

Parish: Boxgrove	Ward: Boxgrove
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**BX/15/02463/FUL**

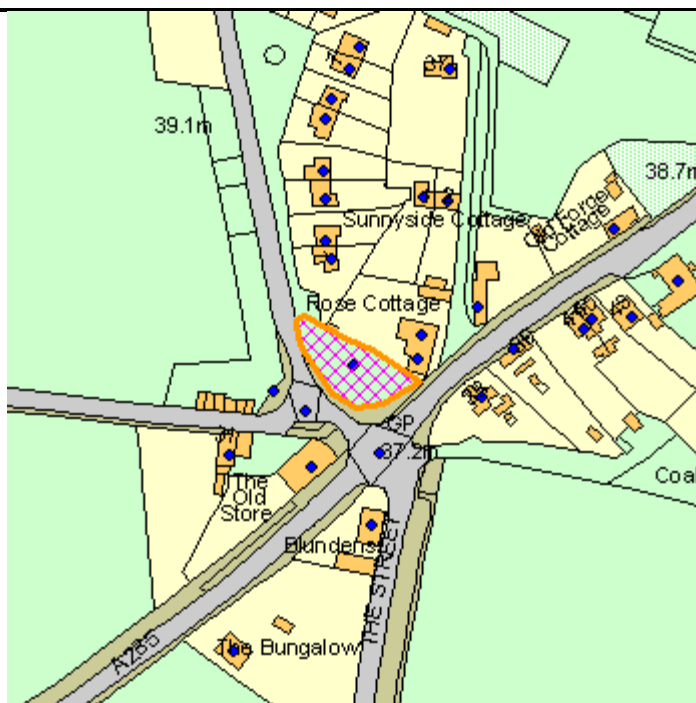
**Proposal** Erection of a single storey, one bedroomed dwelling.

**Site** Land South West of Rose Cottage A285 Redvins Road To Tinwood Lane  
Halnaker Boxgrove PO18 0NQ

**Map Ref** (E) 490739 (N) 108105

**Applicant** Mr Martin Welsh

## **RECOMMENDATION TO REFUSE**



**NOT TO  
SCALE**

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### **1.0 Reason for Committee Referral**

1.1 A Red Card has been submitted by Councillor Potter because there is an exceptional level of public interest in the planning application.

### **2.0 The Site and Surroundings**

2.1 The site is located on a corner plot of a crossroads to the north-western side of the A285 that runs through Halnaker. The site, which is an irregular shape, is within the designated countryside outside of any settlement boundary. The site also lies within the

Halnaker Conservation Area and is adjacent to a Grade II listed building. The boundary of the South Downs National Park is to the west of the site on the opposite side of Park Lane. The site is enclosed by a beech hedge along the southwest and southeast boundaries. There are two small trees situated along the south-west boundary. There is a conifer hedge along the north-east boundary with a brick and flint wall situated behind. Access is from Park Lane in north-west corner of the site. The ground levels decrease between the site and finished floor level of the adjacent listed building to the north east.

### **3.0 The Proposal**

3.1 The application seeks to erect a detached one bedroom bungalow that would be 'L'-shaped and have a maximum width of 20.9m and depth of 7.4m. The pitched roof of the bungalow would have hipped ends and an overall height of 4.4m. The roof would also include two roof lights in the northeast elevation. The external facing materials would comprise oak weatherboarding with a brick plinth to the elevations, a clay tiled roof and hardwood timber to the windows and doors. The existing point of access off Park Lane would be utilised by vehicles to access the site. The existing ground levels at the highest points would be levelled by up to 0.3m to match the existing levels within the remaining part of the site.

### **4.0 History**

14/01585/FUL

REF

Erection of 1no. one bedroomed single storey dwelling.

### **5.0 Constraints**

Listed Building	YES - Adjacent to Grade II
Conservation Area	YES - Halnaker
Countryside	YES
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
South Downs National Park	NO
EA Flood Zone	NO
Historic Parks and Gardens	NO

### **6.0 Representations and Consultations**

#### **6.1 Parish Council**

The design of this application has been changed to address the comments of Ms Hall and to better suit an application within the conservation area. The council supports this application.

## 6.2 WSCC Highways

In summary, no anticipated highway safety concerns would be raised to this application. If the LPA area minded to grant planning consent conditions securing the following would be advised:

- Cycle parking;
- Gate (inwardly opening);
- Visibility splays (2.0m x maximum achievable, measured to the centre line of Park Lane in each direction; and
- Vehicle parking and turning.

## 6.3 CDC - Historic Buildings Adviser

Whilst the principle of development here remains outstanding, the supporting justification and design of the dwelling has been sufficiently improved such that, subject to appropriate materials and construction quality, the development is unlikely to cause harm to the Conservation Area.

Notwithstanding this, there is still the potential that the use of the site for domestic purposes could result in harm to the setting of the listed building, albeit significantly altered to the west, particularly given its close proximity and the topography. This is likely to arise more from the activity and paraphernalia than the design of the dwelling. It would be appropriate to restrict permitted development in respect of outbuildings, etc which could cumulatively further harm this setting.

There is some slight reservation with the proposed enhanced screening to the streetscene. In itself, the openness of the site is currently considered to contribute to character of the settlement, particularly at its southern end. Historic England advises:

As screening can only mitigate negative impacts, rather than removing impacts or providing enhancement, it ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets. Screening may have as intrusive an effect on the setting as the development it seeks to mitigate, so where it is necessary, it too merits careful design.

## 6.4 CDC - Environmental Health Officer

No comments with respect to contaminated land or air quality issues. All waste arisings must be disposed of in accordance with current Waste Regulations. If any fuel or oil is to be stored, then condition L09F should be applied.

It is noted that it is proposed to store bicycles in the outhouse at the end of the house. This is welcomed in order to encourage the use of sustainable transport.

## 6.5 CDC - Archaeological Officer

It is unlikely that works associated with the proposal would impinge on archaeological deposits to the extent that refusal or the requirement of other mitigation measures would be justified.

6.6 Eleven letters of support have been received. The comments are summarised below;

- a) beech hedge around site. Proposed structure will barely be visible from the adjoining roads and footpaths;
- b) entrance goes onto Park Lane which has very little traffic;
- c) modest single storey property on generous sized plot;
- d) no detrimental visual impact on the neighbouring listed cottages;
- e) characteristics of the property will enhance the appearance of the immediate area, and utilise a site which according to the Conservation Area Character Appraisal has been rather neglected for many years;
- f) no negative impact on local landscape;
- g) in keeping with the village;
- h) approximately 16 houses in Park Lane and the addition of one more (with perhaps at most two vehicles) will not cause any traffic or other environmental problems;
- i) design very sympathetic to the surrounding area, being low in height, characteristic of many of the agricultural buildings nearby, and using appropriate building materials;
- j) trees and hedgerows unaffected;
- k) be subservient in scale and building type form and materiality; and
- l) historically, before the road was diverted to enable the houses in Park Lane to be built there were already buildings on this site.

## **7.0 Planning Policy**

### **The Development Plan**

7.1 The Development Plan for Chichester District outside the South Downs National Park comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Halnaker, which lies within the parish of Boxgrove, at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 5: Parish Housing Sites 2012- 2029

Policy 33: New Residential Development

Policy 39: Transport, Accessibility and Parking

Policy 40: Sustainable Design and Construction

Policy 45: Development in the Countryside

Policy 47: Heritage

Policy 48: Natural Environment

### **National Policy and Guidance**

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.

7.4 Consideration should also be given to paragraph 17 (Core Planning Principles), together with Sections 6, 7, 11 and 12 generally.

7.5 The government's New Homes Bonus (NHB) which was set up in response to historically low levels of housebuilding, aims to reward local authorities who grant planning permissions for new housing. Through the NHB the government will match the additional council tax raised by each council for each new house built for each of the six years after that house is built. As a result, councils will receive an automatic, six-year, 100 per cent increase in the amount of revenue derived from each new house built in their area. It follows that by allowing more homes to be built in their area local councils will receive more money to pay for the increased services that will be required, to hold down council tax. The NHB is intended to be an incentive for local government and local people, to encourage rather than resist, new housing of types and in places that are sensitive to local concerns and with which local communities are, therefore, content. Section 143 of the Localism Act which amends S.70 of the Town and Country Planning Act makes certain financial considerations such as the NHB, material considerations in the determination of planning applications for new housing. The amount of weight to be attached to the NHB will be at the discretion of the decision taker when carrying out the final balancing exercise along with the other material considerations relevant to that application.

#### Other Local Policy and Guidance

7.6 The following Supplementary Planning Guidance is a material to the determination of this planning application:

Halnaker Conservation Area Character Appraisal and Management Proposals (September 2010).

7.7 The aims and objectives of the Council's Sustainable Community Strategy are material to the determination of this planning application. These are:

B1 - Managing a changing environment

B2 - Greener living

D1 - Increasing housing supply

### **8.0 Planning Comments**

8.1 The main issues arising from this proposal are:

- i) Principle of development and sustainability;
- ii) Impact on conservation area and countryside;

- iii) Impact on listed building;
- iv) Impact upon the amenity of neighbouring properties; and
- v) Impact on highway network.

### Assessment

- i) Principle of development and sustainability

8.2 The NPPF establishes the presumption in favour of sustainable development, with paragraph 14 stating that sustainable development should be approved without delay, unless the adverse impacts outweigh the benefits. This presumption in favour of sustainable is also contained within policy 1 of the Chichester Local Plan (CLP), whilst policy 2 of the CLP identifies the appropriate locations to accommodate sustainable growth, namely Chichester and a number of identified settlement hubs and service villages. The rest of the plan area is designated open countryside, and policy 2 states that development should not take place within the rest of the plan area unless it meets an essential or local need in accordance with other policies within the development plan.

8.3 The application site lies outside of the Boxgrove Settlement Boundary in the hamlet of Halnaker, which does not have a settlement boundary identified in the CLP. Halnaker has a public house; however it does not have the range of services and facilities necessary to be considered as a sustainable location for new development. The site is therefore located in an unsustainable location for new development in the designated countryside where development should be restricted in accordance with policy 2 of the CLP.

8.4 A previous application for a dwelling on the site (BX/14/01585/FUL), was refused planning permission in November 2014 due to concerns about the impact of the proposal upon the Halnaker Conservation Area and the adjacent listed building. At the time the previous application was considered there was no up to date local plan and the Council was unable to demonstrate a 5 year housing land supply. Therefore the policy context was significantly different, and the principle of development could not be resisted due to the lack of an up to date local plan and 5 year housing land supply. Since the previous application was determined the CLP has been adopted and the Council is now able to demonstrate a 5.7 year supply (including a 20% buffer), which is equivalent to a surplus of 122 dwellings. Therefore, the current application must be determined in accordance with the CLP, particularly policies 1 and 2 that direct new development to sustainable locations, unless material considerations indicate otherwise.

8.5 As a result of the change in the relevant planning policies to be considered and the positive 5 year housing land supply position there is now a clear presumption against the provision of new dwellings outside the defined settlement boundaries, within the countryside, unless the site has been allocated within a Site Allocations Development Plan Document (DPD) or a made Neighbourhood Plan. The application site has not been allocated for development and the proposed development would not meet a local or essential need, such as being required to accommodate a rural worker. Therefore there is no special justification for the development or compelling circumstances that would outweigh the provisions of the recently adopted local plan that directs new development to sustainable locations.

8.6 In light of the above it is considered that the proposal constitutes an unsustainable form of development that fails to accord with the policies 1 and 2 of the adopted Chichester Local Plan. As such the principle of a new dwelling located within the countryside on a site which has not been allocated through a Site Allocations DPD or Neighbourhood Plan would be contrary to the National and Local Plan policies and unacceptable in principle.

ii) Impact on conservation area and surrounding area

8.7 The irregular shaped site is a corner plot on the northern side of the A285 and adjacent to a crossroads, which is situated at the western end of the Halnaker Conservation Area. The Halnaker Conservation Area is linear in form and comprises a scattering of residential development primarily located along the A285. It is characterised by two-storey listed buildings and 'positive' unlisted buildings, which are generally widely spaced within a rural landscaped setting. The site is located on a prominent corner plot and is evident when approaching the crossroads from all directions. The proposed bungalow would be positioned adjacent to the northeast boundary of the site and be set back from both the A285 to the south-east and Park Lane to the west. It would be 'L'-shaped and have a width of 20.9m and a maximum depth of 7.4m. The bungalow would have a pitched roof with hipped ends and an overall height of 4.4m.

8.8 The site is located within the designated Halnaker Conservation Area where under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 special attention shall be paid to the desirability of preserving and enhancing the character or appearance of that area. A previous application in 1991 (BX/24/91) for a two-storey detached dwelling was refused and subsequently dismissed at appeal as the Inspector considered that the "...open nature of the appeal site makes a significant contribution to the spacious character of the area and ...the proposed house would cause positive harm to the character and appearance of its surroundings in the Halnaker Conservation Area". In addition the Inspector also considered that the development, in a prominent location, would be intrusive and cause harm to the rural character of its setting.

8.9 The Historic Building Adviser under the previous application BX/14/02463/FUL raised concerns regarding the impact of the development upon the conservation area and the design of the building. In particular the Historic Buildings Adviser considered that the undeveloped nature of the site makes a significant contribution to the character and appearance of the conservation area and the design of the building would appear overly complex and domestic in character. The current application has sought to address these concerns by altering the design and shape of the building from 'T'-shaped to 'L'-shaped. In addition the scale and massing of the dwelling has been reduced with the maximum overall depth decreasing from 9.1m to 7.4m and ridge height reduced by 0.1m. The fenestration detailing has also been simplified and the proposed external facing materials, which comprise oak weatherboarding to the elevations and a clay tiled roof, are considered to be appropriate in this context.

8.10 The proposed bungalow would be set back from the A285 and Park Lane, and have a pitched roof with hipped ends, which would slope away from the boundaries. In addition there is an existing beech hedgerow approximately 2m high situated along the south-west and south-east boundaries of the site. Nonetheless the bungalow, particularly its roof, would project above existing hedgerow and therefore be visible from surrounding public vantage points. However, since the previously refused application the ridge of the proposed bungalow has decreased by 0.1m in height. The scale and massing of the bungalow has also reduced, and its form simplified. Furthermore the grounds levels in the highest parts of the site would be reduced by up to 0.3m thereby matching the existing ground levels in the remaining part of the site. In addition the design and fenestration detailing of the bungalow has also been altered in order to address previous concerns regarding the overtly domestic appearance of the building.

8.11 It is considered that the current application has sought to address concerns raised under the previously refused application. The changes to the scale, massing and the height of the bungalow, together with the alterations to the design and fenestration detailing, has reduced the impact of the development upon the conservation area. The proposed bungalow would, therefore, not be visually intrusive to the extent that the development would harm the character of the conservation area or the street scene and the surrounding countryside. Furthermore the reduction in the scale of the bungalow has increased the sense of space within the site, which together with the alterations to the design has reduced the harm upon the undeveloped nature of the site, which makes a contribution to the character of this rural setting. In light of the above it is considered, therefore that the development would not significantly harm the character and appearance of the Halnaker Conservation Area or detrimentally harm the character of the surrounding countryside.

iii) Impact on the setting of the adjacent listed building

8.12 A previous application in 1991 (BX/24/91) for a two-storey detached dwelling was located adjacent to the south-east and south-west boundaries of the site. The application was refused and subsequently dismissed at appeal as the Inspector considered that "...the proposed house would be sited close to the boundary shared with the listed building and, in this close proximity, would appear cramped and intrusive, causing positive harm to the spacious setting of the listed building...". The Historic Building Adviser under the previously refused 2014 application also raised concerns regarding the undeveloped character of the site making a significant contribution to the spacious setting of the adjacent listed building.

8.13 The proposed bungalow would be located to the south-west of the adjacent Grade II listed building, which comprises Jasmine Cottage and Rose Cottage, and be situated between 1.65m and 2.4m from the northeast boundary. As such the current proposal would be in closer proximity to the adjacent listed building than the two-storey dwelling, which was refused and dismissed at appeal. However, the ridge height of the proposed bungalow has been reduced by 0.1m since the previous application and the grounds levels at the highest point would be levelled to match the remaining part of the existing site. Furthermore a new natural hurdles screen and planting would be adjacent to the northeast boundary. It is considered, therefore, that the proposal would not be overtly intrusive or cause significant harm to the setting of the listed building. Furthermore, given the alterations to the design of the bungalow and its scale, it is considered that the development not appear contrived or as cramped as the previously refused scheme. In light of the above it is considered that the development would not significantly harm the setting of the Grade II listed building.

iv) Impact upon the amenity of neighbouring properties

8.15 The proposed bungalow would be located to the south-west of the neighbouring property, Jasmine Cottage, and between 1.65m and 2.4m from the northeast boundary of the site, which comprises a flint wall with a fir hedgerow row behind. The northeast elevation of the bungalow, which would have a width of 20.9m, would extend above the hedgerow to a height of 4.4m. Consequently the proposed bungalow would be visually evident from the rear facing habitable rooms and rear garden of Jasmine Cottage. However, the proposed alterations to the ground levels within the site and new boundary treatment adjacent to the flint wall would assist in screening the development and reducing its visual prominence. Furthermore the roof would slope away from the boundary. As such it is considered that on balance the proposal would not adversely harm the amenity of the neighbouring occupiers, in terms of overshadowing and overbearing impacts, to warrant a refusal on this basis.



8.16 The proposed north-east roof slope would include two roof lights which would face onto the rear garden of the neighbouring property, Jasmine Cottage. However, given the height and position of the roof lights within roof slope, it is considered that this element of the development would not lead to overlooking or a loss of privacy detrimental to the amenity of the neighbouring occupier.

v) Impact on highway network

8.17 There is an existing access point off Park Lane, which is an unclassified, no through road, in the north-west corner of the site. The access point would be close to the junction of Park Lane and Redvines Road as well as the crossroads to the south of the site. WSCC Highways consider Park Lane to be lightly trafficked and the junction with Redvines Road reduces traffic speeds at this point. Therefore subject to the formation of a suitable visibility splay, it is considered that the intensified use of the access point would not adversely impact upon highway safety. It is also considered that the on-site parking and vehicular turning area provided would be sufficient to meet anticipated demand.

### Conclusion

8.18 The proposed development would result in the creation of a new residential dwelling outside of the Settlement Boundary where National and Local Plan policies seek to protect the countryside for the sake of its intrinsic character and beauty from inappropriate development. It is considered that the proposal would therefore result in an unsustainable and unacceptable form of development that would be harmful to the character and rural landscape of the surrounding countryside. It is also considered that there are no compelling circumstances that outweigh the harm to the character of the countryside and justify a departure from the National and Local Plan policies. The proposal development would, therefore, be contrary to the paragraphs 14 and 17 of the NPPF and policies 1, 2, 33 and 48 of the Chichester Local Plan: Key Policies 2014-2029.

### Human Rights

8.19 In reaching the above conclusion Officers have taken into account rights under Article 8 and Article 1 of the First Protocol of Human Rights and concluded that the decision to refuse permission is justified and proportional to the harm that would be caused if planning permission were to be granted.

## **RECOMMENDATION - REFUSE**

1 U97682 - Principle of Development

For further information on this application please contact Anna Miller on 01243 534734.