Local Plan policy SD SP2.

Although the proposed development would be sited on an open space, it would be small scale in nature and ancillary to its use as an open space (i.e. to provide lighting and CCTV cameras to improve safety and reduce crime). As such, it would accord with Policy 6 of the East Preston Neighbourhood Plan which seeks to protect open spaces from inappropriate development.

VISUAL AMENITY:

The East Preston Village Design Statement identifies the Village Green in Sea Road as being in Character Area 3 and in an area of special sensitivity which requires protection from unsympathetic development.

The proposed height (4m above ground level) is standard for this form of street furniture and the same/similar to that of existing lampposts on or in the vicinity of the Village Green. It would be constructed of cast iron (presumably black painted) and have a traditional design with Victorian style lantern. Its design would be different from the design of other lampposts on the opposite side of the road (green posts/older 1970s style) or the newer ones installed further up the road near the parade of shops (black posts/hanging light bulb style). However, the proposed lamp post would have a traditional heritage appearance, which would be befitting of the Village Green setting and being located adjacent to the war memorial/public art. There would be 3 x CCTV 'bullet' cameras attached to the post, which are small and would be relatively discreet.

It is concluded the proposal would be sympathetic to its setting and have an acceptable impact on the visual amenity and appearance of the area, in accordance with Arun Local Plan policies D SP1 and D

DM1, Policy 4 of the East Preston Neighbourhood Plan and the objectives of the East Preston Village Design Statement.

RESIDENTIAL AMENITY:

The lamppost and CCTV cameras attached would be located on the Village Green and there are residential properties close by on the opposite side of Sea Road. There are already existing street lamps on the opposite side of the road, which are closer to these residential properties than that proposed. ADC Environmental Health have recommended planning conditions to ensure details of lighting levels and direction are secured and a timer control system to ensure that local residents are protected from light spillage and pollution during night time. However, given the presence of other street lights in the vicinity there is no reason why such a condition would be necessary as not seen to add excessive illumination to the area.

The proposals would have an acceptable impact on residential amenity, as required by policies D DM1, QE SP1 and QE DM2 of the Arun Local Plan.

HIGHWAYS:

The lamp post would be located on the Village Green, off the highway. The Local Highway Authority have confirmed it would not have a negative impact on the operation of the highway and they raise no objection. The proposals would accord with the NPPF in this respect.

TREES:

The lamp post would be located on the Village Green in an area close to a relatively small and newly planted tree. The proposals would involve some excavation/ground works to install the lamp post. It is considered likely that the Root Protection Area of this smallish tree is not large. The Council's Trees Officer has not raised an objection or made comment. The proposals would appear to protect trees in accordance with policy ENV DM4 of the Arun Local Plan and Proposal 5 of the East Preston Neighbourhood Plan.

SUMMARY:

The proposal is considered to comply with relevant Development Plan policies in that it would have an acceptable impact on the visual amenity of the area, the residential amenity of neighbouring occupants, highways and trees.

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.

CIL DETAILS

This application is exempt from CIL, given the nature of the proposal.

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:

- Block Plan, received 13/02/2020
- Proposed Elevations (Drawing reference INQ 932), received 15/04/2020

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1 and D DM1 of the Arun Local Plan and Policy 4 of the East Preston Neighbourhood Plan.

- 3 The cast iron lamp post hereby approved shall be black in colour (black cast iron or black painted cast iron) and thereafter be so maintained at all times.

Reason: In the interests of visual amenity in accordance with policies D SP1 and D DM1 of the Arun Local Plan and Policy 4 of the East Preston Neighbourhood 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.