

LY/13/07

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	- Two stable boxes with hay storage and tack rooms (Resubmission following LY/27/06) Crossbush Yard Crossbush Lane Crossbush Arundel
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Stable block to measure (at maximum) approximately; 3m in height, 14.5m in length, and 3.7m in width
SITE AREA	0.06 hectares approximately
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Site is raised from neighbouring properties
TREES	Established trees not considered worthy of Tree Preservation Order
BOUNDARY TREATMENT	Boundaries kept by fencing and hedging approximately 1m – 2m in height
SITE CHARACTERISTICS	Parcel of land encompassing miscellaneous items related to keeping of horses and for the buying, selling, breaking and training of horses
CHARACTER OF LOCALITY	Rural with detached and terraced residential properties of various style and design

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
LY/15/96/CLE	Application for Certificate of Lawfulness for an existing use of land and premises for keeping of horses and for the buying, selling, breaking and training of horses	Approve 17-04-1997
LY/16/96	Application for 4 no. stables and feed store/tack room	Approved Conditionally 21-05-1997
LY/27/06	Double stables & storage facilities	Refused 15-11-2006

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Lyminster & Crossbush Parish Council	No objection. Concern about possible manure heaps and smells. Condition restricting smells.
Angmering Park Estate	<ul style="list-style-type: none"> • Support • Land and yard always been used by locals for housing and turnout for horses

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	<ul style="list-style-type: none"> Many tenants have occupied land on Licence or Farm Business Tenancy Stables in poor state of repair
Two letters of objection	<ul style="list-style-type: none"> Position detrimental to amenities; overbearing and overshadowing. Security lighting intrusive. Bonfires not uncommon Building size excessive to needs. Existing outbuildings can be utilised. No drainage/soak-away. Part of building constructed over main sewer Smells, vermin and noise. No satisfactory arrangement for hay/straw and manure disposal, and inability to cleanse. Perimeter fencing prevented from being maintained Horse-box regularly parked in front of windows of neighbours. Applicant lives off-site and not disturbed Quantities of double-glazing delivered, stored and then collected by vans, not for personal use
One letter of support	<ul style="list-style-type: none"> Acceptable use after years of neglect Tenants and their animals unobtrusive

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Southern Water	No comment
District Environmental Health	To be reported

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built-Up Area Boundary Area of Special Advertisement Control

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: LOC2, NE8, CH1, DEV1, ERA1, ERA5 Arun District Local Plan: GEN1, GEN3, GEN7, GEN33, GEN34, DEV5
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PLANNING POLICY GUIDANCE

PPS1:	Delivering sustainable development
PPS7:	Sustainable Development in Rural Areas
PPG23:	Planning and Pollution Control

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be

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POLICY COMMENTARY

assessed particularly with regard to visual and residential amenity in the rural locality.

COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

Noted. The previous application was in a different location and refused solely on the basis that it would have an adverse overbearing effect on a neighbouring property. The stables have been relocated and are no longer in such close proximity to that property to warrant refusal. The building form follows its function. Security lighting can be controlled by condition.

The stable block provides storage of hay/straw, feed, and tack. Bonfire, vermin, smell, and noise nuisance control are all dealt with under Environmental Health legislative powers. Sewer maintenance is dealt with by Southern Water. Private view and fencing maintenance are not material planning considerations.

If a business operates from site, that is the subject of a separate application and not a consideration in this determination.

ASSESSMENT OF PROPOSAL**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 not have a materially adverse effect on the visual amenities of the rural locality and residential amenities of neighbouring properties.

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 previous application was in a different location and refused solely on the basis that it would have an adverse overbearing effect on a neighbouring property. The stables have been relocated and are no longer in such close proximity to that property to warrant refusal. The previous reason for refusal has therefore been resolved.

The stables as proposed are of timber construction with a corrugated felt roof and its design is a typical stable block normally found in rural locations. It will be sited 1m from the boundary with the neighbouring property to the west.

LY/13/07**CONCLUSIONS**

The demolition of an existing unattractive outbuilding to allow construction of the new building will enhance the visual amenities of the locality. It is recommended that the planning application should be approved, subject to the conditions set out overleaf.

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Two stable boxes with hay storage and
tack rooms.
(Resubmission following LY/27/06)

Crossbush Yard
Crossbush Lane
Crossbush

RECOMMENDATION

Approve Conditions

- 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 No windows or other openings shall be formed in the west elevation of the stable block hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 3 The stable block building hereby permitted shall be used in connection with Crossbush Yard, Crossbush Lane only and for no other purpose.

Reason: To safeguard the amenities of the neighbouring properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 4 Details of any external lighting/floodlighting shall be submitted to and approved in writing by the Local Planning Authority before the building hereby permitted is occupied. Development shall be carried out in accordance with the approved details.

Reason: to safeguard the amenities of nearby residents in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, GEN33 of the Arun District Local Plan.

- 5 No development shall be carried out until the building existing on the application site at the date of this permission have been demolished, and indicated on the plans hereby approved, the debris removed from the site and the site cleared.

Reason: In the interests of the amenities of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

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6 INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding rural area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: LOC2, NE8, CH1, DEV1, ERA1, ERA5

LOCAL PLAN: GEN1, GEN3, GEN7, GEN33, GEN34, DEV5

NATIONAL POLICIES: PPS1, PPS7, PPG23

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.