

Report to	<b>Planning Committee</b>
Date	<b>26 April 2017</b>
By	<b>Director of Planning</b>
Local Authority	<b>Chichester District Council</b>
Application Number	<b>SDNP/16/03715/FUL</b>
Applicant	<b>Mr Dan Roycroft</b>
Application	<b>Erection of 3 no. dwellings. Retention of existing dwelling. New access via Common Road to serve existing dwelling and 2 of the new dwellings, retaining the current access point to serve the remaining new dwelling. Associated works and hard and soft landscaping.</b>
Address	<b>Orchard Barn Common Road Funtington Chichester West Sussex PO18 9LG</b>

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**Recommendation:** That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.

**IMPORTANT NOTE:** This application is liable for Community Infrastructure Levy.

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## **Executive Summary**

**Red Card (Cllr J Tassell) - member has information or an opinion, which she wishes to raise in debate**

**Parish objection - officer recommends PERMIT**

The application site lies within the Settlement Policy Area for Funtington, where there is a policy presumption in favour of development. The revised scheme has had regard to the location within the designated conservation area and the setting of the adjacent listed buildings in terms of scale, layout, form and appearance and is considered to be an appropriate and sensitive response to the particular constraints found within the site. Particular consideration has also been given to the effect of the proposed development on highway safety resulting from potential traffic generation and on residential amenity.

On balance it is considered that the proposal is an acceptable form of development and there is no material conflict with the relevant Development Plan policies referred to above, the statutory duties of the Act, the policies of the NPPF or the purposes of designation of the South Downs National Park.

## **1 Site Description**

1.1 Orchard Barn is a substantial detached two-storey property located on the eastern side of Funtington village constructed in the 1970's. The dwelling is sited on the eastern side of extensive, well-maintained mature gardens to the north and west of the building. A hard surface tennis court occupies a large part of the site toward the western side of the garden, with a young orchard and vegetable garden in the northwest section. Part of the garden is sub-divided by mature hedges. Adjacent to the western side of the existing house is a large detached triple

garage building and extensive gravelled turning/parking area. The site as a whole was previously part of the grounds to Funtington Hall.

1.2 The boundaries to the site are generally well screened, with mature hedging and shrub planting to the east boundary and a notable screen along the north boundary of a double line of mature deciduous trees providing an effective foil to the agricultural buildings of Lynch Farm beyond. The boundary treatment to the west and part south is a little weaker, comprising timber fencing, which allows views of the upper floors of the dwellings to the south west. The site generally appears to have a fall in levels from north to south, although this is more pronounced on the western side.

1.3 Access to Orchard Barn is via a shared drive off Common Road. This drive also services 1 to 4 Funtington Hall, with 1 and 2 being a Grade II listed building. In addition, the wall fronting Common Road to the west of this shared access is also listed Grade II.

1.4 The application site is located within the designated conservation area and a number of trees within the site are subject to a Tree Preservation Order reference FU/71/00518/TPO, including the substantial Sweet Chestnut tree (T1) in the rear garden and the Indian Bean Tree (T4) between the existing house and garage.

1.5 The character of the Conservation Area is largely of historic dwellings flanking Common Road in a linear pattern interspersed with modern infill development. Dwellings on the northern side of the B2146 tend to be larger and in generous plots. In this context the grounds to Orchard Barn are unusually large and comparable in size to that of Funtington House to the south-west.

## **2 Proposal**

2.1 The proposal is for the subdivision of the plot, retention of the existing dwelling (Orchard Barn) and the erection of three individually designed dwellings. The current access will remain as existing but will be used to serve Plot 1 only. A new access point off Common Road is proposed, which will serve Plots 2, 3 and Orchard Barn.

2.2 The original proposal comprised three large detached dwellings concentrated in the western half of the application site. The design and layout has been refined to represent a farmstead-style development, which more closely reflects the semi-rural characteristics of the village. Plot 1 is designed to reflect a traditional two storey farmhouse to be constructed of good quality facing brick under a natural slate roof, which relates to the building styles and materials found elsewhere within the conservation area. The floor plan is 'L-shaped' with the main ridge aligned north east to south west, with a subsidiary rear wing at right angles facing north west. The overall height of the dwelling at 8.6 metres is similar to that of the existing house (Orchard Barn).

2.3 Plots 2 and 3 are located to the north of plot 1 are laid out in the form of a courtyard of traditional converted farm buildings. The western most dwelling is a contemporary interpretation of a traditional threshing barn orientated north-south, with a long 'catslide' roof ensuring a low eaves line facing the west boundary. The overall height is slightly lower than Plot 1 at 7.7 metres. Materials to be used include timber cladding for the elevations under a clay tiled roof. The eastern most unit (Plot 3) takes the form of a converted stable and granary building constructed in brick under a tiled roof. The two units are linked by a single range mainly providing accommodation for garaging. The resulting internal courtyard is to be divided between the two units.

## **3 Relevant Planning History**

SDNP/15/01300/PRE - Formation of new access, demolition of detached garage and erection of 2 detached dwellings, hard and soft landscaping and associated works. ADVICE GIVEN 21.04.2015

SDNP/15/05620/MPO - Discharge of planning obligation of the Section 37 agreement relating to a historic planning permission. APPROVED 29.01.2017

## 4 Consultations

### Parish Council

The Parish Council objects to the application. The access point is positioned in a dangerous location and is considered ludicrous due to the access point joining the highway. The build goes against the South Downs National Park Policy on development in this area. The proposed 3 dwellings is an over development of the site. An accident report on the area has been emailed to the planning department to support this objection. **OFFICER NOTE: this is available to view online**

1. The proposal constitutes over development of the site. At the pre application meeting it was proposed that there should be 2 X 4 bedroom houses whereas the applications for three such properties. Among other things this does raise doubt on the suggested expected traffic movement to and from the site.

2. It is doubtful whether the existing sewerage system is adequate to cope with the proposed additional load which it will be called upon to take.

3. The proposed access ways onto the B2178 Common Road are unsuitable. The existing access way already serves four residential units at Funtington Lodge plus Orchard Barn. The B2178 is narrow at this point frequently rendering it difficult for large vehicles, e.g PSVs, lorries and farm vehicles which currently use the road, to pass. The present access way is on what constitutes a blind corner for vehicles travelling in either direction. There is no footway on the northern side of the road despite there being residential property on that side and, contrary to the application details the road is not illuminated. The proposal to make another vehicular access so close to the existing access to serve a further 3 properties is totally unacceptable.

4. The proposed development is contrary to the recently published SDNP Strategic Housing Policy which makes no provision for further residential development in the Parish.

According to the plan annexed to the planning permission which was granted on 28th May 2004 no. FU/04/01325/FUL the access way which Orchard Barn shares with Funtington Lodge is not within the curtilage of Orchard Barn and remained in the curtilage of Funtington Lodge. The plan on that permission was, presumably, submitted by the then applicant/owner of Orchard Barn, Mr LW Belcher the Parish Council queries the ownership of the driveway and whether the current application form is inaccurate? The planning authority requires further details of access proposals.

Further, the access appraisal is inaccurate insofar as:

(para 1.2) the access to Funtington Lodge is a private drive and not an unclassified road.

(Appendix A) (Light conditions) There are no street lights here or elsewhere on Common Road.

Pedestrians frequently cross Common Road from the footway on the southern side of the carriageway to gain access to and egress from Downs Road and the residential properties on the north side of Common Road abutting the application site.

### Conservation and Design Manager - CDC

#### (To original proposals for three detached dwellings)

I previously supported an approach that provides for a good degree of variation in the design of the buildings, although I was unconvinced with the designs indicated at that time. I suggested referring to existing buildings within the conservation area to inform the architectural approach and recommended that a vernacular rather than overly formal approach using roof forms to minimize the impact of the development on surrounding development as being appropriate.

The current proposals are very different to those originally submitted for advice and appear to create more of an isolated cul-de-sac with an overly suburban character. Two of the properties look almost identical in design and some of the detailing is unconvincing; as a result the proposal looks more like an isolated pocket of development attached to the settlement rather than a logical extension to it. The suburban design of the buildings looks more like they belong in a cookie-cutter housing estate than forming part of a rural village within the National Park.

## **Response to revised design approach - (farmstead)**

I do not have a problem with the concept of a group of buildings comprising a farm house and a couple of buildings designed to look like barn conversions, provided the group have a meaningful relationship with each other - ie as a locally relevant farmstead group. Historically there were groups of farm buildings, often in the form of courtyards on the edge of the village of Funtington.

## **Further comment (on refined plans)**

It follows the advice and would appear to be a reasonable way forward and I would suggest it would be worth working up the designs.

In terms of the individual designs, the farmhouse seems fine - with respect to the barns I would suggest revising at the proportions to better reflect the character of barns locally - the possibility of the upper floors being partly within the roof voids may also help with proportions whilst at the same time reducing the visual impact of the proposed development.

## **WSCC County - CDC**

I refer to your consultation in respect of the above planning application and would provide the following comments.

### **Context**

West Sussex County Council was consulted previously on Highway Matters for this application and has to date provided two formal consultation responses dated 05/09/2016 and 18/10/2016. In conclusion the Local Highways Authority has determined that safe and suitable access can be achieved for both vehicles and pedestrians. It is not considered that the proposal would have 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

This consultation response seeks to consolidate the previous formal responses provided and provide additional advice with regard to local representation made concerning highway safety and capacity.

The application seeks the erection of 3 x 4 bed dwellings on land to the north and west of Orchard Barn, Common Road, Funtington. Orchard Barn will be retained as part of the proposal. Common Road is 'B' classified and subject to a 30 mph speed limit at this point, though it should be noted that the speed limit increases to national speed limit circa 150 metres east of the site. The road provides a route between Chichester in the east and Emsworth/Havant to the west and accommodated a range of vehicles from cyclist to farm vehicles. The highway in this location is not lit and a pedestrian footway is located on the opposing (southern) side of Common Road. The site is located on the northern side of Common Road is not served by any existing pedestrian footway link.

The application has been submitted with the support of a document entitled 'Access Appraisal' prepared by JMP Transport Planning Consultants. This was later supported with an additional technical note prepared by JMP Consultants LTD.

### **Access (Existing)**

The existing point of access, which currently serves Orchard Barn and 4 other residential dwellings, will remain unchanged. As a result of this proposal the existing access will serve one of the proposed dwellings but will no longer provide access to Orchard Barn. While there may be some minor fluctuations between trip generation of Orchard Barn and the proposed dwelling these would not be considered significant. In conclusion it would not be anticipated that this application would result in any material intensification of use at this existing point of access. No further assessment of this existing point of access would therefore be required. I would however note that on site it was observed that vehicular visibility at this point of access was severely substandard, particularly to the east. This could be improved with the removal of vegetation overhanging the highway boundary and the relocation of a brick pier. Should any future applications be made, whereby intensification of use at this point of access would result, the

application would likely not be supported by the Local Highways Authority. Future applications would therefore require improvement to be made and/or demonstration that the access confirmed with current standards and guidance. It is noted that this application would also provide the opportunity to make improvements to this point of access, particularly with visibility to the east.

#### Access (New)

A new point of access is proposed and this will serve Orchard Barn and two of the proposed dwellings. Given this is a new point of access onto a classified road it will be assessed against current guidance and standards. In order to demonstrate that the adequacies of the new point of access accord with current guidance and standards a 7 day automated speed survey has been undertaken by the applicant. Separate speed survey locations both east and west of the proposed access location have been used to determine the 85th percentile wet weather speeds at the approaches to the proposed point of access. I would consider the location of the speed surveys acceptable in determining both the east and westbound vehicle speeds, in relation to the proposed point of access. This is a far more robust way of measuring approaching vehicle speeds and provides a better evidence base for assessing appropriate visibility splays when compared to only performing one survey at the exact location of the new access point.

The speed survey indicated that east bound vehicles were approaching the site at 30 mph, in line with the posted speed limit. A worst case scenario of 39.1 mph was recorded for west bound vehicles approaching the site entering the 30 mph posted speed limit from the national speed limit zone.

Appendix E of the technical note demonstrates that visibility splays of 2.4 x 43 metres and 2.4 x 120 metres can be achieved west and east of the site respectively. These splays are in line with the sight stopping distances of the 85th percentile recorded road speeds. The sight stopping distance calculation method from Manual for Streets has been used for the western splay and a DMRB calculation methodology has been used for the eastern splay. The use of differing calculation methods for opposing directions accords with guidance within Manual for Streets 2 Paragraph 1.3.7 which states "...in rural areas many parts of the highway network are subject to the national speed limit but have traffic speeds significantly below 60mph. Again in these situations where speeds are lower than 40mph, MfS SSD parameters are recommended."

It should also be noted that in reality visibility will extend beyond these splays given the alignment of the carriageway and extent of highways boundary in this location.

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works.

#### Pedestrian Access

The applicant has now included a tactile paving dropped crossing provision to facilitate pedestrian movements across Common Road. The provision has been supported with pedestrian visibility splays as shown on drawing ST16190-06. Typically these splays should be drawn with a 1.0 metre x distance, which is slightly less than the 'X' distance shown on ST16190-06. Nevertheless I would accept that appropriate visibility can be provided using highway land to facilitate the safe crossing of pedestrians.

#### Accident Data

I have checked the most recently available verified personal injury accident data and I can confirm there have been three reported accidents within 125 metres of the site within the past three years. 2 were classed as 'severe' and 1 was classed as 'minor'. Having inspected the detail of these accidents there is evidence that a vehicles was traveling in excess of the posted speed limit on this section of road. It is however important to note that none of the accidents involved the use of any of the residential points of access on this section of Common Road. The design and alignment of Common Road was not determined to be a causation factor in any of the accidents.

### Trip Generation & Highway Capacity

In terms of trip generation this application seeks the erection of 3 dwellings. The applicants supporting information suggested that this would result in 14 two way movements over a 12 hour period. Taking into consideration the nature of Common Road this increase in vehicular activity would not be considered material and is well below any threshold for seeking any additional highway capacity assessment.

### Vehicle Parking & Turning

Each of the proposed dwellings will be provided with a double garage and hardstanding area to provide parking for each dwelling. For double garages to be considered as allocated car parking spaces they should measure 6 x 6 metres internally as recommended by the WSCC Car Parking in New Residential Development 2010 document. Nevertheless the garages are only slightly below these measurements. In this instance I would accept that an appropriate quantity of vehicle parking is available to meet the needs of the development but would advise that a separate cycle parking provision is secured via plans and details to be submitted to and approved by the Local Planning Authority.

Vehicle tracking has been provided demonstrating how a large refuse vehicle would use the proposed point of access, turn and leave in the forward gear. These details would be considered acceptable.

### Conclusion

In conclusion the applicant has demonstrated to the satisfaction of the Local Highways Authority that safe and suitable access can be achieved for both vehicles and pedestrians.

The LHA does not consider that the proposal would have 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal. If the LPA are minded to grant planning consent the following matters to be controlled by conditions and informative note would be advised: Access construction, visibility, car parking provision, cycle parking provision, use of garages, turning, pedestrian crossing point and Construction Method Statement. An informative regarding the requirement for a S.278 Agreement of the Highways Act 1980 should be included

## **5 Representations**

### 48 Third Party objections (includes representations on substitute plans)

#### Highway safety concerns

Will add to already significant traffic hazards of this highway

Traffic assessment flawed - applies misleading criteria and fails to take account of local context

WSCC consultation response uses inconsistent guidelines

Additional access point unsafe

Highway subject to speeding

Highway used as through road - likely to worsen in future

Harm to conservation area and setting of adjacent listed buildings (built form and provision of new access)

Contrary to Local Plan policies (conservation, listed buildings and built development)

Overdevelopment and cramped

Loss of openness

Ignores pre-application advice

Unneighbourly

Loss of privacy

Surface water drainage an issue - potential flooding

Loss of trees

SDNPA do not propose further housing for Funtington.

## Agents supporting comments (summary only)

The proposals are for three new detached dwellings within the Funtington Conservation Area. The proposals have been carefully designed to ensure that:

- They comply with Local and National planning policies;
- They preserve what is significant about the character and appearance of the Funtington Conservation Area and adjacent Grade II Listed Funtington Lodge;
- They will not cause material harm to neighbours' amenity;
- They will not pose a risk to highway safety;
- They will not impact the surrounding landscape setting;
- They will not cause harm to any important trees.

## 6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Chichester Local Plan First Review (1999)** and the following additional plan(s):

- SDNPA Partnership Management Plan 2014
- South Downs National Park Local Plan - Preferred Options September 2015

The relevant policies to this application are set out in section 7, below.

### National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

## 7 Planning Policy

### Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

### National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Promoting sustainable transport
- NPPF - Delivering a wide choice of high quality homes
- NPPF - Requiring good design
- NPPF - Conserving and enhancing the natural environment

- NPPF - Conserving and enhancing the historic environment

The following paragraphs of the NPPF are considered relevant to the determination of this application:

7, 14, 17, 32, 49, 53, 56, 60, 61, 64, 115, 118, 128, 129, 132, 134.

It is also necessary to have regard to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **Chichester Local Plan First Review (1999)** are relevant to this application:

- BE1 - Settlement Policy Boundary
- BE4 - Buildings of Architectural or Historic Merit
- BE6 - Conservation Areas
- BE11 - New Development
- BE13 - Town Cramming
- H4 - Size and Density of Dwellings
- TR6 - Highway Safety

The following policies of the **SDNPA Partnership Management Plan 2014** are relevant to this application:

- General Policy 1
- General Policy 9
- General Policy 50

The following policies of the **South Downs National Park Local Plan - Preferred Options September 2015** are relevant to this application:

SD6 – Design  
SD11 – Historic Environment  
SD22 – Development Strategy  
SD23 – Housing  
SD39 – Conservation Areas  
SD43 – Public Realm and Highway Design

The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16<sup>th</sup> July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2<sup>nd</sup> September to 28<sup>th</sup> October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage



of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

## **8 Planning Assessment**

8.1 The application site lies within the Settlement Policy Area for Funtington, where the principle of development is acceptable in policy terms. However it is acknowledged that the amount and nature of development that can be achieved on this site is constrained by the layout of the site itself, its location within the designated conservation area, the presence of listed buildings to the south west and whether the provision of safe and suitable access to the site can be achieved. The key issues to be assessed are therefore:

- 1) Whether the proposed development preserves or enhances the character appearance of the conservation area;
- 2) The effect on the setting of the adjacent listed building;
- 3) The effect on residential amenity;
- 4) Traffic generation and highway safety.

8.2 Integral to the assessment of the first two issues is whether the development would be compatible with the first purpose of designation of the South Downs National Park.

### **Character and appearance of the Conservation Area**

8.3 Funtington is a modestly sized village located at the foot of the dip slope of the South Downs. Existing development comprises buildings of varying style, scale and age (including a number of listed buildings) in a generally linear but relatively compact pattern straddling Common Road (B2146). The historic core of Funtington as a village has a fairly compact form although in places forming a tightly grained, linear pattern along the highway, especially on the south side and extending over the area between the Church and Common Road, with some more recent low density peripheral development (Lynch Down, Admirals Walk and Laxton Meadow, for example). Development on the north side of Common Road is more loosely consolidated, with the existing character of the conservation area informed by irregularly spaced and orientated buildings existing cheek by jowl with each other. This interrelationship between buildings and spaces is considered to be an intrinsic part of the character and overall visual impression of this part of Funtington and is clearly relevant to the consideration of this application.

8.4 The proposed development has been the subject of comprehensive evolution and revision following proactive engagement with officers, including the Conservation and Design Manager. Individually, the proposed dwellings are considered to be of a high quality and sympathetic to the general character of development within Funtington in terms of their form, layout and appearance and use of materials. The form and appearance has been kept deliberately understated in order to reflect a strong reference to the semi-rural character of the village, in line with the advice provided by the Council's Conservation and Design Manager.

8.5 The three dwellings are arranged so that two units in the north west part of the site are linked create a form of farmstead courtyard and are reflective of converted agricultural buildings, with the third, detached unit designed as a traditional farmhouse sited further to the south. The immediate environment to each of the new dwellings and the access is also designed to remain informal, avoiding the use of hard margins and tarmacadam surfacing. The whole arrangement is considered to successfully reflect the irregular spacing and form of buildings, maintaining a subtle a degree of permeability within this part of the conservation area and therefore it is concluded that its character and appearance would be preserved.

8.6 The proposal involves the creation of a new access point onto Common Road approximately 25 metres further to the east of the existing access. The boundary is vegetated along its length, primarily with non-native conifer hedging in poor condition. Nevertheless, the enclosed character of the north boundary of Common Road is acknowledged to contribute to the character of the entry to the village, but is distinct from the characteristic sense of enclosure derived from the presence of the combination of buildings, walls and other boundary treatments found further to the west. The design of the new point of access is to retain the informality of

similar points of access onto Common Road (including the present access) whilst balancing the requirement to provide adequate site lines and visibility. The resultant gap will permit limited public views of Orchard Barn itself, although the new development would occupy a much more recessive location visually within the site.

8.7 It is concluded that the creation of the access would result in less than substantial harm to the character and appearance of the conservation area at this point. However, the formation of the access is considered necessary in the public interest (the provision of safe and suitable access) and therefore in the overall planning balance this aspect of the proposal would have a neutral impact on the wider character and appearance of the conservation area.

### **Effect on the setting of adjacent listed buildings**

8.8 Funtington Lodge is a Grade II listed building located to the south west of the application site, separated from it by an access drive and car parking area immediately on its north side servicing it and three other properties. The property has a distinctive villa-like character, with the significance of its setting derived from the extensive, mature gardens found to the south west of the house. The nearest proposed dwelling to Funtington Lodge is Plot 1, which would be approximately 30 metres away, with Plots 2 and 3 located further into the site.

8.9 The curtilage to Funtington Lodge on the north side is contained by the shared access and parking area, boundary walling and planting and now has little significance to the immediate setting of the listed building. The historical separation of the application site from Funtington Lodge means that there is no longer any intimate visual relationship with Funtington Lodge itself. The nearest proposed unit (Plot 1) has been designed as a two storey dwelling with an informal orientation that presents a narrow profile toward Funtington Lodge, ensuring a subservient presence.

8.10 In a wider context, whilst the amount of built development is to be increased, this is considered to be of a scale, layout and form that will avoid an urbanising impact on the setting of the listed building.

### **Effect on residential amenity**

8.11 The proposed dwellings have been designed and orientated in a manner to limit the prospect of direct overlooking of properties to the west and south. The design of Plot 1 ensures that window openings are limited at first floor level, which in combination with the intervening distance and screening will ensure that there would be no adverse on the amenities or living conditions of adjoining occupiers. Plot 2 is orientated parallel with the west boundary of the site but is designed with an asymmetric roof profile with a low eaves line facing the common boundary with the garden area to 4 Funtington Lodge. The deep catslide has resulted in only ground floor windows and high level roof lights. The modest gable feature positioned centrally on the elevation provides light to the lounge area at ground floor and a gallery landing at first floor, although this is shown to be screened. Plot 3 is sited furthest away from properties to the south and west and its more subservient form and orientation is not considered to impinge upon residential amenity.

8.12 The setting out of Plots 2 and 3 also takes account of the change in levels from north to south, with the buildings set at the lower level found at the southern end of the site, ensuring that the resultant dwellings are not unduly prominent in relation to existing development.

8.13 It is acknowledged that the presence of additional built form on the application site would alter the north western outlook from adjacent dwellings but that in itself is not considered harmful. The variation in building heights and location of new buildings continue to preserve a sense of spaciousness and informality and would not result in an overbearing or cramped form of development.

## **Traffic generation and highway safety**

8.14 The proposal would result in a net gain of three dwellings within the site. It is proposed to service one of the new dwellings from the existing access point, with the remaining two units and Orchard Barn being serviced by the creation of a new access point to the east of the existing access. A significant level of local concern has been raised with regard to the highway safety implications of this aspect of the proposed development.

8.15 The applicant has produced detailed traffic assessments, including peak hour traffic movements along Common Road and speed surveys. Third parties have questioned the methodology employed by the applicant's consultant in reaching their conclusions and WSCC Highways' acceptance of those conclusions. WSCC Highways' detailed consultation response to both the evidence and third party concerns is set out in full in this report. It should be noted that it is acknowledged that the applicant's statement and conclusions are based on an acceptable methodology and that WSCC Highways has concluded that there are no highway capacity or safety concerns as a result of the proposed development. Therefore In the light of these conclusions, it is considered that a highway reason for refusal cannot be justified.

## **9 Conclusion**

9.1 The application site lies within the Settlement Policy Area for Funtington, where there is a policy presumption in favour of development. The revised scheme has had regard to its location within the designated conservation area and the setting of the adjacent listed buildings and is considered to be an appropriate and sensitive response to the particular constraints found within the site. Consideration has also been given to the effect of the proposed development on highway safety resulting from potential traffic generation and on residential amenity. On balance it is therefore considered the that proposal is an acceptable form of development and there is no material conflict with the relevant Development Plan policies referred to above, the statutory duties of the Act, the policies of the NPPF or the purposes of designation of the South Downs National Park.

## **10 Reason for Recommendation and Conditions**

It is recommended that the application be approved for the reasons and subject to the conditions set out below.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

### **2. Approved Plans**

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

**Reason:** For the avoidance of doubt and in the interests of proper planning.

### **3. Agreement of materials**

No development shall commence until details, and samples where appropriate, of the following materials to be used in the development have been submitted to and agreed in writing by the SDNPA: Bricks, stone & any other wall facing materials; Brick bonds; Mortar mix and finish; Rain water goods (including their relationship with eaves and verges); Slates, tiles & any other roof coverings, including rooflights. Thereafter the development shall be undertaken in full accordance with that agreement unless otherwise agreed in writing by the SDNPA.

**Reason:** For the avoidance of doubt and in the absence of these important details from the application

#### **4. Sample panel**

No development shall commence until a sample panel of new facing brickwork/ stonework/ tiling or other cladding at least one square metre in size has been constructed on site and agreed in writing by the SDNPA. The panel shall be constructed using the proposed facing materials (brick, stone etc), bonds, mortar and finish to joints. The approved sample panel shall be retained on site and available for inspection until the work has been completed. Thereafter, the development shall be carried out to match the standard of workmanship in the approved panel to the satisfaction of the SDNPA.

**Reason:** To ensure that the development is undertaken to an appropriate standard.

#### **5. Site Levels**

Before development commences details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, shall be submitted to and approved by the SDNPA in writing. The development shall be implemented in accordance with the approved details.

**Reason:** To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees to comply with Policy BE11 of the CDLPFR 1999.

#### **6. Access design**

The access from the site to the public highway shall be designed, laid out and constructed with kerb radii, visibility splays and sight lines in all respects in accordance with plans and details to be submitted to and approved by the Local Planning Authority before any other operation or use authorised by this permission is commenced.

**Reason:** In the interests of road safety and to accord with approved policy.

#### **7. Completion of highway works**

Before any part of the development hereby permitted is first occupied the access, turning area, and parking and, where applicable, cycle parking areas shall be completed in accordance with the approved plans and shall thereafter be maintained for these purposes in perpetuity.

**Reason:** In the interests of highway safety.

#### **8. Pedestrian Crossing Point**

No part of the development shall be first occupied until such time as a tactile paving dropped crossing point serving the development has been constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

**Reason:** In the interests of road safety and provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

#### **9. Visibility**

No part of the development shall be first occupied until visibility splays of 2.4 x 43 metres to the west and 2.4 x 120 metres to the east have been provided at the proposed site vehicular access onto Common Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

**Reason:** In the interests of road safety.

#### **10. Tree Protection**

No development, including site works of any description, shall take place on the site and before any equipment, machinery or materials are brought onto the site, until all the existing trees or hedges to be retained on the site have been protected by a fence to be approved by the Local Planning Authority erected around each tree or group of vegetation at a radius from the bole or boles of five metres or such distance as may be agreed in writing by the Local Planning Authority. This fencing shall be maintained until all equipment, machinery, surplus materials and soil have been removed from the site. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

**Reason:** To ensure the retention and maintenance of trees and vegetation which are an important feature of the area.

#### **11. No authorisation of works to protected trees**

Nothing in this permission shall authorise the felling, lopping, topping or uplifting of any tree on the site protected by a Tree Preservation Order.

**Reason:** To clarify the extent of this permission.

#### **12. Surface water drainage scheme**

Before the development hereby permitted is begun, a scheme showing the proposed means of surface water disposal including all necessary on-site and off site works shall be submitted to and approved by the Local Planning Authority. Before the development hereby permitted is brought into use the approved scheme shall be carried out and completed in full accordance with the details shown in the scheme. The responsibility for securing all necessary agreements and permits from the landowner or other party shall rest with the developer.

**Reason:** To ensure that the proposed development is satisfactorily drained.

#### **13. No Class A PD rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or any Order revoking and re-enacting or amending that Order) no additions to, or extensions or enlargements of, or alterations affecting the external appearance of, the building(s) hereby approved shall be made or erected without a grant of planning permission from the Local Planning Authority.

**Reason:** To enable the Local Planning Authority to retain control over the enlargements/ alterations of the building(s) in the interests of the proper planning and amenities of the conservation area.

#### **14. No Class E rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or any Order revoking and re-enacting or amending that Order) no building, or shed, greenhouse or other structure, shall be erected anywhere on the application site unless otherwise agreed in writing by the Local Planning Authority by way of a planning application.

**Reason:** To enable the Local Planning Authority to retain control over such structures in the interests of the amenities of the area.

## **15. Construction Method Statement**

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials used in constructing the development;
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during construction;
- (vii) turning on site of vehicles;
- (viii) the location of any site huts/cabins/offices.

**Reason:** To ensure safe and neighbourly construction.

## **16. Landscaping**

No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities. In addition all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site.

**Reason:** In the interests of amenity and of the environment of the development and to comply with the Natural Environment and Rural Communities Act 2006.

## **17. Landscaping implementation**

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** In the interests of amenity and of the environment of the development.

## **11. Crime and Disorder Implications**

11.1 It is considered that the proposal does not raise any crime and disorder implications.

## **12. Human Rights Implications**

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

## **13. Equality Act 2010**

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

## **14. Proactive Working**

14.1 In reaching this decision the SDNPA has worked with the applicant in a positive and proactive way, in line with the NPPF.

**Tim Slaney**  
**Director of Planning**  
**South Downs National Park Authority**

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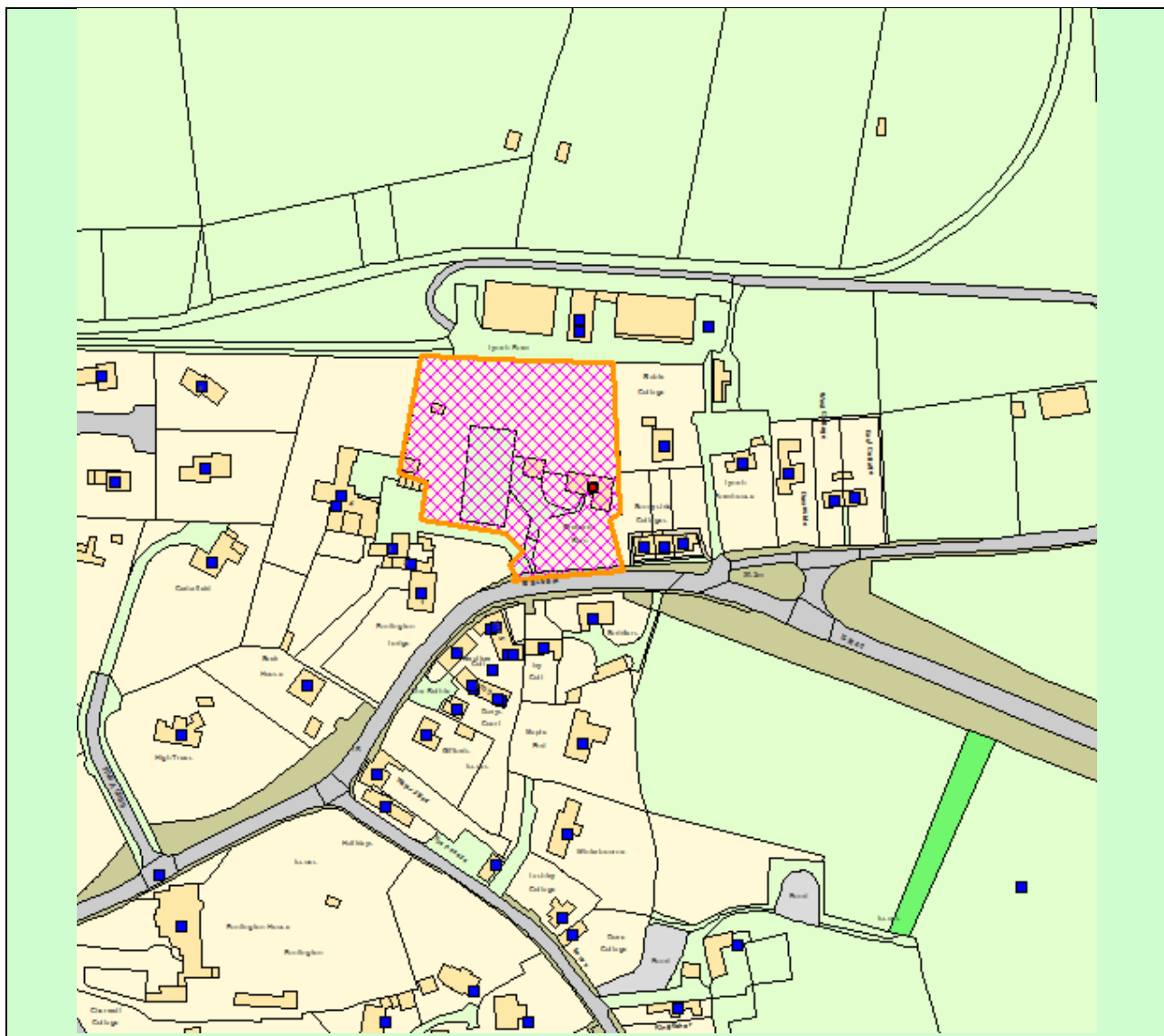
Appendices Appendix 1 - Site Location Map  
Appendix 2 – Plans Referred to in Consideration of this Application

### **SDNPA Consultees**

Background Documents Relevant planning history, CDLPFR 1999, South Downs Management Plan, Draft South Downs Local Plan 2015, NPPF, NPPG

## Appendix 1

### Site Location Map



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## Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Proposed site plan	192.01		21.12.2016	Superseded
Plans - Plot 1 floor plans	192.02		21.12.2016	Superseded
Plans - Plots 1 elevations	192.03		21.12.2016	Superseded
Plans - Plots 2 and 3 floor plans	192.04		21.12.2016	Superseded
Plans - Plots 2 and 3 elevations	192.05		21.12.2016	Superseded
Plans - Topographical Survey	EX01		09.08.2016	Submitted
Plans - Landscape Proposal Plan	LAN_01		09.08.2016	Submitted
Plans - Proposed Site Layout	516.05/PL01		09.08.2016	Superseded
Plans - Plans and Elevations House no. 1	516.05/PL02	A	09.08.2016	Superseded
Plans - Plans and Elevations House no. 2	516.05/PL03		09.08.2016	Superseded
Plans - Plans and Elevations House no. 3	516.05/PL04	A	09.08.2016	Superseded
Plans - Proposed site plan	192.01	A	02.02.2017	Approved
Plans - Plot 1 floor plans	192.02	A	02.02.2017	Approved
Plans - Plots 1 elevations	192.03	A	02.02.2017	Approved
Plans - Plots 2 and 3 floor plans	192.04	A	02.02.2017	Approved
Plans - Plots 2 and 3 elevations	192.05	A	02.02.2017	Approved

**Reasons:** For the avoidance of doubt and in the interests of proper planning.