

Report to	<b>Planning Committee</b>
Date	<b>14 June 2018</b>
By	<b>Director of Planning</b>
Local Authority	<b>Chichester District Council</b>
Application Number	<b>SDNP/18/01217/FUL</b>
Applicant	<b>Mr G Morrison</b>
Application	<b>Development of farmhouse to dwelling. Demolition of Arun Cottage with replacement workshop and cottage.</b>
Address	<b>Arun Cottage, The Street, Bury, RH20 1PA.</b>

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**Recommendation: That planning permission be granted subject to the conditions as set out in paragraph 10.1 of the report.**

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### **Executive Summary**

The application site includes a bungalow called Arun Cottage and a farmhouse formerly known as Prattendens Farm. The proposals involve (1) the demolition of Arun Cottage and its replacement by a smaller dwelling; (2) a large extension to the Farmhouse; (3) a new workshop barn; (4) a detached store and car port; and (5) an extension to the Farmhouse's garage. The workshop would be used to produce high quality joinery and architectural models of development proposals which the Applicant's Architecture and Urban Planning Practice are involved with.

The scheme well considered and of a high quality of design. The proposals have been subject to consideration of policies in the adopted Bury Neighbourhood Plan (2014) and the draft policies of the Submission Version of the SDNP Local Plan. Particular focus has been given to Neighbourhood Plan Policy BNDP12 which resists 'back land' commercial development and policy SD31 of the SDNP Local Plan limits the size of new residential extensions to 30% above a dwelling's existing floorspace as measured from 2002.

A balanced judgement has been outlined in regard to the assessment of both policies, taking into account a variety of considerations including a recent allowed appeal for the replacement of Arun Cottage with a larger dwelling. These considerations have informed the recommendation to approve the application, subject to a S106 Agreement which would relinquish the planning permission for the replacement of Arun Cottage with a larger dwelling which was allowed at Appeal for the reasons outlined in the report.

The application is placed before the committee due to the Applicant being a member of the Design Review Panel and the policy considerations in regard to the Bury Neighbourhood Plan (2014) and the draft SDNP Local Plan.

#### **I. Site Description**

- I.1 The application site is located on the eastern side of the village at the end of a lane which serves 8 properties and is accessed from The Street. The site is 0.65 hectares and encompasses two dwellings and their curtilages known as Arun Cottage and formerly Prattendens Farm.

- 1.2 The Farmhouse and its grounds, which include a detached garage, comprise the northern part of the site. The farmhouse is not listed. It is sited within large gardens which are predominantly lawn and interspersed with and bordered by mature trees and hedging. It is a large detached 'L' shaped two storey dwelling of a traditional rural character, albeit there have been unsympathetic alterations and extensions in the past. It is constructed out of a variety of materials which include malmstone with red brick quoining, some tile hanging and timber boarding, and a clay tiled gabled roof. The detached garage is made out of stone with brick quoining and a clay tiled gabled roof. The rear elevation of the garage backs onto the access to Arun Cottage and another neighbouring dwelling.
- 1.3 Arun Cottage and its curtilage comprise the southern part of the application site. It is a c.1970s bungalow which has been vacant for some time, given its run down appearance. Its curtilage is predominantly to the south of the dwelling. Historic mapping provided with the application shows that on the site of Arun Cottage there was a loose knit collection of agricultural buildings which have been lost.
- 1.4 The whole western site boundary is defined by mature trees and hedging and separates the site from adjacent residential properties and their gardens. The whole eastern site boundary is defined by a mixture of hedging and fencing and there is also an unkempt orchard along the eastern boundary within Arun Cottage's curtilage. The orchard is identified as a historic orchard in the Neighbourhood Plan. The north and south boundaries are also defined by mature hedging and trees.
- 1.5 Immediately north, east and south of the site are fields. The land, including the site, slopes southwards away from the site and towards Church Lane, where there are dwellings either side of the road. There is a public footpath which runs along the access lane then around the curtilage of Arun Cottage and into the adjacent field where it continues along its southern boundary. This is a historic route known as The Coffin Trail and there are views of the site along it from within the adjacent field. These are the most immediate views of the site from public vantage points.
- 1.6 The site is within a conservation area. Along the access lane a dwelling called Prattendens is grade II listed and there are a number of other listed buildings further away on The Street.

## 2. Relevant Planning History

- 2.1 There has been a variety of recent applications within the application site, as outlined below. Pre-application advice was sought on the current proposals under planning reference SDNP/17/06267/PRE.

### The Farmhouse

- 2.2 SDNP/17/03475/HOUS: Proposed part demolition and refurbishment of the dwelling, to include extensions and alterations. Refused - 02.11.2017.

### Arun Cottage

- 2.3 SDNP/16/02566/FUL: Demolition of existing dwelling and erection of replacement dwelling with associated landscape design. Withdrawn - 18.08.2016.
- 2.4 SDNP/17/01998/FUL: Demolition of existing dwelling and erection of replacement dwelling with associated landscape design. Non-determination appeal allowed on 9 May 2018 (**Appendix 2**) for the following reasons:

- It would be an appropriate form of development.
- Whilst it would be visible from public viewpoints it would not be unduly imposing or result in the loss of significant views.
- No harmful landscape impact.
- Would be an enhancement in the overall appearance of the site, which is degraded.
- Would not harm the character and appearance of the area and the conservation area.

- 2.5 The current proposals as part of SDNP/17/06267/PRE were also considered by the Design Review Panel on 20 February 2018 and the following comments were made:
- Fantastic scheme with a lot of potential and laudable approach to farmhouse typology
  - Investigate if the swimming pool could be more natural.
  - Forms and colours still need refinement, eg. roof of the farmhouse quite large and material may not be appropriate. Suggest considering existing landscape studies when choosing materials.
  - Proposed studio element of the farmhouse could be clad with stone and provide a more defined end of the building.
  - Zinc roof on the laundry supported.
  - Regarding the roof of the replacement dwelling – a Sussex Hip on one end and a catslide on the other worked well.
  - Orchards fit the historic typology of Bury and could be supplemented with further fruit trees (eg cherry) if further boundary screening is proposed.
  - Supportive of a residential scheme which has a workshop element.

### 3. Proposal

3.1 The application consists of various elements summarised below and has been designed as a single coherent scheme not only in design terms but also how the site is envisaged to be used. The application outlines that the scheme has the aspiration of being an exemplar of new development in the National Park not only through the rationale of the design but also in the intended quality of the materials, finishes, and attention to detail. It is the intention of the Applicant to move into the Farmhouse and for this to showcase some of the products which could be made in the proposed workshop, which would be owned and operated by him as well.

3.2 In summary, the proposals comprise of:

1. The demolition of Arun Cottage and a new replacement dwelling;
2. An extension and alterations to the Farmhouse plus re-modelling of the garden;
3. The erection of a new workshop which would be used for timber joinery and high quality architectural products (eg. joinery and fittings and architectural models)
4. A new detached store and car port building;
5. Works to the existing garage at the Farmhouse to accommodate new ground source heating plant and an extension to provide additional parking space.

3.3 The replacement dwelling, workshop and store/car port would be sited to create a new farmstead layout including a central courtyard which would be used for access and parking and include new landscaping. The site would continue to be accessed via the lane and these new buildings would face onto the courtyard.

3.4 Throughout the scheme a coherent palette of materials is proposed which include retaining malmstone, bricks, roof tiles and timber boarding, which also relates to the hierarchy of the farmhouse, workshop, new cottage and outbuilding.

#### 1) The replacement dwelling

3.5 Arun Cottage has c.111sqm of floorspace and consists of 3 bedrooms. The replacement dwelling would be smaller at 96sqm and would be a 2 bedroom property. It would not be sited on the existing footprint of Arun Cottage and instead would be 9m to the south and closer to the western site boundary. It would be orientated to face northwards onto the proposed courtyard and adjacent to the proposed workshop.

3.6 It would be two storey with a hipped clay tiled roof 7.5m high and have a catslide roof on the west (side) elevation. Its walls would be clad with timber. The roof would be clad with handmade clay tiles. Its walls would be clad with timber boarding with windows on its south and north elevations. Juliet balconies are proposed on its south elevation. A chimney is also proposed on the south elevation which would connect with the kitchen.

## 2) The Farmhouse proposals

- 3.7 The Farmhouse is a large no.6 bedroom property. A sizeable extension and extensive alterations are proposed and the number of bedrooms would be unchanged. Its existing floorspace is 366sqm and its proposed would be 588sqm, which equates to a 64% increase.
- 3.8 The dwelling would be largely remodelled and extended from its northern side with a two storey extension. Major existing later additions would be demolished. Walls forming the original footprint of the dwelling would be re-built or retained. The existing chimney stack, thought to be one of the more historic elements remaining, would be retained.
- 3.9 The large two storey northern extension would be 'L' shaped and comprise of a kitchen dining area and library on the ground floor and a new bedroom and architectural and textile design studio on the first floor, which would be ancillary to the dwelling and used by the Applicant. The design has influences of a traditional farmhouse such as in its form and use of materials, but this is embedded within a contemporary approach. The extent of the proposals are that the scheme would appear akin to a replacement dwelling.
- 3.10 Surrounding the dwelling would be a highly designed walled formal gardens, including a kitchen garden, which would predominantly extend eastwards from the extension and the other significant element would be a re-modelled garden and entrance on its southern side at the driveway which would be retained. A swimming pool measuring 4.5m x 11m is proposed on the western side, which would be parallel with the extension.

## 3) The proposed workshop

- 3.11 A rectangular barn is proposed on the southern part of the site where it would be partially sited on the footprint of Arun Cottage and be parallel with and 5m from the eastern site boundary. It is proposed to be used as a commercial joinery workshop to make architectural products, eg windows, doors, fittings, and architectural models associated with development proposals.
- 3.12 It would measure 32m by 8.5m with a pitched and half hipped roof 7.7m high. Inside, the building would have two floors. On the ground floor there would be a workshop area with work benches and machines plus a room for spraying/treating the timber products. Upstairs would contain further work space, a small kitchen and meeting/lounge space. Its floorspace would be 254sqm. It has been outlined that the building would be used by 2 full time employees and operate between 8:30am and 6pm.
- 3.13 The building would be clad with vertical timber boarding and the roof would have clay tiles. There would be a row of rooflights and a further single rooflight on the east elevation. There would also be floor to ceiling windows with timber screens on this elevation as well. Similar ground floor glazing is proposed on its west and south elevations. There would also be first floor glazing of similar proportions at first floor height on the north and south elevations. All of these windows would have timber shutters either side of them.

## 4) The detached store and car port

- 3.14 This building would be sited in between and to the north of the replacement dwelling and the workshop, adjacent to the access. It would measure 15.2m x 6.5m and have a hipped roof which would be 4.5m high. It be orientated to face the new courtyard. The car port would comprise no.2 spaces and the store would be used for general storage in connection with the workshop. It would be clad with vertical timber boarding and the roof would be clad with clay tiles.

## 5) Works to the existing garage

- 3.15 The western side of the garage is owned by a neighbouring property and is excluded from the application. The eastern side is proposed to be extended. The garage is currently 13m long and it would be extended to 21.8m, with its width and height staying the same. The building is proposed to be extended in order to accommodate an additional parking space and plant for a ground source heating system. The extension would be clad with vertical timber boarding and have a hipped roof clad with clay tiles.

#### **4. Consultations**

4.1 **Arboriculture:** Awaiting response, Members will be updated.

4.2 **Bury Parish Council:** Objection.

- Site has been the subject of multiple applications within last two years.
- Overall scale of the development.
- Proposed extension to the farmhouse excessive and is unjustified.
- Not compliant with emerging policies SD3 (replacement dwellings) and SD3 I (extensions to dwellings).
- Overall footprint and floorspace increase of development on the Arun Cottage part of the site is excessive and unjustified.
- New dwellings and workshop would be significant prominent forms on the landscape and would be visible from nearby public rights of way and neighbouring properties.
- Needs to be certainty that the large car port/store buildings and workshop will not be subject to proposals for residential or other commercial uses in the future.
- Bury Neighbourhood Plan needs to be considered and in conflict with policies BNDP8,10,12,13,14,15 in regard to impact on traffic, heritage assets (including historic PROW-the Coffin Trail) and public right of way, adjacent local green space, back-land development with commercial uses, landscape impact, dark night skies.
- The farmhouse – core of the building is older than stated and could be (17th Century) and should be the subject of further and thorough expert investigation.
- Proposed extension to the farmhouse will adversely affect views from the historic PROW and heritage asset – the Coffin Trail.
- Impact on protected species.
- Applicant neglects to highlight professional relationship with the SDNPA.

4.3 **Design:** No objection.

- Commend the landscape led approach and the objective to work towards re-establishing the farmstead typology which reflects the history of the site.
- Detail of the design proposals presented at this stage are appropriate in terms of layout, scale, massing and the palette of materials; together with the landscape proposals will result in a significantly improved site.
- Sustainable ambition appears sound; should be translated into a target for carbon emissions which accord with emerging policy SD48.

4.4 **Ecology:** No objection, subject to conditions.

- Good population of slow worms and low population of grass snake is present on site.
- Proposals will result in loss of reptile habitat and potential impacts on individual reptiles during construction.
- Reptile mitigation for during and post construction (enhancement of suitable habitat) proposed is acceptable and should be conditioned.
- Proposals will affect bats and nesting birds, measures outlined in the ecological report need to be secured via conditions.

4.5 **Economic Development:** Awaiting response, members will be updated.

4.6 **Environmental Health:** No objection.

4.7 **Highways:** No objection, subject to conditions.

- On balance, the principle is acceptable.
- Vehicle movements would not result in a highway safety or capacity issue and there would not be a 'severe' impact on the operation of the highway network.
- Parking for the farmhouse and cottage acceptable.
- Higher demand for parking space than proposed for the workshop but Highway Authority cannot substantiate an objection on highways safety grounds.

- Parking standards for light industrial unit would equate to a maximum parking demand of 10 spaces. 4 spaces have been proposed on the basis of the proposed occupier and the requirement of this business. The LPA may wish to consider any amenity issues regarding parking provision.
- Request swept path tracking plans are provided to demonstrate the internal access arrangement can accommodate turning for a fire tender and refuse vehicle.

#### 4.8 **Housing:** Support.

- Bury has a large percentage of 3+ bedroom properties compared to the rest of the Chichester District.
- Support the proposal to reduce the existing dwelling (Arun Cottage) to 2 bedroom property to help balance the existing stock in the Parish.

#### 4.9 **Historic Buildings Officer:** No objection.

- Farmhouse isn't listed. Internal viewing suggests that previous alterations and extensions have erased much of the historic evidence within the fairly confined historic core.
- Little authentic fabric evident in the interior but declare it as a non-designated heritage asset.
- Little realistic prospect of the farmhouse becoming listed under present historic England designation regime.
- Later additions to the farmhouse detract from its potential to become listed.
- Arun Cottage has little or no heritage merit, would not object to its demolition.
- This quiet residential enclave was a busy farmstead until within living memory and so a barn-like structure would not, in itself, be inappropriate.

#### 4.10 **Landscape:** No objection, subject to conditions.

- Landscape and Visual Impact Appraisal provided, which satisfies pre-application requests.
- Orchards were characteristic around the edge of the settlement.
- Tree protection measures should be conditioned.
- Proposed planting in the new yard area at the workshops is at odds with the farmstead's working feel, suggest re-visiting this.
- No detailed landscape plan provided but content with the layout plans provided.
- All planting schedules, details of hard landscaping should be conditioned.
- New planting should help to support the ecological survey evidence submitted and include native/locally characteristic species.
- No lighting plans provided. If no external lighting proposed this is a positive but recommend a lighting condition.

#### 4.11 **Public Rights of Way:** No objection. Attention should be paid to guidance and included in any site management plan. Proposals will not affect the PROW which runs adjacent to the site, however, detrimental impact on path users' safety, convenience and enjoyment of the PROW should be given consideration in regard to the site's boundary treatment.

#### 4.12 **Southern Water:** Comments. Connection to public foul sewer will need consent. No public surface water sewers, alternative SuDS drainage will not be adoptable by sewerage undertakers.

### 5. **Representations**

#### 5.1 | objection has been received from the South Downs Society which raises the following:

- Concur with the comments from Bury Parish Council.
- Concerned about the scale of the development in a small rural community, adjacent local green space.
- Scale of the proposals would have a huge effect on the natural environment.

## **6. Planning Policy Context**

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan is the saved policies of the Chichester District Local Plan First Review 1999 and the Bury Neighbourhood Plan 2017. The relevant policies are set out in section 7 below.

### National Park Purposes

- 6.2 The two statutory purposes of the SDNP designation are:
- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
  - 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 wellbeing of the local community in pursuit of these purposes.

### National Planning Policy Framework and Circular 2010

- 6.3 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.

### Relationship of the Development Plan to the NPPF and Circular 2010

- 6.4 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.
- 6.5 The South Downs National Park Partnership Management Plan 2014-2019 is a material consideration in the determination of planning applications, as outlined in national planning practice guidance, and has some weight pending the adoption of the SDNP Local Plan. It outlines a vision and long term outcomes for the National Park. The following policies are relevant:
- Policy 1: conserve and enhance natural beauty and special qualities of the landscape
  - Policy 3: Protect and enhance tranquillity and dark night skies.
  - Policy 5: Conserve and enhance populations of priority species.
  - Policy 9: Historic Environment
  - Policy 28: Access and rights of way
  - Policy 39: Management of vehicle parking
  - Policy 48: Support towns and villages as economic and social hubs.
  - Policy 50: Housing

- 6.6 Section 72 of the Town and Country Planning (Listed Buildings and Conservation Area) Act 1990 relates to conservation areas. It requires “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

- 6.7 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states “in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

## **7. Planning Policy**

- 7.1 The following saved policies of the Chichester District Local Plan: First Review (1999) are relevant:
- BE1 – Settlement Policy Areas

- BE4 – Buildings of Architectural or Historic Merit
- BE6 – Conservation Areas
- BE11 – New Development
- BE14 – Wildlife Habitat, Trees, Hedges and Other Landscape Features
- TR6 – Highway Safety
- H4 – Size and Density of Dwellings

7.2 The following policies of Bury Neighbourhood Development Plan (2017) are relevant:

- BDNP Policy 1 – Settlement boundaries
- BDNP Policy 7 – Historic Orchards
- BDNP Policy 8 – Parish Heritage Assets
- BDNP Policy 10 – Local Green Space
- BNDP Policy 11 – A Strong Local Economy
- BNDP Policy 12 – The Small Business Economy
- BNDP Policy 13 – South Downs National Park
- BNDP Policy 14 – Landscape & Views
- BNDP Policy 15 – Tranquillity
- BNDP Policy 16 – Dark Night Skies
- BNDP Policy 17 – Woodland and Trees
- BDNP Policy 19 – Permissive and Public Rights of Way
- BNDP Policy 20 - Parking

#### The South Downs National Park Local Plan

7.3 The Pre-submission version of the South Downs Local Plan (2017) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation from 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the saved policies within the Chichester District Local Plan: First Review (1999), the policies within the Submission South Downs Local Plan (2018) are currently afforded considerable weight with the NPPF.

7.4 The relevant planning policies of the Pre-submission Local Plan are:

- SD1: Sustainable Development
- SD4: Landscape Character
- SD2: Ecosystems Services
- SD5: Design
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD11: Trees, Woodland and Hedgerows
- SD12: Historic Environment
- SD15: Conservation Areas
- SD19: Transport and Accessibility
- SD22: Parking Provision
- SD30: Replacement Dwellings
- SD31: Extensions to existing dwellings and provision of annexes and outbuildings.
- SD34: Sustaining the Local Economy
- SD45: Green Infrastructure

## **8. Planning Assessment**

8.1 Each aspect of the proposals is considered individually below but it is important to outline overarching considerations in regard to the scheme as a whole. Overall, the rationale for



the scheme has been developed through a thorough analysis of the history and evolution of the site and Bury. This includes an analysis of farmstead characteristics locally, historic precedents, research of old site photographs, literature on historic farmsteads and landscape character in West Sussex and, importantly, an assessment of landscape and built character and surrounding viewpoints. This work has resulted in a very high quality scheme, however, there are key policies within the Bury Neighbourhood Plan and the South Downs National Park Local Plan which are important considerations which this report focusses upon.

- 8.2 Bury has a settlement policy boundary. The farmhouse, but not all of its curtilage, is located within it whilst Arun Cottage and its curtilage are located outside of it. This doesn't necessarily have a significant bearing on the proposals in regard to the extension to the farmhouse and the replacement dwelling but the new commercial development would be located in designated countryside albeit within the confines of the residential curtilage of Arun Cottage.
- 8.3 In regard to the new workshop, Neighbourhood Plan policy BNDPI1 resists large scale economic development in the Parish. This scheme is considered a modest development whereby its scale would not warrant a refusal based on this policy. Policy BNDPI2 is more relevant as it addresses the small business economy in the Parish. It outlines that new small scale agriculture, horticulture, rural craft and creative industries will be supported where they accord with the following criteria:
- i. Compliant with other development plan policies;
  - ii. Is not on agricultural, greenfield or land defined as 'back land';
  - iii. Does not involve the loss of a residential dwelling;
  - iv. Would not unacceptably impact the amenity of neighbouring properties or other Parishioners; and
  - v. Would not lead to an increase in commercial traffic on narrow parish roads and lanes.
- 8.4 Criterion (i) is addressed in the consideration of the various aspects of the proposals below, such as landscape impact and cultural heritage considerations. Regarding criterion (ii), the site is in residential use but was historically occupied by an agricultural farmstead, which has influenced the design of the proposals. A key consideration is the reference to 'back land.' The Neighbourhood Plan defines back land development as "*development of 'land locked' sites behind existing buildings, such as rear gardens and private open space, usually within predominantly residential areas. Such sites often have no street frontages.*" Certainly this site is at the end of the access lane, on the edge of the village, and set behind neighbouring properties. It is not however considered to be land locked and so would not constitute back land development in its broader meaning.
- 8.5 The site would be re-instating a former lost farmstead which is a consideration. Furthermore, the workshop would be in the same ownership and be operated by the owner of the farmhouse, which would be used to showcase timber products, and so its location adjacent to the house is a consideration in this instance as well, albeit ownership and uses can change over time. On balance, in light of these considerations it is considered that this criterion would be accorded with.
- 8.6 In regard to criterion (iii), the proposals would not result in the loss of a dwelling given a replacement dwelling to Arun Cottage is proposed. Criteria (iv) and (v) are considered in more detail later in this report. In regard to criterion (v), there would be an increase in traffic but the proposed use is considered to be low key and it would be located on a private lane as opposed to other more used rural lanes used to travel through the Parish, where it is important to retain the rural character and amenity of these rural routes.
- 8.7 Weight has also been given to draft policy SD34 which outlines overall support for sustaining the economy. The NPPF is also supportive of the rural economy. In all of these regards and the considerations below a commercial use of the scale and nature proposed would be acceptable in this location.

### The principle of the proposed extension to the farmhouse

- 8.8 This is a critical issue in the consideration of these proposals particularly in regard to the weight which should be given to draft policy SD31 which limits the size of residential extensions to no more than approximately 30% of the floorspace, as measured from the size of the property in 2002.
- 8.9 Weight should be given to this policy in light of the advanced stage of the SDNP Local Plan and following the consideration of the other criteria of paragraph 216 of the NPPF, namely the extent of unresolved objections and its consistency with the NPPF. There are unresolved objections to this policy which will be considered through the Examination but there have also been representations in support. It is also considered that the SDNP Local Plan policies are consistent with the NPPF.
- 8.10 Saved policy BE11 of the Chichester District Local Plan adopts an approach of assessing the impacts of proposals but does not prescribe a floorspace limit on extensions. Policy BNDP2 is a more up to date adopted policy and whilst it has overarching design considerations it is also more prescriptive than BE11 in some respects, but does not specify a limitation on floorspace like policy SD31. Rather, it is based on assessing impacts in terms of a development contributing to the built heritage and character of the Parish through a variety of aspects such as layout, scale, architectural features and materials. There is therefore more of a judgement to be made using these two policies when considering whether a proposal successfully fits in with its surroundings.
- 8.11 Policy SD31 deals specifically with new extensions on which the Neighbourhood Plan is silent. In comparison to BE11 and BNDP2, it is prescriptive in how large residential extensions can be regardless of their physical impact to the character of the dwelling or its surroundings. It outlines that proposals will only be permitted where they *'do not increase the floorspace of the existing dwelling by more than approximately 30% unless there are exceptional circumstances.'* The supporting text to the policy outlines that the starting point for measuring the 30% should be taken from how a dwelling existed in 2002. In this instance, the current proposals constitute a 64% increase to the existing floorspace which far exceeds the approximate 30% limit.
- 8.12 In regard to exceptional circumstances, the policy's supporting text outlines that *"the Authority will consider larger extensions that are needed to accommodate exceptional family needs, for example, arising from a disabled or elderly member of the family..."*
- 8.13 This aspect of the policy in regard to what may be an exceptional circumstance has not yet been fully tested either at Examination or in an application since the publication of the Submission Version of the Local Plan. The basis for policy SD31 is to avoid the over-extension of existing dwellings primarily in regard to maintaining a mix of properties across the National Park and limit the loss of small and medium sized homes in particular. It has been contended to officers that the farmhouse in its current form is already a large dwelling and unaffordable for a majority of people. This is not a significant argument given that this is not a consideration which is unique to this site. Also, whilst the proposals are of a high quality this would not justify an exceptional circumstance.
- 8.14 More importantly, the two considerations which have influenced the recommendation are firstly the proposals would provide a new smaller replacement cottage which would contribute to the local housing stock, which is an unusual aspect of the proposals. Secondly, the allowed appeal on site at Arun Cottage is a consideration unique to this site.
- 8.15 The proposed development is considered more favourable in comparison to the replacement dwelling allowed at appeal (**Appendix 2**). This is because it would introduce some modest commercial space which is characteristic to the former farmstead on site and would be of a low key nature. If the appeal scheme was implemented, this edge of the village location would comprise of this large dwelling and the existing farmhouse and it is arguable that the current application proposals would create a much better edge to the village which would be more appropriate with the surrounding landscape character and historic precedents of development on the site. In light of these considerations, the circumstances surrounding these proposals are particular and unique and arguably could be seen as an

exceptional circumstance in this case. Condition no.5 has been recommended to ensure that the scheme is implemented in its entirety.

#### Design and landscape considerations

- 8.16 As outlined in paragraph 8.1, the proposals are supported by a strong rationale. The new buildings would be of an appropriate siting, scale, proportions, massing and appearance to re-instate a modest farmstead type development. This would create a much more appropriate edge to the settlement which would be visible from the Coffin Trail in particular where it would not detract from the wider landscape. The extension to the farmhouse would be a high quality coherent design which would also not cause undue harm upon the wider landscape. The proposed materials throughout the scheme would also be informed by the built heritage of the village and reflect the typology and hierarchy of buildings on site.

#### Cultural Heritage

- 8.17 It is considered that the proposals would preserve the character and appearance of the conservation area in terms of the siting, scale and design of the proposals and their intended use. The development is also a sufficient distance away from listed buildings so as not to affect their setting. The historic fabric within the farmhouse is limited to the extent that it has not been listed but it is considered to be a non-designated heritage asset. The chimney stack and the malmstone parts of the building which have some historic merit are proposed to be retained. The Historic Buildings Officer has not raised an objection to any aspect of the proposals on heritage grounds.

#### Dark Night Skies

- 8.18 The site is on the edge of Bury. It is considered that an appropriate lighting scheme could be achieved via a condition and high quality glazing could also help to reduce light pollution.

#### Ecology and trees

- 8.19 Surveys discovered the presence of bats, nesting birds and reptiles on site. The County Ecologist has reviewed the submitted ecological information. They recommend two conditions which are included in the recommendation which relate to securing the mitigation and enhancement measures outlined in ecological reports (conditions 9 and 10). In addition, a condition has been added which seeks further biodiversity enhancements on site which are to be explored further in regard to the landscape scheme and other aspects such as bird and bat boxes. In both ecological and landscape terms, an appropriate multifunctional landscape scheme which considers wildlife as well as the landscape and setting for the development could be achieved. This would also include the restoration of the historic orchard. In regard to the impact upon trees, there are various trees which would be retained and are important to safeguard.

#### Highways and access

- 8.20 No objection has been raised by the Highways Authority in regard to the use of the existing access onto The Street, which would remain unchanged. Concern has been raised about the level of parking but given the nature of the business and its operation the level of parking is considered to be acceptable and would unlikely cause significant issues in regard to parking demand and impact on the amenity of surrounding properties in regard to any overspill parking. The proposed level of parking for the replacement dwelling is also acceptable.
- 8.21 The Highways Authority initially raised a concern about access for fire and refuse vehicles, particularly in regard to Building Regulations. These have been provided and satisfactorily demonstrate that there is sufficient and accessible turning space on site for these vehicles, which the Highways Authority have accepted.

#### Impact upon neighbouring residential amenities

- 8.22 It is noteworthy that no objections have been received from neighbouring properties. The extension to the farmhouse would not cause any significant impact upon the residential amenities of the neighbouring property to the west. The proposed fenestration, internal layout, proximity to the boundary and retention of boundary vegetation would help to minimise any impact. The swimming pool is proposed adjacent to the boundary, however, it

is not considered that it would cause undue noise and disturbance towards the neighbouring property.

- 8.23 The replacement dwelling for Arun Cottage would be closer to neighbouring boundaries, however, given its scale, orientation and fenestration it would not cause any significant impact upon adjoining residential amenities.
- 8.24 In regard to the workshop, this would be sited a good distance away from neighbouring properties and the replacement dwelling would also help to shield any noise and disturbance. The activities associated with the building would not give rise to unacceptable noise and disturbance, odour, dust or smell towards neighbouring properties and Environmental Health have not objected.
- 8.25 Activity would likely increase on the access lane from the activities of the workshop, however, this is anticipated to be reasonably low key and would not give rise to impact upon the amenities of properties along the lane from an increase in traffic.

#### Community Infrastructure Levy

- 8.26 The proposals would be liable for a CIL contribution.

### **9. Conclusion**

- 9.1 Consideration has primarily been given to the policies in the Neighbourhood Plan and the emerging SDNP Local Plan, having considered the weight to be given to relevant draft policies in light of paragraph 216 of the NPPF.
- 9.2 It is considered that a high quality scheme has been proposed which is appropriate for its edge of village location. Indeed, it is the Applicant's intention for this to be exemplar development in the National Park. Particular attention has been given to considering Neighbourhood Plan policy BNDP12 regarding small scale economic development in back land locations and policy SD31 relating to residential extensions. In both cases, the report outlines the justification for the recommendation to grant planning permission in relation to these policies. The proposals are acceptable in all other respects.

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

- 10.1 That the grant of planning permission be granted subject to the following conditions:
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. The development hereby permitted shall be carried out strictly in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.  
  
Reason: For the avoidance of doubt and in the interests of proper planning.

#### Use

3. The workshop barn shall only be used as commercial premises for a joinery and architectural model making business and for no other purpose (including any other purposed in Class B1(c) of the Town and Country Planning (Use Classes) Order 1987 as amended or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order.  
  
Reason: To ensure the use of the building accords with the terms of the application and does not have a harmful environmental effect in the interests of surrounding amenities.
4. The workshop barn hereby approved shall only be in operation between the hours of:  
08:30 to 18:00 Monday to Friday  
08:30 to 13:00 Saturdays  
  
Not at any time on Sundays, Bank or Public Holidays.

Reason: To ensure that the development does not cause significant harm to surrounding amenities.

5. The extension to the farmhouse hereby approved shall not be occupied as a residential dwelling until the workshop barn and replacement dwelling, as shown on Site Plan 16260\_01\_06\_010 P2, are substantially complete.

Reason: To ensure that the development is implemented in its entirety.

#### Materials

6. No development shall commence unless and until a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved schedule and samples.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development.

#### Site levels

7. No development shall commence until details of site levels and longitudinal and latitudinal sections through the site of the dwellings shall be submitted for approval in writing by the Local Planning Authority to show how the buildings shall be set into the topography of the site. The development shall thereafter proceed in accordance with the approved details.

Reason: To ensure a satisfactory development which responds to the characteristics of the site.

#### Landscaping

8. Notwithstanding the details provided, no development above slab level shall be commenced until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
  - a. Written specifications (including cultivation and other operations associated with plant and grass establishment,
  - b. Planting methods, tree pits & guying methods,
  - c. schedules of plants and trees, noting species, planting sizes and proposed numbers/densities where appropriate,
  - d. Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
  - e. A schedule of landscape maintenance for a minimum period of 5 years include details of the arrangements for its implementation,
  - f. Details of all hard-surfaces, such as paths, access ways, seating areas, patio areas and parking spaces, including their appearance, depth and permeability.
  - g. All means of enclosure, including fencing, walls and gates.
  - h. A timetable for implementation of the soft and hard landscaping works.

The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties.

#### Ecology

9. The measures as detailed within sections 7.2, 7.5.1 and 7.6 of the Phase I and Phase II Bat Report (Ecosupport Ltd., Updated April 2018) and as set out within the Letter from Ecosupport 'The Farmhouse Garage' (31<sup>st</sup> May 2018), as amended subsequently by any

relevant European Protected Species Licence from Natural England, shall be implemented in full. Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To ensure the favourable conservation status of bats is maintained.

10. Works shall be carried out in accordance with measures set out in sections 7.3, 7.4, 7.5.2, 7.5.3 and 7.7 of the Phase I and Phase II Bat Report (Ecosupport Ltd, Updated April 2018) unless otherwise approved in writing by the Local Planning Authority.

Reason: To provide sufficient mitigation, compensation and enhancement for protected species and trees.

11. No development above slab level shall be commenced until a detailed scheme of biodiversity enhancements to be incorporated into the development has been submitted to and approved in writing by the Local Planning Authority. This shall include, and not be limited to, bird and bat boxes. The development shall subsequently proceed in accordance with any such approved details.

Reason: To enhance biodiversity on site.

#### Lighting

12. No development above slab level shall be commenced until details of external lighting to be installed at the site shall be submitted to, and approved in writing by the Local Planning Authority. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect dark night skies.

#### Drainage

13. No development shall commence until a detailed drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority, in consultation with the sewerage undertaker. The development shall thereafter be carried out in accordance with the approved scheme.

Reason: To ensure satisfactory provision of surface water drainage.

#### Highways

14. The workshop barn and replacement dwelling shall not be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with the current sustainable transport policies.

15. The workshop barn and replacement dwelling hereby approved shall not be occupied until the car parking and vehicle turning space has been constructed in accordance with the approved Site Plan I6260\_01\_06\_010 P2. The parking and turning spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure appropriate parking is provided.

#### Construction Management Plan

16. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a. The anticipated number, frequency and types of vehicles used during construction,
- b. The method of access and routing of vehicles during construction,
- c. The parking of vehicles by site operatives and visitors,

- d. The loading and unloading of plant, materials and waste,
- e. The storage of plant and materials used in construction of the development,
- f. The erection and maintenance of security hoarding,
- g. No burning of demolition or construction materials on site.
- h. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders), details of public engagement both prior to and during construction works.
- i. A method to record the quantity of recovered material (re-used on site or off site).

Reason: In the interests of highway safety and the amenities of the area, in accordance with the NPPF.

## **11. Crime and Disorder Implication**

- 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 Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

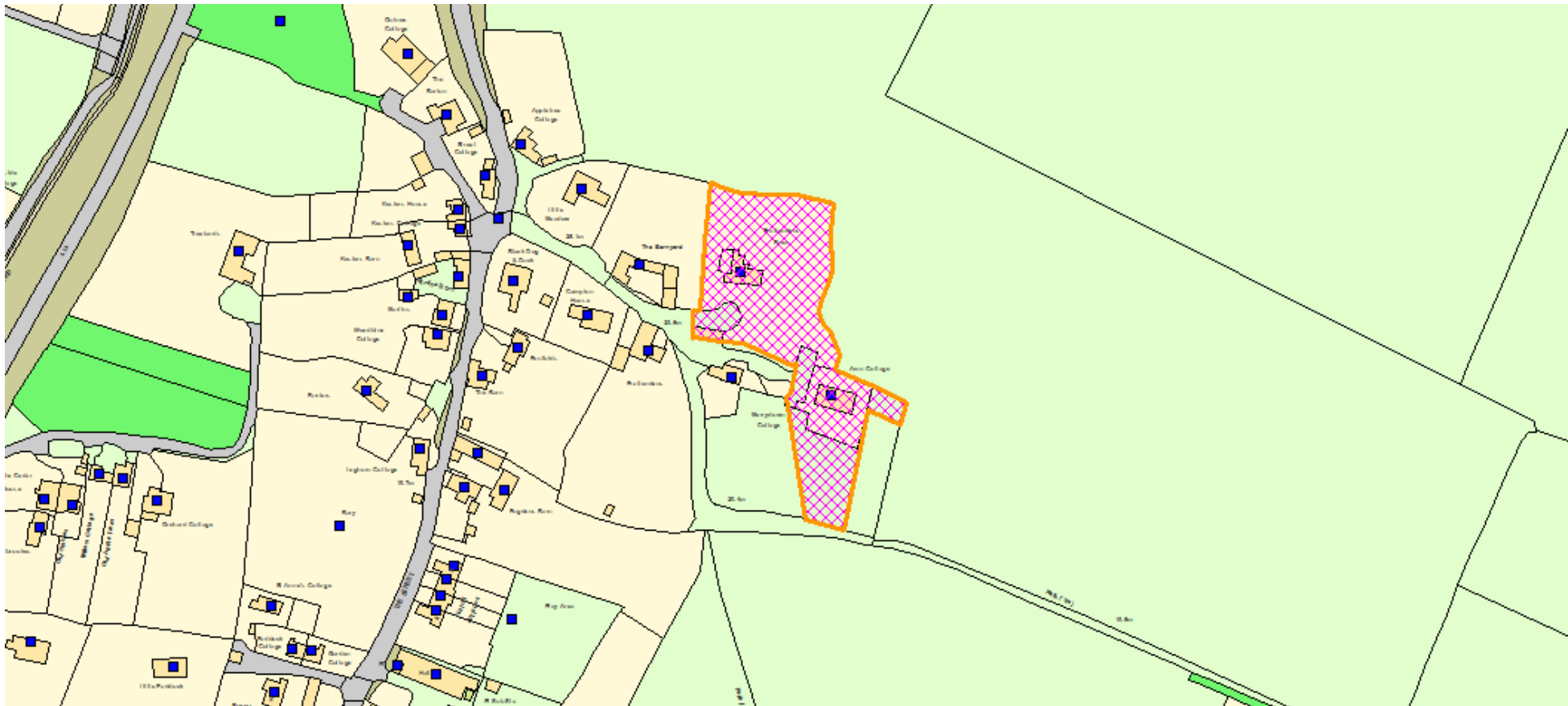
### **TIM SLANEY**

#### **Director of Planning**

#### **South Downs National Park Authority**

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 Appendices 1. Site Location Map  
 2. Appeal decision and plans (APP/Y9507/W/17/3191287).  
 SDNPA Consultees Legal Services, Development Manager.  
 Background All planning application plans, supporting documents, consultation and third party responses  
 Documents <http://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P4YBHWUUIOW00>  
 South Downs National Park Local Plan  
<https://www.southdowns.gov.uk/planning/national-park-local-plan/>  
 Saved policies of the Arun District Local Plan 2003  
<https://www.arun.gov.uk/2003-local-plan>  
 Bury Neighbourhood Development Plan 2017-2032  
<https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-planning/neighbourhood-development-plans/bury-neighbourhood-plan/>  
 National Planning Policy Framework (2012)  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/60772116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/60772116950.pdf)  
 South Downs National Park Partnership Management Plan 2013  
<https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/>  
 South Downs Integrated Landscape Character Assessment 2005 and 2011  
<https://www.southdowns.gov.uk/planning/planning-advice/landscape/>

Site Location Map



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