

Report to	Planning Committee
Date	13 December 2018
By	Director of Planning
Local Authority	Arun District Council
Application Number	SDNP/18/02850/FUL
Applicant	Mr K Preston
Application	Erection of 5 dwellings and new access onto Long Furlong Road
Address	The Bungalow, Clapham Common, Clapham, West Sussex, BN13 3UR.

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

Executive Summary

The application site is located on the southern edge of Clapham within the defined settlement boundary and comprises of the southern part of the rear garden of a dwelling called The Bungalow. The application proposes the erection of 5 dwellings which would be served by a new access onto Long Furlong Road, also known as the A280. A pair of semi-detached and 3 terraced properties are proposed, which would face south and have rear gardens backing onto the remaining garden area to be retained with The Bungalow. The dwellings would front onto a new shared courtyard with parking and a small area of open space and new landscaping.

The proposals have been revised during the application process with a subsequent re-consultation exercise being undertaken. The changes primarily relate to the siting, scale and design of the 3 terraced properties and the design of the courtyard area.

The proposals would be an acceptable addition to the character and appearance of the area for the reasons outlined in the report and there would not be significant harm caused to the amenities of neighbouring properties. Suitable amendments have been made to the scheme to address comments received from consultees and a suite of conditions are recommended.

The new access and an element of landscaping is proposed within land where the ownership is unknown. The application was submitted with a Certificate D which certifies that the ownership of land within the red line area, where the access is proposed, is unknown. The Applicants have gone to reasonable lengths to identify the owner however the land is unregistered with the Land Registry. The land owner applied to the Land Registry for Adverse Possession to seek ownership but this was unsuccessful. This issue would not preclude the granting of planning permission and it is considered that in completing Certificate D with the application that the correct procedure has been followed.

The application is placed before committee due to the level of local interest.

I. Site Description

- I.1 The application site is located on the southern edge of Clapham. It comprises a 0.14 hectare area of the large rear garden of a dwelling called The Bungalow. This dwelling is sited in between Long Furlong Road (the A280) to the west and neighbouring dwellings to the east

on Clapham Common, which is a residential road comprising a mix of terraced and semi-detached dwellings. The immediate neighbouring dwellings on Clapham Common are set back further south from The Bungalow whereby they are next to the property's rear garden.

- 1.2 Opposite The Bungalow to the north are other dwellings of varying ages and to their east is a large industrial yard and a separate County Council depot. The yard is allocated for housing in the 'made' Clapham Neighbourhood Development Plan. There are stables and paddocks immediately south of the site. West of Long Furlong Road are large agricultural fields. The site is not particularly visible from wider landscape views or public footpaths.
- 1.3 The site is garden land which is laid to lawn with planted beds and various shrubs and trees. The size of the rear garden is noticeably larger than those in the immediate surrounds. The land slopes southwards from The Bungalow, with a change in levels of approximately 2m through the site. The western site boundary abuts a strip of land adjacent to the road which is occupied by trees and hedging which screen the site. The ownership of this strip of land is unknown. The southern boundary comprises of hedging and trees and the eastern site boundary is defined by close board fencing with the neighbouring property and some trees and hedging along it. The northern site boundary does not follow a definitive boundary and cuts across the garden. The site does not have an existing access onto Long Furlong Road.

2. Relevant Planning History

- 2.1 No relevant history of planning decisions.
- 2.2 SDNP/17/05457/PRE: Pre-application advice in regard to four dwellings on the site. Advice provided on 18.12.2017. In summary:
 - Site within the settlement policy boundary of the village.
 - 4 dwellings may be achieved. Subject to further layout and consideration on the layout and design.
 - 2 storey development likely to be achievable.
 - Layout should not be dominated by parking and turning and not have an overly engineered appearance.
 - Design of the dwellings should be well articulated and incorporate suitable architectural features.
 - Design needs to be informed through a site appraisal and attention paid to boundary treatments.

3. Proposal

- 3.1 The application seeks full planning permission for 5 dwellings with a new access onto Long Furlong Road. The siting and design of the dwellings and the courtyard parking area in front of them were revised during the course of the application and the latest proposals are described below.

Layout & access

- 3.2 The application proposes a semi-detached pair of no.3/4 bed dwellings and a terrace of two no.3 bed and one no.2 bed properties. They would all face south onto a new courtyard area, from which a new direct access onto the road is proposed. Plots 1 and 2 would be set forward of the terrace of the other three dwellings by 1m.
- 3.3 The dwellings would have rear gardens which would back onto the remaining rear garden area of The Bungalow and would be accessed from new pathways leading from the courtyard area. The courtyard area would be surfaced with new permeable paving, with a small grassed communal area on the eastern side in front of plot 5. New landscaping is proposed next to the communal area and between the frontages and parking spaces. Also, strips of very low level planting are proposed along the middle of each space to help break up the shared surfacing and delineate the parking. New planting is also proposed in the western strip of land adjacent to the site, where the ownership is unknown.
- 3.4 The new proposed access would be at the south west corner of the site and be 4.8m wide, with a vehicle crossover point at the entrance into the courtyard. Eleven spaces are proposed with 2 spaces per dwelling and 1 visitor space.

Design of the dwellings

- 3.5 The dwellings would have a traditional character and appearance. They would be two storey with plots 1 and 2 (the 3/4 bed dwellings) proposed with rooms in the roof. The dwellings would be faced with brick and have pitched tiled roofs, with smaller projecting gables on front and rear elevations with finial detailing which give these gables an arts and craft style appearance. They would also have front bay windows and front porches.
- 3.6 Other detailing includes brick quoining, brick courses above and below windows, exposed rafter feet below the eaves and on plots 1 and 2 a chimney is proposed. The proposed casement windows and glazing bars would also give the properties a traditional appearance. All properties would have French doors on their rear elevations.
- 3.7 The dwellings would have open plan kitchen and dining areas and separate living rooms. Upstairs there would be en-suite master bedrooms and family bathrooms for the other bedrooms. The dwellings would meet national space standards.

4. Consultations

4.1 Arboriculture: Comments.

- Visually important trees along the western and southern site boundaries.
- Main trees of importance to the west would be retained.
- Trees to the south would be subject to encroachment into root protection areas by the proposed access and driveway/parking areas.
- Two oak trees on southern boundary important to retain, roadside tree is more prominent and if safeguarded should make a long-term contribution to the landscape.
- Concern that the feasibility of using a cellular confinement system for surfaced areas has not been fully tested for this site, including assessing likely vehicle weights. Recommend further detailed specification is prepared.
- New surfacing may still pose the risk of an adverse impact on the southern trees but subject to suitable design there is a reasonable chance they would tolerate the encroachment, but no certainty that there would be no significant impact long term.
- Greater proportion of trees further east along the southern boundary and south east corner but these are of lesser importance in the public realm.
- Further consideration needs to be given to monitoring and management of trees so that appropriate action can be taken if there are adverse effects.
- May be more appropriate to remove tree T12 and compensate with new planting further from the edge of the driveway.

4.2 Clapham Parish Council: Support.

- Support the development subject to the Highways Authority being satisfied with the proposed access and policy HD7 being met.
- Village has not had a development of this size for over 20 years.
- Many of the existing houses have been enlarged and extended resulting in Clapham resulting in people priced out of the area.
- Require additional houses for the community to thrive.
- Meets the requirements of the Clapham Neighbourhood Development Plan, in particular regard to HD1, HD4, HD5, HD6, HD8.

4.3 Dark Night Skies: Comments.

- The site is a predominantly urban environment where the level of sky quality is reduced.
- However the introduction of 5 new dwellings would constitute the introduction of new light which needs to be controlled to limit the spread of the ambient light from Clapham.
- The roof lights should be removed, reduced or installed as dormer style windows to reduce the upward spill of internal light.
- If lighting is deemed necessary for the car park this should be low powered (ideally 500 lumens) and set on proximity timers.

4.4 **Design:** Comments.

- Limited information to support the application by way of contextual appraisal and standard of design, contrary to National Policy and emerging policy.
- The re-siting and reduction in scale of units 3-5 has created an awkward roof profile but the revised plans address some previous concerns which is welcomed.
- Scale of development is appropriate in this location.
- The changes to the public realm design (surface materials and landscape planting) will improve the appearance.
- Outstanding issues are (1) concern about north facing gardens and extent of shading; (2) concern about whether the architectural style and detailing meeting criteria of policy SD5; (3) northern boundary details (close boarded fencing) is inappropriate.
- Need to consider overhead power lines.
- If minded to approve, will require conditions for architectural detailing, detailed materials and boundary treatment.

4.5 **Drainage:** No objection, subject to conditions.

4.6 **Ecology:** No objection, subject to condition.

4.7 **Environmental Health:** Response received, no comments.

4.8 **Highways:** Comments.

- Access is sufficient for two vehicles to pass one another.
- Proposals would not have a 'severe' impact on the highway and not contrary to the NPPF.
- Visibility splays have been provided and to be secured via condition.
- The three tandem spaces (2.5m x 5m) do not meet the dimensions recommended in Manual for Streets (2 x 6m), whilst may require vehicles to undertake multipoint manoeuvres in order to park, but doesn't cause a highway safety concern.
- Recommend conditions regarding creation of the access, visibility splays, parking and construction management plan.

4.9 **Landscape:** Comments.

- Tree protection is key on this site; reiterate tree officer's concerns about new surfacing. Notwithstanding, hard landscape details could be conditioned.
- Central vegetation within parking bays is a positive addition and will need to be addressed through a landscape condition.
- Flint/brick walls seem unnecessary and aggrandisement which is arguably unnecessary as it alters the character of the site. More attention should be paid to site boundaries to improve public realm.
- Single surface material to the driveways is a positive but need to consider trees. Recommend reducing the parking bays on the southern boundary.
- An entrance way largely of more native vegetation is more characteristic and provides benefits for wildlife and air quality.
- Will be useful to understand how the communal areas of the scheme and the area along Long Furlong Road would be managed long term; significant opportunities through species choices and management prescriptions to generate biodiversity benefits and achieve a net gain.
- Green spaces in front of properties 1 and 2 could be rain gardens.

4.10 **Public Rights of Way:** No objection.

4.11 **Southern Water:** No objection.

5. **Representations**

5.1 The representations received relate to the scheme originally proposed and a re-consultation exercise which was undertaken following the receipt of revised plans. 29 objections, 16 responses in support, and one neutral representation have been received. Multiple responses have been received from individuals. The summary below includes overarching

principle views about a scheme on the site which have been recorded from two consultation periods and specific considerations regarding the revised scheme are covered under the design subheading.

Principle

- Concern about land ownership issues.
- The proposal does not comply with the Clapham Neighbourhood Plan.
- Approval of the application will be due to the pressure to meet government housing demands.
- The CIL charge means greater gain for the SDNPA and decisions that are biased towards larger developments.
- There are no multiple dwelling developments on the Long Furlong road, only single properties.
- No public consultation has been carried out.
- Clapham Common does not need to be expanded; this application increases the housing stock by 20-25%.
- There are no facilities for younger families in the village and will not be affordable to young people of the parish.
- The proposal does not demonstrate any local housing need, or affordable housing for local families.
- The future of Clapham and Patching Parish would be in jeopardy if the development is approved.
- The building of a mini estate in a back garden does not constitute a design sympathetic to its setting; would negatively impact the unique character and nature of Clapham Common.
- Will set a precedent as the remaining plot of land of 'The Bungalow' will also be redeveloped for housing.
- There are other sites more suitable for development.
- Unresolved issues in regard to electricity, water, sewage and surface water drainage.
- Two bungalows would be acceptable as these would not impact the character of the village or affect the privacy of other residents.
- Demolition of the adjacent bungalow would allow access to be provided through the garden and the number of plots to be doubled, incorporating some social housing.
- Will devalue adjacent dwellings. [Officer Note: loss of value, perceived or actual, is not a material planning consideration.]
- There is a conflict of interests between all parties involved in the development including the owners, developers and planning committee and the application should be dealt with by an independent person.
- Land been cleared and vital for wildlife including rare bats and birds will be lost from the community.
- Impact on neighbour contravenes their human rights.

Traffic and access

- Long Furlong/the A280 is an exceptionally busy road and becomes heavily congested in the area of the proposed development, especially at peak times.
- There have been numerous collisions on this road both minor and serious, including 200 accidents last year.
- The access is sited on a blind brow of a hill within a 40mph speed limit.
- There is no pedestrian footpath from the plot.
- The site is not sustainable as there are only 2 buses a week, and access to local facilities including the school would require occupants to cross the A280 unaided.
- There is a traffic light controlled crossing further up near the village school to make it safe to cross.
- Insufficient visibility for the new access.
- Insufficient visitor parking and will cause overspill which could be into Clapham Common.

- Refuse lorry turning on site is reliant on the courtyard space remaining clear.

Amenity

- Will be in close proximity to No1 Clapham Common, which will be completely overlooked.
- A historic plan has been used and No1 Clapham Common has been extended, such that the new development is only 2m away.
- Will have a detrimental effect on the residents on the south side of Clapham Common as it will block the sunlight out in the evenings.
- Noise levels will impact on privacy peace and tranquillity of No1 and will also impact on Nos 3, 5 and 7 Clapham Common.
- The height has been lowered however there are still privacy issues and gardens and rear rooms will be overlooked.
- After the pre-application advice was provided many mature trees along the boundary were felled exposing the conservatory of No1 Clapham Common to the A280.
- No large greenspace within the development for children to play.

5.2 16 representations in support of the application were received, raising the following:

- The proposal is in line with the Clapham Neighbour Development Plan and the type of housing very suitable.
- The area is in need of more homes. Windfall sites should be encouraged and utilised fully to meet the needs of the local community.
- Only 2 new build houses have been constructed in the last 13 years, which are large detached dwellings, have been constructed at the southern end of Clapham.
- Many of the existing houses in the village have been enlarged and extended such that it has become an overpriced area for young families needing modern homes.
- Using 'brown field sites' is infinitely preferable to using 'green' land.'
- A sensible use of an otherwise unused area of land that does not add do the beauty or use of the National Park.
- Will benefit the local economy through its construction and contribution to housing land supply; will provide additional family accommodation to support local services and social fabric; and preserve countryside by building on garden land in a sustainable manner and in a sustainable edge of village location.
- Will allow local young families to move into rather than away from the area and benefit the local community, school and businesses.
- The proposal will have virtually no impact on neighbouring dwellings as it will be well screened.
- The lowered height will be less visible from the road and surrounding properties, and the revised design incorporating more brickwork is a better match to the character of neighbouring dwellings.
- Impact from construction will be short-term.
- The traffic is already moving slowly because of the roundabout.
- The sight lines conform to the requirements of the Highways standards and it has been proven that large vehicles can turn within the site.

5.3 One neutral representation was received, raising the following:

- Long Furlong is a dangerous road and reported by the Worthing Herald as one of the 10 'riskiest' roads in West Sussex.
- A pedestrian crossing should be incorporated and a 30mph speed limit imposed.

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 Arun District Local Plan (2003) and the Clapham Neighbourhood Development Plan (2016). 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: 1, 2, 3, 5, 40, and 50.

7. Planning Policy

- 7.1 The following saved policies of the Arun District Local Plan 2003 are relevant:

- GEN2: Built Up Area Boundary
- GEN7: Form of New Development
- GEN15: Cycling and Walking
- GEN33: Light Pollution

- 7.2 The following policies of the Clapham Neighbourhood Development Plan 2016 are relevant:

- G1: Presumption in favour of sustainable development
- GA1: Connection to sustainable transport
- HD1: Housing mix
- HD2: Housing density
- HD4: Windfall sites
- HD5: Outdoor space
- HD6: Design of housing
- HD8: Car parking
- HD9: Integration of new housing
- ES2: Protection of trees and hedgerows
- ES6: 'Unlit Village'

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 Arun District Local Plan (2003), the policies within the Submission South Downs Local Plan (2018) are currently afforded considerable weight.

7.4 The relevant planning policies of the Submission version of the draft Local Plan are:

- SD1: Sustainable Development
- SD2: Ecosystems Services
- SD4: Landscape Character
- SD5: Design
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD11: Trees, Woodland and Hedgerows
- SD19: Transport and Accessibility
- SD22: Parking Provision
- SD25: Development Strategy
- SD26: Supply of Homes
- SD27: Mix of Homes
- SD50: Sustainable Drainage Systems

8. Planning Assessment

8.1 The application site is within the ‘recognised village envelope’ as defined in the Clapham Neighbourhood Development Plan (CNDP). CNDP policy HD4 outlines that permission will be granted for residential development within the recognised village envelope subject to the following criteria:

- i) *The development complies with the other relevant policies of the adopted Plan.*
- ii) *The scale and design of the development is appropriate to the size, character and role of the settlement.*
- iii) *The character of the landscape and built environment is conserved or enhanced.*
- iv) *The proposal creates safe and accessible environments that offer good access via a range of transport modes.*
- v) *Land is demonstrated to be used effectively and comprehensively.*
- vi) *Wildlife must be considered or enhanced.*

8.2 Policy HD4 outlines in principle support for the proposals, subject to its criteria above. Also, acceptability of proposals is subject to other relevant development plan policies in the CNDP and saved policies of the Arun District Local Plan 2003 (which need to be read as a whole), as well as the NPPF, National Park Purposes and emerging Local Plan policy which can be afforded weight.

8.3 The CNDP is afforded full weight in decision making because of its up to date status as part of the development plan. The saved policies of the 2003 Local Plan are still applicable as development plan policies but are somewhat dated. The assessment below therefore focusses on policy HD4 and other policies in the CNDP, where relevant. Criterion (i) of HD4 is addressed through the considerations of the scheme when referring to other CNDP policies. Criteria (ii) – (v) relate to the design of proposals and their impacts, which are considered below.

Proposed design and impact on the character and appearance of the area

8.4 The site is on the southern edge of the village. In considering the settlement pattern of this part of Clapham, it comprises part of a large garden associated with The Bungalow which is uncharacteristic of Clapham Common to the east. Here, there are groups of smaller terraced properties of a similar character and appearance and age on either side of the road with long narrower gardens.

8.5 The proposals would introduce new development behind a dwelling which fronts onto Clapham Common, which is not a predominant characteristic particularly on the southern side of the road where there are groups of terraced properties with long gardens. However, the site is at the end of these rows of terraces and opposite The Bungalow to the

north siting and character of dwellings is less of a consistent pattern of development in comparison. The proposed properties would not appear out of keeping within this surrounding context and the proposed terrace would be a similar form of development to the existing terraces in Clapham Common.

- 8.6 The 5 dwellings would create a denser form of development compared with the surrounding properties whereby on Clapham Common there is more space between each of the rows of terraces. However, the proposals seek to maximise the use of land, in accordance with the NPPF, without compromising on the design and creating a cramped form of development. The dwellings would have good sized rear gardens, with The Bungalow also retaining a good sized garden also, and in particular there is an acceptable distance of 2.5m from the boundary with no.1 Clapham Common. Furthermore, sufficient space remains to create the proposed courtyard area with capacity for new planting to positively contribute to creating an acceptable public realm and enable the dwellings to be set back from the parking to improve the amenity for residents and make this area less cramped. In these regards an acceptable design is proposed in accordance with criteria (ii), (iii) and (iv) of policy HD4.
- 8.7 Policy HD2 relates to the density of new housing being appropriate to its location. The scheme makes best use of the site by proposing semi-detached and terrace dwellings, without compromising the design and appearing incongruous in the surrounding area. It is considered to accord with this policy. Furthermore, the new NPPF also promotes the effective use of land, taking into account an area's prevailing character and setting (including residential gardens) and the proposals would also meet this aspect of national policy. Furthermore, immediately east of this group of dwellings the industrial site is allocated in the CNDP for approximately 30 dwellings (policy HD3) which, if progressed, would alter the current settlement pattern.
- 8.8 Two storey dwellings are proposed and they would not be a prominent addition to the area in regard to views from the public realm. There would be limited public views from within Clapham Common. They are likely to be seen from Long Furlong Road, where they would be set back behind the existing area of trees and hedging. They would be of an acceptable architecture and so even when seen they would not detract from the character and appearance of the area and could enhance it.
- 8.9 Furthermore, their proposed architecture relates well to the positive attributes of properties within Clapham and they would have an acceptable level of architectural details which adds interest without appearing overly fussy. In these regards, the proposals accord with policy HD4 and also HD6. Policy HD6 deals with the more detailed elements of proposals and would continue to be relevant when discharging conditions as it would relate to materials and the execution of the architectural details for the dwellings, in the event planning permission is granted.
- 8.10 New planting is proposed within the strip of land between the site and the road. It is noteworthy that the ownership of this land is unknown and there is therefore some uncertainty about any future issues arising such as access and maintaining the landscape scheme within that area. The land is however subject to indemnity insurance should a landowner come forward. The additional planting would assist in filtering views of the development along the road when passing the site and would be beneficial but arguably is not key to make the development acceptable. In any event, the dwellings would not appear out of keeping within the street-scene. Furthermore, the proposed access would not be out of character with the street-scene along this part of Long Furlong Road given its design. In the above regards, it is considered that the proposals would accord with criteria (ii), (iii) and (v) of policy HD4.

Housing mix

- 8.11 An appropriate housing mix is proposed which reflects the latest available information on need, as outlined in the SDNPA's evidence base studies underpinning the emerging Local Plan. This outlines that the greatest need is for 2 and 3 bed properties. Furthermore, the Parish Council and other representations support the proposed housing mix, which adds some weight in determining that the sizes of properties proposed are acceptable.

Affordable housing

- 8.12 None of the dwellings are proposed as affordable housing. Neither the saved policies of the Arun District Local Plan 2003 or the CNDP require an on or off site contribution towards affordable housing for a scheme of this size. Furthermore, paragraph 63 of the NPPF outlines that provision should not be sought for residential developments which are not 'major' (i.e. less than 10 dwellings), other than in designated rural areas where policies may set out a lower threshold of 5 dwellings or fewer.
- 8.13 Emerging policy SD28 requires 1 affordable dwelling for developments of 4-5 dwellings, however, whilst weight can be given to the Local Plan individual policies need to be judged on their own merits in the context of paragraph 48 of the NPPF. The Local Plan is at an advanced stage but the extent of unresolved objections to this policy counteract the weight which can be attributed to it, to the extent that it is not considered that on-site provision or an off-site contribution can be sought in this instance.

Impact on surrounding amenities

- 8.14 The development would be accessed directly from Long Furlong Road and therefore an increase in traffic is not likely to impact upon surrounding amenities of residents on Clapham Common. The courtyard area would be sited a good distance away from properties and next to the farthest extent the neighbouring rear gardens, whereby it is not considered that there would be significantly harmful noise and disturbance from the activities of new residents.
- 8.15 Plot 5 would be 2.5m from the garden boundary of the adjacent property, no.1 Clapham Common. This is not an especially large distance but the siting, scale, and design of the dwellings would not give rise to an overly oppressive unneighbourly impact. The dwellings would also be sited on a slightly lower ground level to this property which also helps to reduce the impact.
- 8.16 The siting and orientation of the dwellings are unlikely to cause significant harm from overlooking towards neighbouring properties. There would be a distance of 21m between the rear elevation of plot 5 and no.1 Clapham Common Road, which is an acceptable distance but also the proposed dwellings are not directly behind this property, they are off set from it and positioned behind The Bungalow. Furthermore, the closest upper floor window to the garden boundary of no.1 Clapham Common is to a bathroom which would be obscure glazed, which further helps to reduce any overlooking impact towards this and other neighbouring properties when views would be more oblique.
- 8.17 The proposed rear garden sizes would allow a sufficient distance between the proposed dwellings and The Bungalow and its remaining garden area to maintain a good degree of privacy and amenity of either dwellings.

Ecology and trees

- 8.18 The county ecologist has not raised an objection and has recommended that the mitigation measures from the ecological report be secured via a condition. It is however considered that the proposals could go further and another condition regarding biodiversity enhancements is proposed. Considering wildlife would also be a consideration when considering the landscape scheme, if planning permission is granted. In these regards, the proposals would accord with criterion (vi) of policy HD4.
- 8.19 Trees along the western and southern boundaries are proposed to be retained. Concern has been raised by the tree officer about trees at the southern boundary. The scheme had proposed three tandem spaces along the southern site boundary close to trees to meet highways parking standards.
- 8.20 In light of the advice of the tree and landscape officers it was considered that removing 1 tandem space on the southern boundary would help to alleviate some concern about potential impacts of new surfacing close to retained trees and the site plan has consequently been amended. The loss of 1 space was discussed with the Highway Authority and the response was that this would not result in an objection on parking grounds.

Drainage

- 8.21 The scheme would connect with the mains foul drainage network. There is a foul sewer running through the garden of The Bungalow, which the scheme takes account of. Surface water is proposed to be managed on site. Soakaways are proposed, however, more imaginative means including rainwater gardens could provide some engineering solutions and benefit eco-systems services. This could be considered further through the landscape and drainage conditions.

Access and parking

- 8.22 The Highway Authority has not objected to the proposed access and on site turning and parking arrangements. The access would have acceptable visibility in both directions and would allow for two way traffic into and out of the site.
- 8.23 The amount of parking proposed is acceptable. Further to paragraph 8.20 above, concern was raised by the Highway Authority about the size of 3 tandem spaces along the southern boundary. Manual for Streets includes a standard of 2m x 6m and the proposed spaces were 2.5m x 5m, which would involve multiple movements to enter/exit these spaces. Further to the considerations regarding trees in paragraph 8.20, the reduced amount of parking is acceptable and the proposed parking provision of 11 spaces would not cause an issue regarding highway safety with Long Furlong Road or amenity and usability within the courtyard.

Dark Night Skies

- 8.24 The Dark Night Skies officer has raised concerns about the roof lights in plots 1 and 2. Following further consideration, two roof lights have been removed. The remaining roof lights would serve space which would be used as bedrooms or home offices. It has also been confirmed to officers that within the courtyard low level bollard lighting which complies with Dark Night Skies standards would be used and on the dwellings sensor controlled lighting would be of a lower luminosity and a design which would avoid upward light spill. On this basis, it is considered that the concerns have been addressed and conditions are proposed to secure a more detailed external lighting scheme and black out blinds for the roof lights. The scheme would therefore accord with CNDP policy ES and the First Purpose.

Community Infrastructure Levy (CIL)

- 8.25 The development would be liable for a CIL contribution.

9. Conclusion

- 9.1 The principle of the development is established by policy HD4 of the CNDP as the site is within the recognised village envelope of the village. The proposals would accord with the criteria of this policy and the other policies cited in the report for the reasons outlined in the assessment. The proposals would not harm the character and appearance of the area, but would complement it, and would not significantly affect the amenities of neighbouring properties. Furthermore, there would not be a severe impact upon Long Furlong Road regarding the new access and the amount of parking is considered to be acceptable in its own right and the loss of one visitor space has been sought in order to address concerns regarding boundary trees.
- 9.2 For the above reasons, the development would conserve and enhance the wider National Park landscape. The unknown ownership of land is a potential issue but reasonable steps have been undertaken to discover the ownership and given Certificate D has been completed with the application the relevant procedural requirements have been complied with and therefore it would not preclude the granting of planning permission.

10. Reason for Recommendation and Conditions

- 10.1 The application is recommended for approval subject to the following conditions:
- I. 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) and 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.

3. No development above slab level 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.

4. No development above slab level of any of the dwellings shall be commenced until further details on the Scheme of Soft and Hard Landscape Works have 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, schedules of plants and trees, noting species, planting sizes and proposed numbers/densities where appropriate,
 - c. Retained areas of grassland cover, scrub, hedgerow, and trees,
 - d. A schedule of landscape maintenance for a minimum period of 5 years to include details of the arrangements for its implementation,
 - e. Details of all hard-surfaces, such as paths, access ways, seating areas, patio areas and parking spaces, including their appearance, depth and permeability.
 - f. All means of enclosure, including fencing, walls and gates.
 - g. refuse and cycle storage details.
 - 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 & trees

5. 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. The development shall subsequently proceed in accordance with any such approved details.

Reason: To enhance biodiversity on site.

6. Protective measures, including fencing and ground protection, in accordance with the submitted Arboricultural Report and Statement prepared by Phillip Ellis Arboricultural Consultancy (dated 16.04.2018) shall be undertaken prior to and during groundwork and construction on the site. No arboricultural works shall be carried out to trees others than those specified and in accordance with the Arboricultural Report and any

deviation from the works prescribed shall only commence if agreed in writing by the Local Planning Authority.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area.

Construction Management Plan

7. 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. An indicative programme for carrying out the works
 - b. The anticipated number, frequency and types of vehicles used during construction,
 - c. The method of access and routing of vehicles during construction,
 - d. The parking of vehicles by site operatives and visitors,
 - e. The loading and unloading of plant, materials and waste,
 - f. The storage of plant and materials used in construction of the development,
 - g. The erection and maintenance of security hoarding,
 - h. No burning of demolition or construction materials on site.
 - i. The provision of wheel washing facilities.
 - j. The arrangements for public consultation and liaison during the construction works.
 - k. Measures to minimise the noise (including vibration) generated by the demolition/construction process to include hours of work, proposed method should foundation piling occur, the careful selection of plant and machinery and use of noise mitigation barriers.
 - l. Details of any flood lighting, including location, height, type and direction.
 - m. Measures to control the emission of dust and dirt during demolition/construction
 - n. A scheme for recycling/disposing of waste resulting from demolition and construction works
 - o. 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.

Lighting

8. 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 comply with the Institute of Lighting Professionals guidance. 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 the character of the countryside and the Darn Night Skies Reserve, which is a special qualities of the South Downs National Park and limit any impact upon wildlife and the amenities of surrounding properties.

9. Prior to the development hereby permitted being brought into use, details of black-out blinds to be integrated within all rooflights shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and retained in full accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in the interests of amenity and protect the South Downs International Dark Night Skies Reserve.

Permitted Development

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no buildings, structures or works as defined within Part 1 of Schedule 2, classes A-G or any order revoking or re-enacting that Order shall be erected or undertaken on the site.

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

11. Prior to commencement of the development hereby permitted, the applicant shall submit for the written approval of the planning authority a sustainability statement which demonstrates how the development responds to the requirements of emerging Policy SD48 of the Pre-Submission version of the South Downs Local Plan. The development shall thereafter be implemented in accordance with the content of this statement.

Reason: To achieve a sustainable development which addresses climate change mitigation and adaptation through the sustainable use of resources.

Drainage

12. No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal and an implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved details. The building shall not be brought into use until the drainage system has been implemented in accordance with the agreed details, which shall be retained thereafter.

Reason: To ensure satisfactory provision of foul water drainage.

Highways and parking

13. No part of the development shall be first occupied until visibility splays of 2.4 metres by 120 metres have been provided at the proposed site vehicular access onto Long Furlong 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 highway safety.

14. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled AR-121-01/B.

Reason: In the interests of road safety.

15. The car parking shall be provided in accordance with the approved plans before the occupation of any dwelling and thereafter permanently retained.

Reason: To ensure the permanent availability of parking for the development.

16. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the details to be approved in condition 4.

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

17. No development above slab level shall be commenced until a sustainability statement which demonstrates how the development responds to the requirements of emerging Policy SD48 of the Submission version of the South Downs Local Plan 2018 shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: To achieve a sustainable development which addresses climate change mitigation and adaptation through the sustainable use of resources.

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
SDNPA Legal Services, Development Manager.

Consultees
Background Documents All planning application plans, supporting documents, consultation and third party responses

<https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

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>

Clapham Neighbourhood Development Plan 2016

<https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-planning/neighbourhood-development-plans/clapham-neighbourhood-plan/>

National Planning Policy Framework (2018)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

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/>

