

Parish:
Plaistow And Ifold

Ward:
Plaistow

6. PS/14/04100/FUL

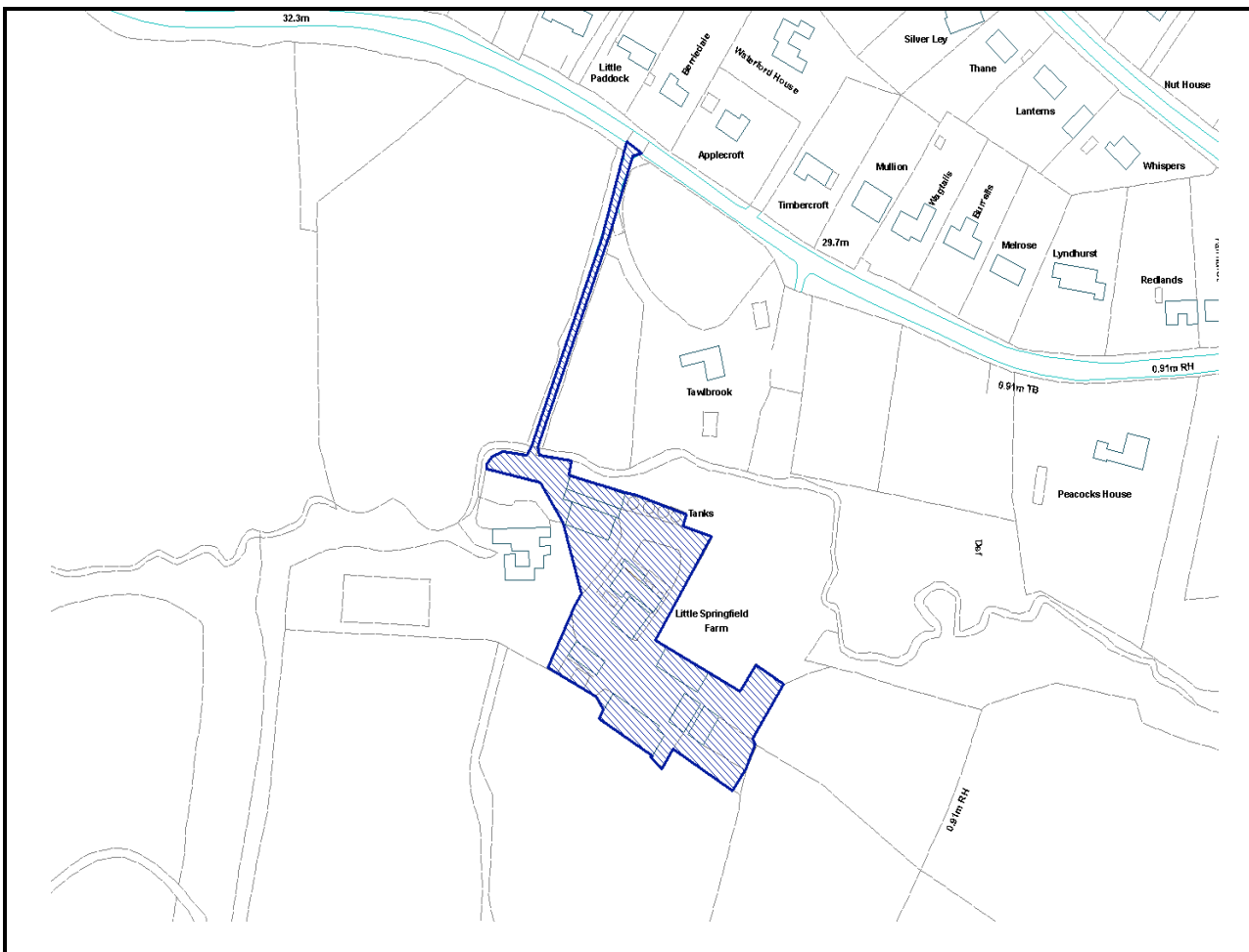
Proposal Demolition of existing industrial buildings and erection of 3 no. detached dwelling houses with associated landscaping, surfacing, car parking provision and access works.

Site Little Springfield Farm Plaistow Road Ifold Loxwood Billingshurst West Sussex RH14 0TS

Map Ref (E) 502670 (N) 130353

Applicant Stephenson Developments (Southern) Holdings Ltd

RECOMMENDATION TO REFUSE



**NOT TO
SCALE**

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1.0 Reason for Committee Referral

Red Card: Cllr Hardwick - Exceptional level of public interest

2.0 The Site and Surroundings

- 2.1 The application site lies within the designated rural area on the southern side of Plaistow Road, to the south of the village of Ifold, and approximately 123m beyond the Settlement Policy Area (SPA). The site is bounded by paddocks to the north and south, woodland to the east, and a dwellinghouse to the west. The site is approximately 0.5 ha in size and occupied by 9 industrial buildings, providing approximately 1,250 square metres of business floor space. The application site was formerly a farmyard; however it was used for industrial purposes until January 2015.
- 2.2 The site is accessed from Plaistow Road, to the north west corner via a driveway approximately 115m in length. The access is shared with two dwellings; Tawlbrook (located close to Plaistow Road) and the dwelling know as Little Springfield Farm, which adjoins the western boundary of the application site. The driveway is 5m in width at its junction with Plaistow Road, narrowing to approximately 2.5m wide for the remainder of its length together with grass verges to each side. The access is constrained at the southern end where it crosses a bridge over a watercourse.
- 2.3 Surrounding the application site is open countryside; paddocks to the north and south and woodland to the east. Although there are 2 properties nearby, and the settlement of Ifold adjacent to the site access, the application site has a strong rural character. The land slopes down from Plaistow Road towards the site, and whilst public views are constrained by the existing agricultural building in the north west corner of the site it may be glimpsed from Plaistow Road, despite it being set back from the road. There are extensive views out of the site across the surrounding countryside.

3.0 The Proposal

- 3.1 Permission is sought for the demolition of existing industrial buildings and erection of 3 no. detached dwelling houses with associated landscaping, surfacing, car parking provision and access works.
- 3.2 The dwelling on plot 1 would provide 5 bedrooms with 4 reception rooms, kitchen, study, utility room, boot room and WC, and would have an attached triple garage with home office above. The building would measure approximately 27.35m (w) x 10.5m (d) x 10.05m (h) - with an additional 16m projection to the front to provide a triple garage, boot and utility rooms. The projection at the front would measure approximately 6.1m in height.
- 3.3. The dwelling on plot 2 would provide 5 bedrooms with 4 reception rooms, kitchen, study and utility/boot room and a detached double garage with study above. The dwelling would measure a maximum of 20.6m (w) x 14m (d) x 9.55m (h) and the garage would measure approximately 8.5m (w) x 6.5m (d) x 6.5m (h).
- 3.4 The dwelling on plot 3 would provide 6 bedrooms with 4 reception rooms, kitchen/dining/family room, study and utility/boot room with a detached triple garage. The dwelling would measure approximately 27.7m (w) x 14.4m (d) x 9.4m (h) and the proposed garage would measure approximately 11.5m (w) x 6.7m (d) x 5.6m (h).

4.0 History

02/03398/ELD

PER

Mixed use of the land and buildings at Little Springfield Farm falling within Classes B2 and B8 of the Use Class Order.

5.0 Constraints

Rural Area	YES
Flood Zone 2	YES
Flood Zone 3	YES

6.0 Representations and Consultations

6.1 Parish Council

No objection

6.2 Environment Agency

No objection. Request a condition securing the implementation of the Flood Risk Assessment submitted.

6.3 WSCC - Strategic Planning

No objection - Proposal will result in less intensive use of existing access and therefore the proposal will not result in any highway capacity concerns. Recommend conditions requiring cycle parking, turning space and vehicle parking.

6.4 CDC - Environment Officer

13/01/2015

Prior to determination a mitigation strategy detailing how the bats will be protected and the roosting retained during and post construction works should be provided.

08/06/2015

Following submission of the bat mitigation strategy (Outline Method Statement Bat Mitigation Feb 2015) we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place. The applicants should be aware that a Natural England Protected Species Licence will be required for the works, and this will need to be obtained prior to any works taking place.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

6.5 CDC - Economic Development Officer

22/01/2015

Objection - There is no evidence of marketing for the site, as individual units or as a whole. There is little or no evidence to support the theories that alternative uses would not work. The business space was 47% occupied, which is significant. Loss of commercial space at this site would be detrimental to the rural economy.

08/06/2015

No further information has been forthcoming regarding the current levels of occupation, so we must presume it is still at 47%, as per the information given in the original commercial report. We acknowledge that the buildings are not high quality. This, together with the occupation rate demonstrates the requirement for some commercial space in the area. A fully residential site will not support the economy of the local area.

22% of small businesses cite availability of suitable premises as an obstacle to their growth (Source: Small Business Survey 2012 report by BMG Research). The Economic Development Service is aware of a number of small businesses within the District looking to move into good quality, flexible business spaces. This has been exacerbated by the loss of office space to residential due to permitted development rights. Although the majority of micro-businesses in this district are looking for small workshops, with easy in/easy out leases.

There are 6,800 businesses within Chichester District, over 92% of these employ less than 20 people. We do realise that the application site is close to the border with both Waverley District and Horsham District. Waverly District has a higher percentage of businesses employing fewer than 20 people, at 94.7%, as does Horsham District with 93.3% of their businesses employ fewer than 20 people (Source: ONS).

We note from the viability report that no reference has been given to anything other than office space. Light industrial/workshop style use should be investigated as these are more cost effective and there is a relatively high demand, depending on cost per sq.ft and terms of the lease. We have no issues with some residential development but some good quality space is required, in order to support local micro businesses. It is for this very reason that Chichester District Council is proposing an enterprise centre. We are aware that there are businesses in the north of the District looking for good quality small spaces, these businesses are looking for workshop style premises rather than offices.

For all of these reasons, we cannot support the full loss of the commercial use of the site.

6.6 CDC - Estates

23/12/2015

The report provides limited information. It seems that the site has been occupied by a business that has not required use of all of the premises and has from time to time let other parts of the premises to other parties. The author of the report advises that he has not been involved in that marketing and having regard to the site owner's own occupation it is difficult to know how keenly they have marketed other units or the extent to which agents have been used. They do not appear to have improved or replaced the units to make them more marketable.

It does not appear that the property has been marketed as a whole for business purposes but rather that residential use has been identified as the most valuable use on closure of the existing business and in response to the Council's requirements an agent has been engaged to write a report saying that the site does not have potential for business use. It would be a different scenario if the agent had been engaged to market the premises for business purposes and was reporting back after a considerable period of attempting to do that. The agent does make some comments about business development not being viable in this location but most of the comments relate to the difficulty in letting the existing buildings which are of poor standard. If these buildings had been improved by the landlord over the period referred to in the report perhaps tenants would have remained at the premises and better tenants attracted to the location.

Having said that this is a rural location and the site is accessed via a drive adjoining residential premises and that must limit the potential of the site and a residential use might be more in keeping with the location, but that is a matter for you to consider.

The site may not have been actively marketed for business use but I think that it is likely to be difficult to find a suitable business occupier.

08/06/2015

My comments on the original commercial report related to the marketing of the property which I noted had been limited. I also noted that it did not appear that the premises had been well maintained and this would affect the ability to arrange future lettings.

The Addendum does not provide any additional information on this aspect of the matter so I assume that the marketing has remained limited as per my previous comments. The Addendum however provides appraisals for 3 forms of development, wholly residential, mixed residential and commercial and wholly commercial and seeks to make a case for only the residential development being a viable proposition.

It is clear from the appraisals that the residential option produces a significantly higher site value and profit and even if we were to challenge specific figures in the other two appraisals this would only make a marginal change in the position. The appraisals only propose office use, however, and buildings for this use are more costly to construct than light industrial premises which might show a better cost appraisal outcome.

As far as the submitted commercial office appraisals are concerned these show that the proposals to which they relate are not viable. I am aware that offices are not being constructed on a speculative basis in the Chichester District area at this time because more generally as they are not currently seen as a unviable form of development.

I confirm that I accept the submitted appraisals as demonstrating that new office development on this site would not be viable.

6.7 There have been no letters of objection received.

6.8 There have been 36 third party letters of support received concerning matters set out below:

- In keeping with character
- Sensitive development
- The grass verge provide space to walk safely alongside the road, and buses are infrequent so few people walk along the road to the bus stop
- There have been 'units to let' signs at the entrance for ever
- Another example is Ashpark Brick works in Plaistow which was changed from commercial to residential, it was empty due to lack of demand in rural area for industrial units
- Sympathetic to residential setting

6.9 There has been 1 third party comment received expressing that the LPA proposed to refuse the application, particularly given that other properties in Ifold have been granted planning permission on roads without footpaths.

Applicant/Agent's Supporting Information

6.10 Architect's comments dated 10/02/2015

The proposal would result in 5 dwellings using the existing access, the accepted maximum number for a private drive. WSCC have not raised an objection to the application, however given that there is no footpath along Plaistow Road, this is a reason to keep the numbers of new dwellings down. The purchasers of the properties are likely to have more than one car and foot traffic is therefore much less likely, this cannot be said for a development of small houses and the possible inclusion of social housing.

Whilst the Strategic Housing Market Assessment (SHMA) 2012 states that only 15% of total new units should be 4+ bed dwellings, this is skewed by the requirement for fewer units of this size in the City and South of the district. Figure 5.6 of the 2012 SHMA [Estimated Size of Dwellings Required for 2011-2031 - Market Housing (Chichester)] acknowledges a requirement of 31.1% 4+bed dwellings in the North East of the district.

The density of the scheme is 6 dwellings per ha and appropriate for the locality. Given the outlook from the properties, the distance to the boundaries is irrelevant. Maintenance of large gardens is expensive and manpower difficult to come by in rural areas. The houses will be sold a share of the land within the blue line of the site. Expansion of garden into these areas will be controlled by condition and the erection of a post and rail fence on the boundary of each residential curtilage. Separation between proposed dwellings is within the CDC standards.

The dwellings will provide employment in the form of cleaners, housekeepers, gardeners, maintenance staff, and agricultural contractors etc, many of whom are likely to be local.

The houses reflect local character and architecture. Materials are locally sourced and sustainable; clay plain tiles, hanging tiles, stock bricks, oak framed porches and barn like structures contribute to buildings designed to fit into their immediate landscape.

There have been similar developments along Plaistow Road, and this scheme is not dissimilar.

6.11 Letter from current owner dated 11/02/2015

The letter states that the premises have been marketed since 2004, advertising the units either to let or to sell as a whole on the www.startinbusiness.co.uk website (February 2004-2009). In 2010 a website dedicated to the premises was created (www.industrialpremisestolet.co.uk) and a Google Adwords campaign was used to ensure the website appeared on the front page of the search engine for anyone seeking industrial premises. A list of all enquiries received has been maintained, and accompanies the additional application. The marketing sought to attract small to medium sized firms, such as start-up companies. The marketing exercise found no one willing to purchase the site for employment re-development.

In addition to online advertising flyers were placed in shops around West Sussex and mail shots were sent to antique shops, frozen food companies, wine merchants and solicitors through the region advertising storage facilities.

Other business such as care homes, leisure, hospitality, warehousing, storage, packing and industrial waste companies were contacted. The site access proved to be a contributory factor to the negative response, because it is a single lane meaning that no two vehicles can pass each other along the drive.

The letter also states that much of the current occupation of the building is for storage for the current owner's business [which has subsequently closed down].

In terms of the economy, of the last 2 employees of the current owners blast cleaning business; 1 (Worthing based) will remain employed locally and 1 (London based) no longer wishes to travel for work. The previous tenant of one of the buildings (Walkers Autotech) moved to larger more suitable premises in the area and therefore will be contributing to the local economy.

The letter questions whether Ifold is a suitable location for employment, given the evidence submitted and suggests that the site is likely to sit empty for years if not redeveloped for houses. Other sites nearby that have lain empty for a considerable time include Alford Business Centre, Reliance Works at New Pound, Gander & White at New Pound, and another site outside Coolham on the A272.

The letter concludes that the proposal for 3 large family properties, in keeping with other properties in the vicinity, will attract a buyer who will protect and maintain the land surrounding the development (which will be sold as amenity land for each house). The proposal would not only help the rural economy but settles an unknown, potentially harmful, in economic and ecological terms, future for the site.

Summary of additional further information received

- 6.12 In addition to the above the current owner and the applicant have provided; a schedule of the condition of the buildings (11/02/2015), examples of the adverts sent out for vacant B2/B8 units (11/02/2015), a log of enquiries received (11/02/2015), an addendum to the Commercial Report produced by Gascoignes Chartered Surveyors (February 2015), an email from the developer confirming that the premises have been unoccupied since January 2015, and a further addendum to the Commercial Report dated 29/04/2015. The final addendum to the Commercial Report produced by Gascoignes Chartered Surveyors incorporates viability appraisals for residential

development, mixed residential and commercial development, and a wholly commercial development of the site for B1 use.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for Chichester District comprises the saved policies of the Chichester District Local Plan First Review 1999 and all adopted neighbourhood plans. There is no adopted neighbourhood plan for Ifold at this time.

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

Chichester District Local Plan First Review 1999:

BE11 New Development
BE13 Town Cramming
BE14 Wildlife Habitat, Trees, Hedges and Other Landscape Features
RE1 Rural Area Generally
RE5 North-eastern Part of the District
RE8 Nature Conservation (Non-designated Areas)
TR6 Highway Safety
H1 Dwelling Requirement
H4 Size and Density of Dwellings
B8 Safeguarding Business Floorspace

7.3 The Council has prepared a new Local Plan covering Chichester District excluding the South Downs National Park. The main plan document, Chichester Local Plan: Key Policies 2014-2029, was submitted for examination in May 2014. A number of examination hearings were held during the autumn of 2014, following which the Council undertook public consultation on Proposed Modifications to the Plan in January/February 2015. The Council has now received the Local Plan inspector's final report which was published in May 2015 (Appendix 4). The inspector concludes that, subject to a number of main modifications, the submitted Plan satisfies the legal requirements in the 2004 Act and meets the criteria for soundness set out in the NPPF. It should be noted that all of the inspector's recommended modifications were included in the public consultation undertaken by the Council in January/February 2015.

7.4 Following the Local Plan inspector's report, the Council is intending to take the Plan forward for formal adoption in July 2015. Ahead of this, the new Local Plan is a material consideration and, given the inspector's conclusions, the Council considers that the new Local Plan should be afforded significant weight, in accordance with paragraph 216 of the NPPF.

Chichester Local Plan (Pre-Submission) Draft 2013

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Development Strategy and Settlement Hierarchy
Policy 3: The Economy and Employment Provision
Policy 4: Housing Provision
Policy 5: Parish Housing Sites 2012- 2029

Policy 8: Transport and Accessibility
Policy 25: Development in the North of the Plan area
Policy 26: Existing Employment Sites
Policy 33: New Residential Development
Policy 39: Transport, Accessibility and Parking
Policy 40: Sustainable Design and Construction
Policy 42: Flood Risk
Policy 45: Development in the Countryside
Policy 48: Natural Environment
Policy 49: Biodiversity

National Policy and Guidance

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

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

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

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

- 7.6 Consideration should also be given to paragraph 17 (Core Planning Principles), 7, 14, 18, 22, 28, 30, 49, 50, 55, 56, 58, 60, 61, 64, 100, 103 and 109.

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

Other Local Policy and Guidance

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

A1 - A strong local economy where businesses can thrive and grow

A4 - The district to be known as a centre for creative and innovative industries building on our rich arts and heritage base

B1 - Managing a changing environment

B2 - Greener living

D1 - Increasing housing supply

D3 - Housing fit for purpose

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- (i) principle of development and sustainability;
- (ii) loss of employment land;
- (iii) impact upon rural character;
- (iv) housing mix and density;
- (v) impact upon amenities of neighbouring property;
- (vi) impact upon highway safety;
- (vii) flood risk; and
- (viii) ecology.

Assessment

- (i) Principle of development and sustainability

8.2 The site lies outside of the Settlement Policy Area (SPA) where, in accordance with policy RE1 of the Local Plan and Policy 1 of the emerging Local Plan, new development is resisted in favour of development in existing built up areas that are sustainable. In addition, the National Planning Policy Framework requires in the rural area housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 55). Paragraph 7 of the NPPF explains the three strands of sustainability, being economic, environmental and social.

8.3 The economic impact of the development is addressed below, where it is concluded that the proposal would result in an unjustified loss of employment land and therefore the proposal would have an adverse economic impact. In terms of environmental and social sustainability, it is considered that the proposal would also fail to fulfil these strands of sustainability.

8.4 The environmental strand of sustainability includes, inter alia, the protection and enhancement of the natural and built environment, helping to improve biodiversity whilst minimising waste and pollution. The impact of the development upon the natural and built environment and biodiversity are addressed below.

- 8.5 The Transport Statement (TS) submitted with the application states that the development would be within 300m of the village shop and within walking distance of the bus stop, serviced by buses on Route 42 (to Guildford, Godalming and Cranleigh every weekday), Route 64 (Between Loxwood and Horsham on Mondays and Thursdays) and Route 69 (Between Alford and Worthing on Tuesday). In addition, Plaistow and Loxwood would both be approximately 2.5km from the site, where there are a doctors' surgery, post office, convenience store and primary school, which would be carried out on foot or by cycle.
- 8.6 It is considered however that whilst there is a village shop in Ifold, and there are bus routes to nearby villages and towns further afield, the proposal is likely to result in journeys being predominantly made using a private motor vehicle due to the location of the site removed from the core of the village. This is accepted in the architect's supporting letter, which indicates that journeys by foot would be unlikely. The proposal would therefore unjustifiably encourage the use of non-sustainable modes of transport.
- 8.7 In terms of the social sustainability of the development, it is considered that whilst the proposal would provide new housing, it would not do so in a way which is inclusive within the village and with good access to local services. The housing provision and mix of housing is addressed in more detail below, however in summary it is considered that due to the location of the site and the provision of solely large detached dwellings that would not meet the need for a suitable mix of housing in the area, the proposal would fail to meet the social element of sustainable development.
- 8.8 In summary, it is therefore considered that whilst Ifold is designated as a service village within the Draft Local Plan and the proposal would make use of previously developed land, due to the location of the site detached from the settlement by open countryside and the size of dwellings proposed, that the proposal would not be socially or environmentally sustainable contrary to the requirements of the NPPF and policy 1 of the draft Local Plan

(ii) Loss of Employment Land

- 8.9 The land is previously developed land, recently in use for industrial purposes, and therefore consideration must also be given to the loss of the existing employment provision. The adopted local plan states within policy B8 that planning permission for change of use of industrial sites will be refused unless the planning authority is satisfied that;
- adequate floor space has been provided in accordance with the objective of the plan to provide 190,000 square metres of business floor space in the plan period;
 - the proposal would not result in the loss of accommodation of which there is a limited supply,
 - and the proposal would facilitate relocation of uses which currently create damage to the surrounding environment.

8.10 The emerging local plan policy 26 states that alternative uses will be permitted on business sites where it has been demonstrated that the site is no longer required and is unlikely to be re-used or redeveloped for business of similar uses. The text supporting this policy states "To demonstrate that an employment site is no longer required, planning applicants will be required to provide supporting evidence on the viability of the site for continued employment use (guidance set out in Appendix 5)". The considerations are therefore twofold; the marketing of the site and the viability of the development of the site for commercial floorspace. Both of these issues are considered below.

Marketing

8.11 The marketing requirements set out in Appendix 5 include a requirement for premises to be 'vigorously and exhaustively marketed for between a year and 18 months', and as a minimum:

- Confirmation by an appropriate marketing agent on headed paper that the premises were appropriately and extensively marketed for the required length of time
- How interest in the site has been objectively dealt with
- Details of the conditions/state of the land/premises and their upkeep being and during marketing and viability
- Details that the marketing price is realistic
- Detailed photographs of the marketing boards on the premises of an appropriate quality, size, scale, location and number during this time
- An enquiry log, how it was followed up and why it was unsuccessful
- A copy of all advertisements in the local press and trade journals
- Evidence of marketing via the internet

8.12 In addition, to the list above in instances where a loss of employment land is proposed the information submitted should demonstrate that:

- the site/premises should have been vacant for some time and not been made deliberately unviable
- the site has been actively marketed for business of similar uses at a realistic rent/price for a minimum of 2 years or reasonable period based on the economic climate
- alternative employment uses for the site/premises have been fully explored
- for uses involving a net loss of 2,000 square metre or more the loss of the site will not result in an under-supply of available employment floorspace in the local area

8.13 During the course of the application, details of the marketing activities have been submitted. These include:

- online marketing
- displaying a board outside of the site
- mail shots
- flyers in local shops

- 8.14 It is acknowledged that some of the marketing activities have taken place over a significant period of time (since 2004), however the assessment for the current application must be carried out in accordance with the requirements of current planning policies. During the course of the application the weight that can be attributed to the emerging local plan has increased, and it is considered that as the emerging local plan has been found sound by a Planning Inspector, and is now awaiting adoption by the Council, that it is of considerable weight. As such, it is necessary for the applicant to meet the requirements of Policy 26, and to carry out marketing in accordance with Appendix 5 of the emerging local plan.
- 8.15 The marketing that has taken place relates to the rental of units within the site, rather than the premises as a whole. In addition, the buildings in use by the applicant until January 2015 do not appear to have been marketed at any time during the last 18 months. It appears that from the supporting information produced by Gascoignes the site was not marketed as a whole, and no details are provided of who else was approached to market either the site, or any of the individual units.
- 8.16 The Council's Economic Development Officer has indicated that there is a need in the area for business floorspace, and that the loss of the employment land should be resisted due to the harm it would cause to the local economy. The applicant has failed to demonstrate that the premises as a whole, or the individual units, have been marketed to the full extent required by policy 26 of the emerging Local Plan. Whilst the condition of the buildings is understood from the schedule of dilapidation and the information provided by Gascoignes, without carrying out a full marketing exercise it is not possible to conclude that the buildings are no longer required for employment uses. Therefore, the information submitted in respect of the marketing activities undertaken by the current owner do not meet the level of marketing to meet the policy requirements, and as a result does not outweigh the harm identified by the Council's Economic Development Officer.

Viability

- 8.17 The viability appraisals submitted to accompany the application include the assessment of three potential re-developments of the site; a mixed residential and business development comprising of two dwellings and B1 offices; a B1 office re-development; and the redevelopment of the site for the current proposal of three new dwellings. The assessments submitted demonstrate to the satisfaction of the Council's Estates Manager that both the office development and the mixed office and residential scheme would be unlikely to produce a reasonable profit sufficient to make the scheme viable for the developer. He concluded therefore that the viability assessments demonstrate that it would not be viable to re-develop the site for business purposes.
- 8.18 Policy 26 of the emerging Local Plan is clear that planning permission will only be granted for the loss of employment sites where it has been demonstrated that the site is no longer required and is unlikely to be re-used or re-developed for Business uses. As stated in paragraph 8.16 of this report, the applicant has failed to demonstrate that the existing premises have been vigorously and exhaustively marketed for the prescribed period in order to demonstrate that there is no longer a need for the existing employment land or that the site would not be re-used for business purposes. Therefore, notwithstanding that the viability appraisals appear to indicate that a residential development may be the only viable option in terms of re-developing the site, officers are not convinced that the complete redevelopment of the site is necessary, or that the continued use of the existing buildings for business uses would

not be viable. Therefore in conclusion on both of these matters, whilst an employment scheme appears not to be viable, the applicant has failed to demonstrate that the site is no longer required for business purposes, or that it is unlikely to be re-used as required by policy 26 of the emerging Local Plan. The proposal therefore would not accord with the requirements of the development plan, and if approved would result in the unjustified loss of an employment site that would be harmful to the local economy.

(iii) Impact upon rural character

- 8.19 One of the core principles of the NPPF is "to take account of the different roles and characters of different areas... recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it". In addition, Policy 7 of the NPPF requires good design that improves the overall quality of the area and policy. Paragraph 56 of the NPPF states that "good design is indivisible from good planning" and paragraph 60 states that planning decisions "should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative". Policy BE11 of the Local Plan states that new development should not detract from the surroundings, taking into account its effect on the environment, its design, scale, materials, siting and layout among other factors. Policy 33 of emerging LP also requires new development to meet the highest standards of design and in keeping with the character of the surrounding area and its setting in the landscape. In addition, Policy 33 of the proposed development states that development should respect and where possible enhance the character of the surrounding area, in terms of its proportion, form, massing, siting, layout, density, height, size, scale and detailed design.
- 8.20 The proposed dwellings seek to incorporate traditional elements of design and the use of local materials. However, the domestic appearance of the dwellings combined with their scale, with heights of approximately 10m and widths in excess of 20m, would result in buildings that would appear out of context in the rural landscape.
- 8.21 It is accepted that the existing farm buildings, now in industrial use, are of a substantial scale both spreading across the site, and those at the northern edge of the site are of a significant height and include a row of silos. However, these buildings are of a character and appearance that is expected within a rural setting, indeed they were agricultural buildings used for the farming of the land. It is therefore considered that the presence of these existing buildings on the site do not justify the provision of 3 large dwellings with large garages, that would be of a domestic character and appearance.
- 8.22 In addition to concerns about the visual impact of the built form upon the surrounding rural area, it is also considered that the proposed provision of small gardens (comparative to the size of the dwellings) with further 'amenity land' to be sold to the future occupiers of the dwellings would be harmful to the character and appearance of the surrounding rural area. There is a strong likelihood that the future occupiers would wish to use the 'amenity land' for domestic purposes, and therefore the land surrounding the site would likely in time become domestic in character and appearance, and may include the siting of domestic paraphernalia which would be harmful to the character of the locality. Furthermore, in the event the boundaries are maintained within the residential curtilage (to be used as garden) and the non-residential 'amenity land', the desire for the future occupiers of these dwellings to enjoy views of their land would mean that post and rail fencing with little vegetation is likely to be the preferred form of boundary treatment, resulting in the provision of very little natural screening of the development.

8.23 Therefore, due to the scale of the proposed dwellings and the layout of the application site with relatively small gardens, the visual impact of the proposed dwellings and associated domestic paraphernalia, and the likelihood of little screening would result in a development that would not respect or enhance the rural setting of the site, and would be harmful to the character and appearance of the surrounding rural area.

(iv) Housing mix and density

8.24 The NPPF states that Local Planning Authorities (LPA's) should; plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, identify the size, type and tenure and range of housing that is required in particular locations, reflecting local demand (paragraph 50). Policy H4 of the Local Plan supports the inclusion of smaller dwellings within new developments and states that the LPA will take into account the desirability for a mix of dwelling types and sizes both on the site and within the surrounding area. Furthermore, policy 33 of the emerging Local Plan requires schemes to provide an appropriate density of development, determined by immediate context, type of development proposed and the need to provide an appropriate mix of dwellings.

8.25 The proposed development would result in the provision of 2 no. 5 bed dwellings, and 1 no. 6 bed dwelling at a density of 6 dwellings per hectare. The Strategic Housing Market Assessment (SHMA) identifies that there is a need for 31.1% of new dwellings to be 4+ beds, which is in excess of the District wide requirement for there to be no more than 15% 4+ beds as part of a development. However, 100% of the proposed scheme would have 4+ bed dwellings, far in excess of the 31% required for this part of the District. The proposed housing mix of the scheme would not meet the local requirements for new housing in the area because there is no provision for smaller 2 and 3 bed dwellings, that could be accommodated by, for example, dividing in half one or more of the substantial dwellings proposed.

8.26 In terms of the density of the proposed development, whilst there are examples of the occasional large dwelling within a large plot along Plaistow Road, this only forms part of the context of the site. The density of Ifold is generally greater despite its verdant character, and it is considered that this could be reflected on the application site without a significant increase in built form. It is therefore considered that the incorporation of smaller dwellings into the site would not have had any greater impact upon the character and appearance of the surrounding area when compared with the current proposal, and that the impact as a result of the development is not outweighed by the minimal provision of further housing proposed. Therefore, the development fails to take the opportunity available to provide an appropriate mix and density of development that would meet the local needs without exacerbating harm to the character of the surrounding area.

(v) Impact upon amenities of neighbouring property

8.27 The NPPF requires (paragraph 17) that planning should ensure a good quality of amenity for all existing and future occupiers of land and buildings, and policy BE11 of the LP and policy 33 of the emerging LP include requirements to protect the amenities of neighbouring properties. Due to the distances between the proposed dwellings, and the existing dwelling to the west it is considered that the proposal would not result in an unacceptable level of overlooking, or an overbearing relationship, that would be harmful

to the living conditions of the neighbouring dwelling or the future occupiers of the proposed dwellings.

(vi) Impact upon highways

8.28 The application is accompanied by a Transport Statement (TS) which addresses the means of access, access to facilities and services and an assessment of the levels of traffic associated with the existing and proposed development on the site. Consideration of the accessibility of the site is included within the assessment of the principle of development above. The Highways Authority has considered the details submitted with the application, and is satisfied that the proposed development would result in a reduction in traffic movements to and from the site. In addition, the visibility splays at Plaistow Road are acceptable, as is the proposed access arrangement. Therefore subject to the inclusion of conditions to secure the proposed vehicle parking and turning on site and the provision of cycle parking for each plot the proposal would not have a detrimental impact upon the strategic function of the highway network or highway safety. The proposal therefore accords with national and local planning policies in this respect.

(vii) Flood risk and Drainage

8.29 There is a watercourse running along the northern part of the site. The access/egress crosses flood zone 2 and 3, and the proposed garage to plot 1 sits partially within flood zone 2 and 3, therefore a Flood Risk Assessment (FRA) has been submitted with the application. The proposed dwellings would have a finished floor level of 0.8m above the 1 in 100 year flood event level, and the ground where the garage of plot 1 is proposed would be levelled to take the garage out of flood zone 3. The FRA concludes that the risk of flooding would therefore be low.

8.30 The proposed foul drainage would be via a package treatment plant due to the lack of main foul drainage, and whilst in principle the site may be developed without increasing the risk of flooding, technical details, including percolation testing would need to be secured to ensure an appropriate mitigation strategy would be provided.

8.31 The Environment Agency has confirmed that it has no objections, subject to the implementation of the recommendations within the FRA. The proposal therefore would not result in development within an area at risk of flooding, or an increased risk of flooding elsewhere and meets national and local planning policies in this respect.

(viii) Ecology

8.32 National and local planning policies seek to conserve and enhance biodiversity. The application is accompanied by an initial biodiversity report, and subsequently a bat mitigation strategy has been submitted to ensure that the proposal would not harm to bats currently using the buildings. The proposed strategy has been accepted by the Council's Environment Officer, and subject to conditions controlling the timing of the clearance of the site to ensure it is not when birds are nesting, and restrictions to external illumination to minimise harm to wildlife, the proposal would not cause harm to biodiversity or the favourable conservation status of protected species. The proposal therefore accords with national and local planning policies.

Conclusion

8.33 Based on the above assessment it is considered the proposal is contrary to development plan policies RE1, H4, B8 of the Chichester District Local Plan, First Review 1999 and policies 1, 2, 4, 5, 26, 33 and 48 of the Chichester Local Plan: Key Policies Pre-submission 2014-2019 and therefore the application is recommended for refusal.

Human Rights

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

RECOMMENDATION

REFUSE

- 1 U94378 - Unjustified loss of employment and unus
- 2 U94379 - Character, appearance and housing mix

INFORMATIVES

- 1 W16G - Decision Plans
- 2 W46F - App Ref Following Discussion - NWF

For further information on this application please contact Fjola Stevens on 01243 534734