Exp 15/9

Development Control – Delegated Officer Report

Application Number: ADC/0093/10 Recommendation – REFUSE

Site: **Longacres Farm, Steyning Road, Shoreham-by-Sea BN43 5FD**

Proposal: **New two-bedroom bungalow on site of existing mobile home**

The Application

The site lies on the west side of the roundabout on the A283, 80m north of the A27(T) flyover across both the roundabout and river Adur.

The proposed bungalow would be L-shaped, measuring a maximum of 13.1m by 9.7m, plus a large front porch on its east elevation. It is shown with a hipped roof with ridge height of 4.5m (excluding the height of the floor level above existing ground level). It is shown with smooth grey concrete tiles and mainly cream-painted rendering for the walls with brick quoins.

The Design & Access Statement accompanying the application states that Long Acres Farm is used for keeping mainly sheep, horses and chickens. It states there is a dilapidated storage building on the site and a residential caravan (both to be removed) plus a larger barn and it is essential that someone is permanently on the site to look after the animals and the land and, therefore, a good standard of accommodation is required. The proposal is to remove the mobile home and build a two-bedroom 'farmhouse-style' bungalow, designed sympathetically to fit in with the surrounding AONB. The building is stated to be of suitable scale, with materials and styles being traditional timber and brickwork/render in subtle colours, and it will have no adverse impact as the plot lends itself perfectly for development in terms of size and orientation. Minor landscaping will be carried out to offer some screening to the A27. It is stated that the farm is currently an "eyesore" on the approach to Shoreham-by-Sea and granting approval will see the site essentially cleared up.

The site forms part of a narrow field which extends partly beneath the A27 flyover. This field and adjoining land is subject to an Article 4 Direction removing agricultural 'permitted development rights' which came into force in September 1990. Three buildings had been erected prior to the Direction coming into force. Subsequently, in 1991, permission was granted for an agricultural building and, in 1993, its amendment to a larger building was permitted (SU/32/91 and SU/133/93). Restrictive conditions were imposed and one of these, controlling outside storage, formed the subject of an appeal in 1994 which resulted in its variation (APP/Y3805/A/94/435336). Approvals were also granted by the LPA for variation of other conditions (SU/134, 135 & 136/93 and 10/94).

In 2007, an application for a certificate of lawfulness related residential use of a mobile home on the site was refused (ADC/0435/06). However, a subsequent application, accompanied by evidence related to the use, resulted in a certificate being issued in 2008 (ADC/0012/08).

Consultations and Representations

South Downs National Park Authority: Objects, commenting that, although the tidying up of the site would be welcomed, this is a weak justification for a permanent dwelling which itself would look out of place in this location. Notes that there is an existing mobile home but is not convinced there is a need for a permanent dwelling given the relatively small size of the holding and proximity of Shoreham where it is assumed there are a number of suitable dwellings for sale.

West Sussex County Council: No objection, commenting that an existing access and turning area would be utilised, which has not given rise to road traffic accidents, and the proposal should not result in a material increase in traffic movements.

Environment Agency: No objection because, although the site lies in a zone 3a flood risk area, a bungalow is a less vulnerable form of accommodation than a residential mobile home. The submitted flood risk assessment states that the existing ground level is between 4.0m and 4.5mAOD and risk and impact of flooding is currently high, with some recorded flood events. The Modelled fluvial 1:2 and tidal 1:200 year flood level is 4.7mAOD. However, there would be a reduction in vulnerability through the removal of the highly vulnerable static caravan and, in addition, the finished floor level of the bungalow will be set 0.3m above the 1 in 200 year tidal flood level (adjusted for climate change) providing safe refuge within the building.

Third Parties: 2 letters of objection have been received from the South Downs Society and the local branch of the CPRE.

The South Downs Society state that this rather neglected area is alongside the Downslink gateway to the South Downs and any type of dwelling on this site would be out of keeping with its position at the entry to the National Park.

The CPRE (Worthing & Adur branch) strongly object stating that the site is in the Adur valley, a prime and delightful asset to the District, as well as in the National Park. The application site is always untidy and an unfortunate eyesore entirely out of character with the valley. The site contains a reedbed that attracts many wild birds, including rare species, that might be affected. The access is onto a hazardous junction and more traffic would be attracted, with the possibility of up to 4 cars if a family with teenagers. It is unclear as to who would occupy the bungalow and the reasoning for it seems of dubious validity. The proposal might lead the way to more development and should be rejected.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AC1, AC2, AC3
PPS7 "Sustainable Development in Rural Areas" (ODPM 2004)
PPS25 'Planning and Flood Risk' (ODPM 2006) & Circular 04/07

Planning Assessment

Policies

The Local Plan shows that the site lies outside the built-up area and in the Sussex Downs Area of Outstanding Natural Beauty. This was re-designated as the South Downs National Park in April 2010. The boundaries were varied, including to delete the area south of the A27 in this locality, but the present application site, being to the north of the A27 flyover, is within the National Park.

Local Plan policies (AG1, AC1) state that development will not normally be approved in the countryside. AC1 protects the countryside for its own sake from development which does not need a countryside location and resists development that is not required for quiet recreation or related to the essential needs of agriculture. It also opposes the extension of isolated groups of buildings or the consolidation of sporadic development.

In the National Park (former AONB), where there is a particular objective to prevent harm to the landscape which is of national importance, the relevant policy (AC2) states that "*only in compelling circumstances will development be permitted.....any development that would be harmful to the visual quality and distinctive characteristics of the area, particularly the opportunity it offers for quiet outdoor enjoyment, will not be permitted*" and that *"essential need for development for agriculture..... may exceptionally be regarded as compelling*".

AC2 also states that, where circumstances are regarded as compelling, development will need to be of a particularly high design standard, must be in keeping with the locality and sited so as to minimise noise and visual intrusion. AC3 states that it should conserve and enhance the landscape character having regard to landform and appearance and be sympathetic to traditional forms and materials; the removal of buildings and features which are detrimental will be encouraged.

The above policies accord with PPS7 which states that new building in the open countryside or outside areas allocated for development in development plans should be strictly controlled; the Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, so it may be enjoyed by all. Isolated houses will require special justification (including where they replace existing non-residential buildings) and, where the case is made on the basis of essential need for an agricultural worker to live permanently on the site, the advice in Annex A to PPS7 should be followed and the applications

scrutinised on the basis of the needs of the agricultural enterprise, not personal preferences or circumstances. Permanent dwellings should not be permitted unless there is a clearly established existing functional need; the need relates to a full-time worker; a financial viability test is met with the unit/agricultural activity have been established for at least 3 years, profitable for at least one of those years and currently financially sound with a clear prospect of remaining so; and the functional need could not be met by an existing dwelling in the area.
PPS7 states that nationally-designated areas such as National Parks and AONBs *have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty.....The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.*

Need for the proposal

It is not considered that the case made justifies the erection of a dwelling on this site within the National Park. It is considered that the total extent of the holding is not large enough to support more than a part-time or 'hobby' type agricultural business. The existing residential mobile home, although unauthorised, became lawful through passage of time and provides accommodation that is more than sufficient for any agricultural need related to this land. An exact description of the agricultural holding has not been provided by the applicant but such description as has been given, claiming it is essential that someone is permanently on the site to look after an unspecified number of sheep, chickens and horses and the land, clearly falls far short of satisfying the tests for a permanent dwelling contained in PPS7 as referred to above. Moreover, even if there were to be a significant agricultural need, there is no evidence to indicate why a suitable dwelling within the nearby built-up area of Shoreham-by-Sea could not be used to provide accommodation. The site is only about 500m (by road) from the edge of this extensive urban area. It is concluded that there is no evidence of any compelling need for the proposed dwelling on this site.

Visual impact on AONB

In dealing with the appeal in 1994 into the restrictive condition imposed on the planning permission for the agricultural storage building on the site, the Inspector stated:-

"There can be no doubt that, despite the large-scale structures associated with the road junction, this part of the Adur valley is a highly sensitive area within the nationally important AONB, requiring vigilance on the part of the LPA if urban fringe characteristics are to be avoided. As stated in previous appeal decisions (relating to land to the east), one of the strengths of the high level views of the area is the general lack of buildings in this part of the valley floor."

It is highly regrettable that the site has deteriorated owing to the clutter of equipment kept by the applicant on the land and the erection of further structures on skids (to avoid the need for planning permission). However, whilst the proposed dwelling might provide the opportunity to require the site to be tidied and visually improved, the proposed dwelling itself would spoil the landscape and its residential character would be markedly at odds with the agricultural character of the Sussex Downs. Moreover, judging by past experience, no reliance could be placed upon the applicant to keep the site in a clean and tidy condition.

The proposed bungalow would have a significant adverse impact on the character and appearance of the Adur valley as it would be prominently sited beside the junction of the A27 and A283. It would be clearly visible from the higher level of the elevated slip road. It would also be visible from a considerable distance, including from the popular local beauty spot and public area of Mill Hill to the north east. Most significantly, unlike some of the other structures, etc on the application site, it would be a permanent detraction from the open character of the valley floor.

Although it is stated that the bungalow would replace some of the existing buildings and the mobile home, it would actually extend the area occupied by the existing buildings and open up what is currently a fairly well-defined courtyard area.

Flood risk

The applicant has submitted a Flood Risk Assessment. The Environment Agency has no objection because, although the site lies in a zone 3a flood risk area, a bungalow is a less vulnerable form of accommodation than a residential mobile home. The submitted flood risk assessment states that the existing ground level is between 4.0m and 4.5mAOD and risk and impact of flooding is currently high, with some recorded flood events. The Modelled fluvial 1:2 and tidal 1:200 year flood level is 4.7mAOD. However, there would be a reduction in vulnerability through the removal of the highly vulnerable static caravan and, in addition, the finished floor level of the bungalow is intended to be set 0.3m above the 1 in 200 year tidal flood level (adjusted for climate change) providing safe refuge within the building.

Recommendation

REFUSE for the reasons:-

1. C1R .....and the proposed permanent dwelling, for which there is insufficient evidence of agricultural need, conflicts with the policies of the ADLP (AG1, AC1) and PPS7 which.....the countryside and ensure.....
2. C4R The site lies within the South Downs National Park (former Sussex Downs AONB) and .....policies of the ADLP (AC2, AC3) which ..... The proposal would be out of keeping with the predominantly open character of the floor of the Adur valley and would

detract unacceptably from the visual quality of the landscape of this part of the South Downs National Park.

Case Officer: [redacted] Date: 14/9/10