



Committee Manager : Carrie O'Connor (Ext 37614)

16 February 2017

DEVELOPMENT CONTROL COMMITTEE

A meeting of this Committee will be held in the **Council Chamber** at the Arun Civic Centre, Maltravers Road, Littlehampton on **Wednesday 1 March 2017 at 2.30 p.m.** and you are requested to attend.

Members : Councillors Mrs Maconachie (Chairman), Mrs Hall (Vice-Chairman), Bower, Brooks, Charles, Dillon, Gammon, Hitchins, Maconachie, Mrs Oakley, Oliver-Redgate, Mrs Pendleton, Miss Rhodes, Mrs Stainton and Wells

PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE ALTERED AT THE DISCRETION OF THE CHAIRMAN AND SUBJECT TO THE AGREEMENT OF THE MEMBERS OF THE COMMITTEE

PLEASE ALSO NOTE THAT PLANS OF THE APPLICATIONS DETAILED IN THE AGENDA ARE AVAILABLE FOR INSPECTION AT THE COUNCIL'S PLANNING RECEPTION AT THE CIVIC CENTRE AND/OR ON LINE AT www.arun.gov.uk/planning

A G E N D A

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of personal and/or prejudicial/pecuniary interests that they may have in relation to items on this agenda.

You should declare your interest by stating :

- a) the application you have the interest in
- b) whether it is a personal interest and the nature of the interest
- c) whether it is also a prejudicial/pecuniary interest
- d) if it is a prejudicial/pecuniary interest, whether you will be exercising your right to speak at the application

You then need to re-declare your prejudicial/pecuniary interest and the nature of the interest at the commencement of the application or when the interest becomes apparent.

3. VOTING PROCEDURES

Members and Officers are reminded that voting at this Committee will operate in accordance with the Committee Process Procedure as laid down in the Council's adopted Local Code of Conduct for Members/Officers dealing with planning matters. A copy of the Local Code of Conduct can be obtained from Planning Services' Reception and is available for inspection in the Members' Room.

4. MINUTES

To approve as a correct record the Minutes of the meeting held on 1 February 2017 (attached).

5. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

6. TREE APPLICATIONS

There are no applications to consider.

7. *PLANNING APPLICATIONS

To consider the attached reports.

NB : The applications will be heard in **REVERSE ALPHABETICAL** order.

8. *PLANNING APPEALS

To consider the attached report.

Background Papers

In the case of each report relating to a planning application, or related matter, the background papers are contained in the planning application file. Such files are available for inspection/discussion with officers by arrangement prior to the meeting.

Members and the public are reminded that the plans printed in the Agenda are purely for the purpose of locating the site and do not form part of the application submitted.

Contact Officers : Neil Crowther (Ext 37839)
Daniel Vick (Ext 37771)
Juan Baeza (Ext 37765)
Claire Potts (Ext 37698)

Note: *Indicates report is attached for Members of the Development Control Committee only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager or accessed via the website at www.arun.gov.uk.

Note: Members are reminded that if they have any detailed questions would they please inform the Chairman and/or the Head of Development Control, in advance of the meeting. This is to ensure that officers can provide the best possible advice to Members during the meeting.

DEVELOPMENT CONTROL COMMITTEE

1 February 2017 at 2.30 p.m.

Present: Councillors Mrs Maconachie (Chairman), Mrs Hall (Vice-Chairman), Bower, Brooks, Charles, Dillon, Gammon, Hitchins, Maconachie, Mrs Oakley, Oliver-Redgate, Mrs Pendleton, Miss Rhodes and Mrs Stainton.

Councillors Ambler, Mrs Brown, Elkins and Mrs Rapnik were also present for part or the whole of the meeting.

435. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Wells.

436. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions of the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a Member declares a "Prejudicial Interest" this will, in the interests of clarity for the public, be recorded in the Minutes as a Prejudicial and Pecuniary Interest.

Councillor Bower declared a personal interest in Planning Application BR/156/16/PL as the matter had been discussed by Cabinet and he reserved his right to speak in respect of the planning matters.

Councillor Mrs Pendleton declared a personal interest in Planning Application M/45/16/PL as she had attended a public presentation on the matter but had not

Development Control
Committee – 01.02.17.

participated in any way. The matter had also been discussed at the Parish Council but she had taken no part in the proceedings and she reserved her right.

Councillor Mrs Oakley declared a personal interest in Planning Application M/45/16/PL as she had attended at least two meetings where the proposal had been discussed. She stated she had not expressed any opinion or discussed the matter.

Councillor Brooks declared a prejudicial interest in Planning Application BR/156/16/PL as he had made a submission with regard to the sites and he stated he would leave the meeting during its consideration. He also declared a personal interest in Planning Application M/45/16/PL as his father had a home in the vicinity but was not near enough to be affected by it.

Councillor Dillon made the following declaration:

“I declare a Personal Interest in item 7 Planning Application BR/156/16/PL Redevelopment of the Regis Centre and other land, by reason of:

- Being a member of the charity Arun Arts which has a lease of the theatre on the Regis Centre Site
- I am a volunteer with that organisation and carry out a number of tasks including Health and Safety, maintenance and front of house roles. All of these are unpaid and I only receive re-imbusement for out of pocket expenses, including where I purchase maintenance materials on behalf of Arun Arts.

Whilst the decision to be made today regarding this planning application will affect Arun Arts and me as a member of that organisation, that affect will not be greater in extent than the effect on the majority of other Council Tax payers or inhabitants of the wards affected by the decision.”

437. MINUTES

The Minutes of the meeting held on 4 January 2017 were approved by the Committee and signed by the Chairman as a correct record.

438. PLANNING APPLICATIONS

AL/121/16/PL – 2 No. semi detached houses. This application is a Departure from the Development Plan, Land West of Fontwell Avenue, Eastergate Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BN/61/16/PL – Removal of existing storage building & erection of a single dwelling – Departure from the Development Plan, Land to the North of the Flint Barn, Yapton Road, Barnham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

(Prior to consideration of the following application, Councillor Bower had declared a personal interest and remained in the meeting and took part in the debate and vote.

Councillor Brooks had declared a prejudicial interest and left the meeting and took no part in the debate or vote on the following application.)

BR/156/16/PL – Redevelopment of the Bognor Regis Centre to provide 6358sqm of commercial space (including leisure facilities) for mixed development, 64 room hotel, 192 apartments with the provision of 30% affordable housing units compliant with policy Car Parking, creation of a new board walk & conversion of Place St Maur des Fosse into a Plaza, soft & hard landscaping. Redevelopment of the Hothampton car park to provide a 1100 seat theatre, with a 48 bed hotel & conference facilities, the provision of 2 retail units facing onto the Queensway, relocation of children's play area & upgrading of the facility, plus hard & soft landscaping. Redevelopment of the Esplanade Theatre site to provide a 200 cover Destination Restaurant and relocation & upgrade of the existing skate park to adjacent to the Pier. Provision of 3 new kiosks along the Promenade to provide retail, toilets & showers. This application is a resubmission of BR/26/15/PL. This application affects the setting of a Listed Building & may affect the character & appearance of The Steyne Conservation Area, Regis Centre, Car Park & Place St Maur des Fosse, Belmont Road Car Park at Queensway, 3 Kiosks, Area of land West of Pier, Land East of Rock Gardens, Bognor Regis Having received a report on the matter, together with the officer written report update detailing a number of amendments to that report and amendments to conditions and reasons for conditions, the Strategic Development Team Leader introduced her comprehensive presentation on the detail of the application by advising that, whilst the Council as landowner was developing ideas for the sites, the Committee must focus solely on the merits of the application on the table.

Following the presentation, the Strategic Development Team Leader summarised the main headings as follows:-

Principle: Broadly in accordance with policy and would deliver town centre uses that fit with policy requirements and would deliver regeneration benefits.

Development Control
Committee – 01.02.17.

Retail Impact: The impact of any new retail units on the Town Centre complied with policy and would complement tourist shopping needs and enhance the current retail offer, as well as increasing footfall through the Arcade.

Tourism Impact: Would improve tourism potential over and above current provision.

Theatre: Overall there is further work to be done on the detailed operation of the theatre but this would be an issue for the applicants to address if permission was granted. In planning terms, the principle of a theatre was supported by policy.

Affordable Housing & Infrastructure: 30% affordable housing to be provided on site, in line with policy.

Infrastructure: S106 Agreement in line with requirements but the Council would not sign until outcome of feasibility work was concluded.

Design and input on character: Main report detailed each building in turn and broader design criticisms.

Heritage: Broadly acceptable

Highways: Access and parking acceptable

Biodiversity: Conditions and S106 on enhancements

Drainage: Conditions to ensure SuDS (Sustainable Drainage System) in place.

Amenity: Noise and lighting conditions had been updated following consultation response from Environmental Health.

Landscaping and Trees: Submitted scheme needed more detail, as required by condition.

Foul Drainage: Would either need to upgrade or not increase flows.

The main thrust of the ensuing debate concentrated on Members' concerns with respect to:-

- car parking provision being inadequate and that the loss of up to 200 parking spaces would have an adverse impact on visitors to the town.
- the underground car parking at the Regis Centre site and the potential for flooding
- the density of 192 flats on the Regis Centre site being too much
- there were serious problems with the plans and design of the theatre and it was felt that it would become a "white elephant" in future years
- some aspects of the application presented an overbearing mass and there was a lack of design quality

The Chairman highlighted the officer's final comment of the report under Conclusions "However, it must be re-emphasised that this is a finely balanced decision and if the Committee concludes that on balance the scheme is considered to be of insufficient quality, notwithstanding the positives of the proposal, then it would be reasonable to refuse the application." In her view, and as a resident of Bognor Regis, her aspirations for the future of the town were higher than what was

being proposed and, from a planning perspective, she did not think the standard of the design would be in a good condition in 30 years' time.

Further comment was made that, as some parts of the proposal were acceptable and others not, could not the applicants work with the Council to come up with a scheme that was acceptable to all parties?

On being put to the vote, Members did not accept the officer recommendation to approve and therefore the Committee

RESOLVED

That the application be refused for the following reasons

1. The positive aspects of the proposed development are not considered to outweigh the failure of the development to demonstrate sufficient design excellence having regard to the local character and qualities of the area and the aspiration for the regeneration of the seafront and the town as a whole. As a consequence the proposal would be contrary to Policy 8a of the Bognor Regis Neighbourhood Plan 2015, Policy GEN 7 of the Arun District Local Plan 2003 and the aims and intentions of the National Planning Policy Framework.
2. The application fails to demonstrate acceptable levels of parking to meet the needs of the development and the wider role of the town as a tourist destination contrary to Policy AREA 7 of the Arun District Local Plan 2003 and Policy 8b of the Bognor Regis Neighbourhood Plan 2015.

EG/53/16/PL – Greenhouse & customer parking area. This application also lies within the parish of Walberton, Woodfield Farm, Wandleys Lane, Fontwell, Eastergate Having received a report on the matter, the Committee engaged in some debate and were reminded that current guidance encouraged diversification in the rural economy. Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/186/16/OUT – Outline application with some matters reserved for erection of 8 No. 2 bed apartments, 1 Beehive Lane, Ferring Having received a report on the matter, together with the officer's written report update detailing an amendment to the Council's Housing Land Supply; amendment to the report; additional

Development Control
Committee – 01.02.17.

representations of support and objection; and amendment to Condition 3 to refer to the substitute layout plan and maximum building height, some concern was expressed that the proposal would be out of character and appearance with the village centre and that chalet bungalows would be more in keeping. However, it was acknowledged this was an outline application and the Committee then

RESOLVED

That the application be approved as detailed in the report and the report update.

FG/190/16/PL – Application for removal of condition 3 following a grant of planning permission FG/129/00 relating to the restrictive use of the ancillary office accommodation to the needs of agriculture, horticulture forestry and for no other purpose, Highdown House, Littlehampton Road, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

(Prior to consideration of the following application, Councillors Brooks, Mrs Oakley and Mrs Pendleton had declared a personal interest and remained in the meeting and took part in the debate and vote.)

M/45/16/PL – Demolition of redundant poultry farm buildings & dwelling & erection of 13 No. dwellings with associated access, car parking & landscaping. This application is a Departure from the Development Plan, Land West of Yapton Road (Poultry Farm), Middleton on Sea Having received a report on the matter, the Committee was advised by the Planning Team Leader that extensive consultation had been undertaken with technical experts and a representative from an independent highways consultant and County Highways were in attendance to respond to any questions from Members with regard to highways matters. Another issue of contention related to trees and Members were further advised that three trees had now had a Tree Preservation Order (TPO) placed on them and, following the submission of an independent tree consultant's report, the Council raised no objection as Conditions 23, 25 and 26 were sufficient to safeguard the trees.

The Planning Team Leader advised that, as the Council's Housing Land Supply (HSL) now stood at approximately 2 years rather than the 5 years required, there was a substantial shortfall in housing for the District. The Local Planning Authority had a duty to approve applications unless there was a significant adverse impact on the area and it was the view of officers that, in this instance, there were no identifiable matters that were so adverse as to prevent permission being granted.

Members participated in some debate on the matter and views were expressed that the proposal was outside the built up area and would use up open rural land which should be kept for rural purposes. Flooding and highways concerns were also raised.

The Director of Place reminded Members of the importance of making planning decisions based on planning considerations and that they must consider whether the proposal was sustainable and, if not, that any reasons for refusal would need to be capable of being upheld at appeal. A comprehensive amount of detail had been provided in the report from consultees and resultant conditions had been attached.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

439. PLANNING APPEALS

The Committee received and noted the planning appeals that had been received.

(The meeting concluded at 5.36 p.m.)

AGENDA ITEM 7

DEVELOPMENT CONTROL COMMITTEE

1st March 2017

PLANNING APPLICATIONS

LIST OF TREE APPLICATIONS AND RECOMMENDATIONS FOR CONSIDERATION

AT THE DEVELOPMENT CONTROL COMMITTEE

NONE FOR THIS COMMITTEE

LIST OF APPLICATIONS AND RECOMMENDATIONS FOR CONSIDERATION AT THE

AT THE DEVELOPMENT CONTROL COMMITTEE

LITTLEHAMPTON

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
LU/359/16/PL	Conversion of 1 No. dwelling into 1 No. 3 bed apartment & 1 No. 2 bed house.	93 East Ham Road Littlehampton BN17 7BQ

Case Officer: Mr A Wood
Recommendation: Approve Conditonally

EAST PRESTON

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
EP/160/16/PL	Ground & first floor extensions to provide 6 No. additional ensuite bedrooms & extended residents communal facilities.	Green Willow Care Home Vicarage Lane East Preston BN16 2SP

Case Officer: Mrs A Gardner
Recommendation: Approve Conditonally

BOGNOR REGIS

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
BR/17/17/DOC	Application for approval of matters reserved by condition imposed under BR/148/11/ relating to conditions 4 - vehicular access & 5 - parking spaces.	Land to rear of Glenlogie Clarence Road Bognor Regis PO21 1JT

Case Officer: Mr R Temple
Recommendation: Approve

BOGNOR REGIS

<u>Reference</u>	<u>Development Description</u>	<u>Location</u>
BR/142/15/DOC	Application for approval of matters reserved by condition imposed under BR/236/14/PL relating to conditions 9 & 11 for cooking odour extraction equipment & surface water drainage.	Hotham Park Upper Bognor Road Bognor Regis PO21 1HN

Case Officer: Mr S Davis

Recommendation: Approve

BOGNOR REGIS

Reference

[BR/293/16/PL](#)

Development Description

Change of use with minor additions & demolitions to create 5No. self-contained flats.

Location

66 & 66A Hawthorn Road
Bognor Regis
PO21 2DD

Case Officer: Mr S Davis

Recommendation: App Cond sub to S106

ALDINGBOURNE

Reference

[AL/130/16/OUT](#)

Development Description

Outline Application with some matters reserved for 1No. 5 person 3 bedroom bungalow, with 8No. parking spaces, bin and cycle store

Location

Land adjacent of 14 St Johns Close
Westergate
Aldingbourne
PO20 3TH

Case Officer: Mr S Davis

Recommendation: Approve Conditonally

PLANNING APPLICATION REPORT

REF NO: LU/359/16/PL

LOCATION: 93 East Ham Road
Littlehampton
BN17 7BQ

PROPOSAL: Conversion of 1 No. dwelling into 1 No. 3 bed apartment & 1 No. 2 bed house.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Conversion of a four bed dwelling to 2 residential units - a two bed and a three bed.
	The proposal includes the following minor additions to the property;
	a) pitch roofed porch with a floor area of 2 metres to the side elevation at the entrance to the 2 bed unit.
	b) an open porch cover to the side elevation door of the 3 bed unit
	c) replace an existing rear single storey flat roofed extension with a lean to extension.
	d) bin stores are provided for both units on the side elevation of the property.
SITE AREA	210 sq.m.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	95 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Low brick wall to the front and side yards and a 1.6 metre brick wall and double wooden gates to the rear garden.
SITE CHARACTERISTICS	End terraced 2 storey dwelling with rooms in the roof located on the corner of East Ham Road and Linden Road. The side elevation faces the recreation ground and St. Johns Ambulance building . The property has a small yard to the front and sides with a small garden to the rear.
CHARACTER OF LOCALITY	Residential street in an urban environment close to Littlehampton town centre. It has a uniform character of Victorian terraced 2/3 storey properties in small plots with small yard/gardens at the front with small walled gardens and shared alleyways to the rear. A number of the large terraced houses in East Ham Road have been converted to flats and HMO's.

RELEVANT SITE HISTORY

PAA/164/16/	Conversion of existing 4 bed house to a 2 bed house and 2 flats	Refuse Pre App 30-09-16
LU/341/89	Convert house into 3 flats with car parking on site	Refused 14-08-89
LU/223/89	Convert house into 4 flats with car parking on site	Refused 26-06-89

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Objection - Loss of off road parking detrimental to residential amenity of neighbours
- Loss of 5 bedroom home in short supply in Littlehampton

2 objections received from neighbouring properties

- Lack of on street parking in the area. Cars now parking on open space.

COMMENTS ON REPRESENTATIONS RECEIVED:

The use is not considered to be out of keeping in this location. There are no policies requiring retention of family homes. WSCC County Highways comments awaited.

CONSULTATIONS

Environmental Health

Engineering Services Manager

Engineers (Drainage)

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

WSCC County Highways - comments awaited

ADC Drainage Engineers - No comment

ADC Environmental Health - No comment

ADC Private Sector Housing

Fire Safety

- Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary. Guidance on fire safety is contained in the LACORS guidance document

Room Sizes

- Room sizes should meet the minimum standards for houses in multiple occupation if the properties are intended to be rented.

Licensing

- If the house was to be rented to 5 or more people the property is 3 storey and there is sharing facilities therefore the owners will require a license from the Council and the property must meet minimum standards.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Adopted Local Plan

Within built up area boundary

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

- GEN2 Built-up Area Boundary
- GEN7 The Form of New Development
- GEN12 Parking in New Development

[Publication Version of the Local Plan \(October 2014\):](#)

- D DM3 External Space Standards
- D DM1 Aspects of Form and Design Quality
- T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

- NPPF National Planning Policy Framework
- NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local

Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Yapton.

No policies in the Littlehampton Neighbourhood Plan are considered relevant to this application.

The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Whilst an NDP is under preparation it will be afforded limited weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

There are no relevant Littlehampton Council NP applicable in this case.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the

surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is within the built-up area where the principle of development is acceptable in accordance with Policy GEN 2 of the Local Plan, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed are within the Local Plan which in this case is mainly policy GEN7 which seeks to prevent development that would have an adverse impact upon visual and residential amenities and GEN12 which seeks acceptable parking provision.

The property is in an area where many former dwellings have been converted to flats and the principle of sub-division is therefore acceptable provided the number of units would not generate an excessive amount of noise and activity and the size of the units and amenity areas are adequate and parking issues are satisfactorily addressed.

PLANNING HISTORY

Previous applications for sub division of the premises were refused firstly for the creation of 4 units, on the grounds of overdevelopment, lack of car parking and adverse effect on the character of the area and secondly on the grounds of overdevelopment creating an unacceptable environment and an unneighbourly form of development.

The proposal follows a pre-application enquiry for sub division into 3 units of accommodation which was refused for failing to comply with internal and external space standards and an adverse unacceptable effect on residential amenity of the proposed units and the neighbouring property.

The current proposal has been altered to protect residential amenities of the occupants and the neighbouring properties and to comply with internal and external space standards in an effort to meet previous objections to the scheme. These matters are considered below.

VISUAL AMENITY AND CHARACTER OF THE AREA

The creation of two units from a single dwelling would be an efficient use of land in keeping with the character of the area which is defined by a mix of converted properties and single dwellings. A number of other examples of subdivision of properties in the area exist at 23 East Ham Road (LU/352/93), 24 East Ham Road (LU/338/14/PL) and 68 East Ham Road (HMO) (LU/12/16/PL). The number of units would not result in an overdevelopment of the site. There would be little effect on visual amenity since only limited alterations are proposed - a new porch, porch cover, replacement rear extension and bin stores. The proposal accords with policy GEN7 (i) &(ii) of the Local Plan.

SUSTAINABILITY

This site is in a town centre location close to public transport services. Bus services and the rail station are in easy walking distance. The site is close to shops and other services upon which it could be expected to rely. It can be concluded that the site and the development is in a sustainable location. It is

considered that the development is consistent with policy in respect of sustainable development in policy GEN7 (iii) of the Local Plan.

NPPF TEST ON SUSTAINABILITY:

Paragraph 7 of the NPPF sets out the three dimensions to sustainable development - the economic, social and environmental roles. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system

Environmental Role

The site is located within the existing built up area and is within easy walking distance of shops services, transport hubs as well as leisure opportunities.

As such it would be possible to walk, cycle or catch a bus or train from the site to nearby shops & facilities and this option would be reasonably attractive in comparison with use of the private car. This weigh in favour of the proposals in terms of environmental aspects of sustainability

Social Role

It is considered that the proposal will support the local community by providing 2 new smaller and more affordable units of accommodation constituting to the diversity of market housing available. This factor weighs in the scheme's favour.

Economic Role

It is considered that the proposal will (1) lead to an increase in Council Tax receipts; (2) lead to an increase in New Homes Bonus payments; and (3) create a limited number of jobs during construction. All of these would provide a benefit to the local economy. These economic factors weigh in the scheme's favour.

Assessment-

The NPPF requires there to be a presumption in favour of the proposals which are located in a sustainable location. The site lies within the built up area boundary, is located in a location adjacent to a town centre close to local services & facilities. It considered that the site would not be car reliant and that people can walk, cycle or use public transport to reach all facilities and to take advantage of local and regional employment opportunities.. It is considered therefore that this site could represent a sustainable location of an additional housing unit within the existing built up area boundary.

RESIDENTIAL AMENITY

Local Plan Policy GEN7 (iv) indicates development will be permitted if it takes into account impact on adjoining occupiers, land, use or property.

It is not considered that the new units will result in any loss of privacy to the existing neighbouring property 91 East Ham Road over and above the current situation. No new windows are proposed.

The proposal is to remove two ground floor windows in the living room and kitchen of the 2 bed unit which would have looked directly out onto the amenity space of the 3 bed unit inserting new window into the side elevation facing the recreation ground.

An existing first floor bedroom window is to be retained in the 2 bed unit which would overlook the garden of the flat albeit at an oblique downward angle. This window is not considered to cause loss of privacy over and above the existing situation given that the neighbour (91 East Ham Road) has windows that also overlook both the current and proposed amenity space .

The single storey extension would project 2m from the two storey rear elevation rather than 3m as the existing ground floor extension does. It would have a lean to height of 3.8m dropping to an eaves height of 2.3m as opposed to a flat roofed height of the existing extension of 2.9m. A net gain in overbearing impact and light to the neighbouring property and garden of the new flat would occur as a result.

The proposal is considered to be acceptable in terms of impact on residential amenity of the neighbouring properties and future occupiers on overlooking, overbearing impact and loss of light and thereby complies with policy GEN7 (iv) of the Local Plan.

INTERNAL SPACE STANDARDS

Internal Space Standards are currently set at a national level in accordance with Technical housing standards - nationally described space standard 2015 contained within Planning Policy Guidance. The standards are as follows;

3 bed 2 storey dwelling - 90 sq.m.- Proposed - 99 sq.m.
2 bed 2 storey dwelling - 70 sq.m. - Proposed - 70.5 sq.m.

Internal space standards are considered to be acceptable and in accordance with national policy.

EXTERNAL SPACE STANDARDS

External space standards are set in emerging Local Plan policy DDM3 (External Space standards).
3 bed flat - 6 sq.metres. - Proposed - 65 sq.m.
2 bed house - 50 sq. metres - Proposed - 37 sq.m.

The two bedroomed unit would fall short of the required external space standard by approximately a third. The 3 bedroom unit would provide amenity space commensurate with a 3 bed house. On balance, given the town centre location of the dwelling and the character of the area, defined by close knit development and the availability of open space nearby, including the recreation ground opposite, it is not considered that the shortfall in space to the 2 bed unit is reason to refuse the application on the grounds of a lack of compliance with policy DDM3 of the emerging Local Plan.

HIGHWAYS (GEN12)

No on site parking provision has been made however the site is in a sustainable location close to public transport facilities and other services. 2 objections have been received from neighbouring properties and from Littlehampton Town Council that there is a significant lack of on street parking available in the area.

West Sussex County Highways comments are awaited on this proposal and a report update will be provided once received.

CONCLUSIONS

The development is in a sustainable location and contributes an additional unit of smaller

accommodation to the housing supply. The proposal does not give rise to significant harm to amenity or detriment to the appearance of the property or of the area and is considered to accord with policy GEN7 and GEN12 of the Local Plan, Policy D DM3 of the emerging Local Plan publication version and the NPPF and NPPG.

It is therefore recommended that planning permission be granted subject to the following conditions

HUMAN RIGHTS ACT

Human Rights Act:

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal neutral impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans;

Dwg. No. 1 - Proposed Block Plan - dated 25.11.16
 Dwg. No. 3 - Proposed Plans and Elevations - dated 25.11.16

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing building.

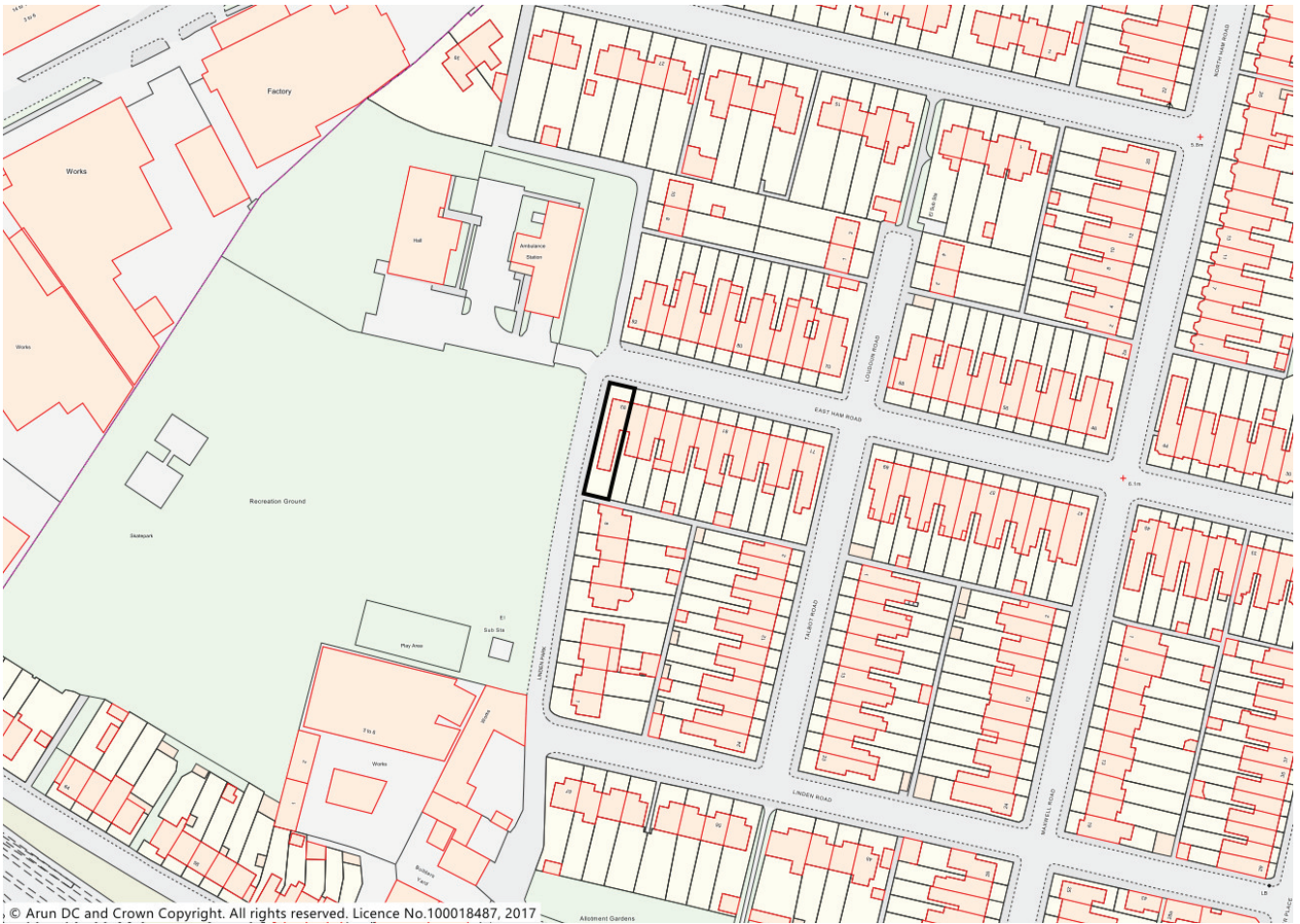
Reason: In the interests of amenity in accordance with policies GEN7 of the Arun District Local Plan.

- 4 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses created shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 5 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

LU/359/16/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council 100018487. 2015

PLANNING APPLICATION REPORT

REF NO:	EP/160/16/PL
LOCATION:	Green Willow Care Home Vicarage Lane East Preston BN16 2SP
PROPOSAL:	Ground & first floor extensions to provide 6 No. additional ensuite bedrooms & extended residents communal facilities.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal relates to the flat roofed infilling of the outside courtyard area to create a larger dining area and computer room and the addition of a first floor extension above the existing single storey ground floor extension to the rear to create an additional 6 bedrooms. The rear extension would have an eaves height of 5m and a ridge height of 7m.
SITE AREA	0.315 hectares approximately.
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Fencing/hedging to approx. 1.8m to 3m enclosing rear garden area.
SITE CHARACTERISTICS	Two linked bungalows stretch across width of site. Parking in front.
CHARACTER OF LOCALITY	Residential, comprising detached dwellings of varying design.

RELEVANT SITE HISTORY

EP/135/06/	Extensions to residential care home increasing to 29 residents (Amendment to previously approved planning permission EP/82/06)	ApproveConditionally 10-11-06
EP/82/06/	Extensions to residential care home increasing to 32 bedrooms (total 33 residents)	ApproveConditionally 02-08-06
EP/86/02/	Variation of Condition No 2 imposed on Planning	ApproveConditionally

Permission EP/144/01 to increase accommodation from 16 elderly persons to 18. 14-08-02

EP/144/01/	Change of use of ground floor only of No.21 Vicarage Lane to residential care home including ground floor extensions to existing residential care home and No.21	ApproveConditionally 19-02-02
EP/41/98	Single storey extension at side of property as laundry	ApproveConditionally 29-06-98
EP/30/95	Minor extensions to bedrooms 3 & 10 and variation of Condition 2 of permission dated 1.8.90 (Ref.EP/67/90) to allow for 15 elderly persons resident at the property.	ApproveConditionally 23-06-95
EP/209/87	Change of use of 2 bedrooms/ bathroom from domestic to use with the existing rest home and hallway for common use	ApproveConditionally 29-12-87

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council

Objection - The design is contrary to paragraph (e) of Policy D DM4 in the emerging Local Plan as the proposed extension would "have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties" on both the adjacent properties in Vicarage Lane but also at least one property to the south in Myrtle Grove - see separate objection lodged.

The proposal may also be contrary to paragraph (e) of Policy D DM4 as the increased height and bulk of the proposed property would "compromise the established spatial character and pattern of the place" becoming the only two storey building to extend that far south in Vicarage Lane - by some distance. This increase in height will interrupt the long spread of long gardens with only small utility buildings present, none two storey.

The proposed upwards extension will result in an unacceptable increase in overlooking of neighbouring properties from the second floor rooms, many of which will presumably be occupied most of the day, and receive visitors too. This contravenes paragraph 17 of the National Planning Policy Framework which seeks to ensure a "good standard of amenity for all existing and future occupants of land and buildings". This proposal will overlook other properties.

The committee was also concerned about the likely increased parking in Vicarage Lane which at times is already a concern.

6 Objections - We have lived next to the Care Home since before it was first proposed back in 1986 which was at the time when it was only to convert a few rooms of the existing bungalow at No.23 into

bedrooms as accommodation for a Rest Home, since which time there have been no fewer than 29 separate planning applications to extend this use. Our original concern and reason for our objections back at the time of the first applications was that once a foothold had been gained for a Rest Home Care Home at this location it would be extremely difficult to turn the clock back and it could only lead to the further expansion of the use. The property has grown in a hotchpotch manner with extensions and additions over the years. We are sure that if a planning application were submitted to Arun D.C. to demolish two perfectly good family homes and erect a 35 Bed Care Home in the format that has now been submitted you would have received objections from the whole community. As it is the application for extending the Care Home by another 6 rooms at first floor level is at the rear of the building and will only affect the immediate neighbours all of which have lodged an objection.

This objection is not only about planning policies and principles but also the quality of family life for the neighbouring properties. Is it acceptable to allow a first floor extension which has windows to the principle rooms overlooking straight into the private rear gardens of the neighbouring dwellings ? It is a known fact that the elderly people that will be occupying these rooms will spend a good percentage of their time sitting at the windows looking out and this would be straight into the private rear gardens of No's 17 & 25 Vicarage Lane, a situation which is completely unacceptable and no amount of planning jargon could justify this being approved.

Although we can see that one more parking space has been added to the sea of parking which is already at the front of the property there is an existing concern about the number of staff and visitor vehicles to Green Willow frequently parked in the highway in the front of neighbouring properties. Any further expansion of the existing use on the site can only exacerbate this problem further. Vicarage Lane is a relatively busy road especially at peak times with parents delivering children to E.P. School and with services and activities at the Church, further parking in the street with vehicles forced to weave in and out around parked cars is totally undesirable. This will exacerbate parking problems in the rest of the road.

What is also not seen by the planners is the commercial refuse vehicles which arrive in the very early hours of the morning and which, by their very nature, are very disturbing to the neighbouring residential properties.

We note that the proposed site plan is inaccurate as it indicates a large tree in our garden (No.25) situated on the south east corner of the house. This tree was removed due to decay in 2008 and the other trees shown on the plan along the eastern side of our garden are more like shrubs than trees and would offer very little screening in fact none at all in winter months. The Site Plan is therefore totally misrepresenting the current situation and most misleading to members of the committee who would take the plan at face value.

The whole reason for the application is to enlarge a business for the means of making more profit for the distant owners it's not about providing extra care for the community.

The proposal will increase problems accessing neighbour's drive .

It contravenes one of the Core Planning Principles in Paragraph 17 of the NPPF. This specifically seeks to ensure a "good standard of amenity for all existing and future occupants of land and buildings". The design of this application does not meet this criterion as the second storey proposed will significantly overlook not only neighbour's garden, but all the south-facing bedrooms and living rooms.

The garden plan is inaccurate. Most of the "3.5 m" rhododendron was removed about 10 years ago when the single-storey extension was built. This evergreen shrub had provided some screening in this area, but our garden and living rooms are now open to view from the slightly higher level of the Green Willow garden and also even from the ground floor bedrooms along that new extension. It is a matter of concern that only a few weeks ago another tree was removed, opening up more gaps through which our rooms

can be seen.

The trees along our boundary do not provide year-round screening, and even in the summer our garden, bedrooms and living rooms are visible through the gap between the top of the fence and under the branches.

The design also contravenes the publication version of the emerging Local Plan policy D DM4 (c). which requires that an application for extensions and alterations to existing buildings "does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties".

- It is also arguable that the proposed second storey contravenes Policy D DM4 e. "- the extension or alteration does not compromise the established spatial character and pattern of the place - - " The present single storey structure fills a large part of the plot and extends far further south than any other building on the south of Vicarage Lane. Whilst we as next-door neighbours have had to get used to this and it is just about tolerable (but see our comments about landscape screening above), a second storey would be out of character with the existing sweep of generous back gardens along Vicarage Lane and the higher mass would be overbearing over several gardens in this road and on Myrtle Grove to the south.

We have some concerns that the extra number of residents would lead to more noise disturbance during the summer months, with more use of residents' call bells. This has become increasingly intrusive and affects the enjoyment of our garden and living rooms when doors and windows are open during warm weather.

Our main objection, however, is that the inevitable increase in overlooking from a second storey is unacceptable. It has to be borne in mind that the rooms in the proposed higher storey would be occupied for a major part of the day, frequently by residents seated by the window. This would result in significant loss of privacy in our house and loss of amenity in our garden.

This proposed extension will cause a partial loss of light to our dining room and conservatory (The plans do not show our bungalow, next to no.11).

The east elevation first floor windows will partially overlook our rear garden and dining room, and the additional storey of brickwork to the north elevation and new roof will be clearly visible from our front main garden.

This proposed extension will be about 20 metres from neighbouring property, whereas the nearest two storey residence / building is at present about 50 metres from our property, and the seclusion and privacy will be diminished if this proposed building is approved as it stands.

It is noted there are no openings in the south and it is requested that this is made a condition of Planning to respect the privacy of the adjacent bungalow.

COMMENTS ON REPRESENTATIONS RECEIVED:

Amended site plans have been requested to more closely reflect the current level of planting in the rear garden area.

The proposal is considered to comply with policy DDM4 of the Emerging Local Plan. It is not agreed that the proposal would have a materially adverse impact on either the character of the area or the residential amenities of the neighbouring properties. The first floor extension would be 18m from the eastern boundary and 17m from the western and southern boundaries. These distances are generally accepted as necessary to preclude a loss of privacy from overlooking from first floor windows and to result in unacceptable overbearing impacts. No 25 Vicarage Lane has a 40m long garden and any direct views would be well into the garden. It would not exceed the 2 storey height of the existing property or neighbouring dwellings or significantly increase the footprint of the existing home.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Environmental Health

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Drainage Engineer - No surface water drainage comments

County Highways - No Objection.

The proposal is for extension and alterations to existing care home to include 6 x additional ensuite bedrooms.

From an inspection of the proposed floor plans a total of 35 residents rooms (with one of these being a twin room) will be present on site thus up to 36 residents could be accommodated as a result of the works.

WSCC Car Parking Standards adopted in November 2003 provides guidance on maximum volumes of car parking provision for the C2 care home use. On this basis 1 space per 20 residents (1.8), 1 visitor space per 8 residents (4.5) and 1 staff space per 5 residents (7.2) should be provided. On this basis 13.5 (14) car parking spaces, as a maximum standard, could be provided. Fifteen spaces total will be provided on site, an increase of one from existing arrangements. No changes to existing access arrangements on to the 'C' classified Vicarage Lane are proposed.

The Local Highway Authority (LHA) considers that sufficient parking on site has been provided for. In the event that overspill parking is required on street parking on Vicarage Lane could be possible.

The LHA do not consider that a highway safety or capacity concern would arise as a result of the proposals and therefore there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application a condition securing the parking layout would be advised

Environmental Health : No Objection

Construction Management Plan. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to and approved in writing by the local authority. Thereafter, all works shall be carried out in accordance with the Approved Statement throughout the construction period.

The Statement shall provide for :-

- i. The parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials (including times)
- iii. Storage of plant and materials used in construction
- iv. Wheel washing facilities (as necessary)
- v. Measures to control the emission of dust and dirt which might affect any neighbour.
- iv. Measures to control noise and vibration , including from operation of noisy machinery. which might affect any neighbour during construction

Hours of Site Operation

No operations authorised or required for this development shall take place except between the hours of

7:00 and 18:00 hours Monday to Friday inclusive and 8:00 and 13:00 hours on Saturdays. No working, including the maintenance of vehicles, plant and machinery, shall take place on any Sunday, or Bank Holiday.

Reason: In the interests of the general amenity of the locality and to minimise disturbance arising.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions requested are included in the recommendation.

POLICY CONTEXT

Designation applicable to site:
Within built-up area boundary
Class C Road

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
GEN12	Parking in New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design

<u>East Preston Neighbourhood Plan 2014 Policy 1</u>	Housing - General Principles
East Preston Neighbourhood Plan 2014 Policy 2	Design in Character Area One

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Yapton. Policies 1 and 2 of East Preston Neighbourhood Plan are considered relevant. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Whilst an NDP is under preparation it will afford limited weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The proposal seeks an increase in the extent of accommodation on the site at first floor and ground floor level. The footprint of the building is not proposed to increase and the number of residents at the site would increase by 6. The site is located within the built up area boundary where development is acceptable in principle provided it does not result in unacceptable harm to either visual or residential amenity.

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. This is in accordance with the three dimensional approach to include economic, social and environmental considerations as set out in paragraph 7 of the NPPF.

In terms of economic sustainability the proposal will create a few construction jobs, supply chain benefits and inward investment for the local area and in the long term will provide an additional full time staff post at the home.

The NPPF makes it clear that social sustainable development involves seeking positive improvements in peoples quality of life and this includes widening the choice of care facilities. The extension would provide additional care provision for the elderly and would constitute social sustainable development. The extension is designed to be in keeping with the existing care home and would be constructed to a high standard thereby providing environmental benefits. The proposal therefore constitutes sustainable development.

JUSTIFICATION FOR THE PROPOSAL

The care home provides 24 hour care for the elderly. The single storey extension to the day room area will facilitate the provision of a larger dining room and a staff/residents computer room on the ground floor adding to the range of facilities for residents and staff. The other additional first floor bedroom facilities would increase the number of residents at the site by 6 and provide a quiet room at first floor.

The National Planning Policy Framework is a material consideration in the determination of this application. The proposal is considered to comply with the National Planning Policy Framework in that it will promote the retention and development of local services and community facilities, in accordance with paragraph 28.

DESIGN AND VISUAL AMENITY

The existing property is a detached, two storey building that has been extended over a number of years. The building has brick elevations, dark stained window frames with a tiled roof and is based around the 2 bungalows that formerly occupied the site. The building has a low eaves and profile and retains a gap to both side boundaries.

The proposed ground floor extension would be located within the complex of buildings and the first floor extension to the rear of the buildings which straddle the site frontage. The proposed extensions will be constructed of materials to match the host building. Although the first floor extension would be the same height as the existing property it would be visible from the site frontage, but given its set back nature (34m), limited footprint and height it is not considered that the extensions would significantly add to the bulk and prominence of the property in the street scene.

The proposal is considered to be a sympathetic design that will reflect the materials and appearance of the existing property. The ridge height would visually integrate with the building and landscaped gardens are retained to the rear and sides of the plot.

The proposal is therefore considered to accord with the core planning principles of the National Planning

Policy Framework (paragraph 17) which seeks to secure high quality design.

To avoid an over intensive use of the premises which could lead to parking problems within the site and change the character of the site to the detriment of the amenities of the area, previous applications have restricted occupation of the premises to 30 residents. Six additional residents (20% increase) would not result in an over-intensive use of the site. County Highways are satisfied there would be no material impact on highway safety from the proposal and the increase in general activity would not unduly alter the character of the area.

RESIDENTIAL AMENITY

Policy GEN7 states that new development will be permitted provided it takes into account the impact on adjoining occupiers, land, use or property. This is amplified at paragraph 17 of the NPPF as one of the core planning principles. New development should ensure a good standard of amenity for all existing and future occupiers of land and buildings.

The first floor extension would project over a ground floor extension which extends to approx. a quarter of the width of the site and doubles the depth of the built form. The site is adjacent to neighbouring residential properties to the east and west (sides) and south (rear) . The proposed rear extension would be located a minimum of 17m from adjacent side and rear boundaries. Separating this extension from the proposal is an established landscaped garden area and hedging/fencing. There are first floor windows in the side elevation of the extension which face onto adjacent side garden areas. However given the significant distances to boundaries and the considerable neighbouring garden lengths this is considered adequate to preclude any materially adverse overlooking or overbearing impacts resulting.

PARKING

With regard to parking and access, Vicarage Lane is a busy class 'C' road . There is parking along the site frontage for 14 cars within the site and on street parking is available for any overspill of the plot for staff and visitor parking.

The proposal will increase existing staff levels by 3 part time posts and increase the number of residents on site by only six. Consequently the demand for visitor parking will increase, but not significantly. Care homes (C2 use) are not associated with high traffic volumes. County highways have not raised an objection.

SUMMARY

In summary, the proposal will enhance a community facility that caters for local residents. The proposed extension is considered to be acceptable in terms of design and scale. The proposal is not considered to harm the character of the area or adversely impact neighbouring residential amenity or highway safety.

The application is therefore recommended for approval, subject to the conditions set out overleaf.

HUMAN RIGHTS ACT

FOR APPROVAL

Human Rights Act:

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of

the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a positive impact on the protected characteristics age and disability.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Existing Site Plan and Location Plan 01, Proposed Site Plan 08revA, Proposed Ground Floor Plan 06revA, Proposed First Floor and Roof Plan 07 and Proposed Elevations 05revA.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The areas of land indicated for car parking shall not be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

- 5 The Rest Home shall only accommodate up to 36 elderly persons and shall be used for no other purpose including any other purpose in class C3 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987.

Reason: In order to avoid an overintensive use of the premises leading to a potential car parking problem incapable of solution within the limits of the site and a change in character of the premises to the detriment of the amenities of the area in accordance with policy GEN7 of

Arun District Local Plan.

- 6 The existing trees/bushes/hedges depicted in plan no 21628 08A shall be retained and protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being seriously damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity and for the environment of the area in accordance with policy GEN7 of the Arun District Local Plan.

- 7 Construction Management Plan. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to and approved in writing by the local authority. Thereafter, all works shall be carried out in accordance with the Approved Statement throughout the construction period.

The Statement shall provide for :-

- i. The parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials (including times)
- iii. Storage of plant and materials used in construction
- iv. Wheel washing facilities (as necessary)
- v. Measures to control the emission of dust and dirt which might affect any neighbour.
- iv. Measures to control noise and vibration , including from operation of noisy machinery. which might affect any neighbour during construction

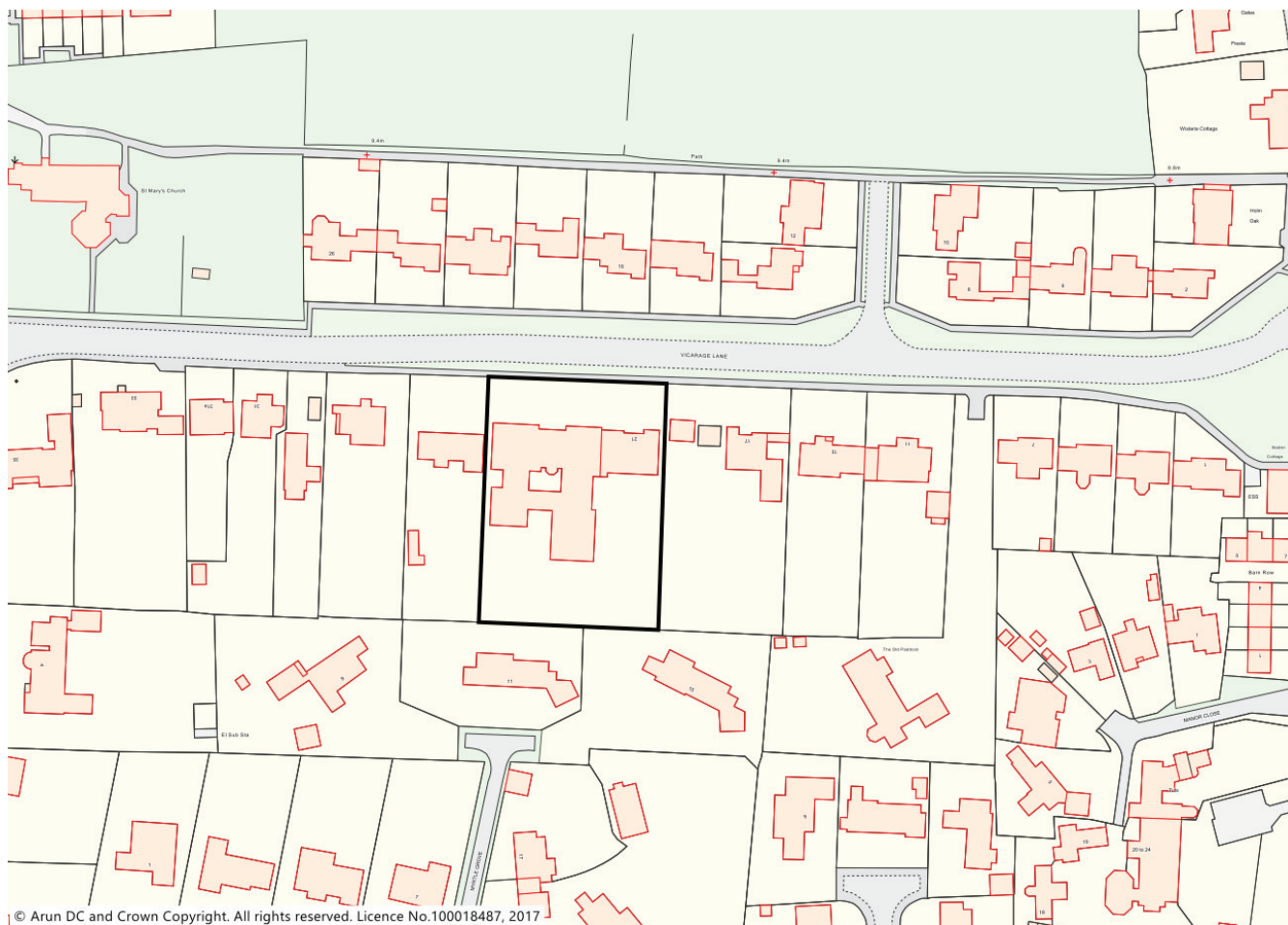
Hours of Site Operation

No operations authorised or required for this development shall take place except between the hours of 7:00 and 18:00 hours Monday to Friday inclusive and 8:00 and 13:00 hours on Saturdays. No working, including the maintenance of vehicles, plant and machinery, shall take place on any Sunday, or Bank Holiday.

Reason: In the interests of the general amenity of the locality and to minimise disturbance arising in accordance with policy GEN7 of Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition because any works on the site could result in congestion or impede access onto a classified road which could compromise highway safety in accordance with the NPPF.

- 8 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

EP/160/16/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council 100018487. 2015

Recommendation Report for Planning Permission

REF NO: BR/17/17/DOC

LOCATION: Land rear of Glenlogie, Clarence Road, Bongor Regis

PROPOSAL:

Application for approval of details reserved by condition imposed under BR/148/11 relating to condition Nos. 4 (Vehicular access) & 5 (Parking Spaces & Layout)

DESCRIPTION OF APPLICATION

Details submitted for the discharge of application BR/148/11/PL conditions:-

4) No dwelling shall be occupied until the proposed site vehicular access has been constructed in accordance with the approved site plan to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

5) The building shall not be occupied until the parking spaces shown on the submitted plans have been provided, surfaced and marked out in accordance with a detailed construction plan to be submitted to and approved by the Local Planning Authority. The areas of land so provided shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

The original application (BR/148/11) approved is for:-

Conversion of Glenlogie from a House of Multiple Occupancy into 8 self-contained apartments with associated external works. Demolition of Wee Glenlogie (also known as 10a & 10b) & the construction of 2 dwellings with parking in the rear garden.

SITE AREA

0.083 hectares.

TOPOGRAPHY

Generally flat.

SITE CHARACTERISTICS

Land at rear of a red brick, four storey building with stone dressing. Single storey annexe to the side consisting of two bungalows in brick with a slate roof. Courtyard off of the side entrance with parking.

CHARACTER OF LOCALITY

Built up town centre location. Mix of commercial and residential dwellings.

RELEVANT SITE HISTORY

This application is made to attempt to gain approval of vehicle access and parking layout of the conversion of Glenlogie into 8 self-contained apartments controlled by conditions 4 & 5 imposed on BR/148/11/PL.

Condition 3 fully discharged by BR/260/16/DOC on 04-01-17.

SUMMARY OF REPS RECEIVED

None

OFFICERS COMMENTS ON REPS

N/A

SUMMARY OF CONSULTATIONS RESPONSES

WSCC Strategic Planning Team (Highways)

Condition 4:

Vehicle access on to 'C' classified Clarence Road is as existing. From an inspection of the plans it is suitable for the proposed use. It leads to two off street car parking spaces in use with the new dwellings.

The plans and details pertaining to this condition are acceptable.

Condition 5:

The location of the two off street car parking spaces has changed. However, they are of sufficient size, construction and materials and enough space is still provided on site for a turn so that a car can exit onto the public highway in a forward gear.

The plans and details pertaining to this condition are acceptable.

OFFICERS COMMENTS ON CONSULTATIONS

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Built up area boundary
Buildings of Special Character

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are:
Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis;
Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton;

Rustington; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Whilst an NDP is under preparation it will be afforded limited weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area include Bognor Regis NDP. No policies in this plan are directly relevant to this application.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

GEN7	The Form of New Development
------	-----------------------------

Publication Version of the
Local Plan (October 2014):

DDM1	Aspects of Form and Design
D SP1	Design

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance

DEVELOPMENT PLAN BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The submitted highways plans details are considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the highways safety.

OTHER MATERIAL CONSIDERATIONS

It is not considered that there are significant material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The submitted plans and details are considered to be acceptable for the site.

Should the submitted plans and details be complied with, it is considered (following a positive response from WSCC (Highways Authority)) that the access and parking layout and means of operation will not pose a risk in terms of highways safety.

As such the submitted plans and details are in line with the aims of saved Policy GEN7 of the Arun District Local Plan.

The application for approval of matters reserved by conditions 4 and 5 of consent BR/148/11 are recommended for full discharge.

HUMAN RIGHTS

Human Rights Act:

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

EQUALITIES

Duty under the Equalities Act 2010

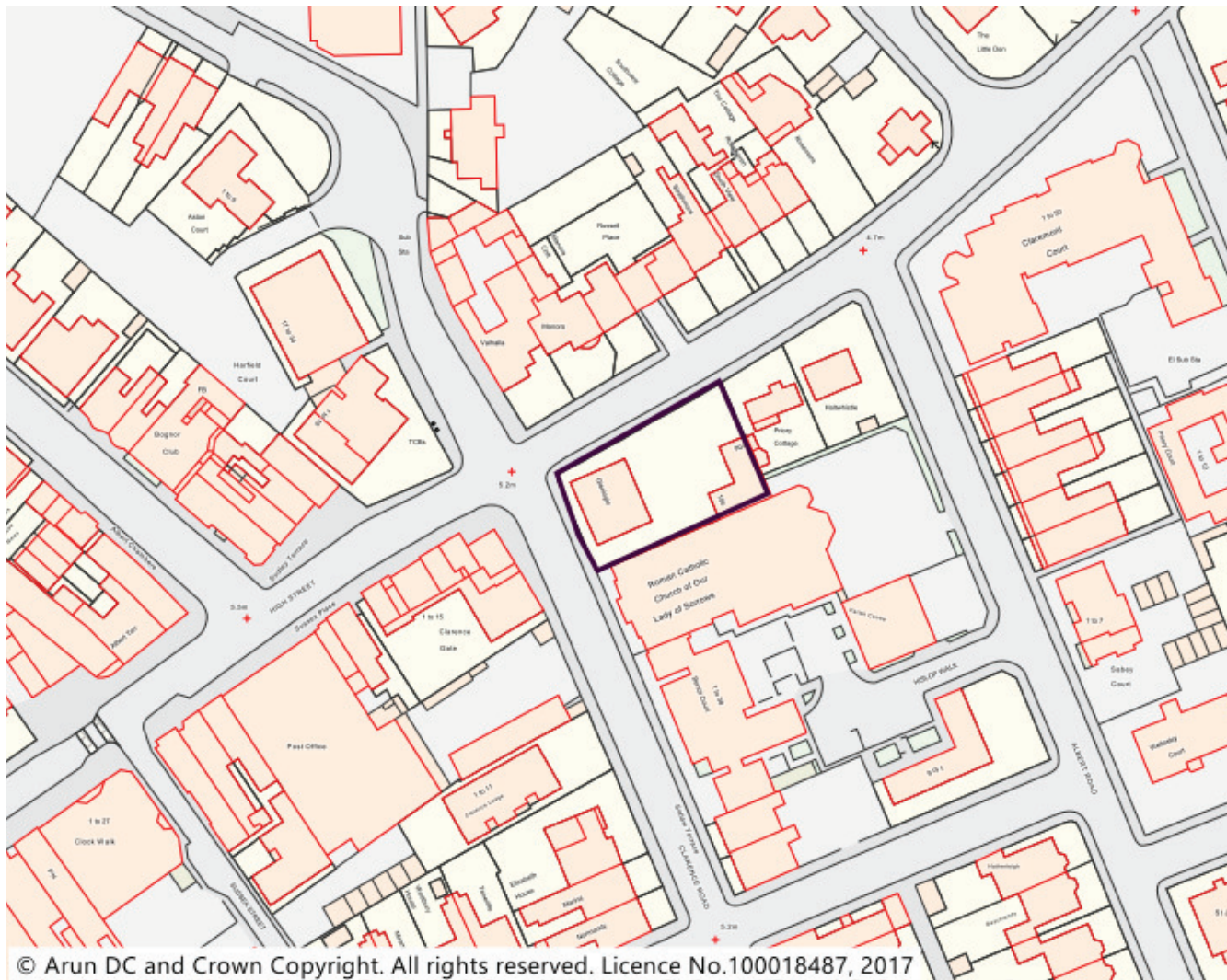
In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

Conditions 4 & 5 of BR/148/11 recommended for full discharge.

BR/17/17/DOC - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council 100018487. 2015

Recommendation Report for Planning Permission

REF NO: BR/142/15/DOC

LOCATION: Hotham Park, Upper Bognor Road, Bognor Regis, PO21 1HN

PROPOSAL: Application for approval of matters reserved by condition imposed under BR/236/14/PL relating to conditions 9 & 11 for cooking odour extraction equipment & surface water drainage.

DESCRIPTION OF APPLICATION

The application seeks to discharge two conditions which were imposed upon BR/236/14/PL which sought permission for the Hotham Park Café

The conditions are as follows:

(9) Prior to the operation of the premises and its opening to the general public, details of the means of cooking odour extraction equipment shall be provided to and agreed in writing by the Local Planning Authority. The means of cooking odour extraction hereby approved in connection with the use shall be installed before the use commences and thereafter shall be retained and maintained in good working condition, for the duration of the use.

Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun District Local Plan policies GEN7 & GEN32.

(11) Development shall not be occupied until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

The building shall not be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

The café has been in situ for some time and the drainage scheme and extraction equipment are already in position and in use.

SITE AREA

1,189 m²

TOPOGRAPHY

Predominantly flat.

TREES

There is a Beech tree located 1.5m in from the southern boundary which is within the application site area. However, this tree was not affected by the building and also does not affect the position of the soakaway.

BOUNDARY TREATMENT

There is a hedge and a 2m high brick wall to the south. This boundary is augmented by mature trees. There are 1m high black wrought iron railings around the adjacent boating lake.

SITE CHARACTERISTICS

Existing Café building located on a grassed area of the park. The site is close to the southern boundary of the park and there is a planted area within the fenced off boating lake site to the immediate east. There is a pathway to the immediate north and more grass to the west.

CHARACTER OF LOCALITY

The site forms part of Hotham Park which in turn forms a large part of the Bognor Regis (Upper Bognor Road and Mead Lane) Conservation Area. There are flats to the south of the park boundary which overlook the site. Within the park, surrounding features include the boating lake with its own small shop and a couple of small sheds associated with the miniature railway.

RELEVANT SITE HISTORY

Application BR/236/14/PL – New cafe with external seating. Re-submission of BR/142/14/PL. This application affects the character and appearance of Upper Bognor Road & Mead Lane Conservation Area – Approved with Conditions, 28-10-14.

SUMMARY OF REPS RECEIVED

None.

OFFICERS COMMENTS ON REPS

N/A.

SUMMARY OF CONSULTATIONS RESPONSES

ADC Drainage Engineers – “The revised details show that the soakaway has been enlarged to the size we requested based on the information provided on infiltration

rates and groundwater levels. The surface water drainage condition may be discharged on this basis.”

ADC Environmental Health – “Just to let you know I inspected the café yesterday and it achieved a ‘5’ rating for the food hygiene rating system. I spoke with the leaseholder, Mr Barnes and we discussed the extract system. It all looks ok. All parts fitted and working fine as stated by staff. He mentioned he tops up the dosage levels for the odour neutraliser manually @ every 6-8weeks.

OFFICERS COMMENTS ON CONSULTATIONS

Arun DC Estates submitted as built drawings of the development to planning officers on the 16th January 2017 which Arun DC Engineers were then asked to consider.

POLICY CONTEXT

Designations applicable to site:

Class A, B & C Roads;
Setting of a Grade II* Listed Building;
Conservation Area; and
No Public Sewer.

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites.

The Bognor Regis Neighbourhood Development Plan is less than 2 years old and does allocate sites for housing. However, the Council cannot currently demonstrate a 3 year supply of deliverable housing sites. Therefore, the Ministerial Statement does not apply.

Whilst an NDP is under preparation it will be afforded limited weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

There are no relevant Neighbourhood Development Plan policies to consider.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
GEN32	Noise Pollution
GEN34	Air Pollution

Publication Version of the
Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
-------	------------------------------------

QE DM1	Noise Pollution
QE DM3	Air Pollution
W DM3	Sustainable Drainage Systems

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance

DEVELOPMENT PLAN BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The details submitted in respect of the conditions are considered to comply with relevant Development Plan policies in that they would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would they have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are significant material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Although initially the drainage scheme was found to be inadequate, a revised scheme was negotiated and it now has the support of the Councils Engineers. The kitchen extractor system has also been found to be acceptable.

The drainage scheme and the kitchen extraction system have both have been implemented on the site/within the building.

HUMAN RIGHTS

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and

freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

EQUALITIES

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

That both conditions be discharged with the following decision notice wording:

Condition 09

The detail submitted in respect of the means of cooking odour extraction namely Drawings C14029-1 Rev R, C14029-3 Rev R & C14029-2 Rev R (all three entitled "Kitchen Ventilation System"); and the supplied data sheets/operating manuals for 'Systemair' Axial Fans, 'KVS' Extraction Canopy & 'Helios' Centrifugal fan; are all considered to be acceptable and satisfy the requirements of the condition.

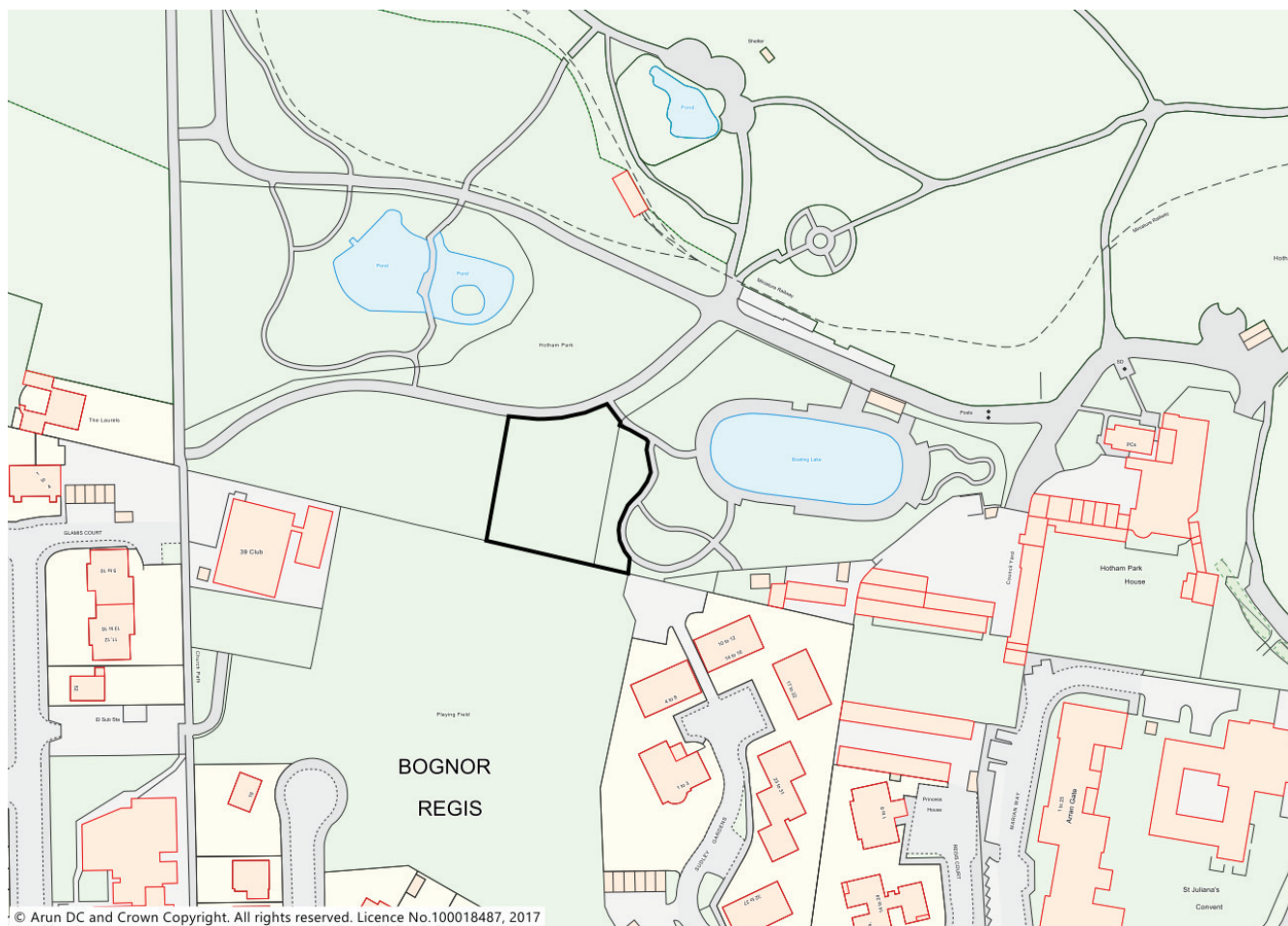
The condition is therefore fully discharged on the understanding that the installed system will be regularly maintained in good working condition

Condition 11

The details submitted in respect of the proposed surface water drainage scheme, namely that shown on Drawing 340/102 Rev E (13/01/17) "Proposed Foundations and Buried Services Plan" has been inspected on site and approved by our Drainage Engineers who now consider that the condition has been satisfied.

The condition is therefore fully discharged insofar as the submission of details relates and on the understanding that the surface water drainage scheme will be permanently retained in good working order thereafter.

BR/142/15/DOC - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright.
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council
 100018487. 2015

PLANNING APPLICATION REPORT

REF NO: BR/293/16/PL

LOCATION: 66 & 66A Hawthorn Road
Bognor Regis
PO21 2DD

PROPOSAL: Change of use with minor additions & demolitions to create 5No. self-contained flats.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>The scheme proposes two small extensions of 4m² and 15m² and the demolition of 34m² of the existing building (in the western corner). This results in a 15m² net loss of floor space. The proposals also necessitate re-roofing of existing pitched roof sections and a new pitched roof above the flat roofed sections. The eaves height will be maintained at 2.8m whilst existing pitched sections increase in height by 0.5m to 5.2m and the new pitched roof sections have a ridge height of 6.3m. The new roof includes several velux windows to provide additional light to ground floor rooms.</p> <p>Three of the flats have one bed and the other two have two beds. The scheme includes 5 allocated parking spaces with a visitor space to be shared with the other approved flats. Bin & cycle stores and a 100m² garden will be shared with the flats approved by BR/61/16/PL. Two of the proposed flats have private courtyard space. New boundary treatment is proposed on the north eastern boundary to the adjacent playing field/rugby club ground consisting a 2m high wall and then 1.6m high railings.</p>
SITE AREA	0.10 Hectares.
RESIDENTIAL DEVELOPMENT DENSITY	50 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	No trees on site. A large deciduous tree is in the rear garden of 1 Mons Avenue.
BOUNDARY TREATMENT	Predominantly formed by existing buildings/outbuildings. There is a section of 1.8m high close boarded fence to the boundary with no. 68.
SITE CHARACTERISTICS	A large detached two storey building (66) fronting Hawthorn Road which previously had two shops at ground floor and flats above. This building is in the process of being converted (BR/61/16/PL) to create 5 self-contained flats. To the rear of this building is a large single storey part flat/part pitched roof

CHARACTER OF LOCALITY

outbuilding. The remainder of the site is hardstanding.

Predominantly residential street with church yard opposite and small parade of shops to the east. With the exception of the parade of shops, buildings are predominantly semi-detached and two storeys high. There is limited on-street parking.

The following was noted in terms of neighbouring properties:

* 64 - First floor bathroom window and ground floor kitchen window on the affected side of the rear of this dwelling. This dwelling also has first floor flank bathroom & landing/stairs windows; and

* 68 - First Floor Principal (bedroom) windows. No flank windows.

There is an alleyway on the north eastern side which connects Hawthorn Road with the playing field/rugby club ground to the rear.

RELEVANT SITE HISTORY

BR/318/16/DOC	Application for approval of matters reserved by conditions imposed under BR/61/16/PL relating to condition 3 - Schedule of materials & finishes to be used for rendering at 1st floor level, the string courses & brickwork around new windows.	DOC Approved 16-01-17
BR/61/16/PL	Change of use to create 5 No. self contained flats.	App Cond with S106 13-07-16
BR/26/08/	Change of use from light industrial (B1) to private gymnasium (D2)	ApproveConditionally 26-03-08

Extensive pre-application negotiation has taken place in respect of this site. The originally proposed scheme was to be two and a half storeys in height for 7 flats with 12 parking spaces.

The building was previously part occupied by a gym (no longer in operation) and then for storage.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

"OBJECTION on the grounds of overdevelopment and 5 flats being over intensive. Members felt that the number of flats for this site should be reduced to 3."

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Economic Regeneration

Environmental Health

WSCC Strategic Planning

Natural England

Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

NATURAL ENGLAND - "Natural England has no comments to make on this application."

WSCC HIGHWAYS - No objection subject to parking & cycle parking conditions:

"The site will be accessed via existing vehicle crossover from Hawthorn Road, 'C' classified and subject to a 20 mph speed restriction in this location. The LHA has reviewed data supplied to WSCC by Sussex Police over a period of the last three years. There have been no recorded injury accidents within the vicinity of the site or the access. There is no evidence to suggest that the access is operating unsafely, or that the proposed change of use would exacerbate an existing safety concern.

From an inspection of local mapping visibility onto Hawthorn Road is sufficient. Parking restrictions nearby in the form of junction protection, double yellow lines, prohibit parking in locations that would be deemed a detriment to highway safety.

The WSCC Car Parking Demand Calculator, on a basis that the 5 x off street car parking spaces provided are kept as an unallocated arrangement, envisions that this meets the demand for the proposed development. From an inspection of the plans there is sufficient space for a car to manoeuvre and thus exit the site on to the public highway in a forward gear.

Additionally, the location of the site lends itself well to encouraging sustainable modes of transport. Various local amenities, retail and services are within walking distance along street lit footway links and Bognor Regis Train Station is 0.6 mile distant. The applicant should ensure that bicycle storage and bin storage do not interfere with previously approved arrangements under BR/61/16.

The LHA do not consider that the development would introduce an unacceptable level of traffic generation to the vicinity of the site. It would consequently not have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

ADC DRANAGE ENGINEERS - "No surface water drainage comments included on earlier approved application. If condition required please add ENGD2A"

ADC ECONOMIC DEVELOPMENT - No comments received.

ADC ENVIRONMENTAL HEALTH - No comments received.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. It is not considered appropriate to impose a drainage condition as the change of use concerns an existing building, there is a net loss of floor space and the proposal does not increase the amount of hardstanding on the site.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary;
Class C Road;
Within 5km of the Pagham Harbour SSSI; and
PD Restriction.

DEVELOPMENT PLAN POLICES[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
GEN12	Parking in New Development

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM3	External Space Standards
D DM4	Extensions & Alterations to Existing Buildings
D SP1	Design
ECC SP2	Energy and climate change mitigation
H DM1	Housing Mix
SD SP2	Built -Up Area Boundary
T SP1	Transport and Development
OSR DM1	Open Space, Sport & Recreation
W DM3	Sustainable Urban Drainage Systems

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their

level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

The Bognor Regis Neighbourhood Development Plan is less than 2 years old and does allocates sites for housing. However, the Council cannot currently demonstrate a 3 year supply of deliverable housing sites. Therefore, the Ministerial Statement does not apply.

Whilst an NDP is under preparation it will be afforded limited weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

There are no relevant Neighbourhood Development Plan policies to consider.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The site is in an urban and predominantly residential area. It is defined as being part of the built up area boundary area and is acceptable in principle subject to normal development control criteria such as residential amenity, highway safety and parking. It is noted that the NPPF supports the effective and efficient use of land for sites in the built up area but also advises that new housing should be well integrated with and should complement neighbouring buildings and the local area in terms of scale, density, layout and access.

NPPF TEST OF SUSTAINABILITY

Paragraph 7 of the NPPF sets out the three dimensions to sustainable development - the economic, social and environmental roles. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

Paragraph 14 of the NPPF states that the presumption in favour of sustainable development requires the granting of planning permission, 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'. Furthermore, paragraph 49 states that:

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites".

Environmental Role -

The site is in a sustainable urban location with various local amenities, retail and services within walking distance along street lit footway links. Bognor Regis train Station is within 1km. It is considered the proposal is environmentally sustainable as residents will not need to rely on the private car to access basic services & facilities. These environmental factors weigh in the scheme's favour.

Economic Role -

It is considered the proposal will result in a localised economic benefits through the need to employ people to carry out the conversion works. The proposal also results in an increase in Council tax receipts and new homes bonus payments. These economic factors weigh in the scheme's favour.

Social Role -

It is considered that the proposal will have social benefits by providing new housing to meet local needs.

This factor weighs in the scheme's favour.

Assessment -

It is considered the proposal is environmentally acceptable and offers economic & social benefits. It would therefore represent sustainable development.

LOSS OF RECREATION FACILITY

The site was previously part occupied by a gym but as according to the Companies House website, this business was dissolved in May 2015. As there remains a planning permission for a gym use, it is necessary to consider the impact of the loss of this use.

There are no policies within the adopted Local Plan which provide protection to existing community or indoor recreational facilities. Emerging Local Plan Policy OSR DM1 is more detailed and section 3 has regard to the protection of indoor sport, arts and cultural facilities. It states that these should not be redeveloped for other uses unless (a) an assessment shows that the facilities are surplus to requirements; or, (b) the facilities are replaced elsewhere; or, (c) the development is for alternative sports, arts or cultural provision.

The applicant has not provided any justification in respect of this policy. However, it should be noted that there is currently an unresolved objection to this policy on the grounds that the policy to protect private health clubs is not based on sound robust evidence. Furthermore, the gym is not currently open, it is not a purpose built facility and there are other gym facilities elsewhere in Bognor Regis. Therefore, it is not considered that an objection should be raised.

DESIGN AND CHARACTER:

Local Plan Policy GEN7 (ii) requires new developments respond positively to the identified characteristics of a site to create developments which respect local characteristics. Central Government advice indicates that more intensive development is not always appropriate and that design which is inappropriate in its context should not be accepted. Emerging Local Plan Policy D DM4 is relevant to all alterations/extensions to buildings whether residential or not.

The scheme has been designed to respect the site's existing built form and to maintain the single storey nature of the buildings. Furthermore, although it is proposed to increase the roof height, these additions do not change the character of the buildings from 1 to 2 storeys. The building only has limited visibility from the street but is visible from the adjacent rugby club ground. The roof extensions are clearly not subservient to the host building but are considered to be relatively small scale additions and will not harm either the Hawthorn Road streetscene or local townscape.

It is noted that Bognor Regis Town Council consider this proposal represents an overdevelopment of the site. However, it is clear that the proposal is for the conversion of an existing building and that aside from the new pitched roofs (which do not add new floor area), there will be a net decrease in the amount of built floor space. Furthermore, as will be demonstrated below, the proposal compiles with the Councils parking and space standards requirements. Regard should be had to the NPPF which supports the effective and efficient use of land for sites in the built up area.

RESIDENTIAL AMENITY:

Local Plan policy GEN7 (iv) indicates development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. One of the 'core planning principles' of the NPPF is to secure

high quality design and a good standard of amenity (para 17). Both the adopted Local Plan policy GEN7 and the emerging Local Plan policy require regard to be had to the amenity & living conditions of neighbouring properties.

The scheme has been designed to prevent overlooking and overshadowing of existing adjacent dwellings and rear gardens. Although new windows are proposed in elevations which could overlook adjacent properties/gardens, these are high level windows and will be conditioned so as to be obscure glazed and fixed to be non-opening. The roof level velux windows will ensure that the rooms receive adequate light to compensate for the obscure glazing. Ventilation can be provided through other means.

It should be noted that in the interest of security, new railings are proposed along the elevation to the rugby club. This new residential elevation will also have security benefits to the rugby club by increasing surveillance of this area.

INTERNAL & EXTERNAL SPACE STANDARDS:

It is necessary to assess the proposal against the internal space standards as set out in the Governments new Technical Housing Standards (Nationally Described Space Standard). The following is a list of the requirements versus the actual measured internal space for each of the 5 flats:

Unit No. - No. of beds & Persons - Required Floor Space - Actual Floor Space

A	1B2P	50m ²	50m ²
B	1B2P	50m ²	50m ²
C	1B2P	50m ²	52m ²
D	2B3P	61m ²	65m ²
E	2B3P	61m ²	61m ²

Therefore, all of the proposed flats comply with the standards.

In respect of external standards, it is necessary to have regard to policy D DM3 of the emerging local plan (publication version) which has been approved by the Council for development management purposes and subject to testing at appeal. The policy states that 1/2 bed flats should have 4/5 square metres of private amenity space and that this should ideally take the form of either private garden, patio, balcony or roof garden.

Flats A, B & C all have private spaces (either courtyard or patio) and all of these are either 4m² or more in size. Flats D & E do not have any private space but do have access to the communal 100m² garden shared with the other flats on the site. Furthermore, the site is adjacent to a Council owned playing field just to the North which provides ample space for recreation.

PARKING:

The WSCC Car Parking Demand Calculator advises in this location likely parking demand for the 5 flats is 7 spaces including 2 visitor spaces. Although the site only provides 5 spaces with a 6th visitor space to be shared with the other flats, these are maximum standards and it is considered, given this urban location that the standards can be relaxed slightly. It is noted that communal cycle storage spaces is shown and that WSCC Highways do not have any concerns with the parking provision.

SUMMARY:

This proposal is considered to represent an efficient use of urban brownfield land and does so without

compromising the visual amenity of the area or the amenities of existing residential occupiers. It is also considered to be sustainable development and therefore benefits from the presumption in favour of development set out within the NPPF.

The application requires a Section 106 legal agreement to be completed in respect of a contribution towards Pagham Harbour. This is currently in the process of being agreed but at the time of writing is not yet complete. The recommendation to approve is therefore made subject to the following conditions and the completion of the legal agreement.

However, if the S.106 legal agreement has not been signed within 3 months of the date of the resolution to approve then the application should be refused for the following reason:

"The application fails to make a financial contribution towards the cost of providing accessible natural open green spaces to serve the Pagham area and the proposal is therefore not in accordance with policy AREA13 of the Arun District Local Plan (2003) and policy ENV DM2 of the Arun Local Plan 2011-2031 Publication Version."

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

SECTION 106 DETAILS

This decision will be accompanied by a Section 106 legal agreement relating to a payment of £6,375 towards the mitigation of the impacts of the development on the Pagham Harbour Special Protection Area.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Drawing 1588-161 "Location Plan & Block Plan";
Drawing 1588-201 "Existing Site Plan";
Drawing 1588-260 "Survey Plan (Ground Floor)";
Drawing 1588-261 "Survey Plan (Roof)";
Drawing 1588-361 "Existing Elevations" (SE, NE, NE Internal);
Drawing 1588-362 "Existing Elevations" (NW, SW, SW Internal);
Drawing 1588-461 "Proposed Ground Floor Plan";
Drawing 1588-462 "Proposed Roof Plan";
Drawing 1588-463 "Proposed Plans";
Drawing 1588-561 "Proposed Elevations" (SE, NE, NE Internal); and
Drawing 1588-562 "Proposed Elevations" (NW, SW, SW Internal).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No development above damp proof course (DPC) level shall take place until details of new screen walls and railings have been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such walls and railings have been erected.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 5 Before the buildings hereby permitted are occupied a refuse and recycling bin enclosure shall be provided as part of the development in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the siting and design thereof. The approved enclosure shall thereafter be permanently maintained.

Reason: To safeguard the appearance of the property and the amenities of the area in accordance with policies GEN7 of the Arun District Local Plan.

- 6 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with the National Planning Policy Framework.

7 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

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

8 The ground floor bathroom windows on the south eastern elevations of the building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of residential occupiers in accordance with policy GEN7 of the Arun District Local Plan.

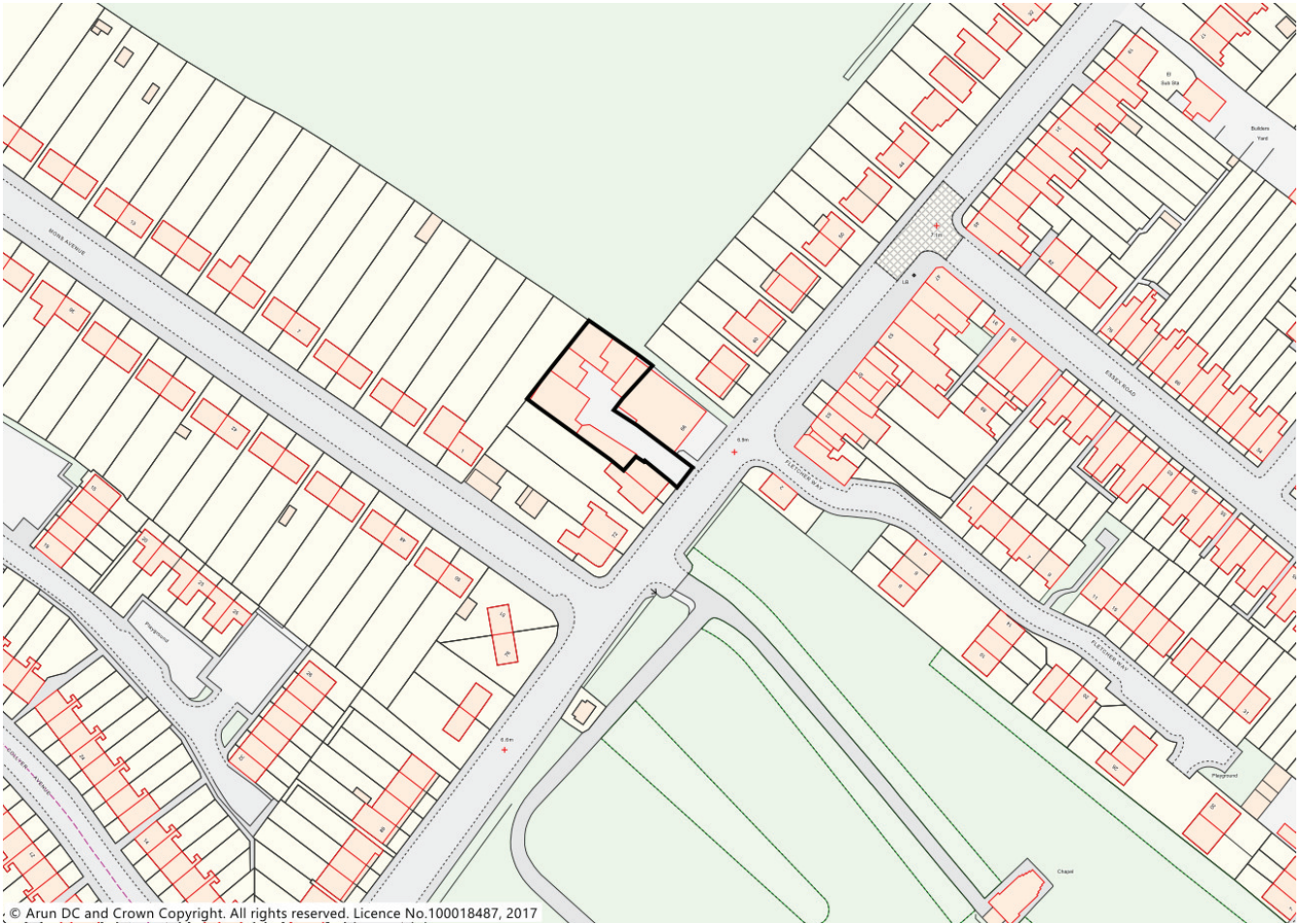
9 The three proposed kitchen, lounge and bathroom windows on the north western elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property, 1 Mons Avenue, in accordance with policies GEN7 of the Arun District Local Plan.

10 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

11 **INFORMATIVE:** This decision has been granted in conjunction with a Section 106 legal agreement relating to a contribution of £6,375 towards the provision of accessible natural open green spaces to serve the Pagham area.

BR/293/16/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council
100018487. 2015

PLANNING APPLICATION REPORT

REF NO: AL/130/16/OUT

LOCATION: Land adjacent of 14 St Johns Close
Westergate
Aldingbourne
PO20 3TH

PROPOSAL: Outline Application with some matters reserved for 1No. 5 person 3 bedroom bungalow, with 8No. parking spaces, bin and cycle store

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>The only matters to be approved at this time are layout and access.</p> <p>The proposed bungalow will have a rear garden and two designated parking spaces. A further eight parking spaces are provided for the use of existing residents. The drawings also show retained access points to the rear gardens of 10/12/14 St Johns Close and 8 Hook Cottages. Illustrative elevations show a building of 2.6m to the eaves and 5.4m to the ridge.</p> <p>It should be noted that although this is an ADC application, it is not to be assumed the dwelling will become a 'Council House' and it may well be developed as market housing.</p>
SITE AREA	0.07 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	14 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	There are two Birch trees in the rear garden of 14 St Johns Close but neither are considered to be affected by the development.
BOUNDARY TREATMENT	1.8m high close boarded fencing except in the case of Athwal Cottage which is built right on the boundary.
SITE CHARACTERISTICS	Existing hardstanding parking court accessed from St Johns Close with narrow grassed strips on two sides, otherwise extending right up to the neighbouring residential plots. The parking spaces are not marked out with white lines.
CHARACTER OF LOCALITY	<p>Predominantly residential but with a mixed style of both one and a half and two storey detached and semi-detached dwellings.</p> <p>Athwal Cottage to the south is a part single, part 1.5 storey dwelling which adjoins the Aldingbourne Village Stores. Athwal Cottage has three principal first floor windows</p>

overlooking the site. A kitchen window at ground floor is obscure glazed. To the west, the site shares a boundary with the side of the rear garden to 8 Hook Cottages. This is a 1.5 storey dwelling with secondary first floor windows in the flank wall. To the east, the site shares a boundary with 1 & 2 Orchard Cottages, both of which are considered to be two storeys in height and with principal windows overlooking the site. The houses to the north, 12 & 14 St Johns Close also have first floor principal windows facing the site.

RELEVANT SITE HISTORY

No relevant history.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Aldingbourne Parish Council

"The Parish Council objects to this application. it is overdevelopment and is contrary to policies GA3 (Parking), H1 (Design), H3 (Housing Density) and H3.1 of the Aldingbourne Neighbourhood Development Plan."

Three letters of objection from neighbouring residents raising the following concerns:

- (1) Application will deny access to rear of 12 St Johns Close which has been the case for 40 years;
- (2) Application will prevent occupiers of 3 Orchard Cottages from parking at the rear of their property
- (3) Impact on outlook of 14 St Johns Close;
- (4) Loss of parking for existing residents resulting in parking on-street resulting in safety issues;
- (5) There are often 20 cars parked on the site;
- (6) The suggestion in the Parking Survey that cars can be safely parked along Lidsey Road is preposterous; and
- (7) The suggestion in the Parking Survey that cars can be safely parked in Belle Mead Close & Woodgate Park are irrelevant as these streets are across the busy A29.

COMMENTS ON REPRESENTATIONS RECEIVED:

The Parish Council comments are noted and will be discussed in the Conclusions section.

Except where indicated below, the objectors comments are discussed in the Conclusions section.

- (1) The submitted plans show a footpath of between 1.2m and 2m wide to provide access to the rear of 10-14 St John Close; and
- (2) Parking to the rear of 3 Orchard Cottages will not be prevented as communal parking spaces are shown adjacent to the eastern boundary.

CONSULTATIONS

WSCC Strategic Planning

Engineers (Drainage)
Engineering Services Manager

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - No objection subject to conditions to require that car and cycle parking spaces are provided prior to occupation. Comments in full below:

"The site is an existing informal parking area owned by the District Council. Access into the site will not be altered and is sufficient for the proposed purpose.

A Parking Demand & Capacity Report was carried out over two weekday mornings (00:30-5:00). During this time a maximum of 17 cars were parked on site. The proposals will include 8 re-provided parking spaces for nearby residents, therefore a displacement of up to 9 spaces will occur nearby on street. The car parking capacity survey assessed the volume of available on street car parking spaces to be 195 (currently at 43% capacity) in the vicinity. The LHA do not wish to raise a highway safety or capacity concern with the parking arrangements.

Two spaces will be provided for use with the new bungalow. This meets with what the WSCC Car Parking Demand Calculator envisions for a development of this size and location.

From an inspection of the plans the LHA are satisfied that the site can facilitate turning for cars and access for Fire and Refuse Vehicles is achievable.

There are a limited range of local amenities within walking distance. I would advise that secure and covered bicycle storage is included and kept in perpetuity.

The applicant has demonstrated that capacity for existing residents parking can be accommodated nearby on street and that access, parking and turning for the new bungalow are sufficient. The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal."

ADC DRAINAGE ENGINEERS - "Infiltration to be investigated to drain new development. Please apply standard conditions ENGD2A. Adopted or possibly council-owned sewers are present in this area, easements may be required."

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary;
Class C Road;
Overhead Electric Line; and
PD Restriction/Open Plan Condition.

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
GEN12	Parking in New Development
GEN33	Light Pollution

Publication Version of the Local Plan (October 2014):

D DM1	Aspects of Form and Design Quality
D DM3	External Space Standards
D SP1	Design
ECC SP2	Energy and climate change mitigation
ENV DM4	Protection of Trees
H DM1	Housing Mix
QE DM2	Light Pollution
T SP1	Transport and Development
W DM3	Sustainable Urban Drainage Systems

Aldingbourne Neighbourhood Plan 2016 POLICY EH1

Aldingbourne Neighbourhood Plan 2016 POLICY EH5

Resist development outside

Development in Flood risk areas will not be supported unless...

Aldingbourne Neighbourhood Plan 2016 POLICY EH6

Surface Water Management

Protection of trees and hedgerows

Aldingbourne Neighbourhood Plan 2016 POLICY EH10

Unlit village status

Aldingbourne Neighbourhood Plan 2016 POLICY GA1

Promoting Sustainable movement

Aldingbourne Neighbourhood Plan 2016 POLICY GA3

Parking and new development

Aldingbourne Neighbourhood Plan 2016 POLICY H1

New housing or altering dwellings

Aldingbourne Neighbourhood Plan 2016 POLICY H2

Quality of Design

Range of house types

Aldingbourne Neighbourhood Plan 2016 POLICY H3

Housing Mix

Housing density

Aldingbourne Neighbourhood Plan 2016 POLICY H6

Within built up area boundary

Aldingbourne Neighbourhood Plan 2016 POLICY H8

Windfall sites

Dwellings must have adequate private or shared amenity.

Aldingbourne Neighbourhood Plan 2016 POLICY

Outdoor space

Items to consider e.g. - bin stores

H9

Attention to detail

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

With respect to this application and the Aldingbourne Neighbourhood Plan, the first circumstance does arise as the Neighbourhood Plan has only recently been published. However, regarding the 2nd & third circumstances, the Aldingbourne Neighbourhood Plan does not allocate any sites for housing and Arun District Council can only currently demonstrate an approximately 2 year supply of deliverable housing sites.

Whilst an NDP is under preparation it will be afforded limited weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

The relevant policies of the Aldingbourne Neighbouring Plan are considered within this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The site is in a predominantly residential area within the defined built up area boundary area and is therefore acceptable in principle subject to normal development control criteria such as visual amenity, residential amenity, highway safety and parking. It is noted that the National Planning Policy Framework (NPPF) supports the effective and efficient use of land for sites in the built up area but also advises that new housing should be well integrated with and should complement neighbouring buildings and the local area in terms of scale, density, layout and access.

NPPF TEST OF SUSTAINABILITY

Paragraph 7 of the NPPF sets out the three dimensions to sustainable development - the economic, social and environmental roles. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

Paragraph 14 of the NPPF states that the presumption in favour of sustainable development requires the granting of planning permission, 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'. Furthermore, paragraph 49 states that:

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites".

Environmental Role -

The site is in a sustainable urban location and is within walking distance of various local amenities including shops, schools and a public house. These walking routes also use adopted street pavements which are predominantly flat and have street lighting. It is therefore considered the proposal is environmentally sustainable as residents will not need to rely on the private car to access basic services & facilities. This environmental factor weigh in the scheme's favour.

Economic Role -

It is considered the proposal will result in a localised economic benefits through the need to employ people to carry out the building works. The proposal also results in a minor increase in Council tax receipts and new homes bonus payments. These economic factors weigh in the scheme's favour.

Social Role -

It is considered that the proposal will have minor social benefits by providing a new house to meet local needs. This factor weighs in the scheme's favour.

Assessment -

It is considered the proposal is environmentally acceptable and offers economic & social benefits. It would therefore represent sustainable development.

CHARACTER, DESIGN & RESIDENTIAL AMENITY:

It is not considered that a single bungalow with a residential density of 14 per hectare can be considered to represent overdevelopment. Furthermore, although there are no other examples of bungalows in the immediate area, the area does have a mixed character and it is noted that part of Athwal Cottage to the south is single storey.

The applicant has recognised the constrained nature of the site particularly the fact that it is overlooked by rear elevations on three sides and has therefore proposed a bungalow. As such, there will be no loss of privacy to existing properties as views will be screened out by existing boundary fencing. Furthermore, the low nature of the dwelling and its distance from nearby dwellings will prevent there from being any harm caused by loss of light. In particular, views from the first floor windows of Athwal Cottage will not be hindered but will instead now look out over the roof of the dwelling.

It is noted that certain local residents are concerned as to the impact on their outlook. However, it should be noted that there is no right to a view in planning law.

PARKING

Both the Parish Council and local residents are concerned as to the impact of the proposal on the availability of local off-street parking spaces. The current site is not marked out with white lines and so there is no set figure for the amount of parking spaces that will be lost. The applicant has submitted a Parking Demand and Capacity Report which states that a maximum of 17 cars were recorded as being

parked on the site during the survey period. The application proposes to part replace the lost parking with 8 unallocated spaces. This results in 9 cars being displaced to surrounding roads.

The application has been assessed by WSCC Highways who have carefully checked the submitted documents and who consider that there is a more than adequate amount of existing on-street parking spaces in the vicinity of the site. Furthermore, Highways consider that two proposed parking spaces for a dwelling of this size is acceptable. A condition will be imposed to ensure that cycle parking storage is also provided.

It should also be noted that this site is Council owned and although, the site has been open to local people for a number of years, none of the local residents have a legal right to a parking space on the site. Furthermore, none of the local residents contribute to the upkeep of the site other than through Council Tax payments.

Although residents will experience change to their parking arrangements in that they may have to walk slightly further to park their cars, it is not considered that this change will be detrimental to their amenity or to their safety.

INTERNAL & EXTERNAL SPACE STANDARDS:

It is necessary to assess the proposal against the internal space standards as set out in the Government's new Technical Housing Standards (Nationally Described Space Standard). The requirement for a single storey, three bedroom 5 person dwelling is 86m². The indicative proposed floor area is 86m² and therefore complies.

Policy D DM3 of the Arun Local Plan 2011 - 2031 (Publication Version) (October 2014) sets out the Council's external space standards and despite not being an adopted policy is currently being used for development management purposes and has been subject to testing at appeal.

There are two requirements to the policy. Firstly, a minimum rear garden depth of 10m. The rear garden depth serves to (a) ensure that rear gardens are usable spaces and (b) to provide for a 20m back to back distance between dwellings. This depth standard may be relaxed if both of the following situations are in existence: (a) there is no back to back arrangement (and no realistic possibility of a future back to back arrangement); and (b) where the garden is sufficiently wide so as to exceed the area requirement. The second requirement concerns the area of the private rear garden.

The proposed development as shown on the illustrative floor plans requires a garden of 10m depth and 85m² in area. The garden as shown is 10m deep and over 100m² in area.

SUMMARY:

This proposal is considered to represent an efficient use of urban brownfield land and does so without compromising the visual amenity of the area or the amenities of existing residential occupiers. It is also considered to be sustainable development and therefore benefits from the presumption in favour of development set out within the NPPF.

It is therefore recommended that permission be granted subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun

District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Scale;
- (b) Appearance;
- (c) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3 The development hereby approved shall be carried out in accordance with the following approved plan - Drawing 16/021 20 Rev A "Location Plan & Proposed Site Plan".

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

4 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 5 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with the National Planning Policy Framework.

- 6 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated purpose.

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

- 7 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers and maintain adequate amenity space in accordance with policy GEN7 of the Arun District Local Plan.

- 8 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

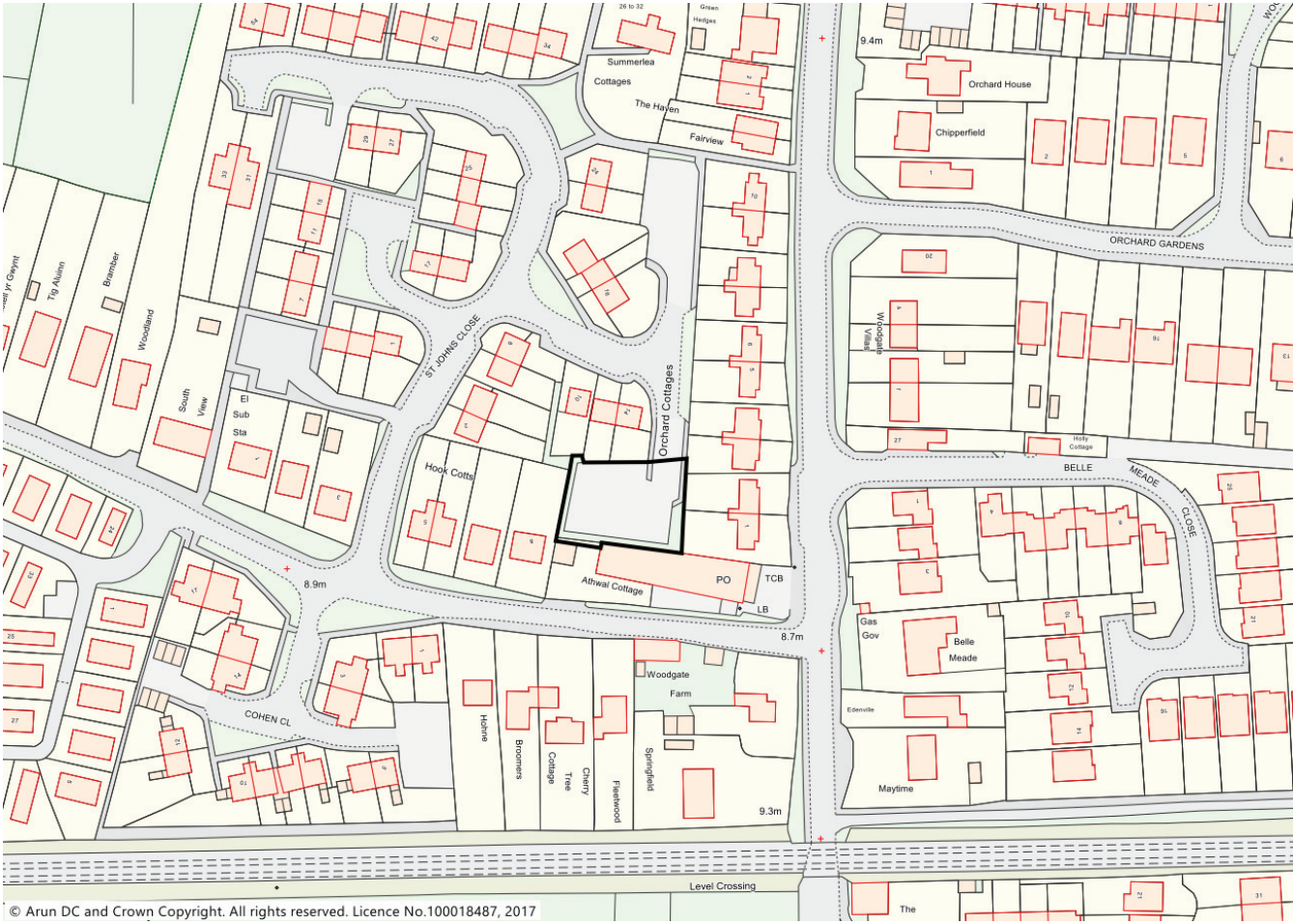
- 9 A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk.

- 10 INFORMATIVE: Please be aware that adopted or possibly council-owned sewers might be

present in this area and easements may be required.

- 11 INFORMATIVE: Please note that a condition would be imposed on any subsequent reserved matters or full application to ensure that the living room window in the southern elevation and the bathroom window in the eastern elevation of the building are glazed with obscured glass.
- 12 INFORMATIVE: Drainage Engineers advise that Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also available on request.

AL/130/16/OUT - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council 100018487. 2015

AGENDA ITEM 8

DEVELOPMENT CONTROL COMMITTEE

PLANNING APPEALS

APPEALS RECEIVED AGAINST PLANNING DECISIONS & ENFORCEMENTS

Appeals Awaiting a Decision

AB/115/14/OUT Received: 24-02-15	12 & 14 Canada Road Arundel Outline application with some matters reserved for 2 No. 3 bed semi detached houses Written Representations PINS Ref: APP/C3810/W/15/3003824
AL/8/16/OUT Received: 02-09-16	Land south & west of Barnside & east of pond Hook Lane Aldingbourne Outline application with all matters reserved for a residential development of up to 14 No. dwellings & associated works including access, landscaping & open space. This application is a Departure from the Development Plan. Written Representations PINS Ref: APP/C3810/W/16/3155330
AW/93/16/HH Received: 30-08-16	Tradewinds 7 Arun Way Aldwick Bay Estate Proposed garage replacing demolished water tank & garden room. Resubmission of AW/122/15/HH Written Representations PINS Ref: APP/C3810/D/16/3157123
BE/77/16/OUT Received: 09-01-17	Land West of New Barn Lane Bersted Outline application with all matters reserved for up to 50 residential units, landscaping, amenity space, car & cycle parking, roads, service & drainage infrastructure & other associated works. Departure from the Development plan. Public Inquiry PINS Ref: APP/C3810/V/17/3166900
FP/184/16/T Received: 17-10-16	Manor Flats 100 Felpham Road FELPHAM Fell to ground level 1No. Blue Atlas Cedar Written Representations PINS Ref: ENV/3161078
LU/153/16/PL Received: 17-01-17	The Marine Selborne Road Littlehampton Bedsit (resubmission following LU/183/15/PL). This application affects the character & appearance of the Littlehampton Seafront Conservation Area. Written Representations PINS Ref: APP/C3810/W/16/3165293
LU/165/16/HH Received: 05-01-17	23 Manning Road Littlehampton Single storey front extension. Written Representations PINS Ref: APP/C3810/D/16/3164474

WA/22/15/OUT

Received: 20-01-16

Land to the East of Fontwell Avenue Fontwell

Outline application with some matters reserved to provide up to 400 No. new dwellings, up to 500 sqm of non-residential floorspace (A1, A2, A3, D1 and/or D2), 5000 sqm of light industrial floorspace (B1 (b)/(c)) & associated works including access, internal road network, highway works, landscaping, selected tree removal, informal & formal open space & play areas, pedestrian & cyclist infrastructure utilities, drainage infrastructure, car & cycle parking & waste storage. This application is a departure from the Development Plan & also lies within the parish of Eastergate.

Public Inquiry 01-11-16

PINS Ref: APP/C3810/V/16/3143095

Y/19/16/OUT

Received: 08-09-16

Land off Burndell Road Yapton

Outline application for the development of a maximum of 108 No. residential dwellings, vehicular access from Burndell Road, public open space, ancillary works & associated infrastructure. This application is a Departure from the Development plan

Public Inquiry

PINS Ref: APP/C3810/V/16/3158261