

PLANNING APPLICATION REPORT

REF NO: K/2/10/

LOCATION: Land adj to SWA
pumping station
Peak Lane Kingston

PROPOSAL: Change of use of land for the siting of a single static holiday caravan with associated parking and amenity area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposal is for a single three bedroom caravan measuring 13.5m x 6.7m with an overall height of 4.3m with a gravel driveway. The applicant has suggested it would only be occupied between 1st March and 31st October each year. Cycle and bin stores. Hard landscaping.
SITE AREA	Approximately 0.20 hectares
RESIDENTIAL DEVELOPMENT DENSITY	Five dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Mixture of hawthorn and bramble hedging predominantly to northern boundary, with domestic close boarded fence. Tree screening, predominantly to southern boundary.
SITE CHARACTERISTICS	Parcel of land. Relatively open. Overgrown in part. Access to land via private lane serving several other properties. Pump house and other single storey structures serving pumping station.
CHARACTER OF LOCALITY	Rural lane. Isolated properties to north and south. Pond to east.

RELEVANT SITE HISTORY

K/18/04/	Three detached houses with garages	Refused 09-07-2004 Appeal: Dismissed 21 02 2005
----------	------------------------------------	--

K/1/08/	Construction of two storey detached dwelling (Departure from the Development Plan)	Withdrawn 31-01-2008
K/19/08/	Construction of two storey detached dwelling and free standing wind turbine - This application is a departure from the development plan	Refused 09-07-2008
K/5/73	Sewage pumping station (No E13)	Approve Cond 19-03-1973
K/17/78	Outline application for two detached houses	Refused 23-08-1978

REPRESENTATIONS

Representations received:

Kingston Parish Council.

OBJECTION:

Detrimental to the character of the area, adversely impact on the countryside and local fauna and flora, and compromise the objectives and fundamental integrity of the Strategic Gap.

The site lies within an area designated as countryside and adjacent to a site of local importance for nature conservation.

The proposed Change-of-Use/Development would be detrimental to the character of the area both visually and to local fauna and flora.

If the Change-of-Use is allowed, it would make it harder to resist an application for a larger residential development on the site.

It could also lead to further pressure for infilling development in the vicinity of Peak Lane, Coastal Road, Kingston Lane, and Golden Avenue, which would have a cumulative and greater detrimental effect on the character of the area.

It is an infringement of the East Preston - Ferring Strategic Gap. The loss of the gap would threaten not only the separation and setting of the settlements on all sides but also the overall character of the wider area.

If permitted, it could set a precedent for further erosion of this and other Strategic Gaps.

East Preston Parish Council.

OBJECTION:

Objections from K/1/08 and K/19/08 remain.

Infringement of Strategic Gap. Compromises its objectives.

Sets precedent.

Detrimental to rural character of countryside.

Contrary to relevant Development Plan Policies.

WEST SUSSEX WILDLIFE PROTECTION:

Land needs checking for possible wildlife.

104 INDIVIDUAL LETTERS OF OBJECTION:

Outside Built-Up-Area Boundary

Undermines purpose of Strategic Gap

Contrary to relevant Development Plan Policies

Detrimental to rural character of countryside

Sets precedent

Contrary to Policy - Loss of wildlife.

There are a number of holiday caravan sites in this area where facilities for essential services are already in place.

Comments on Representations received:

Kingston and East Preston Parish Council. Noted. Each application is determined on its own individual merits; therefore approval does not create precedent.

For the reasons set out in the conclusions section of this report, the proposal is considered to detrimentally impact on the character of this rural locality and the integrity of the Strategic Gap, and the Planning Application is recommended for refusal for those reasons alone.

Comment on other representations. As above. A single caravan is not considered to result in a materially detrimental impact upon highway and sewage capacity. Neither is it considered to fundamentally lessen the capacity of the land to drain.

CONSULTATIONS

WSCC Local Development Divis.

Environmental Health

Engineering Services Manager

Engineers (Fluvial Flooding)

Consultations responses received:

DISTRICT ENVIRONMENTAL HEALTH:

No Comment. If approved Site Licence would be required.

DISTRICT ENGINEERS:

There is a watercourse within 20m. Any proposed discharge to it requires Environment Agency consent. Public Sewers cross the site, SWS should be consulted. Full calculations for soakaway design are required.

Comments on Consultation responses:

Noted. In event of approval, Conditions can be imposed relating to details of the soakaway.

POLICY CONTEXT

Designation applicable to site:

Outside Built-Up-Area Boundary

Within Strategic Gap

Within Area of Advertisement Control

DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:

[AREA10](#)

[GEN2](#)

[GEN3](#)

[GEN5](#)

Strategic Gaps

Built-up Area Boundary

Protection of the Countryside

Provision of New Residential Development

[GEN7](#)
[GEN9](#)
[GEN12](#)

The Form of New Development
Foul and Surface Water Drainage
Parking in New Development

PLANNING POLICY GUIDANCE

PPS1
PPS7
PPS9

Delivering Sustainable Development
Sustainable development in rural areas
Biodiversity & Geological Conservation

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity of the rural locality and impact upon its character, the objectives and integrity of the Strategic Gap, parking provision and highway safety.

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 conflict with relevant Development Plan policies in that the proposal being unrelated to the needs of agricultural development in the rural area conflicts with Development Plan Policies which seek to protect the countryside for its own sake and fulfil the objectives of the Strategic Gap, as it would have a materially adverse effect on the visual amenities of the locality to the detriment of its character, and the integrity of the Strategic Gap.

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

The planning history of a site is a material Planning Consideration in determining the current Planning Application. A previous Appeal for three detached houses with garages on this site was dismissed. In that decision the Inspector stated the proposed would "have a domesticating and urbanising effect on the site" and "would change its character from rural to suburban". An application for a single dwelling was similarly refused (K/19/08).

The site lies within an area Designated as Countryside, where residential development is not generally accepted unless it is to meet a specific and identified need (PPS7 argues the need to protect the Countryside for its own sake). No evidence has been put forward to suggest that the caravan would meet such a need. Although the site lies between existing residential properties, Local Plan Policy GEN3 notes that permission will not be given for the consolidation of linear or sporadic development in Countryside areas. The land edged in red also does not appear to benefit from use as residential curtilage. The proposed change of use of this land from public utility land to domestic curtilage, with resultant creation of formalised garden and hardsurfacing for parking and turning, would result in a suburbanising effect to the detriment of the existing rural character of the site. The site also falls within the Strategic Gap between East Preston and

Ferring where, in the absence of any special justification, the proposal would be contrary to policies that are designed to maintain the open nature of the countryside and prevent coalescence.

A Landscape Character Assessment of the area has been undertaken, The Arun Landscape Study (2006). This forms part of the evidence base of the emerging Local Development Framework. It assessed the East Preston and Ferring Strategic Gap, concluding it consisted of "predominately open arable fields with small pockets of pasture and wooded copses" and that its boundaries were "robust". The study also assessed the landscape capacity of The Kingston Lower Coastal Plain (the site falls within this area) giving it a rating of low, meaning "that development would have a significant and detrimental effect on the character of the landscape as a whole." This is a material Planning consideration having some, albeit limited, weight.

Much of the site is overgrown and it is separated from the open fields to the west by a belt of trees and therefore has a different character to the rest of the Strategic Gap, but this does not, justify development of land for residential purposes, contrary to adopted Planning Policy.

Although the proposal is for a single caravan with only temporary occupation the application fails to be considered as a status for single occupation in the countryside and use of the curtilage as associated residential curtilage.

It is, therefore, recommended that the Planning Application be refused, for the following reasons:

RECOMMENDATION

REFUSE

- 1 The site lies in a rural area and the proposal, being unrelated to the needs of agriculture, forestry, recreation, the extraction of minerals or disposal of waste, conflicts with policies GEN2 and GEN3 of the Arun District Local Plan which seeks to protect the countryside, safeguard agricultural land, and ensure that the amount of land taken for development is kept to a minimum, consistent with the provision of high quality and adequate space within the built environment and to resist the consolidation of linear or sporadic development.
- 2 The proposal is unacceptable in that it has not been demonstrated that there is an overriding and essential need for the caravan to be located in the countryside. The proposal therefore conflicts with policies GEN2 and GEN3 of the Arun District Local Plan.
- 3 The proposal would constitute an alien intrusion in the countryside which would be out of keeping with and detrimental to the rural character of the locality in conflict with policies GEN2, GEN3 and GEN7 of the Arun District Local Plan.
- 4 The proposal would involve development within the East Preston and Ferring Strategic Gap, where policy AREA10 of the Arun District Local Plan requires development should be permitted only in compelling circumstances; there are not considered to be any such circumstances in the present case.