

**PLANNING APPLICATION REPORT**

**REF NO:**      **WA/38/09/**

**LOCATION:**    Land adjacent to Felsted Cottage  
                  Arundel Road  
                  Fontwell

**PROPOSAL:**   Outline application for erection of one dwelling using existing access. (Departure from the Development Plan)

**SITE AND SURROUNDINGS**

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION  | Outline permission sought for 1 x detached dwelling. Proposed to be approximately 9.5m wide, 10.8m deep and m high (hipped roof).                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| SITE AREA                   | 0.0637 hectares                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| RESIDENTIAL DEVELOPMENT DEN | 15 dwellings/hectare                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| TOPOGRAPHY                  | Predominantly flat                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| TREES                       | None of any significance affected by the proposed development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| BOUNDARY TREATMENT          | Domestic fence reinforced by shrubs approximately 3m in height.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| SITE CHARACTERISTICS        | Parcel of overgrown land. Mature trees and other vegetation remains.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| CHARACTER OF LOCALITY       | Rural. Isolated large detached properties. The application site is located on eastern edge of village of Fontwell with a frontage to former A27. To the north beyond the A27 bypass lies rural land in agricultural use. The nearest convenience store is a small shop within a petrol station approximately 2/3 km west of the site. The hamlet relies heavily on private car use. The nearest railway station in Barnham. There is a very limited local community bus service operating through the local villages to Chichester, but does not service Barnham. |

**RELEVANT SITE HISTORY**

|          |                                                 |                                                                      |
|----------|-------------------------------------------------|----------------------------------------------------------------------|
| WA/65/87 | Outline Application for new bungalow and garage | Refused<br>16-12-1987<br><br><b>Appeal: Dismissed<br/>28 10 1988</b> |
|----------|-------------------------------------------------|----------------------------------------------------------------------|

|           |                                                                                              |                       |
|-----------|----------------------------------------------------------------------------------------------|-----------------------|
| WA/26/88  | Outline application to erect one bungalow and garage and demolition of former studio cottage | Refused<br>23-05-1988 |
| WA/49/08/ | Outline application for erection 1 no. dwelling and new access onto Arundel Road.            | Refused<br>21-08-2008 |
| WA/25/66  | Outline for one residential dwelling                                                         | Refused<br>08-03-1967 |
| WA/52/67  | Outline for reconstruction of existing dwelling                                              | Refused<br>20-12-1967 |

## **REPRESENTATIONS**

### **Representations received:**

Walberton Parish Council

Objection. The proposal does not differ in principle from previous application, reference WA/49/08 which was refused. The proposal does not involve the conversion of any existing structures, is not related to any known needs of the countryside and is not in a sustainable location with regard to transport. It is contrary to policies GEN1, GEN2 & GEN3.

1 neighbour objection as it does not differ from previous application which was refused permission.

None

### **Comments on Representations received:**

Noted and agreed. Policy GEN1 has not been saved and is no longer in force for development control purposes

## **CONSULTATIONS**

WSCC Local Development Divis.

Horticulturist

### **Consultations responses received:**

Objection.

West Sussex County Council Highway Department

No highway objections. A new access is to be provided which will require pedestrian visibility splays. Details of cycle parking are requested.

Arboricultural Officer

Objection.

There are trees within the area of development none of which is of TPO value. However, the Oak at the front which is believed to be on WSCC land is worthy of a TPO and should be retained as part of the development. There is no evidence with the application to show how it will be protected during the construction phase so object to proposal until this information is provided.

### **Comments on Consultation responses:**

Comments noted

## **POLICY CONTEXT**

Designation applicable to site:  
Outside Built-Up area Boundary  
Within Area of Special Advertisement Control  
Class A Road  
Trunk Road  
Public Sewer on Site

## DEVELOPMENT PLAN POLICIES

|                           |                                                                                                                                                |                                                                                                                                                                                         |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| South East Plan:          | <a href="#">SEPBE1</a><br><a href="#">SEPCC1</a><br><a href="#">SEPH5</a><br><a href="#">SEPT4</a>                                             | Management for an Urban Renaissance<br>Sustainable Development<br>Housing Design and Density<br>Parking                                                                                 |
| Arun District Local Plan: | <a href="#">GEN2</a><br><a href="#">GEN3</a><br><a href="#">GEN5</a><br><a href="#">GEN7</a><br><a href="#">GEN28</a><br><a href="#">GEN12</a> | Built-up Area Boundary<br>Protection of the Countryside<br>Provision of New Residential Development<br>The Form of New Development<br>Trees and Woodlands<br>Parking in New Development |

## PLANNING POLICY GUIDANCE

|       |                                        |
|-------|----------------------------------------|
| PPG13 | Transport                              |
| PPS1  | Delivering Sustainable Development     |
| PPS3  | Housing                                |
| PPS7  | Sustainable development in rural areas |
| PPS9  | 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. Consideration of sustainability issues is also required.

## 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 have an adverse effect on the character of the area. It is unrelated to the needs of agriculture and will unacceptably extend what is sporadic residential development in the countryside. In addition it conflicts with relevant policy which requires that development is sited in sustainable locations.

## 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 issues to consider in this case are the impact that the proposal would have on the character and appearance of the area and whether it represents a sustainable form of development.

#### **Character and appearance**

Whilst Fontwell is made up of a variety of different types of dwellings, the east side of Arundel Road is characterised by large and isolated dwellings set within spacious plots. The proposed dwelling is not in keeping with this character and due to its restricted plot size and narrow frontage it will appear as an alien feature within this low density environment. The layout and siting of the proposed development would be likely to result in the loss of a tree important in the local landscape, a view supported by the Councils Arboricultural Officer.

There is no justification for a mainstream residential dwelling in this rural location as required by PPS7 where the principal aim is to protect the countryside for its intrinsic beauty.

#### **Sustainability**

Fontwell has only limited facilities for local residents. There is no well stocked food shop, no school or other community facilities. These can only be found in Barnham/Yapton which are over 2 miles away and not available by public transport. The routes to reach nearby villages are via narrow unlit country lanes without foot ways and these are not considered suitable for pedestrians and cyclist. Residents of the proposed dwelling are therefore likely to make most if not all of their journeys to essential services by private car and the consequent increase in car borne traffic would run contrary to the guidance in PPG13 Transport and PPS1 Delivering Sustainable Development.

To conclude the proposal is contrary to raft of national and local policies no qualification for bein sited in this rural location

### **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, 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 dwelling to be located in the countryside, that the need cannot be met in an existing settlement, and that the dwelling proposed is of a size and type appropriate to its purpose. The proposal therefore conflicts with policy DEV7 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, GEN7 of the Arun District Local Plan.
- 4 The proposed use is unacceptable in that the dwellings are not located conveniently in relation to sustainable transportation or services. The proposal would therefore be

contrary to policies GEN4, GEN7 of the Arun District Local Plan.

- 5 The layout and siting of the proposed development would be likely to result in the loss of a tree important in the local landscape, being located so close to that building development as would be likely to result in significant physical damage to the tree, thereby diminishing the health, appearance and longevity of the same to the detriment of the visual amenities of the locality, in conflict with policies GEN7, GEN28 of the Arun District Local Plan.