



Arun District Council
Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Tel: (01903 737500)
Fax: (01903) 730442
DX: 57406 Littlehampton
Minicom: 01903 732765

e-mail: committees@arun.gov.uk

Committee Manager : Carrie O'Connor (Ext: 37614)

28 March 2018

DEVELOPMENT CONTROL COMMITTEE

A meeting of this Committee will be held in the **Council Chamber, Arun Civic Centre, Maltravers Road, Littlehampton on Wednesday 11 April 2018 at 2.30 p.m.** and you are requested to attend.

Members : Councillors Bower (Chairman), Hitchins (Vice-Chairman), Mrs Bence, Mrs Bower, Brooks, Cates, Dillon, Gammon, Mrs Hall, Haymes, Mrs Oakley, Miss Rhodes, Mrs Stainton and Wells (+ 1 Liberal Democrat vacancy)

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 pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and officer should make their declaration by stating :

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

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 14 March 2018 (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. POST SITE INSPECTION PANEL PLANNING APPLICATION AL/123/17/PL – DEMOLITION OF EXISTING DWELLING AND ERECTION OF 1 NO. DWELLING (RESUBMISSION FOLLOWING AL/83/17/PL) AT MILDMAY, HOOK LANE, ALDINGBOURNE

Following the Committee meeting held on 14 March 2018, a site inspection panel visit was agreed and the report is attached for Members' consideration.

7. POST SITE INSPECTION PANEL PLANNING APPLICATION AW/328/17/OUT – OUTLINE APPLICATION WITH SOME MATTERS RESERVED FOR THE CONVERSION OF EXISTING DWELLING INTO 5 SELF CONTAINED FLATS WITH FRONT, REAR, SIDE & DORMER EXTENSIONS (RESUBMISSION FOLLOWING AW/71/17/OUT, 14 PRINCESS AVENUE, ALDWICK

Following the Committee meeting held on 14 March 2018, a site inspection panel visit was agreed and the report is attached for Members' consideration.

8. PLANNING APPLICATION Y/44/17/OUT – OUTLINE FOR 70 NO. RESIDENTIAL DWELLINGS, ETC, LAND AT STAKERS FARM, NORTH END ROAD, YAPTON

This application had been deferred from the meeting held on 17 January 2018 for further negotiation and clarification with (i) Southern Water; (ii) West Sussex County Council Education Department; and (iii) the applicant [with reference to land issues for the potential expansion of the primary school]. Responses had now been received from all parties and the application is re-presented for determination by the Committee.

9. TREE APPLICATIONS

There are no applications to consider.

10. *PLANNING APPLICATIONS

To consider the attached reports.

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

11. *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

14 March 2018 at 2.30 p.m.

Present: Councillors Bower (Chairman), Hitchins (Vice-Chairman), Mrs Bower, Brooks, Cates, Charles (substituting for Councillor Mrs Bence), Dillon, Gammon, Mrs Hall, Haymes, Mrs Oakley, Mrs Stainton and Wells.

502. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Bence and Miss Rhodes.

503. DECLARATIONS OF INTEREST

Declarations of interest were made by:-

Planning Application Y/44/17/OUT – Councillor Brooks declared a personal interest as his business partner lived near to the site.

504. MINUTES

The Minutes of the meeting held on 14 March 2018 were approved by the Committee and signed by the Chairman as a correct record.

505. PLANNING APPLICATIONS AL/123/17/PL AND Y/44/17/OUT

With the agreement of the Chairman, these applications had been circulated prior to the meeting for consideration as urgent items due to the length of time they had been in the planning system. However, Planning Application Y/44/17/OUT had since been deferred and would not be considered at this meeting. Planning Application AL/123/17/PL would be considered under Agenda Item 7, in alphabetical order.

506. PLANNING APPLICATIONS

AL/123/17/PL – Demolition of existing dwelling and erection of 1 No. dwelling (resubmission following AL/83/17/PL at Mildmay, Hook Lane, Aldingbourne Having received a report on the matter, together with the officer's written report update detailing comments from County Highways and Aldingbourne Parish Council and resultant additional conditions and informative, the Committee participated in some discussion on the matter.

Development Control
Committee – 14.03.18.

In considering this proposal, a query was raised as to why the views of the previous case officer differed from those detailed in the report insofar as he had stated that it would be better located in a rural setting surrounded by trees. Advice was given that a different view had now been arrived at as it was felt that the locality had a mixed character with various designs and forms of dwelling and that the application would not cause such harm as to support a reason for refusal.

Following input from Members, it was formally proposed and seconded that a site inspection should take place to ascertain that the design would fit in with the street scene and the Committee therefore

RESOLVED

That the application be deferred to enable the Post site Inspection Panel to visit the site.

AL/83/16/OUT – Outline application with all matters reserved for residential development of up to 8 No. dwellings & associated works including access, landscaping & open space. This application is a Departure from the Development Plan. Resubmission of AL/8/16/OUT, Land south & west of Barnside & east of pond, Hook Lane, Aldingbourne Having received a report on the matter, the Committee was also circulated with the officer's written report update which detailed additional comments from Aldingbourne Parish Council and the officer response.

The Director of Place stated that, whilst understanding the public views with regard to the Aldingbourne Neighbourhood Plan and the weight that should be attached to it, he had to point out that the Council had to work within the context of Government guidance and that provision had to be made to meet the future housing requirements. He referred to a recent decision by the Secretary of State regarding approximately 50 dwellings at New Barn Lane, Bersted, whereby it was stated that Neighbourhood Plans could not be engaged and given additional weight unless the Council could demonstrate at least a 3 year housing supply, which it could not. The recommendation on the table therefore remained as one of approval.

Following brief comment with regard to the agricultural use of the land, the Committee

RESOLVED

That the application be approved as detailed in the report.

AL/130/17/PL – Removal of condition following a grant of planning permission AL/92/08 relating to Condition 10 – use of individual holiday lets for up to and no more than 28 consecutive nights. This application may affect the character & appearance of the Norton Lane Conservation Area and is a Departure from the Development Plan, Easter Cottage, Old Dairy Lane, Norton, Aldingbourne Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/328/17/OUT – Outline application with some matters reserved for the conversion of existing dwelling into 5 self contained flats with front, rear, side & dormer extensions (resubmission following AW/71/17/OUT), 14 Princess Avenue, Aldwick Having received a report on the matter, Members expressed reservations about the proposal and it was formally proposed and seconded that a site inspection be undertaken to ascertain whether this could be considered to be overdevelopment of the site and out of character with the locality. The Committee

RESOLVED

That the application be deferred to enable the Post Site Inspection Panel to visit the site.

FG/115/17/PL – 4 No. bungalows, 44 Ferringham Lane, Ferring Having received a report on the matter, together with the officer's written report update advising on the following:-

- Revised drawings would be submitted showing the correct elevations
- Representations received from the Ward Member and others
- Comment from County Highways
- Amended condition relating to parking
- Amended condition relating to plans to include the latest amended layout and cross section plans submitted
- Additional condition relating to fencing and materials

A verbal update was also provided that Conditions 10 and 11 detailed on the officer report update should be deleted as amended plans had now been received to move two of the units forward, which would have the effect of removing any harm by way of intrusion.

The Planning Team Leader reminded Members that a previous application on this site had been approved by way of appeal and that, as this was a full application, all matters must be given due consideration, such as siting of the dwellings; design; impact; visual amenity in terms of parking, etc.

Development Control
Committee – 14.03.18.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update, both verbal and written.

(Councillor Buckland spoke to the following item in his role as Ward member).

LU/280/17/PL – Conversion of existing building to form 5 No. dwellings with associated cycle & refuse stores, parking & landscaping with dormers to north & south elevations, General Henrys, 31 Horsham Road, Littlehampton Having received a report on the matter, together with the officer's written report update detailing substitute plans received and resultant amended conditions, the Committee

RESOLVED

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

(Councillor Buckland spoke to the following item in his role as Ward member, member of Littlehampton Town Council and County Council Member and he corrected the officer report update accordingly).

LU/320/17/PL – Alterations to golf practice ground & surrounding land, including tees (incorporating importation of material), Littlehampton Golf Club, Rope Walk, Littlehampton Having received a report on the matter, together with the officer's written report update detailing a correction to the report in that representation had been received from a local and County Councillor rather than the Ward Member; further representation from that Member; and additional letters of support, the Committee participated in some discussion around highways issues and the number of HGV movements to and from the site.

Whilst serious concerns were raised with regard to traffic movements along Rope Walk and Ferry Road, it was also recognised that this improvement to the facilities of the Golf Club was required. It was suggested that a construction management plan to be put in place to mitigate any adverse impact of the proposal and, following advice from the Director of Place, it was agreed that an additional condition be attached to any approval requiring submission of details of materials to be used prior to commencement of work on the site.

The Committee then

RESOLVED

That the application be approved as detailed in the report, subject to the addition of the following condition :-

No importing of material shall take place until precise details of such materials have been submitted to and approved by the Local Planning Authority and the development shall proceed in accordance with the details so approved.

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

(Councillor Buckland spoke to the following item in his role as Ward member).

LU/323/17/PL – Change of use of former United Services Club (Sui Generis) to 10 No. flats (C3 Dwelling House) with associated landscaping, parking, bins and recycling storage, United Services, Maltravers Road, Littlehampton Having received a report on the matter, together with the officer's written report update detailing deletion of pages 118 and 119 of the agenda; change to recommendation to read "Conditional approval with S106; and advice that the Unilateral Undertaking had now been completed, the Committee

RESOLVED

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

(Councillor Buckland spoke to the following item in his role as Ward member).

LU/367/17/PL – Change of use of first floor flat (C3 Dwelling House) to restaurant (A3 Food & Drink) & ground floor rear extension and alterations to front elevation, 51 Pier Road, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

Development Control
Committee – 14.03.18.

507. PLANNING APPEALS

The Committee noted the planning appeals that had been received.

(The meeting concluded at 5.30 p.m.)

AGENDA ITEM 6

DEVELOPMENT CONTROL COMMITTEE

11th April 2018

**REPORTS ON APPLICATIONS DEFERRED FROM
PREVIOUS MEETING**

REPORTS ON APPLICATIONS DEFERRED FROM PREVIOUS MEETING

| | | |
|----------------------|--|--|
| AL/123/17/PL | Demolition of existing dwelling & erection of 1 No. dwelling (resubmission following AL/83/17/PL). (Deferred For Committee Site Visit) | Mildmay Hook Lane Aldingbourne |
| AW/328/17/OUT | Outline application with some matters reserved for the conversion of existing dwelling into 5 self contained flats with front, rear, side & dormer extensions (resubmission following AW/71/17/OUT). (Deferred For Committee Site Visit) | 14 Princess Avenue Aldwick |
| Y/44/17/OUT | Outline Planning Application for 70 No. residential dwellings including 30% affordable, public open space & associated landscaping. All matters to be reserved apart from Access (access to be achieved via permitted road (reference Y/93/14/OUT). This application is a Departure from the Development plan. This application affects the character & appearance of Main Road/Church Road Yapton Conservation Area & the setting of Listed Buildings (Deferred For Further Information) | Land at Stakers Farm North End Road Yapton |

**Report of the meeting of the Development Control Post-Committee Site
Inspection Panel held on 20-03-2018**

REF NO: AL/123/17/PL
LOCATION: Mildmay
Hook Lane
Aldingbourne
PROPOSAL: Demolition of existing dwelling & erection of 1 No. dwelling (resubmission following AL/83/17/PL).

This application was deferred from the 14th March Development Control Committee in order for a post Committee Site Visit to take place.

The site visit took place on the 20th March and was attended by Councillors Mrs Bence, Charles (as Ward Member), Mrs Hall, Haymes, Hitchins, Mrs Oakley and Councillor Warden on behalf of Aldingbourne Parish Council. Apologies were recieved from Councillors Bower, Dillon, Miss Rhodes, Mrs Stainton and Wells.

Members voted in favour of approving the permission with 4 votes for and 1 against.

REPORT UPDATE

Application No: AL/123/17/PL

Reason for the Update / Changes

Reason for Update/Changes: WSCC (Highways) comments received & additional Parish Council comments.

WSCC (STRATEGIC PLANNING, HIGHWAYS) COMMENTS:

An appropriate quantity of on-site parking is proposed. The dwelling should also be provided a secure and covered cycle parking provision.

The proposed point of access will be afforded similar visibility to that of the existing access so no concern would be raised.

The Local Highways Authority 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.

Conditions regarding access, access closure, car parking spaces and informative regarding minor highways works recommended will be included. It is not considered a cycle parking condition is required as the site has a rear outbuilding under construction which could be used for cycle storage and there is other space for cycles to the rear.

FURTHER ALDINGBOURNE PARISH COUNCIL COMMENTS:

"The Parish Council is very disappointed with the content of the Officers report.

The Parish Council objected to this application on a number of policy grounds including H1 Quality of Design. The officer's report blandly states that;

"the development is considered to meet policies H1 AL/123/17/PL REPORT(ODB) and H6 as the scale of the replacement dwelling is considered to be appropriate to the character of the settlement as it is similar in height it Bramleys and other dwellings on the road"

The Parish Council has indicated that this development does not meet the policy objectives of H1 as the development clearly does not "provide a high quality design that reflects the local character and reinforces local distinctiveness and such an ultra modern building will be incongruous.

The NPPF places great weight on neighbourhood plans (paras.184-185). If the Neighbourhood Plan is to be consistently ignored by Arun then local residents will rightly ask themselves what purpose the Aldingbourne Neighbourhood Plan and Neighbourhood Planning in the District as a whole serves. The Parish Council considers that significant harm will be caused to public confidence in plan making locally.

The Parish Council requests that these points are made to the Committee."

OFFICER COMMENTS:

Highways comments noted. The conditions regarding access, access closure and car parking spaces and informative will be included. The cycle parking condition is not considered to be reasonable as the property has a large outbuilding to the rear for cycle storage and space underneath the front overhang for bicycles. For this reason the condition is not recommended to be imposed.

The Conclusions and Officer Comments on Representations sections of the officer report satisfactorily address the further points made by Aldingbourne Parish Council. The relevant Neighbourhood Development Plan policies have been fully considered. But the officer notes that the Parish disagree with the opinion of the Council's planning team. The area is not of a uniform character and has a mixture of dwelling styles and materials.

Conditions and informative to be added:

Access

No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawings.

Reason: In the interests of road safety in compliance with saved policies GEN7 and GEN12 of the Arun Local Plan.

Access closure

No part of the development shall be first occupied until such time as the existing vehicular access onto Hook Lane has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety in compliance with saved policies GEN7 and GEN12 of the Arun Local Plan.

Car parking spaces

No part of the development shall be first occupied until the car parking has 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 in compliance with saved policy GEN12 of the Arun Local Plan.

Informative

Vehicle Crossover - Minor Highway Works

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

PLANNING APPLICATION REPORT

REF NO: AL/123/17/PL

LOCATION: Mildmay
Hook Lane
Aldingbourne
PO20 3TE

PROPOSAL: Demolition of existing dwelling & erection of 1 No. dwelling (resubmission following AL/83/17/PL).

SITE AND SURROUNDINGS

| | |
|---------------------------------------|---|
| DESCRIPTION OF APPLICATION | Replacement two storey dual pent roof dwelling with green roof covering, sand stone and timber larch cladding external wall finish. Parking to front and garden to rear. The access to front was changed during the application on 20th Feb 2018 and is proposed to the south side of the east elevation. |
| SITE AREA | 0.06 hectares (551m ² approx.) |
| RESIDENTIAL DEVELOPMENT DENSITY (NET) | No change. |
| TOPOGRAPHY | Predominantly flat. |
| TREES | Sapling trees to front and rear of existing dwelling none of any significance which will be affected by the development. |
| BOUNDARY TREATMENT | 1m wall to front (west), hedges and vegetation of varying heights to other boundaries with 1.8m open slat fencing in front. |
| SITE CHARACTERISTICS | Detached bungalow with gable end roof, parking to front and garden to rear with outbuilding to the very rear part of the garden. |
| CHARACTER OF LOCALITY | Semi-rural ribbon of residential development. Medium residential estate under construction to the east of the site. The area has no uniform design or character, the road is characterised by detached dwellings of varying heights, design and materials. Plant nursery to west. |

RELEVANT SITE HISTORY

| | | |
|-------------|---|-----------------------|
| AL/83/17/PL | Demolition of existing dwelling & erection of 1 No. dwelling. | Withdrawn 18-09-17 |
|-------------|---|-----------------------|

Last application for a similar development withdrawn by agent.

Outbuilding to rear granted conditional permission in 2017.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldingbourne Parish Council

Aldingbourne Parish Council

The Parish Council objects to this proposal. It is contrary to Policy GEN3 of the Local Plan and ANP policies H2, H5 and H8 . The proposal does not contribute to the retention of local character and local distinctiveness.

Four letters of public representation, three (two letters from the same address) objecting on the grounds of:-

- Unacceptable impact on neighbouring residential amenity of adjoining property 'The Nook'; in terms of loss of light and overshadowing contrary to saved policy GEN7,
- Design of the house is out of character with the character of the area contrary to Aldingbourne NDP policies H2, H6 and H10.

Further comment:-

The Parish Council resolved to object to the revisions as follows (Please refer to the APC NDP policies) Policy H1 - Quality of design - Does not improve the character of the street scene. Flat roof not in the vernacular. Design too large for plot and no opportunity for screening or landscaping because of size and mass. Overall appearance is incongruous and out of keeping with surrounding properties. Materials and finish out of keeping with street scene.

One letter supporting the development stating:

"stringent effort to produce an attractive, neighbourly and functional design on what is potentially a difficult site"

COMMENTS ON REPRESENTATIONS RECEIVED:

The development is for a replacement dwelling within a ribbon of residential development outside of the built up area boundary (BUAB), thus is not considered to be contrary to the requirements of saved policy GEN3.

Aldingbourne NDP policy H2 is considered to be complied with as it meets local need of a new dwelling, the dwelling does not deliver lifetime home standards but this section of the policy is designed for housing schemes not single dwelling replacements.

The parish state that the development does not enhance the appearance of the area, policy H1 does not

require development to improve the character of the street but be of a 'high quality design that reflects local character and reinforces local distinctiveness'. The development is considered to meet policies H1 and H6 as the scale of the replacement dwelling is considered to be appropriate to the character of the settlement as it is similar in height to Bramleys and other dwellings on the road. Furthermore, it is set in from the side boundaries like neighbouring properties. This section of Hook Lane is formed of single and two storey dwellings many of which are higher than the proposed development. The lane has no identifiable style of character or local distinctiveness which lends to the modern design of the development owing to each property having an individual style and design. Furthermore, the development offers the same access to local facilities as the current dwelling and the use of the site for another dwelling is considered to be an effective and comprehensive use of the land. Wildlife is not considered to be significantly impacted by the proposal and no protected species have been identified on the site. The development will provide off street parking for three vehicles for a three bedroom property which is an oversupply of parking. However, comments from WSCC are awaited as to the overall acceptability of the new access and parking arrangements.

Policy H5 was removed from the Aldingbourne NDP by the examiner at the Plan's inspection stage.

The development will include a well sized private rear amenity space, thus the development complies with Aldingbourne NDP policy H8.

CONSULTATIONS

Archaeology Advisor

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Archaeology Advisor

It is unlikely that works associated with the proposal would impinge on archaeological deposits to the extent that refusal or the requirement of other mitigation measures would be justified.

Engineering Services Manager - See Engineers (Drainage) comments.

Engineers (Drainage) - Please apply standard condition ENGD2A. Soakaways must be investigated for surface water disposal.

Southern Water Planning - Please apply standard informatives.

WSCC (Strategic Planning-Highways) - Comments awaited.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

It is considered reasonable and necessary to impose the pre-commencement surface water drainage condition as the site is within the Lidsey Waste Water Treatment Works (WWTW) catchment area and is at high risk of surface water flooding. However, it is noted that the proposed green roofs will reduce or

slow surface water run off from the main roofs.

WSCC Highways comments should be available prior to DC committee.

POLICY CONTEXT

Designation applicable to site:

Outside of the built up area boundary

Within the Lidsey (WWTW) catchment area

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

| | |
|-------|--|
| GEN3 | Protection of the Countryside |
| GEN5 | Provision of New Residential Development |
| GEN12 | Parking in New Development |
| GEN2 | Built-up Area Boundary |
| GEN7 | The Form of New Development |
| GEN9 | Foul and Surface Water Drainage |

Publication Version of the Local Plan (October 2014):

| | |
|---------|--------------------------------------|
| D DM1 | Aspects of Form and Design Quality |
| C SP1 | Countryside |
| ECC SP1 | Adapting to Climate Change |
| ECC SP2 | Energy and climate change mitigation |
| SD SP1 | Sustainable Development |
| SD SP2 | Built -Up Area Boundary |
| T SP1 | Transport and Development |
| W DM2 | Flood Risk |
| W SP1 | Water |
| D DM2 | Internal Space Standards |
| D SP1 | Design |

Aldingbourne Neighbourhood Plan 2016 POLICY H1

New housing or altering dwellings

Quality of Design

Aldingbourne Neighbourhood Plan 2016 POLICY H2

Range of house types

Housing Mix

Aldingbourne Neighbourhood Plan 2016 POLICY H6

Within built up area boundary

Windfall sites

Aldingbourne Neighbourhood Plan 2016 POLICY H8

Dwellings must have adequate private or shared amenity.

Outdoor space

Aldingbourne Neighbourhood Plan 2016 POLICY H9

Items to consider e.g. - bin stores

PLANNING POLICY 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.

A new Local Plan is in preparation and constitutes a material consideration when determining planning applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was suspended whilst Arun District Council addressed matters raised by the Inspector but it resumed on 17th September 2017 and has now concluded. The District Council is awaiting the Inspector's report which is due out in Spring 2018. The Main Modifications to the Arun Local Plan and evidence base are being made available for public consultation. Representations can be submitted to the council over a six week period starting on Friday 12 January until 5pm on Friday 23 February. This follows on from the Arun Local Plan examination hearings held in September 2017.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taken place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination ended in Autumn 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. 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; Walberton; 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

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 development is considered to comply with relevant Aldingbourne NDP policies which will be considered in the conclusions section.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

"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 located outside of the built up area boundary. However, as the development is for the replacement of the existing dwelling, it is not considered unacceptable in principle as there would be no net increase in dwellings on the site. The development is considered to be acceptable in terms of principle in compliance with saved policies GEN2, GEN7 and Aldingbourne NDP policy EH1.

DESIGN AND VISUAL AMENITY

Hook Lane has no consistent urban form, property design, materials or scale but most properties are set back from the road. It is considered that the variation in materials, design and scale of each property creates a varied character which allows more modern design, such as this development, to be considered acceptable in terms of visual amenity. The sand stone wall and larch timber cladding are considered to be residential in appearance, suitable for this location within a ribbon of development. Whilst the development would be larger than the existing property (footprint is also modestly larger) it will not be as high as Bramleys and the lane is characterised by dwellings of various scale, some larger than the development. Furthermore, it will be set in from the sides and back from the front with garden to rear which is a general layout character of the dwellings in the area. As such, whilst the design is modern it is not considered that it would be out of character with the street scene and is in line with the varied character of the lane in compliance with saved policy GEN7 (ii) and Aldingbourne NDP policies H1, H6 and H9.

RESIDENTIAL AMENITY

The two main neighbouring dwellings to be impacted by the development would be The Nook to the north and Bramleys to the south. The Nook is a bungalow with road facing gable end roof with driveway separating it's south side elevation and the shared boundary with Mildmay. The side wall of the development would be set approximately 7m away from the side elevation of The Nook and be

approximately 5.5m to eaves level with the higher, rear section of the development's roof at approximately 6.2m high. Given the 7m (approx.) separation distance and height of the development, it is not considered that there will be a significant overbearing or visually intrusive impact on the residential amenities of The Nook. Furthermore, no side windows are proposed which could lead to loss of privacy through overlooking to The Nook and the first floor rear facing window is angled away from the Nook and its rear garden. It is also considered that the windows of The Nook would not receive a significant loss of daylight or sunlight owing to the height of the development and set away of the replacement dwelling from the side elevation and windows of The Nook. The applicant has submitted a Daylight and Sunlight Analysis and the officer is satisfied that the loss of light will not be so intense that it would lead to significant harm to residential amenity, especially to the middle side window of The Nook which serves a ground floor bedroom. It should be noted that other side facing windows serve, either a non-habitable room (for the purposes of light testing) or are not the sole source of light to the rooms which also have windows to the front and rear.

Bramleys, to the south is two storey and has a blank side elevation facing the development site. Whilst the development would be closer to Bramleys than to The Nook (1.65m away approx.), Bramleys is two storey and combined with it having no side facing windows, the development is not considered to have an overbearing impact or result in significant loss of light or overshadowing. There would be an angled, first floor rear window to a bedroom partially facing the garden of Bramleys but this would only provide a view of the middle part of Bramley's garden (not the most sensitive part directly to the rear of Bramleys' rear elevation). This is not considered to increase communal overlooking to a harmful level given Bramleys currently has first floor rear windows which provide overlooking to the middle part of Mildmay's rear garden.

The development is considered to be acceptable in terms of impact on residential amenity in compliance with saved policy GEN 7 (iv) and (v).

INTERNAL AND EXTERNAL AMENITY SPACE

The development would provide sufficient internal floor space to meet the requirements of the Nationally Described Space Standards central government document. Thus it is considered that the replacement dwelling would provide useable internal floor space suitable for family habitation in line with emerging policy D DM2 and the Nationally Described Space Standards.

The rear private garden space serving the new dwelling would not be significantly smaller than the existing garden. Thus it is considered the development would provide outdoor private amenity space of adequate size and quality and meet the requirements of Aldingbourne NDP policy H8. The proposed modifications of the emerging Local Plan has deleted policy D DM3 which requires private gardens of a certain size.

PARKING AND HIGHWAYS SAFETY

Three off street parking spaces are proposed which is in line with the required off street parking provision for a 3 bedroom dwelling in line with emerging policy TSP1. Cycle parking can be accommodated under the front overhang feature of the dwelling if required. WSCC comments regarding highways are awaited and will be included in a report update.

SURFACE WATER DRAINAGE

The site is within the Lidsey Waste Water Treatment Works (WWTW) catchment area and is at high risk of surface water flooding. Thus it is considered reasonable and necessary to impose the pre-commencement surface water drainage condition in compliance with saved policy GEN9 and

Aldingbourne NDP policy EH5. However, it is noted that the proposed green roofs will reduce or slow surface water run off from the main roofs but more detail of how these roofs will function is required which can be provided as part of a pre-commencement condition.

The development is considered to comply with the development plan and is recommended for approval with 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 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:-

- 01C
- 02C
- 05A
- 03B
- 04A
- 06B

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 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.

- 4 INFORMATIVE:

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway.

The granting of planning permission goes not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

- 5 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawings.

Reason: In the interests of road safety in compliance with saved policies GEN7 and GEN12 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until such time as the existing vehicular access onto Hook Lane has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety in compliance with saved policies GEN7 and GEN12 of the Arun Local Plan.

- 7 No part of the development shall be first occupied until the car parking has 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 in compliance with saved policy GEN12 of the Arun Local Plan.

- 8 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.
- 9 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 10 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.

AL/123/17/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

**Report of the meeting of the Development Control Post-Committee Site
Inspection Panel held on 20-03-2018**

REF NO: AW/328/17/OUT
LOCATION: 14 Princess Avenue
 Aldwick
PROPOSAL: Outline application with some matters reserved for the conversion of existing dwelling into 5 self contained flats with front, rear, side & dormer extensions (resubmission following AW/71/17/OUT).

This application was deferred from the 14th March Development Control Committee in order for a post Committee Site Visit to take place.

The site visit took place on the 20th March and was attended by Councillors Bence (as Ward Member), Mrs Bence, Mrs Hall, Haymes, Hitchins, Mrs Oakley and Councillor Mrs Lillian Richardson Warden on behalf of Aldwick Parish Council. Apologies were received from Councillors Bower, Mrs Brown, Dillon, Miss Rhodes, Mrs Stainton and Wells.

All five members voted against approving the development for the reason of:

- * Non-compliance with the Governments Internal Space Standards policy;
- * Overdominant form of development;
- * Not in character with surrounding particularly the crenellated parapet wall on the front elevation; and
- * Dominating impact on the Wessex Avenue properties to the North.

PLANNING APPLICATION REPORT

REF NO: AW/328/17/OUT
LOCATION: 14 Princess Avenue
 Aldwick
 PO21 2QT
PROPOSAL: Outline application with some matters reserved for the conversion of existing dwelling into 5 self contained flats with front, rear, side & dormer extensions (resubmission following AW/71/17/OUT).

| |
|------------------------------|
| SITE AND SURROUNDINGS |
|------------------------------|

DESCRIPTION OF APPLICATION

This is an Outline application accompanied by details of access, appearance, layout and scale. Landscaping would then be the sole reserved matter. The proposal seeks to convert the existing dwelling into 5 self contained flats. In order to achieve this, the following extensions are proposed:

- (1) Removal of the existing single storey side extension & removal of chimneys;

- (2) New two storey 2.4m deep front extension;
- (3) New flat roofed two storey rear extensions - adding approximately 0.3m to the existing single storey depth and filling in empty areas between existing single storey extensions;
- (4) As part of (3), the part of the rear extensions closest to the boundary with no. 12 will be single storey with a flat roof;
- (5) Two storey flat roofed side extensions either side of the first floor roof space above the existing garage. The front (west) elevation will include a crenelated parapet wall. New skylight in the flat roof;
- (6) New gable extensions to either side of the main roof; and
- (7) Conversion of half of the existing roof space together with new full width (8.9m wide) rear dormer, one front velux window and one skylight in the roof of the dormer.

The submitted drawings also show off-street hardstanding parking across the front of the site for 6 cars and a new bin/cycle store located in the rear garden. The rear garden will be a communal space.

| | |
|---------------------------------|--|
| SITE AREA | 0.0425 hectares. |
| RESIDENTIAL DEVELOPMENT DENSITY | 118 dwellings per hectare (up from 24 dph). |
| TOPOGRAPHY | Predominantly flat. |
| TREES | There is an existing 3-4m high tree in a neighbouring rear garden (no. 12) which provides screening but would not be affected by the proposals. Two small (circa 2.5m) trees along the boundary with no. 16 also not affected. |
| BOUNDARY TREATMENT | <ul style="list-style-type: none"> - Dwarf wall to front; - Part timber fence (1m rising to 1.8m), part 1.6m wall to no. 16. Supplemented by two small trees; - 1.6m high timber fence to no. 12; and - Part garage wall, part 2.2m high timber fence to rear boundary with Sandringham on Wessex Avenue. |
| SITE CHARACTERISTICS | Existing two storey detached dwelling fronted in brown brick & cream render with black painted timber detailing. Front single storey bay window projection. Cream rendered to rear and sides. Pitched lean to garage/store extension to southern side (part of the roof space of this extension is storage to a first floor bedroom). Lean to porch structure on northern side. Single storey utility room extension and conservatory on rear. Clay tiled roof. Three chimneys. Rear garden laid to lawn with a small timber domestic shed. Additional to the garage & driveway, on-street parking is available. |
| CHARACTER OF LOCALITY | Residential area predominantly characterised by detached two storey dwellings, some with rooms in the roof albeit no other obvious rear dormers in the area. Some larger 3-4 storey flatted buildings at the southern end of Princess Avenue and also at the Northern end where it joins Aldwick Road. Mix of roof forms in the street scene including gables to the side at |

either end of Princess Avenue and on flatted buildings on Wessex Avenue to the rear.

Neighbouring properties comprise of the following:

12 - This is a two storey detached property which comprises 5 flats for the elderly as approved by BR/177/17. It has no first floor flank windows on the affected side. The closest window on the rear is not considered to serve a principal room.

16 - This is a two storey detached property which comprises 2 flats as approved by BR/160/52. Three existing first floor flank windows. Ground floor flank windows are obscured by existing outbuildings.

La Casita, Wessex Avenue - this two storey detached dwelling backs onto the side of 14's rear garden. It has ground and first floor principal windows which overlook the site.

Seagull, Wessex Avenue - this two storey detached dwelling has ground and first floor principal windows which overlook the site albeit at an oblique 45 degree angle.

Sandringham, Wessex Avenue - two storey detached dwelling with ground and first floor principal windows that backs onto the site.

RELEVANT SITE HISTORY

| | | |
|--------------|--|-----------------------|
| AW/71/17/OUT | Outline application with some matters reserved for the conversion of existing dwelling into 5 No. dwellings with rear, side & dormer extensions. | Withdrawn 12-06-17 |
|--------------|--|-----------------------|

Planning application AW/71/17/OUT sought permission for a similar development albeit with a pitched roof above the two storey side/rear extensions, three front facing velux windows and an external staircase & access across a flat roof on the rear to three of the flats. It was withdrawn by the applicant at the request of the Council due to the following issues:

- Impact on the character of the street;
- Overlooking of neighbouring gardens from the staircase & walkway;
- Loss of light to no. 12 from the two storey side extension built right up to the boundary; and
- Non compliance with internal space standards.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

"Members strongly opposed the application on the grounds that the proposed conversion would not sympathetically relate to or be visually integrated with, the existing building in siting, design, form, scale and materials, because the conversion would compromise the established spatial character and pattern of the street and because there is insufficient parking provided. Members also considered the internal layout of some of the flats to be unusual (bathroom placement). Therefore Members agreed that the proposed conversion is in direct conflict with Policy DEV 19 (i) and (v) of the Arun District Local Plan 2003 and with Policy GEN 12 (it does not ensure that appropriate parking facilities are provided within the conversion) of the Arun District Local Plan 2003 and with the Parish Design Statement page 64."

Six letters of objection including with supporting images raising the following issues:

- (1) Extensions to the rear will dominate and overlook the nearby dwellings La Casita & Seagull;
- (2) Proposed conversion/extension works are not subservient to the host dwelling;
- (3) Conflict with Policies GEN7, GEN29, GEN30, GEN32, DEV19 & DEV23 of the Arun District Local Plan;
- (4) Impact on Human Rights;
- (5) Noise disturbance to neighbouring properties as a result of taking bins from the store to the front & vice versa, opening & closing etc - this will generate a collective noise level in excess of 97 decibels;
- (6) No provision for bins when left at the front on collection day - will create a hazard for pedestrians;
- (7) Only access to ground floor flat 2 is from the back and this will result in noise & light pollution to neighbouring properties;
- (8) The access to the rear garden between the northern wall of the building and the boundary is less than 1m wide;
- (9) Inadequate access to the entrance to flat 2 for emergency fire/ambulance personnel;
- (10) Loss of trees from front and rear gardens including a well established Yew Tree & Laurel hedge in the front and four mature trees in the rear garden all of which support bird life and the resultant impact on birds would be disastrous;
- (11) Increase in noise from building works;
- (12) Increase in parking demand on local streets;
- (13) Odour pollution from bin store to rear garden of La Casita;
- (14) Overdevelopment;
- (13) Increased surface water runoff; and
- (14) Pedestrian safety from cars traversing the pavement to access the parking spaces.

A seventh letter was received from a resident of one of the flats in 16 Princess Avenue requesting that the comments made in respect of the previous application be transferred to this application file however, it is not Council procedure to do this and to do so would create a precedent for future situations.

COMMENTS ON REPRESENTATIONS RECEIVED:

The Parish Council comments are noted and will be discussed within the conclusions section under "Design & Character" and "Highway Safety & Parking". However, it is not considered that the placement of bathrooms within the layout is capable of being a material planning consideration whether unusual or not.

The following comments are made in respect of the neighbour objections:

- (1) This will be discussed in the Conclusions section under "Overlooking/Privacy";
- (2) This will be discussed in the Conclusions section under "Design & Character";
- (3) These policies will be discussed in the Conclusions section. However, it should be noted that policy DEV32 is not a saved policy and does not form part of the adopted Local Plan. Therefore, no weight can be given to it;

- (4) Human Rights are considered within this report;
- (5) This will be discussed in the Conclusions section under "Noise & Odour Pollution";
- (6) It is normal practice for residents to put their bins out on the street on collection day;
- (7) It is not considered that the movements associated with the flat entrance would be materially different to the use of a back door by a resident;
- (8) According to the submitted site plan, the width is between 1 and 1.1m which would be sufficient. It is accepted that the width seems less when looking at the proposed ground floor plan but it is not considered that this straight line at the top of this plan is the line of the boundary;
- (9) This is not a material planning consideration;
- (10) This will be discussed in the Conclusions section under "Trees and Wildlife";
- (11) Any impacts during construction will be temporary in nature. Furthermore, there is other legislation (such as Environmental Law) in place to protect residents from undue noise;
- (12) This will be discussed in the conclusions section under "Highway Safety & Parking";
- (13) This will be discussed in the conclusions section under "Noise & Odour Pollution";
- (14) This is considered within the Conclusions section under "Design & Character" and "Space Standards";
- (13) This is not a location in which it would be appropriate to impose a condition requiring a surface water drainage scheme and instead this will be considered during the Building Regulations process. Council drainage engineers did not object to the previous application; and
- (14) This will be discussed in the conclusions section under "Highway Safety & Parking";

CONSULTATIONS

WSCC Strategic Planning
 Engineering Services Manager
 Engineers (Drainage)
 Southern Water Planning
 Environmental Health

CONSULTATION RESPONSES RECEIVED:

SOUTHERN WATER: No objections subject to an informative and a condition to ensure that any unrecorded sewers crossing the site are protected.

WSCC HIGHWAYS: No objection subject to cycle storage, car parking and access conditions. Also an informative regarding the works to extend the crossing. State that the comments given for AW/71/17/OUT still apply. These are summarised as:

- Using the WSCC Car Parking Demand Calculator, and on the basis that the car parking spaces remain unallocated, the proposal will result in a demand for 5 car parking spaces;
- The parking spaces should therefore be unallocated;
- Whilst a turn on site is not achievable the lightly trafficked slow speed context of this unclassified road is appreciated;
- Neighbouring accesses operate in a similar manner without evidence of highway safety concern;
- The provision of off street parking reduces the pressure for further on street parking which causes a noticeable narrowing of the available carriageway space; and
- Junction protection in this area ensures that on-street parking cannot occur in unsafe locations.

ADC ENVIRONMENTAL HEALTH: Advise "no comment".

ADC PRIVATE SECTOR HOUSING: Make general comments on fire safety, room sizes and ventilation

but raise no objections.

ADC DRAINAGE ENGINEERS: No response received but did not object or require any conditions in respect of the previous application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. WSCC Highways have requested a condition requiring approval of cycle storage details. However, the application is already accompanied by these details and so it would not be reasonable to impose a condition requiring approval of these details.

POLICY CONTEXT

Designation applicable to site: Within Built Up Area Boundary.

DEVELOPMENT PLAN POLICES

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

| | |
|--------|---|
| AREA13 | Sites of International Importance for Nature Conservation |
| GEN2 | Built-up Area Boundary |
| GEN7 | The Form of New Development |
| GEN9 | Foul and Surface Water Drainage |
| GEN12 | Parking in New Development |
| GEN32 | Noise Pollution |
| GEN34 | Air Pollution |

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

| | |
|---------|--|
| D DM1 | Aspects of Form and Design Quality |
| D DM2 | Internal Space Standards |
| D DM4 | Extensions & Alterations to Existing Buildings |
| D SP1 | Design |
| ECC SP2 | Energy and climate change mitigation |
| ENV DM2 | Pagham Harbour |
| H DM1 | Housing Mix |
| SD SP2 | Built -Up Area Boundary |
| T SP1 | Transport and Development |
| QE DM1 | Noise Pollution |
| QE DM3 | Air Pollution |
| W DM3 | Sustainable Urban Drainage Systems |

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

| | |
|-------|---------------------------------|
| SPD10 | Aldwick Parish Design Statement |
|-------|---------------------------------|

| |
|--------------------------|
| 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.

A new Local Plan is in preparation and constitutes a material consideration when determining planning applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was suspended whilst Arun District Council addressed matters raised by the Inspector but it resumed on 17th September 2017 and has now concluded. The District Council is awaiting the Inspector's report which is due out in Spring 2018. The Main Modifications to the Arun Local Plan and evidence base are being made available for public consultation. Representations can be submitted to the council over a six week period starting on Friday 12 January until 5pm on Friday 23 February. This follows on from the Arun Local Plan examination hearings held in September 2017.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination ended in Autumn 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. 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; Walberton; 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

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 parish of Aldwick has not developed a Neighbourhood Development Plan but has published a Design Guide.

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 and 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 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.

Paragraphs 14 and 49 of the NPPF set out a presumption in favour of sustainable development. 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.

The application site lies within the settlement of Bognor Regis (including Aldwick) and there are various local amenities and services within walking distance of the site along street lit footways. Bognor Regis Train Station is a walk or cycle of 1.4km and there are bus stops nearby on both Kings Parade to the south & Aldwick Road to the north. Aside from a nearby Tesco Express (350m), the nearest large supermarket is the Morrisons in Bognor Regis (1.6km). It is therefore considered that 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.

It is considered the proposal will result in localised economic benefits through the need to employ people to carry out the building works. The proposal will also result in a net gain of 4 dwellings and so an increase in Council tax receipts and new homes bonus payments. In addition, the flats could bring new people into the area who could then spend money on local goods & services. These economic factors weigh in the scheme's favour. It is also considered that the proposal will have social benefits by providing new housing to meet local needs and this also weighs in the scheme's favour.

It is considered the proposal is sustainable development and would benefit from the NPPF presumption in favour of sustainable development. This report now considers the proposal against the relevant policies of the development plan.

DESIGN & CHARACTER:

The Parish Council consider that the proposal will not sympathetically relate to or be visually integrated with the existing building and because it would compromise the established spatial character and pattern of the street. In addition, local residents do not consider the extensions to be subservient to the host dwelling and that the scheme overdevelops the site.

Local Plan Policy GEN7 (ii) requires that new developments respond positively to the identified characteristics of a particular site to create developments which respect local characteristics. Furthermore, Policy DEV19 requires that extensions be visually subservient to the existing building, reflect the existing streetscene, not result in a terracing effect and be visually integrated with & sympathetically relate to the existing dwelling.

The site is defined within the Aldwick Parish Design Statement as being part of Character 13 "Aldwick Road" and therefore, the following development criteria in respect of extensions are relevant:

- New extensions should be visually subservient and related to the existing building and not vary significantly in height or bulk from those nearby;
 - Existing separation of dwellings should be preserved to prevent unneighbourly cramped or visually intrusive closure of gaps;
 - Materials matching the existing building should be used where appropriate.
 - Roof development should be sympathetic & in keeping with the character of existing properties;
 - Roof development likely to be particularly intrusive should be strictly controlled;
 - Front boundaries, where present, should contribute to overall street scene;
 - The existing pattern (set back & density) should be maintained;
 - Existing boundary walls, trees and hedges should be preserved;
 - Over development of the area by infilling and converting large properties into flats should be avoided;
- and
- Amenity trees, spaces and access ways should be retained.

The proposals will add significantly to the existing building. However, taken individually, they are considered to be subservient additions and they will visually integrate with the host building. It is noted that matching materials are proposed. The bulk of the extensions are to the rear and will not be visible in the street scene.

The only changes visible from the front will be the flat roofed first floor side extension (with front crenelated parapet wall), the front extension (which does not extend beyond the existing building line) and the two gable additions to the main roof. None of these additions are considered to be harmful to the appearance of the streetscene or character of the area. It is accepted that the first floor side extension will be built up to the boundary. However, there is an existing gap of at least 2m between the boundary and the edge of no. 12. Furthermore, a 1m gap will be retained to the northern boundary. Therefore, the proposals will not result in a terracing effect within the street scene.

The drawings include a single front velux window. Although this suggests to passers-by the use of the roofspace, there are properties opposite the site which also have a roof level window. It should be noted that the previous application drawings included three front velux windows and this was considered to be out of character - hence the plans were changed to only include one at the front.

The removal of the chimneys would represent a change to the character of the streetscene as all other dwelling houses have at least 1 chimney. However, it would be possible to remove the chimneys under permitted development rights whether planning permission is given or not.

The proposed rear extensions do not significantly deepen the existing footprint and although they add a second storey above, the part closest to the boundary with no. 12 will only be single storey (with a flat roof) and as such will not overshadow any of the windows on that property. The two storey rear extensions will also be flat roofed and this further reduces the impact on adjacent properties.

The proposed rear dormer will be a large addition to the roof but will be subservient in height to the main roof and will essentially only be visible from the rear (perhaps with glimpsed views between houses from Wessex Avenue).

The criteria of the Aldwick Parish Design Statement are noted, however for the reasons set out above, it is not considered that the extensions materially conflict with the guidance. The Guidance does state that conversion into flats should be avoided but as there are other flatted properties within the street (including purpose built and converted buildings), it is considered that there is local precedent. Impacts on trees will be discussed elsewhere in this report but it is not considered that the proposals remove any trees or vegetation of amenity value.

The proposal is therefore considered to accord with policies GEN7 and DEV19 of the Arun District Local Plan and with the Aldwick Parish Design Statement.

OVERLOOKING/PRIVACY:

Local residents consider that the proposals will dominate and overlook nearby houses and gardens.

Arun District Local Plan Policy GEN7 (iv) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. Policy DEV19 also requires that extensions do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties.

It is also important to note that paragraph 17 of the NPPF states that decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

The rear facing windows within the dormer will be at a higher level than those of a two storey property but are not any deeper into the plot than the existing rear wall of the house. As a result, there is a distance between these windows and the rear of La Casita of 14-20m, and to Seagull, of at least 18.5m. Furthermore, the views between these properties are oblique and not a typical back-to-back arrangement. Having regard to this fact, the distances are considered to be acceptable. The proposed new roof level north facing flank window will be obscure glazed and this will protect the amenity of no. 16 to the north.

The new rear facing first floor windows will be set further into the plot and therefore closer to nearby properties. However, again, any views of La Casita & Seagull will be at an oblique angle and at a reasonable distance (at least 15m) so as to prevent any direct and harmful loss of privacy. It is accepted that the private gardens of the neighbouring properties are closer than their windows, however the views will still be oblique such that the privacy of these spaces will not be compromised.

The proposal is therefore considered to accord with policies GEN7 and DEV19 of the Arun District Local Plan.

NOISE & ODOUR POLLUTION:

Local residents consider that there will be odour pollution from the bin store and noise pollution arising from moving wheeled rubbish bins around.

Arun District Local Plan Policy GEN32 (Noise Pollution) states that: "Development which is a potential source of significant noise pollution will not be permitted unless the Council is satisfied that appropriate measures have been included in the proposal to reduce noise pollution to acceptable levels."

Arun District Local Plan Policy GEN34 (Air Pollution) states that: "Development that contributes to air pollution through dust, smell, fumes, smoke, heat, radiation, gases, steam or other forms of pollution will not be permitted unless the Council decides that the health, safety and amenity of users of the site or surrounding land is not put at risk and the quality of the environment would not be damaged or put at risk."

It is important to note that the submissions made in respect of noise were passed on to the Council's Environmental Health officers and that their response stated no objection to any part of the scheme. If they had considered there to be an odour or noise issue then they would have commented about it.

In addition, although it is accepted that the result of this flat conversion will be a greater number of bins on the site, the act of moving bins across a property and opening/closing them is not something untypical in a residential area. Further, there are existing flatted buildings on both sides of the site and also elsewhere on Princess Avenue which would appear to be operating without amenity impacts of this nature. In respect of the bin store, this will be a self contained structure and rubbish will be stored inside either in bags or in bins. It is not considered that this is likely to give rise to odours but should any instances of odour arise, then the Council would be able to resolve such issues through separate environmental health powers.

The proposal is therefore considered to accord with policies GEN32 & GEN34 of the Arun District Local Plan.

SPACE STANDARDS:

Policy D DM2 of the modified emerging Arun Local Plan states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance"

It is therefore necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) in order to determine whether the individual flats are suitable for residential use. 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

| | | | |
|---|------|------|------|
| 1 | 2B3P | 61m2 | 60m2 |
| 2 | 2B3P | 61m2 | 74m2 |
| 3 | 2B3P | 61m2 | 57m2 |
| 4 | 2B3P | 61m2 | 62m2 |
| 5 | 1B1P | 39m2 | 36m2 |

Although the scheme is only 40% compliant it is considered that this is acceptable having regard to: (a)

the preamble to Policy D DM2 of the emerging modified Local Plan which states that "There might be occasions where development schemes cannot comply with all the space standards required (such as the conversion of an existing building" and that these will be considered on a case-by-case basis; and (b) in the case of the 3 flats that do not comply, none are significantly less than the requirement. On this basis, it is considered that the proposal is in accordance with the emerging space standards policy.

In respect of external garden standards, the current modified version of the emerging Arun Local Plan proposes to delete policy D DM3 in favour of inclusion within a future design guide. It is not therefore considered appropriate to now refer to this policy. The proposal includes a large communal rear garden of around 105m² in size which equates to 21m² per flat. Furthermore, the site is only a short walk from Marine Park Gardens, West Park and the beach so there are other opportunities available for recreation and for sitting outside.

HIGHWAY SAFETY & PARKING:

The Parish Council consider that the proposal provides insufficient parking. In addition, local residents consider that the proposal will result in increased parking demand on local streets and that cars traversing the pavement to access the parking spaces will create safety issues to pedestrians.

Policy GEN7 (vii) requires that new development allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians. Regard should also be had to paragraph 32 of the National Planning Policy Framework which states that: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

Arun Local Plan policy GEN12 refers to the need to provide sufficient off-street parking. However, the standards within the appendices to the Local Plan which it refers to have been superseded by the West Sussex (Residential) Parking Demand Calculator.

The application has been assessed by West Sussex County Council Highways who do not consider that it will result in any adverse impacts on highway safety. Furthermore, they advise that there is sufficient car parking to meet the likely demand.

On this basis, it must be considered that the proposal is in accordance with Arun District Local Plan policies GEN7 & GEN12. A condition will be imposed to ensure that the parking spaces are not allocated to any specific flats.

TREES AND WILDLIFE:

Local residents consider that the proposals will remove notable trees and that this will result in lost bird breeding & feeding habitat.

Arun Local Plan policy GEN28 provides protection to trees but only where they are already protected, in a Conservation Area or identified as ancient woodland. Paragraph 118 of the NPPF states that: "planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

Arun Local Plan policy GEN29 states that development will only be permitted on sites which contain semi-natural habitats, features of nature conservation interest, or within wildlife corridors, where these can be largely retained and sympathetically incorporated into the scheme. Policy GEN30 is noted but this only applies where species protected by law are affected and this would not be relevant for an urban

residential site.

It is not considered that there are any trees within the site that would qualify as having amenity value or being either aged or veteran. It is noted that the objector considers there to be a well established old Yew Tree in the front garden. However, a site visit confirmed only small shrubs to be present and certainly none over a height of 1.5m. It is not considered that the proposed extensions are likely to affect any of the trees to the boundaries of the rear garden however, in any case, none of these are considered to be significant enough or have local amenity value so as to warrant preservation.

Should any trees need to be pruned or felled then there could be an impact on local birds using the site. However, it is not considered that any such impact would have a significant and material impact on local birdlife.

It is therefore not considered that the proposals are in conflict with policies GEN28, GEN29, GEN30 of the Arun District Local plan or in respect of the guidance within the NPPF.

IMPACT ON THE PAGHAM HARBOUR SPECIAL PROTECTION AREA:

Policy ENV DM2 of the Emerging Local Plan (Publication Version) requires that all new residential developments within a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. An original contribution of £1,275 per new residential unit was agreed by the Councils Cabinet on 20 July 2015 and subsequently reduced down to £871 per new residential unit as of the 10th April 2017. The 2015 report to Cabinet stated that:

"The access management measures identified are referred to as Strategic Access Management and Monitoring (SAMMs). As these do not include the allocation of specific land, they are not classified as physical infrastructure, and are not included under the definition of infrastructure within Section 216 of the Planning Act 2008, meaning the pooling restrictions as set out under Regulation 123 of the CIL Regulations (2010) as amended, do not apply. It is common practice by many other authorities (for example Elmbridge) that contributions towards SAMMs are gathered through S106 planning obligations. This approach has also been confirmed within Counsel advice sought by the Council. As a contribution is required to make the development acceptable in planning terms, it is therefore in compliance with the tests under Regulation 122 of the CIL Regulations (2010) as amended"

Furthermore, this policy has a basis in the current development plan in that Local Plan policy AREA13 "Sites of International Importance for Nature Conservation" states that: "Where development is permitted, the use of conditions or planning obligations will be considered in order to avoid and minimise harm to the site, to enhance the site's nature conservation interest, and to secure any compensatory or mitigation measures and appropriate management that may be required."

This contribution is now required for all new residential developments within Zone B and this zone includes the application site. The application is accompanied by a complete signed legal agreement which secures a contribution of £3,484 towards the mitigation of the impacts of the development on the Pagham Harbour Special Protection Area.

SUMMARY:

The proposed extension and conversion of this property is considered to represent an efficient use of urban land and does so without compromising the visual amenities and character of the area, highway safety or the amenities of existing nearby residential occupiers. The proposal is considered to be sustainable development and notwithstanding that it complies with all development plan policies, it

therefore benefits from the presumption in favour of development set out within the NPPF. The recommendation to approve is therefore made subject to the following conditions and the signed Section 106 Agreement.

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 is accompanied by a Section 106 legal agreement relating to a payment of £3,484 towards the mitigation of the impacts of the development on the Pagham Harbour Special Protection Area. This is payable on commencement of development. The Section 106 Agreement has been signed by all parties and is considered to be complete.

RECOMMENDATION

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 matter must be made not later than the expiration of 3 years beginning with the date of this permission:-

(e) 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 plans:

Location Plan ref. SBS/221;
 Site and Block Plan dwg. SBS/221/09 Rev A;
 Proposed Site Plan dwg. SBS/221/20 Rev A;
 Proposed Ground Floor Plan dwg. SBS/221/03 Rev C;
 Proposed First Floor Plan dwg SBS/221/04 Rev C;
 Proposed Second Floor Plan dwg SBS/221/08 Rev B;
 Proposed Roof Plan dwg. SB/221/07 Rev A;
 Proposed Elevations dwg. SBS/2241/06 Rev D; and
 Proposed Cycle/Bin Store Plan & Elevations dwg SB2/221/11.

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 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing.

Reason: In the interests of road safety and in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

- 5 No part of the development shall be first occupied until the car parking has 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 in accordance with policies GEN7 & GEN12 of the Arun District Local Plan and the National Planning Policy Framework.

- 6 None of the car parking spaces serving the property shall be allocated to a specific flat and they shall be available for any and all of the approved flats within the building.

Reason: The parking provision has been assessed on the basis of unallocated spaces and in accordance with policies GEN7 & GEN12 of the Arun District Local Plan and the National Planning Policy Framework.

- 7 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 and DEV19 of the Arun District Local Plan.

- 8 The first floor bathroom window on the northern elevation of the building shall at all times be glazed with obscured glass and fixed to be top vent opening only.

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

- 9 The second floor secondary lounge/kitchen window on the northern elevation of the building shall at all times be glazed with obscured glass and fixed to be top vent opening only.

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

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and to ensure adequate communal garden space for future occupiers in accordance with policy GEN7 of the Arun District Local Plan.

- 11 Should any sewer be found during construction works then all development activities shall cease and not recommence until full details of the proposed measures to be undertaken to protect the existing public sewer have been submitted and approved in writing by the local planning authority (in conjunction with Southern Water) and then implemented in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to any existing foul sewers in accordance with policy GEN9 of the Arun District Council Local Plan.

- 12 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 13 INFORMATIVE: Please note the following Private Sector Housing comments:

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 - "Housing - Fire Safety, Guidance on fire safety precautions for certain types of existing housing"

- A room where the only escape route is through another room is termed an "inner room" and poses a risk to its occupiers if a fire starts unnoticed in the outer room. The escape routes from the bedroom in flats 1, 2 and 3 is via the kitchen, this can be overcome by ensuring that the window in the bedroom is an escape window and adequate fire protection within the flat.

Room Sizes

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

Ventilation

- Any bathrooms and kitchens without windows for natural ventilation should have adequate mechanical ventilation.

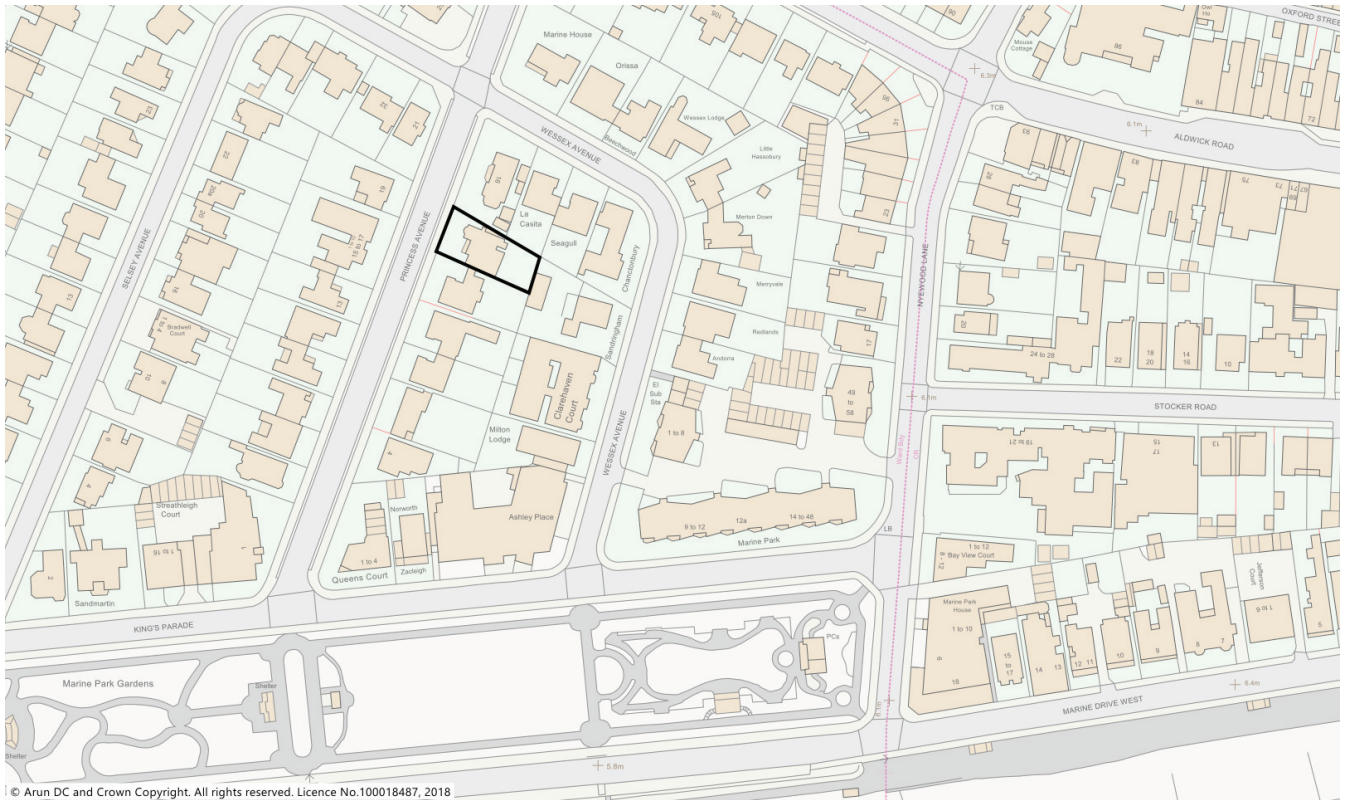
General

- Must meet the requirements of the Housing Act 2004 and be free of Category 1 and significant Category 2 Hazards;

- Must meet the requirements of the Arun District Council Houses in Multiple Occupation Standards (2016).

- 14 INFORMATIVE: 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.
- 15 INFORMATIVE: The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.
- 16 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a contribution of £3,484 towards the provision of accessible natural open green spaces to serve the Pagham area.

AW/328/17/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

Report following a request for further information, negotiations or consultation

| | |
|------------------|---|
| REF NO: | Y/44/17/OUT |
| LOCATION: | Land at Stakers Farm North End Road Yapton |
| PROPOSAL: | Outline Planning Application for 70 No. residential dwellings including 30% affordable, public open space & associated landscaping. All matters to be reserved apart from Access (access to be achieved via permitted road (reference Y/93/14/OUT)). This application is a Departure from the Development plan. This application affects the character & appearance of Main Road/Church Road Yapton Conservation Area & the setting of Listed Buildings |

This application was deferred at the meeting on the 17th of January 2018 for further negotiation and clarification with (i) Southern Water; (ii) West Sussex County Council Education Department; and (iii) the applicant (with reference to land issues for the potential expansion of the primary school).

The applicant has amended the illustrative layout drawing to show 3,500m² of land reserved for the future expansion of the School. This is an increase of 2,050m² on the land previously shown as being gifted to the School. This has been achieved by reconfiguring the layout & the dwelling mix and by reducing the amount of proposed public open space (POS) from 4000m² to 3625m².

The amount of land to be reserved for the school has been arrived at through an Inception Study which built on the previous MACE High Level Feasibility Study, as provided by Lisa Jackson Planning in advance of the previous Committee Meeting. The Inception Study details the land required for a 3 Form Entry (FE) School meeting BB103 (Building Bulletin 103 "Area Guidelines for Mainstream Schools").

The expansion plans have been subject to consultation with Yapton Parish Council, WSCC and with the Headteacher of the School. The Headteacher had asked whether further land could be made available for the school to undertake more Forest School activities. The applicants would agree to this but this would be for future consideration under any subsequent application on the site (and would result in a further loss of POS to serve the residential development). Members should note that the layout for the School as shown is not fixed and the School could expand differently within the same land area if it so wished. Members should also note that there is no guarantee that the School will indeed expand or, if they do so, how long this will take. Therefore, it is not considered appropriate, at the current time, to jointly assess the highway impact of the proposed 70 dwellings and the expansion of the School.

WSCC are currently reviewing the Inception Study and their further comments will be reported as an update to the Committee Meeting. However, it should be noted that the requirement within Policy HP2c of the emerging Local Plan in respect of the SD7 Yapton residential allocation is for a 1FE school. WSCC were therefore seeking sufficient land to accommodate a 1FE expansion of the existing School to take it to a total size of 2.5FE. The land to be reserved allows for an expansion to 3FE. It is also noted that Yapton Parish Council, in their representation of the 16th January, stated that the land needed from the Stakers Farm site for the expansion of the School would be at least 0.35Ha. The scheme as now proposed allocates 0.35Ha of land to enable a 1.5FE expansion of the school.

It is proposed that the Section 106 Agreement include a provision which requires that the hatched area on the plan be reserved for the future expansion of the school and that if the land is not taken up for this purpose within a reasonable time period (to be defined) then it shall return to public open space serving

the approved development and be subject to landscaping to be approved by the future reserved matters application.

In respect of the Southern Water (SW) objection, further comments have been sought from SW but they maintain their objection on the basis that they assess sites individually and with regard to variety of factors and this is why sites adjacent or close to each other may receive contrasting responses. SW therefore maintains their objection. However, members should note that:

- * Southern Water did not raise any objection to the proposed residential developments on the adjacent land at Bonhams Field (Y/1/17/OUT), to the proposed residential development of land at Street Buildings (Y/49/17/OUT), to the proposed residential development at Ford Lane (Y/80/16/OUT) or to the proposed residential development at Burndell Road Yapton (Y/19/16/OUT). None of these other nearby sites were allocated in any existing or emerging Development Plan;
- * In all of the above cases, a condition requiring approval of foul drainage details was recommended;
- * Whilst the Stakers Farm site is not allocated for development, if the emerging Local Plan is to be found sound by the Inspector, then those sites identified within the Housing & Economic Land Availability Assessments (HELAA) would likely then be 'allocated' through a formal Development Plan document;
- * Southern Water have published their new Infrastructure Charges and these will come into force from 01/04/18. Under this new scheme, for developments greater than 20 units, the infrastructure charge will be £765 per plot. This will entitle the developer to undertake a like for like connection into an existing public sewer as a direct connection without the need for a capacity check. This means that from April, Southern Water will not be able to refuse connections to new development; and
- * Southern Water have not confirmed (despite being asked to do so) that they will defend an appeal if the application were to be refused on foul drainage grounds.

On this basis and in the interests of consistency, it is not considered reasonable or sustainable to maintain the Southern Water objection.

The Committee report has been updated in respect of the changes to the proposal and in order to incorporate the contents of the previous report update.

The recommendation remains to approve subject to conditions and a Section 106 Agreement albeit that the decision should be delegated back to the Director of Place in consultation with the Chairman and Vice Chairman of the Development Control Committee in order that the Section 106 can be completed and signed.

PLANNING APPLICATION REPORT

| | |
|------------------|---|
| REF NO: | Y/44/17/OUT |
| LOCATION: | Land at Stakers Farm North End Road Yapton |
| PROPOSAL: | Outline Planning Application for 70 No. residential dwellings including 30% affordable, public open space & associated landscaping. All matters to be reserved apart from Access (access to be achieved via permitted road (reference Y/93/14/OUT)). This application is a Departure from the Development plan. This application affects the character & appearance of Main Road/Church Road Yapton Conservation Area & the setting of Listed Buildings |

| |
|------------------------------|
| SITE AND SURROUNDINGS |
|------------------------------|

| | |
|---------------------------------|---|
| DESCRIPTION OF APPLICATION | <p>The application seeks outline planning permission for 70 dwellings, 3625m² of open space, 3500m² of additional open space reserved for expansion of the Yapton C of E Primary School and associated landscaping.</p> <p>All matters are reserved except for access which is proposed to be taken from North End Road but via the land to the north which benefits from an outline consent with access for 38 dwellings (Y/93/14/OUT).</p> <p>Of the 70 dwellings proposed, 21 would comprise affordable homes. The proposed mix of homes would be:</p> <ul style="list-style-type: none"> * 4 x 1 bedroom apartments (5.7%); * 17 x 2 bedroom houses (24.3%); * 43 x 3 bedroom houses (61.4%); and * 6 x 4 bedroom houses (8.6%). <p>Detailed issues such as housing layout & design, parking, appearance, scale and landscaping are all reserved for a later detailed planning application. However, the illustrative layout plan suggests that:</p> <ul style="list-style-type: none"> * Open space will be provided in the south eastern corner of the site providing a green buffer between Stakers Farm/The Croft and the new houses; * The north western boundary will include a 4.5m wide strip of buffer planting; * The part eastern boundaries to the School site will have 2m wide buffer planting to supplement the existing hedgerows; * Internal site roads will be 4.8m wide with 2.0m wide footpaths either side; * Allocated car parking will be provided in the following ratios - 1 space per 1-bedroom flat, 2 spaces per 2- & 3-bedroom house and 4 spaces per 4-bedroom house; * 14 unallocated visitor parking spaces will be provided; and * 2 cycle spaces will be provided per dwelling either in rear garden sheds or garages. |
| SITE AREA | 3 hectares. |
| RESIDENTIAL DEVELOPMENT DENSITY | 23.3 dwellings per hectare. |
| TOPOGRAPHY | Predominantly flat but undulating. |
| TREES | <p>The following trees are considered to be potentially affected:</p> <p>T1 - a 10m high Monterey Cypress - just outside of the site adjacent to the south western corner;</p> <p>G2 - a group of up to 7m high English Oak, Hawthorn & Ash -</p> |

on the north western boundary;
 G3 - a group of up to 5m high Ash & Hornbeam - just outside of the site adjacent to the north western corner;
 H4 - 2m high Field Maple & Ash hedge - on part of the eastern boundary with the School site;
 G5 - a group of up to 9m high Weeping Willow, Alder & Silver Birch on part of the northern boundary with the school site;
 T6 - 8m high Ash - within the eastern half of the site/due west of the school;
 T7 - a 4m high Lime - within the site roughly east of centre;
 T8 - a 3m high Horse Chestnut - within the site roughly east of centre;
 T9 - a 2m high Horse Chestnut - within the site roughly east of centre; and
 T10 - a 6m high Beech tree - within the eastern half of the site/due west of Stakers Farm.

It is proposed to fell T7, T8 & T9 but retain all of the other trees/hedges. However, T6 is located in the area of land to be reserved for expansion of the School and could therefore be felled if the School is expanded in the future.

BOUNDARY TREATMENT

2-3m high hedge to the school boundaries. Otherwise 2 bar ranch style fencing to boundaries.

SITE CHARACTERISTICS

The site comprises of 6 separate agricultural fields currently utilised for the grazing of sheep & horses and an existing pitched roof single storey agricultural barn building. The site is grassed with few trees. In addition to the barn building, there are a few timber field shelters or stables.

The site is located in open countryside, but immediately abuts the western edge of the settlement boundary of Yapton and the Main Road Conservation Area. The site is not located in an area at risk from fluvial flooding, nor is it designated in an area of high landscape sensitivity or ecological importance.

CHARACTER OF LOCALITY

The site is located within the Parish of Yapton but just outside the Settlement Boundary of Yapton village. The site includes an existing agricultural barn building but excludes two further buildings just south east of the first. These buildings, the large arable field to the west and also the track running between the southern boundary of the site and the adjacent Bonhams Field site are owned by a third party.

Stakers Farmhouse and associated buildings lies to the east and consists of a two storey Grade II Listed dwelling with a mix of single and two storey outbuildings (these outbuildings are currently the subject of a barn conversion application (Y/58/17/PL). These outbuildings provide screening to the windows of the farmhouse itself.

The site is overlooked to the east by the ground & first floor windows of the residential properties of The Croft. To the

east/north/east lies the Yapton Primary School with surrounding playing fields. To the north lies a further field ("Land North of Yapton C of E Primary School") which has the benefit of an extant outline consent for 38 dwellings with access from North End Road.

The wider village is rural in character, but benefits from GP surgeries and pharmacy, two churches, a village hall and playing fields, the primary school, and a small selection of shops (including post office and a Co-Op convenience store). Barnham railway station is located 2 miles to the west (as the crow flies). Yapton is served by a regular bus service.

RELEVANT SITE HISTORY

| | | |
|-------------|--|--|
| Y/58/17/PL | Conversion of barn to form to 2 No. dwellings; detached garage & conversion of part link single storey building to garaging. This application may affect the setting of a listed building & affects the character & appearance of the Main Road/Church Road Conservation Area. | |
| Y/1/17/OUT | Outline Application with some matters reserved for the erection of 56 No. dwellings with associated open space and creation of new access. This application is a Departure from the Development plan & affects the character & appearance of the Yapton (Main Road) Conservation Area. | App Cond with S106 07-12-17 |
| Y/33/17/PL | 2No. detached dwellings. This application affects the setting of a Listed Building & the Character & Appearance of the Yapton (Main Road) Conservation Area. | Refused 13-09-17 |
| Y/108/14/PD | Prior notification under Class MB for change of use of agricultural building to 2 No. dwellings (Use Class C3) | Objection 12-02-15 Appeal: Dismissed 10-12-15 |
| Y/93/14/OUT | Outline application for the erection of 38 dwellings to comprise 6 No. 4-bed houses, 20 No. 3-bed houses, 10 no. 2-bed houses and 2 no. 1-bed houses each with a garage and parking space, together with the means of access off North End Road | App Cond with S106 05-08-15 |
| Y/69/14/PL | Construction of outdoor riding arena. This application | Approve Conditionally |

affects the setting of a Listed Building.

10-11-14

| | | |
|------------|--|--------------------------|
| Y/77/14/PD | Prior notification under Class MB for change of use from agricultural to 2 No.dwellingshouses (Use Class C3) | Objection 03-11-14 |
| Y/77/13/PD | Prior Notification for change of use of agricultural building to Use Class B1 (Business) | No Objection 23-12-13 |

The site itself has a relatively limited planning history and the recent 2014 permission for an outdoor riding arena was never implemented. Furthermore, although there are some horses still grazing the land, it is understood that the former equestrian use is no longer operating.

Prior Approval type applications have been lodged concerning the use of the two third party owned agricultural barns. An application for business re-use was considered to be acceptable but has never been implemented. Two schemes for residential conversion were turned down with the second subject to an appeal dismissal on the grounds that the change of use would result in unsafe conflict between residential occupiers and both users of the equestrian business and vehicles requiring access to the adjacent third party owned grain store. However, this decision has no bearing on the current application as access is to be taken from elsewhere.

More recently, there was an application to site two detached dwellings within the gardens to the north side of Stakers Farmhouse. This was refused on the grounds of harm to the Listed farmhouse building.

Members should note that this current application proposes to take access from North End Road but via the site to the north which has outline planning permission for 38 dwellings (Y/93/14/OUT). In addition, regard should be had to the recent approval concerning the Bonhams Field site to the southwest (Y/1/17/OUT).

An application concerning the residential conversion of the existing Stakers Farm outbuildings is currently being determined.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

PARISH COUNCIL:

Objection. Yapton Parish Council have provided both a one page online comment and a separate 8 page letter. Their comments are summarised below:

(1) This proposal should be considered by way of proper consultation and cooperation between the Council, landowners and the Community such as through a Small Sites Document as part of the emerging Local Plan or a review of the Yapton Neighbourhood Plan. The application is therefore premature;

(2) The site lies outside of Yapton's Built-Up Area Boundary and a proposal of this size would represent

an inappropriate incursion into the countryside;

- (3) Proposal does not comply with adopted or emerging development plan policies and does not accord with the National Planning Policy Framework (NPPF);
- (4) As per the Secretary of State Ford Lane decision, the made Yapton Neighbourhood Plan carries significant weight and even in the absence of a 5 year housing land supply, very substantial negative weight should be placed on the conflict between the proposal and the built up area boundary policy;
- (5) Yapton has already met its current and future housing land allocations;
- (6) Any housing sites additional to the Tack Lee Road allocation within the emerging Local Plan should be first considered at the strategic level so as to ensure that only one expanded school is provided in the village;
- (7) The access is dependent on third party land & agreement;
- (8) Impact of the traffic increase on the safe operation of the Yapton Level Crossing;
- (9) The proposal should contribute towards an improved cycleway linking Yapton safely to Barnham;
- (10) Impact on the Primary School which is already at full capacity;
- (11) The proposed site would be visually isolated from and would fail to relate to the built up area boundary;
- (12) Harm to the character and beauty of this historic rural setting and the setting of the listed and locally listed buildings within the adjoining Conservation Area;
- (13) Permanent harm to the Conservation Area;
- (14) Loss of agricultural land;
- (15) Layout is too dense and will not be in character with its surroundings;
- (16) The proposal does not relate well to the Bonhams Field site; and
- (17) The open space provision is inadequate for this rural site.

On the 16th January, Yapton Parish Council wrote to the development control committee to report additional objections concerning the insufficient amount of land being reserved for future expansion of the School.

LOCAL RESIDENTS:

16 letters of objection have been received and these raise the following concerns:

- (1) Loss of open countryside;
- (2) Site is not allocated within the Yapton Neighbourhood Plan;
- (3) National policy is to build on brownfield not greenfield land;
- (4) This site was not proposed for allocation in the Neighbourhood Plan;
- (5) Loss of Agricultural land;
- (6) Harm to the setting of Stakers Farmhouse;
- (7) Inadequate water supplies for future generations;
- (8) Inadequate local foul sewer capacity;
- (9) Existing school and doctors are already at capacity;
- (10) Yapton only has two shops;
- (11) Yapton needs more cycle paths, a railway station, cafe's/restaurants & pubs to cope with extra housing;
- (12) Impact on safe operation of Yapton Level Crossing;
- (13) Increased congestion on North End Road around the School;
- (14) Greater use of the approved access for Y/93/14/OUT would be unsafe;
- (15) Density is excessive and greater than the two sites either side;
- (16) Impact on wildlife species inc foxes, birds of prey, woodpeckers, crows, magpies, tits, finches, bats, owls, butterflies and bees;
- (17) Flooding and drainage; and
- (18) Harm to enjoyment of The Croft retirement complex (occupied by retired police officers & their

families).

An additional letter of objection was received on the 8th January from Lisa Jackson of Jackson Planning who represents both Landlink Estates and Gleeson Strategic Land Ltd. The letter was accompanied by a Feasibility Study concerning the expansion of Yapton Primary School. The letter set out a number of issues with the report and with the relationship of the proposed development to the expansion of the school.

COMMENTS ON REPRESENTATIONS RECEIVED:

The following comments are offered in response to the points made by the Parish Council:

(1) Prematurity will be discussed within the report's conclusions section;

(2) The location of the site in the countryside will be discussed within the report's conclusions section under "Principle";

(3) Compliance with the policies of the development plan including those of the emerging Local Plan will be discussed within the report's conclusions section;

(4) - (5) These will be discussed within the report's conclusions section under "Principle";

(6) It is acknowledged that there is a village preference for expansion of the existing school site rather than the creation of a second school elsewhere. Clearly the Stakers Farm site being adjacent to the School means that it could provide assistance in terms of land for expansion of the school. However, this application must be considered on its own merits and it would not be possible to justify a refusal based on a preference for expansion of the school onto the land - particularly as there is no development plan policy in support of this. However, members should note that the application will result in contributions being made for the expansion of primary school provision, most likely at Yapton primary school. In addition, it is possible that an area of land within the site (1450m²) can be gifted to WSCC for the purposes of expanding the school site. This may alone not be suitable to enable expansion of the school but it may free up land elsewhere on the school site for expansion.

(7) The access to the proposal is via the land to the north subject of application Y/93/14/OUT. The applicant has control of both the Stakers Farm site and also the land to the north. Therefore, there is no requirement for third party agreement;

(8) The applicants consulted with Network Rail prior to submitting the application. A copy of their response is provided within the Transport Statement and states that:

"The crossing is due to have RLSE (Red Light Safety Equipment) cameras installed in the next couple of weeks. Essentially this means that when a vehicle goes over the white stop line when the red lights are flashing, the incident is captured on film and a prosecution of at least 3 points and a fine (or worse) will take place. In addition, NR is proposing to install full barriers at the crossing in June of next year. Therefore the addition of these movements shouldn't make too much difference at the crossing."

(9) WSCC Highways have requested a contribution towards cycling improvements between Barnham and Littlehampton and this will benefit Yapton which lies between these two locations;

(10) It is accepted that the primary school is at capacity. This application will make provision for the future expansion of the school through (a) a gift of land, and (b) a financial contribution;

(11) It is accepted that the development of this site will extend the settlement of Yapton into relatively open countryside. However, the site does share a border on its eastern side with the settlement of Yapton. Furthermore, the site shares a border to the south west with the Bonhams Field site recently approved for 56 dwellings - and to the north with the land north of the school which has approval for 38 dwellings. The Stakers Farm site will not extend any further to the west than the Bonhams site;

(12) Character issues will be discussed within the report's conclusions section;

(13) Heritage Impacts will be discussed within the report's conclusions section and regard will be had to the advice of the Councils Conservation Officer;

(14) Agricultural land will be discussed within the report's conclusions section;

(15) The proposed density of the whole site is 23.3 dwellings per hectare and this compares favourably with the site approved to the north for 38 dwellings at 23.1 dwellings per hectare. Character issues will be discussed within the report's conclusions section;

(16) The applicant is understanding of the need to link this site with the Bonhams Field site. A track access runs between the two sites and this is owned by a third party. However, it should be noted that layout is a reserved matter and the applicant has stated a willingness to agree to explore how the two sites could be linked within a reserved matters submission should the outline permission be granted. It is also clear from a comparison of the two illustrative layouts that there is scope to at least connect a footpath between the two sites; and

(17) Noted. However, it has not been made clear why or how the open space is inadequate and it has been declared to be acceptable by the Councils Landscape Officer.

The Yapton Parish Council concerns regarding the future expansion of the School are considered to have been resolved by the amended illustrative layout plan and the proposal to include a provision within the Section 106 Agreement reserving a greater amount of land for the expansion of the School.

The following comments are offered in response to the local resident objections:

(1) The location of the site in the countryside will be discussed within the report's conclusions section under "Principle";

(2) This will be discussed within the report's conclusions section under "Principle";

(3) The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. The NPPF does not state that no development is permitted on greenfield sites;

(4) This will be discussed within the report's conclusions section under "Principle";

(5) Agricultural land will be discussed within the report's conclusions section;

(6) Heritage Impacts will be discussed within the report's conclusions section and regard will be had to the advice of the Councils Conservation Officer;

(7) The comments of Southern Water are set out in the next section of this report. They do not raise any objection on grounds of inadequate water supplies

(8) The comments of Southern Water support this objection. This will therefore be discussed within the Conclusions section;

(9) It is accepted that the primary school is at capacity. This application will make provision for the future expansion of the school through (a) a potential gift of land, and (b) a financial contribution. In respect of local doctors, the Council has sought a response from the NHS and their comments on whether a financial contribution is required are awaited;

(10) It is accepted that Yapton only has two convenience style shops but there are other retail premises. Additional dwellings may generate greater economic activity within the settlement;

(11) WSCC Highways have requested a contribution towards cycling improvements between Barnham and Littlehampton and this will benefit Yapton which lies between these two locations. It is unlikely that a railway station would be built in Yapton. Furthermore, the addition of cafes and pubs would depend on whether there is a commercial reason to locate these in Yapton. However, it is fair to say that if more people live in a settlement then there is likely to be a greater case for businesses to want to move into the area to cater for the increased population;

(12) The applicants consulted with Network Rail prior to submitting the application. A copy of their response is provided within the Transport Statement and states that:

"The crossing is due to have RLSE (Red Light Safety Equipment) cameras installed in the next couple of weeks. Essentially this means that when a vehicle goes over the white stop line when the red lights are flashing, the incident is captured on film and a prosecution of at least 3 points and a fine (or worse) will take place. In addition, NR is proposing to install full barriers at the crossing in June of next year. Therefore the addition of these movements shouldn't make too much difference at the crossing."

(13) & (14) Highway related issues are discussed within the report's conclusions section;

(15) The proposed density of the whole site is 23.3 dwellings per hectare and this compares favourably with the site approved to the north for 38 dwellings at 23.1 dwellings per hectare. Character issues will be discussed within the report's conclusions section;

(16) The application was accompanied by a Preliminary Ecological Appraisal which was checked by a MCIEEM ecologist. This shows that the site has a low biodiversity value and that there was no evidence of bats or Great Crested Newts. It is proposed that the development site be enhanced with bats and bird boxes and also that any trees to be removed are carefully checked for bird nests. It is also noted that aside from bats, none of the species referred to in the letters are protected by law;

(17) The site is within Flood Zone 1. In respect of surface water drainage, the Council's Drainage Engineers have not raised any objections; and

(18) Residential amenity issues are discussed within the report's conclusions section.

The issues raised in the Lisa Jackson letter are noted but aside from correcting a statement about the track that runs between this site and the adjacent Bonhams Field site, the planning department stands by the rest of the Committee report and does not consider it necessary to make any further changes. It is also considered that the majority of the concerns raised are dealt with by the amended illustrative layout plan and the proposal to include a provision within the Section 106 Agreement reserving a greater amount of land for the expansion of the School.

| |
|----------------------|
| CONSULTATIONS |
|----------------------|

Highways England
 WSCC Strategic Planning
 Environment Agency
 Surface Water Drainage Team
 Environmental Health
 Parks and Landscapes
 Arboriculturist
 Southern Water Planning
 Head of Planning Policy & Cons
 Planning and Housing Strategy
 Sussex Police-Community Safety
 Engineering Services Manager
 Engineers (Drainage)
 NHS Coastal West Sussex CCG
 Listed Building Officer
 Conservation Officer
 WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

NHS

The NHS responded on the 22nd December to request that the Section 106 Agreement include a contribution of £81,517 towards the infrastructure needs of managing "Treatment Rooms capacity" at the "Avisford Medical Group" in Yapton. This is considered to be CIL compliant and will therefore be included with the Section 106 Agreement that is currently being prepared.

ENVIRONMENT AGENCY

No response received.

HIGHWAYS ENGLAND

Initial Comments:

Commented that there is insufficient information provided to assess the impact of the proposal on the strategic road network particularly in respect of the A27/Yapton Lane junction & the right turn lane from the A27. Requested that the applicant demonstrate that the proposed development would have no detrimental impact on the A27/Yapton Lane junction or if this is not the case, propose mitigation. Also requested that the applicant consider the impacts in conjunction with other allocated developments within the emerging Local Plan. Recommend that until such time as sufficient information has been provided to Highways England to allow a clear view to be taken then this application should not be approved because of its potential for severe harm to the strategic road network.

Further Comments:

A subsequent response from Highways England advised that they have no objection to the application subject to the inclusion of a Construction Management Plan condition and a contribution being secured to enable the A27/Yapton Lane junction (extension of right turn only lane) improvement works to be completed.

Highways England confirmed that the same approach should be taken as was agreed for the Tye Lane, Walberton scheme (175 dwellings) whereby if Highways England do not undertake a Road Improvement Scheme (RIS) that improves the A27 Yapton Lane junction (e.g. Arundel Bypass Option 5A or similar) then the applicant will be required to provide the improvements to the A27 right turn lane in accordance with the approved drawing prior to occupation of the 50th dwelling. However, in the event that Highways England do carry out a RIS improvement scheme at the A27 Yapton Lane junction (Option 5A) then the applicant would instead provide a contribution to Highways England's scheme to the value of the cost of the right turn lane improvement, that being £180,000.

Highways England have said that the applicant would be concerned that if he occupies to the trigger point and Land East of Tye Lane do not then the Stakers farm applicant would be required pay for the full right turn lane improvement which the Tye Lane development site would then benefit from. However, Highways England see this as an acceptable arrangement as both of the sites are outside of the emerging Local Plan (eLP) and as such they are required to mitigate their own impacts rather than contribute to the collective pot for highway improvements as agreed in the eLP. Furthermore, there is nothing to stop the two applicants from bringing forward the right turn lane improvements on a cost sharing basis (in the event HE do not proceed with a RIS scheme).

SOUTHERN WATER

Object. State that Southern Water's Lidsey Wastewater Treatment Works does not have the capacity to accommodate flows from the proposed development nor will have the plant on completion of currently planned improvement works. Southern Water will attempt to ensure capacity in respect of sites allocated in the emerging Local Plan but not in other cases. Therefore, Southern Water has not had reasonable time to make provision for the additional treatment capacity and it is considered that this development is premature.

Further advice was received on the 29th January 2018 which stated that:

- * Although sites may be located in the vicinity to each other, the outcome of the capacity assessments undertaken for each application site may differ due to a number of factors considered at time of an application such as numbers, modelling criteria, location etc;
- * Southern Water cannot reserve any capacity for a specific development due to the fact that a development may or not go ahead due to financial problems and other constraints; and
- * As such, the objection is maintained.

In addition, Southern Water wrote on the 6th March to correct a perceived misunderstanding on the Local Authority's behalf in respect of the difference between (a) 'Sewer Capacity' which refers to capacity within piped sewerage systems; and (b) 'Treatment Capacity' which refers to capacity of the Wastewater Treatment Works to treat the sewerage of an entire catchment.

SUSSEX POLICE

Have no concerns with the site layout/design as shown on the illustrative drawing other than an unobserved parking area behind plot 52 that is vulnerable and which provides unobserved access to a

number of rear gardens. Recommend that this as well as details of boundary treatments & lighting are addressed at the detail stage.

WSCC HIGHWAYS

Originally raised no objections subject to conditions relating to car parking, cycle parking, construction management plan and a travel plan. The access to the adjacent site was the subject of a safety audit and its intensification is considered to be acceptable. The impact on the Oyster Catcher and Comet Corner junction has been assessed and is considered acceptable. Parking provision as shown on the illustrative layout is in accordance with WSCC standards. Do raise a concern about the lack of pedestrian footpath access either to the adjacent site (Bonhams Field - ref Y/1/17/OUT) or through Stakers Farm to North End Road. Consider that land should be safeguarded to provide for this purpose. Also advise that a contribution should be sought towards cycleway improvements between Barnham and Littlehampton. The contribution would be £110,530 and is considered to comply with the CIL tests. This would provide a valuable link from the development site via Yapton Road to Barnham station and Main Road, Burndell Road and Yapton Road towards Littlehampton and facilitate sustainable transport

Subsequent correspondence received on 18/12/17 set out a HOLDING OBJECTION on the grounds that should it be possible to increase the capacity of the primary school from 1.5 Form Entry (FE) to 2.5FE using funding from the proposed strategic site on the south western side of Yapton then there would be an increase in traffic/activity around the school and it would therefore be necessary to reconsider the highway implications of the Stakers Farm proposal. It is requested that determination of this application be delayed until such time as WSCC know whether a school expansion has merit and can therefore reassess this proposal.

Further correspondence dated 19th March states that Highways have no additional comments to make.

WSCC INFRASTRUCTURE

Initially raised no objection. Stated that contributions are required towards the provision of additional County Council service infrastructure, namely education (primary, secondary & 6th form), libraries and fire & rescue infrastructure. WSCC also accepted the principle of a land gift of land for the expansion of the school site.

Further comments received on the 18th December raised a holding objection on the basis that the highway impacts of the future expansion of the school needed to be assessed alongside the impacts of the proposal. WSCC therefore requested that the application be deferred until it was known for sure whether the school expansion has merit.

WSCC DRAINAGE

Note that the site is at low risk of surface water flooding and a moderate to high risk of groundwater flooding. There are no records of historic flood events relating to the site. There is a watercourse 170m from the south western boundary and field boundary ditches may exist on or around the site. These should be maintained and no development should take place within 5m of an watercourse or drainage ditch. Existing surface water flows across the site should be maintained and no site level raising should take place.

ADC CONSERVATION OFFICER

No objections.

Note that the site adjoins the Conservation Area and also will affect two Grade II listed Buildings to the east of the site. States that the National Planning Policy Framework (NPPF) requires great weight to be given to the conservation of designated heritage assets and notes that significance can be harmed or lost through inappropriate development within their settings. Considers that the development will have an adverse effect on the setting and therefore significance of Stakers Farmhouse. The development will also cause some degree of harm to the significance of the second listed building, the Homestead. Furthermore, the proposal will result in some degree of harm to the significance of the conservation area mainly as a result of increased traffic and increased activity & noise.

These impacts are somewhat mitigated by the green buffer and well planted boundaries to the east of the development site. The harm would therefore be less than substantial. Para 134 of the NPPF therefore advises that 'the harm should be weighed against the public benefits of the proposal'. It is recommended that an on-balance planning decision be made as to whether the wider benefits of the proposal outweigh the resultant harm to the significance of the affected designated heritage assets.

Also comment on design matters relating to the illustrative aspects of the scheme. Welcome the proposed scaling down of the development towards its edges but consider that buildings greater than two storeys in the central may not be appropriate in the rural context. Also raise concern with the lack of pedestrian connectivity between the new development and the existing settlement. Lastly, provides guidance on design for the reserved matters stage.

ADC ARBORICULTURAL CONSULTANT

No objection subject to conditions. Consider that there are very few trees of any real significance on the site and none are deemed to require additional TPO protection. Furthermore, the majority of tree cover is to be retained and those to be lost are acceptable.

ADC ENVIRONMENTAL HEALTH

No objections in principle. Raise a concern with any future layout if a sewage treatment plant or related pumping station is required on site. This would then require a distance of 15m between a pumping station/treatment plant and any residential dwelling. Ask for conditions to protect against contamination, a condition requiring a construction management plan and a condition to require each dwelling to have an electric car charge point.

ADC HOUSING STRATEGY

States that there is no objection in principle to the affordable housing provision but that the applicant needs to give consideration to the viability of providing all the affordable homes for rent as registered partners may not be able to offer a suitable bid based on the proposal.

ADC DRAINAGE ENGINEERS

No objection subject to the imposition of standard conditions ENGD2B, ENGD3A, ENGD5A, & ENGD5B. Engineers note that a perched water table may be present on this site and that therefore, a proposed deep drainage system suggested in the Flood Risk Assessment may not be viable, and that a shallow system will need to be designed. Also, infiltration to the Chalk layer may not be feasible for the same reason. Engineers also note that if the perched water table exists, it may be necessary to have open areas (POS) on the northern & western parts of the site in order to locate shallow infiltration ponds.

ADC GREENSPACE

Consider that the 4000m² public open space provision (POS) is insufficient for a development of this size and that 5376m² should be a minimum recommendation. Advise that a Locally Equipped Area for Play (LEAP) should be provided on site and that maintenance contributions will be required for the POS if it is to be transferred to the Council. Do not consider that a multi use games area (MUGA) contribution would be CIL compliant due to other committed improvements to the existing Yapton provision at the community centre. Provides advice on the form of future landscaping and open space.

COMMENTS ON CONSULTATION RESPONSES:

HIGHWAYS ENGLAND - The Stakers Farm applicant accepts the need for junction improvements and the suggested 50th dwelling trigger point (albeit on the proviso that the trigger point could be changed if agreed in writing with the local planning authority). However, the applicant cannot accept the suggested contribution towards the junction improvement. They consider that the requested contribution of £180,000 would not be CIL compliant as it would not be fair to require the same level of contribution for a 70 dwelling scheme as for a 175 dwelling scheme. They therefore expect a lower contribution. This was put back to Highways England on the 21st December 2017 but no further response has been received and therefore the Highways England requirement will form part of the Heads of Terms.

SOUTHERN WATER - In response to the stated objection, it is noted that:

- * Southern Water did not raise any objection to the proposed residential developments on the adjacent land at Bonhams Field (Y/1/17/OUT), to the proposed residential development of land at Street Buildings (Y/49/17/OUT), to the proposed residential development at Ford Lane (Y/80/16/OUT) or to the proposed residential development at Burndell Road Yapton (Y/19/16/OUT). None of these other nearby sites were allocated in any existing or emerging Development Plan;
- * In all of the above cases, a condition requiring approval of foul drainage details was recommended;
- * Whilst the Stakers Farm site is not allocated for development, if the emerging Local Plan is to be found sound by the Inspector, then those sites identified within the Housing & Economic Land Availability Assessments (HELAA) such as Stakers Farm would likely then be 'allocated' through a formal Development Plan document;
- * Southern Water have published their new Infrastructure Charges and these will come into force from 01/04/18. Under this new scheme, for developments greater than 20 units, the infrastructure charge will be £765 per plot. This will entitle the developer to undertake a like for like connection into an existing public sewer as a direct connection without the need for a capacity check. This means that from April, Southern Water will not be able to refuse connections to new development; and
- * Southern Water have not confirmed (despite being asked to do so) that they will defend an appeal if the application were to be refused on foul drainage grounds.

On this basis and in the interests of consistency, it is not considered reasonable or sustainable to maintain the Southern Water objection.

WSCC HIGHWAYS/ADC CONSERVATION - The applicants note the concerns from both the Councils Conservation Officer and County Highways in respect of a lack of pedestrian connectivity. It is noted that a track access runs between the Stakers Farm and Bonhams Field sites and this is owned by a third party who, it is understood, will not grant access without significant financial benefit. However, it should be noted that layout is a reserved matter and the applicant has stated a willingness to agree to explore how the two sites could be linked within a reserved matters submission should the outline permission be granted. It is also clear from a comparison of the two illustrative layouts that there is scope to at least connect a footpath between the two sites.

ADC CONSERVATION - It is also noted that the applicants have some objections to the Conservation

Officer response and are strongly of the view that there remains only a minor impact on heritage assets and that this impact is significantly less than substantial. They also consider that the significant benefit of providing new, sustainably located homes with a large area of public open space alongside the potential gifting of land to Yapton C of E Primary School and ecological enhancements are considerable benefits of the scheme which would clearly outweigh the negligible (and considerably less than substantial) harm.

ADC GREENSPACE - Although it is true that the proposed public open space (POS) is only 4,000m² and is therefore 1,376m² short of the required total (which should be 5,376m²), it should be noted that an additional area of POS totalling 1450m² is proposed as a land gift to the primary school. The gifting of this land would therefore benefit children playing at the school and could potentially assist with the expansion of the school itself. If however, the land gift does not take place, then the site would retain this additional parcel of land and therefore have a total of 5,450m² of POS and this would therefore more than satisfy the requirements.

OTHER - All requested planning conditions are considered to meet the necessary tests and would be included within any planning permission.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
 Grade 1 Agricultural Land;
 Flood Zone 1 (low risk);
 Lidsey Treatment Catchment Area;
 Special Control of Adverts;
 Setting of two Grade II Listed Buildings; and
 Setting of a Conservation Area (Main Road/Church Road).

DEVELOPMENT PLAN POLICES

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

| | |
|-------|---|
| AREA2 | Conservation Areas |
| DEV17 | Affordable Housing |
| GEN2 | Built-up Area Boundary |
| GEN3 | Protection of the Countryside |
| GEN5 | Provision of New Residential Development |
| GEN7 | The Form of New Development |
| GEN8 | Development and the Provision of Infrastructure |
| GEN9 | Foul and Surface Water Drainage |
| GEN12 | Parking in New Development |
| GEN18 | Crime Prevention |
| GEN20 | Provision of Public Open Space within New Development |
| GEN25 | Water Resources |
| GEN26 | Water Quality |
| GEN28 | Trees and Woodlands |
| GEN29 | Nature and Conservation Across the District |
| GEN33 | Light Pollution |

Publication Version of the Local Plan (October 2014):

C SP1 Countryside
 D DM1 Aspects of Form and Design Quality
 D DM2 Internal Space Standards
 D DM3 External Space Standards
 D SP1 Design
 ECC SP2 Energy and climate change mitigation
 ENV DM4 Protection of Trees
 ENV DM5 Development and Biodiversity
 ENV SP1 Natural Environment
 H DM1 Housing Mix
 HER DM3 Conservation Areas
 HER SP1 The Historic Environment
 H SP2 Affordable Housing
 INF SP1 Infrastructure provision and implementation
 LAN DM1 Protection of Landscape Character
 OSR DM1 Open Space, Sport & Recreation
 QE DM2 Light Pollution
 QE SP1 Quality of the Environment
 SD SP1 Sustainable Development
 SD SP2 Built -Up Area Boundary
 SO DM1 Soils
 T DM1 Sustainable Travel and Public Rights of Way
 T SP1 Transport and Development
 W DM1 Water Supply & Quality
 W DM3 Sustainable Urban Drainage Systems
 W SP1 Water

Yapton neighbourhood plan 2014 Policy BB1

| | |
|---|---|
| Yapton neighbourhood plan 2014 Policy E1 | Built-up Area Boundary |
| Yapton neighbourhood plan 2014 Policy E3 | Protection of high value agricultural land |
| Yapton neighbourhood plan 2014 Policy E4 | Protection of natural habitats |
| Yapton neighbourhood plan 2014 Policy E5 | Minimising the environmental impact of development |
| Yapton neighbourhood plan 2014 Policy E8 | Enhancement of biodiversity |
| Yapton neighbourhood plan 2014 Policy E9 | Conservation Areas |
| Yapton neighbourhood plan 2014 Policy E11 | Listed Buildings and Buildings or Structures of Character |
| Yapton neighbourhood plan 2014 Policy PK1 | Minimising the impact of flooding from development |
| Yapton neighbourhood plan 2014 Policy H1 | Parking standards for new residential development |
| Yapton neighbourhood plan 2014 Policy H2 | Housing requirement |
| Yapton neighbourhood plan 2014 Policy H3 | Dwelling size |
| | Dwellings appropriate for the needs of older people |

Yapton neighbourhood plan 2014 Policy SA1

Land north of Yapton CE Primary School

Yapton neighbourhood plan 2014 Policy BE2

High speed broadband

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD1 Open Space & Recreation Standards

SPD2 Conservation Areas

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and then subject to public consultation. The hearing sessions into the examination of the Arun Local Plan ended on Thursday 28 September 2017 and the Inspector then wrote to the Council to set out his 'Interim Views following the Hearings'. The plan was then modified further in January 2018 (Modified - Arun Local Plan - January 2018 Consultation) and these were subject to public consultation between 12 January 2018 and 23 February 2018.

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. 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; Walberton; 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

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 within the Yapton Neighbourhood Development Plan have been considered in the preparation of 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 not considered to comply with the relevant development plan policies in that it is located outside of the defined built up area boundaries within the development plan. However, there are significant material considerations that would weigh in favour of the proposals and the policies within the development plan that relate to the supply of housing are out of date.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as detailed in the Conclusion section. These are as follows:

- * The fact that the Council cannot currently demonstrate a 5-year housing land supply;
- * The National Planning Policy Framework (NPPF) and associated guidance particularly in respect of Sustainable Development;
- * The Written Ministerial Statement of December 2016;
- * The Secretary of State's three recent decisions concerning the Call-in Inquiries for the Fontwell (WA/22/15/OUT), Burndell Road (Y/19/16/OUT) and Ford Lane (Y/80/16/OUT) applications;
- * The Supreme Court Ruling dated 10th May 2017 on the application of Paragraphs 14 & 49 of the NPPF in respect of how they relate to the lack of a 5-year housing land supply (Suffolk Coastal District Council v Hopkins Homes Ltd and another Richborough Estates Partnership LLP and another v Cheshire East Borough Council);
- * The Local Plan Sub-Committee decision in December 2016, followed by the Full Council decision that the Council would invite planning applications on sites identified as being 'deliverable' by the HELAA where they are considered sustainable and will not prejudice the emerging local plan and/or infrastructure delivery; and
- * The emerging Local Plan - "Arun Local Plan 2011-2031 Publication Version showing Modifications".

CONCLUSIONS

PRINCIPLE:

Objections have been raised by both the Parish Council and local residents on the matter of the principle of the development in this countryside location.

The development plan for Arun District currently comprises the Arun District Local Plan (2003) (saved policies) and the Yapton Neighbourhood Development Plan (November 2014).

Arun District Local Plan 2003

The policies of most relevance are saved policies GEN2 and GEN3 of the Arun District Local Plan (ADLP). Policy GEN2 states that outside of the built up area boundary (BUAB), development will not be permitted unless it is consistent with other ADLP policies.

ADLP Policy GEN3 "Protection of the Countryside" states that except for various categories of development (of which none apply to the application proposal), development within the countryside will not be permitted. As this site lies outside the nearest BUAB, it is categorised as being within the countryside and the scheme would therefore conflict with ADLP Policies GEN2 and GEN3.

Yapton Neighbourhood Development Plan

The Yapton Neighbourhood Plan (YNDP) was made (adopted) in November 2014 on the basis of the saved policies in the ADLP and the draft policies in the 2014 publication version of the emerging Arun Local Plan (eALP).

Figure 4.1 on page 13 of the YNDP includes a BUAB drawn around the edge of the settlement of Yapton which, save for the proposed allocations within the YNDP, broadly compares with that provided by the ADLP. The application site is adjacent to the western boundary of the BUAB and the application site is therefore classified as countryside.

Policy BB1 states that development outside of the BUAB will not be permitted unless in accordance with 4 listed criteria. The third of these is where the development relates to additional allocations for housing land in accordance with policy H1.

Policy H1 states that:

"The minimum housing requirement for Yapton over the period 2014 to 2029 will be established by the emerging Arun Local Plan. An additional buffer of 20% over and above the minimum housing requirement will be permitted to allow for flexibility and consumer choice. The neighbourhood plan identifies allocations to accommodate growth (policies SA1 and SA2). In addition to these allocations, infill development will be considered acceptable within the built up area, subject to the provisions of policy BB1 and other material planning considerations. Additional allocations will be made if the emerging Arun Local Plan requires such action or if the identified housing sites do not proceed. New housing development will be required to ensure that local infrastructure is provided and/or improved in relation to the size and scale of the development proposed. This requirement will apply to all infrastructure, and with particular attention to education provision and flood prevention (fluvial, sea and surface water). Any development that would result in the additional 20% buffer being exceeded will only be permitted if it can be demonstrated that either the expected child yield would not result in the Yapton CE Primary School exceeding the maximum number of children permitted on its role or that appropriate modifications and/or extensions to the School can be delivered at the developer's expense.

The application if approved would include a S106 contribution towards small scale improvements at the Yapton Primary School. In addition, the application includes the potential for a gift of land to the School for the purposes of enlarging the existing 'playing fields' and potentially facilitating expansion of the school itself. It is considered therefore that the proposal would provide support to the school to enable it to grow to meet future demand. Therefore, although the exact terms of Policy H1 are not met, it is considered that the proposal would gain some support from the policy.

Emerging Development Plans

This includes the emerging Arun Local Plan 2011-2031 Publication Version October 2014 (eALP) as modified March 2017 ('the modified eALP').

The eALP was submitted for examination in January 2015. However, following a material increase in the Objectively Assessed Need (OAN) for housing, the eALP examination was suspended to allow ADC to review potential additional locations for housing development. The proposed Modifications were approved by Full Council and consultation took place on the new document ("Arun Local Plan 2011-2031 Publication Version showing Modifications") between 10 April and 30 May 2017.

The hearing sessions into the examination of the Arun Local Plan ended on Thursday 28 September 2017 and the Inspector has since written to the Council to set out his 'Interim Views following the Hearings'. The Council responded to this document on 22/11/17.

The plan was then modified further in January 2018 (Modified - Arun Local Plan - January 2018 Consultation) and these changes were subject to public consultation between 12 January 2018 and 23 February 2018.

Policy H SP1 "Housing Allocation" of the modified eALP sets out the overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes a reference to additional allocations for small sites being made across the District through emerging Neighbourhood Plans or reviews of made Neighbourhood Plans.

Policy H SP2 "Strategic Site Allocations" is split into 3 sections covering different areas of the District. An allocation is proposed by Policy H SP2c on land to the southwest of Yapton for at least 400 dwellings to include a new school, library, improvements to the A259 (between Climping & Littlehampton) and contributions to healthcare in Ford. The application site does not form part of this allocation.

Policy SD SP2 "Built up Area Boundary" states that outside the BUAB, apart from Strategic, Site Specific and Broad Allocations, development will not be permitted unless consistent with other plan policies. In addition, Policy C SP1 "Countryside" states that residential development in the countryside outside of the BUAB will not be permitted unless in accordance with policies in the Plan which refer to a specific use or type of development. As the proposed site does not form part of a proposed allocation and is not in accordance with another policy within the eALP, the exception would not apply and the proposal would be contrary to eALP policies SD SP2 and C SP1.

The proposed development is not located in a strategic, site specific or broad allocation in the eALP, so the application will need to be considered alongside other plan policies.

Planning Balance

For reasons given above, the application is not in accordance with ADLP Policies GEN2 & GEN3 or policies BB1 & H1 of the YNDP. As set out below, these policies are all out-of-date and carry limited weight. The following sets out whether there are any material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

There has been an almost doubling of the objectively assessed need (OAN) for the Arun District to 919 dwellings per annum (dpa) and the current reported housing land supply figure for Arun District is only around 2.07 years (as at 31/03/17). This demonstrates that there is a pressing need to identify and bring forward deliverable sites for housing and that ADC cannot currently demonstrate a 3 or 5 year supply of deliverable housing sites.

In recognition of this, the Local Plan Sub-Committee resolved in December 2016 to invite planning applications for the first phases of sites being investigated at potential strategic allocations. It was also resolved to invite planning applications on sites identified as being 'deliverable' within the Housing and Employment Land and Availability Assessment (HELAA) where they are considered sustainable and will not prejudice the emerging local plan and/or infrastructure delivery.

The 2017 HELAA report assesses the application site (Ref Y8) as being suitable in principle for future housing development based on its sustainable location and lack of insurmountable constraints. The Report also considered that the site is currently deliverable but might need to be delayed in order to allow time for a joint development scheme to be agreed with adjoining landowners. The total yield was suggested to be 72 dwellings.

The scheme has been prepared with access and connectivity into/through the adjacent land to the north (Land North of Yapton C of E Primary School - ref Y/93/14/OUT). Furthermore, the applicants have stated that a connection into the land to the south (Bonham's Field - Y/1/17/OUT) would be investigated if outline permission is granted for the application. It may also be possible to provide a footpath through Stakers Farm to the east to link to North End Road.

Given the absence of a 5 year housing land supply, paragraph 14 of the NPPF is engaged and planning permission should be granted unless (a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole or (b) specific policies in the Framework indicate development should be restricted.

As the Council cannot demonstrate a 3 year supply of deliverable housing sites, the Written Ministerial Statement on Neighbourhood Planning (12 December 2016) does not apply. Paragraph 49 of the NPPF is also engaged, which states that the relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a 5-year housing land supply.

Given the significant shortfall in housing supply, only limited weight can be given to the conflict with out-of-date ADLP Policies GEN2 & GEN3 and policies BB1 & H1 of the YNDP. Policy GEN2 is clear that the boundaries of the built-up area were defined 'for the purposes of the West Sussex Structure Plan and this District Local Plan'. The built-up areas were drawn for the purposes of defining the extent of the built-up areas and countryside. This was done with the background of the required number of dwellings for the plan making period being provided within the built-up areas or on allocated sites (up to 2011).

The Inspectors decision for the called-in Inquiry concerning 108 residential dwellings at Burndell Road (Ref APP/C3810/V/16/3158261) stated that policies GEN2 & GEN3 are out of date in that the aLP does not plan for housing beyond 2011, that they pre-date the NPPF and do not seek to establish an Objectively Assessed Need (OAN). Both policies also do not accord with the NPPF in that they protects the countryside for its own sake. The Inspector considered this to be a material consideration weighing against the policy to which was attributed significant weight. In allowing the Burndell Road call-in, the Secretary of State confirmed the Inspectors position that policies GEN2 & GEN3 are out of date and, given that the housing land supply is approximately 2 years, that these policies carry only limited weight.

The YNDP was produced based on both the Local Plan (Summer 2013) and the Publication Version of the Local Plan (excluding the spatial portrait, employment and enterprise, housing allocations, transport, monitoring and implementation sections) dated 14 February 2014. Both of these documents predate the version of the eLP which was tested at Examination and subsequently revised into the modified version. Therefore only limited weight can be given to the conflict with the YNDP to protect the countryside, as the context within which the YNDP was prepared has significantly changed.

Presumption in favour of Sustainable Development

Regard should also be had to the policies contained in the National Planning Policy Framework (NPPF) which are a material consideration in the determination of this proposal. In the event of conflicts between policies in the development plans or with Government policy, it is the most recent policy which takes precedence. With this in mind, the NPPF, which was issued in March 2012, is materially relevant and should be afforded significant weight.

Paragraph 7 of the NPPF states that in order to achieve sustainable development; economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

(1) Environmental Role

The Institute of Highway and Transportation (IHT) publication 'Guidelines for Providing Journeys on Foot (2000)' sets out recommended guidelines for walking distances and provide desirable, acceptable & preferred maximum distances. For town centres these range between 200 to 800 metres, for commuting/school 500 to 2000 metres and elsewhere 400 to 1200 metres. As this is not a town centre location the relevant distances would be 400m-1200m for day to day journeys and in respect of school/work commuting, 500m-2000m.

All of the following distances are measured from the position of the proposed access onto North End Road and then using existing local roads. The actual distance may therefore be greater as the walk from North End Road into the site is not factored in. All roads within Yapton are considered to have footways and adequate lighting.

The nearest schools would be:

- * Yapton Cof E Primary School - 100m
- * Ormiston Six Villages Academy, Westergate - 5.14km
- * St Phillip Howard, Catholic School (6th Form), Barnham - 3.34km

Although the primary school is literally next door, older pupils would need to travel to either Barnham or Westergate. However, the site is also served by service 66A/66C, which operates a circular route between Bognor Regis, Barnham, Yapton and Bognor Regis every 1-2 hours on Mondays to Saturdays. Furthermore, paragraph 34 of the NPPF states that "Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas". Paragraph 29 states that "... different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas".

In terms of employment, it is considered that the following areas are all within around 2km of the site:

- * The eastern edge of Barnham;
- * Lake Lane/Yapton Lane Horticultural sites;
- * The whole of Yapton; and
- * Ford Airfield.

The following facilities are available in the local area within a walking distance of less than 400m from the access onto North End Road:

- * The Yew Tree Medical Surgery; and
- * North & South-bound bus stops adjacent to the Primary School.

The following facilities are available in the local area within a walking distance of between 400m and 1200m from the access onto North End Road:

- * The Maypole Inn is 590m to the north;
- * St Marys C of E Church is 390m to the east;
- * Yapton Free Church is 500m to the south;
- * Yapton & Ford Village Hall is 830m to the southeast; and
- * The Yapton Village Centre (Co-Op, butchers, hair salon & chip shop) is 890m to the south east.

The following facilities are located further afield:

- * Bilsham Road Stores is 1.3km to the southeast;
- * Meadowcroft Surgery is only a few metres past the Stores;
- * Windmill Shopping Village is 1.7km to the west; and
- * Barnham Railway Station is 2.7km to the west.

It should also be noted that as a result of this development, a contribution would be provided to support the Barnham to Littlehampton Cycle Improvements Scheme.

The other environmental aspects of sustainable development such as impacts on trees, ecology and in respect of flooding/drainage are considered in detail in the report below but it is concluded that there are no adverse environmental impacts associated with these.

(2) Social Role

It is considered that the proposal could help to support the local community by providing up to 70 new homes including 21 affordable dwellings to help meet future needs. In addition, the potential for land to be gifted to the school could benefit the community by increasing the amount of external play space associated with the school and potentially facilitating the expansion of the school. These factors weigh in the scheme's favour.

(3) Economic Role

It is considered the proposal would likely result in economic benefits to the local area in the form of the following:

- * An increase in Council Tax receipts;
- * Potential 'New Homes Bonus' payments from the Government;
- * Financial contributions towards local libraries, education establishments and (potentially) doctors surgeries;
- * The creation/maintenance of construction jobs; and
- * Additional spending by new residents on local goods & services.

However, there would be a potential cost to the local agricultural economy due to the loss of existing grazing land and the loss of the land itself which, as discussed elsewhere in the report, is Grade 1 (highest quality) and could therefore support the growing of crops.

Assessment of Sustainable Development

It is considered that the proposal is clearly environmentally and socially sustainable. There would be a cost to the local economy from the loss of high quality agricultural land but this is weighed against the

previous and current uses of the land (grazing by horses or sheep) and the economic benefits of the scheme which are considered to override the costs. Therefore, it is considered, on balance, that the proposal would be environmentally, socially and economically sustainable and would therefore benefit from the NPPF presumption in favour of sustainable development.

Conclusion on Matters of Principle:

Overall, the principle of development on this site is contrary to the development plan, however, as Arun District Local Plan policies GEN2 and GEN3 and the intention of the YNDP to protect countryside (policies BB1 & H1) are out of date, in accordance with paragraph 49 of the NPPF, they carry reduced weight. The material considerations set out above are considered to weigh in favour of granting permission.

The proposed development would provide an additional 70 houses which are needed in the Arun District. The proposed development should be considered in the context of the presumption in favour of sustainable development. It is considered that the development would have a positive effect upon the supply and location of housing and therefore, the principle of residential development on this site would, in current policy circumstances and as set out in the NPPF, be acceptable. The assessment will now consider other policy considerations and whether this gives rise to any adverse impacts.

Some policies of the Framework are cast in terms which indicate that in certain circumstances planning permission should be restricted. These, in this case, relate principally to landscape, flooding, access/highway safety and the natural environment. Having regard to the tests set out in the NPPF in relation to these issues, and in the context of the content of this report, it is considered that the circumstances are such that none of these issues amount to a reason for withholding planning permission either because the matter can be controlled by suitable conditions, content of the Section 106 agreement or because the public benefit outweighs the harm in respect of any such issues.

It is therefore considered that the objections on the grounds of principle raised by both the Parish Council and by local residents have been resolved by the above analysis.

PREMATURITY:

The Parish Council consider that this proposal is premature as it should have been considered by way of proper consultation and cooperation between the Council, landowners and the Community such as through a Small Sites Document as part of the emerging Local Plan or a review of the Yapton Neighbourhood Plan.

Paragraph 014 (Reference ID: 21b-014-20140306) of the Governments online Planning Policy Guidance states with regard to prematurity that:

"arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period.

Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process."

Although the eLP is at an advanced stage and therefore (b) applies, the proposal is not considered to be so substantial or have a cumulatively significant effect on the settlement. Furthermore, this application was submitted following the Local Plan Sub-Committee resolution in December 2016 to invite planning applications for sites identified as being 'deliverable' and sustainable within the HELAA. It is therefore considered that a refusal on grounds of prematurity could not be supported.

HOUSING MIX:

YNDP Policy H2 requires that proposals of 15 or more dwellings provide a mix of dwelling sizes (market and affordable) that fall within the following ranges: (a) 1-bed dwellings: 10-15% of all dwellings; (b) 2-bed dwellings: 25-35% of all dwellings; (c) 3-bed dwellings: 45-55% of all dwellings; and (d) 4+-bed dwellings: 5-10% of all dwellings.

The application submissions sets out the following mix of dwellings:

- * 4 x 1 bedroom apartments (6%);
- * 15 x 2 bedroom houses (21%);
- * 43 x 3 bedroom houses (61%); and
- * 8 x 4 bedroom houses (11%).

This would not comply with the stated criteria within the YNDP. However, the layout and mix are illustrative at this time and a condition imposed on the planning permission could ensure that this policy is complied with at the reserved matters stage.

It is also necessary to consider YNDP Policy H3 which requires that developments of five or more dwellings ensure that a minimum of 25% of the 1-, 2- and 3-bed dwellings provided are delivered to Lifetime Homes standards. A condition will be imposed to ensure that the reserved matters application fulfils this requirement.

Therefore, the proposal is considered to be in accordance with the relevant YNDP policies H2 and H3.

AGRICULTURAL LAND:

Objections have been raised by both the Parish Council and local residents regarding the loss of agricultural land.

Policy E1 of the YNDP states that:

"Planning permission will be refused for development on grade 1 and grade 2 agricultural land unless: (1) it involves the granting of planning permission for the development of the housing allocations identified in this Plan (Policy SA1 and Policy SA2); or (2) it involves the granting of planning permission for any

additional housing sites required by Policy H1 to meet objectively assessed housing needs in the Plan area."

YNDP Policy H1 is an out of date policy with limited weight. However, it was amended by the YNP examiner to make explicit that it was an overarching policy to provide flexibility and choice for the provision of additional housing. As addressed in the principle section above there are material considerations for accepting additional residential development as set out in the NPPF. One such consideration is the OAN which is a specific exception included in policy E1.

Emerging Local Plan policy SO DM1 considers soils and states that:

"Unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term."

The site is shown to be Grade 1 Agricultural Land as per the Figure 2 plan within Appendix 4 of the YNDP. It could therefore support the growing of crops in a similar way to that of the large agricultural field to the west. However, the site was previously used for equestrian purposes (grazing & exercise of horses). This use has ceased but the land is currently only being used for the grazing of third party owned sheep under an agreement with the landowner. In short, the land has not been used within recent years for the growing of crops and there is no realistic possibility that crops would be grown on the land in the future.

It is also considered that agricultural technology has changed and arable farming has grown to become larger in scale with an emphasis on large tracts of land as opposed to collections of individual fields. Despite the grade of soil on the land, it is considered that the site is limited for future agricultural use due to its size/workable area and accessibility.

Overall, it is considered that the proposed development would lead to the loss of Grade 1 agricultural land, however there are other material considerations that would outweigh this loss. Therefore, the proposal is considered to be in accordance with the YNDP.

IMPACT ON HERITAGE ASSETS:

Objections have been raised by both the Parish Council and local residents on the grounds of harm to the setting of Stakers Farmhouse; harm to the Conservation Area and harm to the character & beauty of this historic rural setting.

Arun District Local Plan (ADLP) Policy AREA2 states that: "Planning permission will be granted for development which preserves or enhances the character or appearance of a Conservation Area or its setting."

Yapton Neighbourhood Development Plan (YNDP) policy E8 requires that developments either preserve or enhance the character of Conservation Areas. In addition, development proposals will be expected to be suitably designed taking account of the local character/context and use traditional/vernacular building materials.

YNDP Policy E9 refers to Listed Buildings but only concerns the loss of such buildings and does not refer to impacts on setting. Therefore, in respect of harm to the setting of listed buildings, it is necessary to refer to the National Planning Policy Framework (NPPF) and to policy HER DM1 of the eLP (Arun Local Plan 2011-2031 Publication Version showing Modifications).

Paragraph 132 of the NPPF states that the significance of a heritage asset can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Paragraph 133 states that where a proposed development will lead to either 'substantial harm' or 'less than substantial harm' then this should be weighed against the public benefits of the proposal. Paragraph 134 therefore advises that 'the harm should be weighed against the public benefits of the proposal'. Paragraph 137 is also relevant and states that new development within the setting of Listed Buildings or Conservation Areas should enhance or better reveal their significance.

Emerging Arun Local Plan policy HER DM1 states that proposals affecting Listed Buildings will be required to "protect, and where possible enhance the setting of the building".

The Council's Conservation Officer has assessed the proposals including with reference to the illustrative layout drawing. It is considered the development will have an adverse effect on the setting and therefore the significance of Grade II Listed Stakers Farmhouse. Furthermore, that the development will cause some degree of harm to the significance of the second listed building, the Homestead and to the significance of the conservation area mainly as a result of increased traffic and increased activity & noise.

However, the Conservation Officer considers that these impacts are somewhat mitigated by the proposed green buffer and well planted boundaries to the east of the development site. This being the case, it is considered that the harm to the heritage assets would be less than substantial. As noted above, paragraph 134 of the NPPF advises that less than substantial harm should be weighed against the public benefits of the proposal. It is therefore necessary to make an on balance judgement as to whether the wider benefits of the proposal outweigh the resultant harm to the significance of the affected designated heritage assets.

It is considered that the development would result in the following benefits:

- * The sustainable development of 70 new homes including 21 affordable homes to help meet local and district wide needs;
- * A potential gift of land (1450m²) to the primary school;
- * An increase in Council Tax receipts associated with the 70 new homes;
- * New Homes Bonus payments from the Government paid to the Council;
- * Financial contributions towards local libraries, education establishments and (potentially) doctors surgeries;
- * The creation/maintenance of construction jobs;
- * Additional spending by new residents on local goods & services; and
- * A boost to the vitality & viability of the settlement of Yapton as a whole.

It is considered that on balance, these benefits as a whole outweigh the less than substantial harm to the significance of the affected designated heritage assets. Therefore, the proposal is considered to be in accordance with the relevant development plan policies and the NPPF.

DESIGN, CHARACTER & LANDSCAPE:

Although the site is neither within a protected landscape nor likely to impact on the setting of the South Downs National Park, the protection of landscape character is still an important consideration.

Policy GEN7 (vi) of the ADLP requires that new development retain significant open or wooded areas which, in their own right, make a material contribution to the local environment. In addition, criteria (ii) requires that new developments respond positively to the identified characteristics of a particular site to

create developments which respect local characteristics.

There are no landscape based policies within the YNDP however regard should be had to Policy LAN DM1 of the modified eALP which states that:

"Development throughout the plan area should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas."

A Landscape Statement has been submitted which seeks to assess the impact of the proposal on the landscape and to determine what mitigation measures are appropriate. This states that:

- * In the short-term, there are likely to be minor adverse effects on landscape character across a limited area;
- * In the short-term there are likely to be minor adverse effects on visual receptors across a limited area;
- * In the mid-long term, subject to the recommended mitigation, there are likely to be minor beneficial effects on landscape character;
- * In the mid-long term, subject to the recommended mitigation, there are likely to be negligible to minor beneficial effects;
- * Built form and mass would be softened as planted trees and vegetation matures, and this would aid integration into the wider enclosed rural setting within the Barnham-Yapton Coastal Plain Local Landscape Character Area (LLCA 22);
- * Planting belts including native hedgerows and tree standards along the western edge of the site would filter and screen the built form from public footpaths to the west;
- * When considering the cumulative impacts with the consented adjacent schemes at Yapton C of E Primary School North End Road (Y/93/14/OUT) to the north of the Site, and Bonhams Field to the south of the site (Y/1/17/OUT), the Stakers Farm proposal is identified as comprising mid-long term negligible cumulative effects on landscape & views; and
- * Should all of these schemes progress the the urban edge of Yapton will effectively be moved to alongside the western edge of the site, with a redefined vegetated rural boundary to its western edge.

The illustrative layout plan shows that open space will be provided on the eastern side of the site to provide a green buffer between Stakers Farm/The Croft and the new houses. It also includes 4.5m wide buffer planting to the north western boundary and 2m wide additional planting to the school site to supplement the existing hedgerows.

In particular, it is noted that the 4.5m wide buffer planting to the north western boundary is as per the illustrative layout for the outline approval of the land to the north. Therefore, the Stakers Farm proposal will provide the same level of buffer planting as the existing approved site to the north. This will ensure a seamless landscaped buffer along the western/north western edge of both sites.

Arun DC Landscape Officers have not raised any objections to the scheme on landscape or visual grounds. The proposal is therefore considered to accord with policy GEN7 of the ADLP and policy LAN DM1 of the modified eLP.

HIGHWAY SAFETY & PARKING:

Objections have been raised by local residents on the grounds of increased congestion on North End Road around the School and that greater use of the approved access for Y/93/14/OUT would be unsafe.

Arun Local Plan policy GEN12 refers to the need to provide sufficient off-street parking. However, the standards within the appendices to the Local Plan which it refers to have been superseded by the West

Sussex (Residential) Parking Demand Calculator. This indicates a total demand for the development of 166 spaces and the proposed illustrative layout satisfies this requirement with 152 allocated spaces and 14 unallocated spaces for additional residents or visitors. It is also noted that the illustrative layout suggests that 2 cycle spaces will be provided per dwelling either in rear garden sheds or garages. The car parking provision is also in accordance with YNDP Policy PK1 "Parking standards for new residential development" which would require a minimum parking provision of only 144 spaces.

Policy GEN7 (vii) requires that new development allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians. Regard should also be had to paragraph 32 of the National Planning Policy Framework which states that: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

West Sussex Highways originally assessed the application back in August 2017 and their comments were based on a site visit. They stated that they had no objections subject to conditions. In particular, that the access to the adjacent site was the subject of a safety audit and its intensification is considered to be acceptable. Also stated that the impact on the A259 had been assessed as acceptable and that the proposed parking provision is acceptable.

However, a concern was raised in respect of the lack of footpath connectivity between the site and adjoining land to the south and east. In response, the applicants have stated that there is a track situated between the Stakers and Bonhams sites which is owned by a third party who, it is understood, will not grant access without significant financial benefit. However, they would be willing to investigate whether this would be possible after outline permission has been granted. As layout is not currently applied for, the approval of permission would not be binding on the drawing that has been provided and therefore, the layout could be varied at the reserved matters stage to provide better connectivity with adjacent land. It is also clear from a comparison of the illustrative layouts for Stakers Farm & Bonhams that there is scope to at least connect a footpath between the two sites. It may also be possible to provide a footpath through Stakers Farm to the east to link to North End Road.

West Sussex Highways then wrote in December to advise that they now wish to reassess the impact of the proposal alongside potentially proposed improvements to the Yapton primary school and that until such time as this assessment is carried out, a holding objection must be imposed. However, it is considered that this should have been assessed much earlier in the process and it is not considered reasonable to delay this determination with no set timescale whilst WSCC Highways finalise their revised position.

In addition to the comments of West Sussex Highways, it is also necessary to consider those of Highways England (HE) who have responsibility for the impact of development on the Strategic Road Network. As set out above, there was initially an objection from HE on the grounds of impact on the A27/Yapton Lane junction but they have since informally accepted the additional assessment undertaken by the applicants. However, a formal response has not been provided and so it is not possible to include any mitigation measures (i.e. contributions to the junction improvement) within the heads of terms for the S106 agreement.

Therefore, although HE have identified the need for mitigation at this junction, without the further response of Highways England, there are insufficient grounds to raise an objection. It should also be noted that although this development will have an impact on the junction, it is the cumulative impact of all planned and proposed developments within the Yapton/Walberton area that is the issue and not just the Stakers Farm proposal. It is also noted that the planning permission for Bonhams Field (Y/1/17/OUT) next door which was approved in early December 2017 was not subject to any contribution to this junction.

It is therefore considered that the proposal is in accordance with the relevant development plan policies and in respect with the guidance with the NPPF.

FLOODING & DRAINAGE:

Objections have been raised by local residents on the grounds of increased flooding due to drainage.

YNDP Policy E11 requires that developments be designed and constructed to minimise the overall level of flood risk within the parish; and provide appropriate surface water drainage. In addition, Arun Local Plan policy GEN9 states that:

"Planning permission for development which will materially increase foul and/or surface water discharges will be refused unless the Local Planning Authority is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development. Consideration should also be given to the use of Sustainable Urban Drainage Systems (SUDS) as alternatives to conventional drainage where appropriate."

Both WSCC and ADC Drainage Engineers have commented on the application. However, neither raise any objection to the principle of development and instead require details to be provided at a later stage in respect of surface water drainage. ADC Engineers do identify the potential presence of a perched water table on the site and consider that, if present, this could present problems for the proposed siting of the POS on the eastern side of the site. However, the approval of permission would not be binding on the layout drawing that has been provided and therefore, the layout could be varied at the reserved matters stage if a perched water table was present and if deemed to be a constraint.

It is therefore considered that the proposal is in accordance with the relevant development plan policies.

FOUL DRAINAGE:

As noted above, Southern Water has raised an objection on the grounds that there is inadequate existing wastewater treatment infrastructure to serve the development and that this application is therefore premature. In addition, local residents raise concern about there being inadequate local foul sewer capacity.

Arun Local Plan policy GEN9 also sets out that there must be adequate foul drainage capacity for developments or that appropriate additional foul drainage capacity can be provided to serve the development.

It is noted that Southern Water did not raise any objection to the proposed development on the adjacent land at Bonhams Field even though that site was also not an allocated site in the emerging Local Plan. Similarly, Southern Water raised no objection to the subsequent proposed outline residential development of land at Street Buildings (Y/49/17/OUT) and instead recommended a condition to ensure that details of foul sewerage disposal are agreed.

On this basis and in the interests of consistency, it would not be reasonable or fair to maintain the Southern Water objection and it is considered that subject to the full details of wastewater treatment being provided at reserved matters stage (enforced by a planning condition), that the scheme is in accordance with development plan policy.

TREES & ECOLOGY:

Objections have been raised by local residents as to the impact of the proposed development on wildlife

species using the fields. It is noted that none of the specific wildlife species mentioned are protected species.

YNDP Policy E3 seeks to prevent the loss of natural habitat. However, it lists two possible exceptions - where mitigation measures ensure the integrity of the habitat or where the habitat is relocated to a site within 500m of the existing.

In addition, Policy E4 states that development sites should retain well-established features of the landscape, including mature trees and species-rich hedgerows. New tree planting will be required to mitigate any significant loss.

There are hedgerows surrounding the site and these will be retained and, in respect of the boundaries to the west & around the school, will also be enhanced. The application has been accompanied by a Preliminary Ecological Appraisal prepared by a chartered ecologist. This found there to be no protected species using the site or the buildings and that with the exception of bats using the field margins, the existing habitat was not suitable to support any protected species.

The site does not contain many trees and the Council Tree Officer does not consider that any of these warrant any additional protection. It is proposed to fell three of the on-site trees and no objection is raised to this. In addition to the enhancement of the existing hedgerows, it is also proposed to enhance the site with bird & bat boxes.

Overall, subject to the mitigation measures secured by planning condition, it is considered that the proposed development accords with policy GEN29 of the ADLP and policies E3 & E4 of the YNDP in relation to the impact on protected species and the potential for the scheme to protect existing habitats where possible and provide enhancements.

RESIDENTIAL AMENITY:

Objections have been raised by local residents as to the potential for to residential amenity.

Arun District Local Plan Policy GEN7 (iv) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. None of the YNDP policies refer to residential amenity issues. However, one of the 'core planning principles' of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).

It is not considered possible to make a detailed assessment of residential amenity at this stage given that layout, scale and appearance are all reserved matters. However, in principle it is not considered that any of the proposed dwellings shown on the illustrative layout would be sited in such a way as to result in any harm to the privacy, outlook or amount of light to existing neighbouring properties. In particular the illustrative layout shows that there would be at least 50m between The Croft and any proposed dwelling. It should also be noted that there is no right in planning law to a view.

SPACE STANDARDS:

Residential development proposals must be assessed against the internal space standards as set out in the Governments new Technical Housing Standards (Nationally Described Space Standard). It is not possible to make an assessment at this time as there are no floorplans.

Policy D DM3 of the modified eALP 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 and in this case should be at least 50m² for 2 bedroom terraced houses, 65m² for 3 bedroom terraced houses, 85m² for semi/detached properties of no more than 3 bedrooms and 100m² for larger semi/detached properties. Flats are dealt with differently and would require a small private space such as patio, roof garden or balcony.

The applicants have proved a schedule of garden sizes to accompany the illustrative layout drawing. This shows that all gardens will exceed the 10m depth requirement and that garden areas will all comply with the area requirements. Indeed, with the exception of plot 21 which is only 6.4m² over the requirement, all other gardens are generously sized and far exceed the required area. There is no current detail as to whether the four flats (plots 18-19 & 69-70) will have balconies or ground level patios. However, as layout, appearance and scale are reserved matters, it would not be possible to raise this as an objection.

AFFORDABLE HOUSING:

For all developments over 15 residential units, the Council requires the minimum provision of 30% affordable housing on site, as set out in Policy AH SP2 of the modified Local Plan and in the Interim Affordable Housing Policy (2010).

The proposal includes 30% affordable housing, equating to 21 units and this therefore complies with the policy requirement. The applicant has stated that all of the affordable homes will be provided for rent and this has been queried by the Councils Housing Strategy and Enabling Manager on the grounds that it may not be a viable offer for a registered partner to take forward. However, this can be resolved at a later time and the S106 agreement will specify that a detailed mix of affordable house types & tenures will be confirmed at the reserved matters stage.

Therefore the proposal accords with Policy DEV17 of the ADLP and Policy AH SP2 of the modified Local Plan.

SUPPORTING INFRASTRUCTURE:

Policy INF SP1 of the modified eLP includes the following statements:

"The Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development to meet the needs of occupiers and users of the development and the existing community"

And

"Off-site measures will require planning obligations or financial contributions, to secure the necessary provision. Where a contribution towards other, district wide, infrastructure improvements or provision is needed and viable this will be achieved through planning obligations (where they meet the statutory test for planning obligations)"

WSCC have requested financial contributions in respect of primary education, secondary education, 6th form education, libraries and fire & rescue. The level of these contributions will be based on a formula to allow the contribution amounts to be based on the housing mix at the reserved matters stage.

The contributions will be spent on the following projects:

- * Additional small scale improvements at Yapton CE Primary School (or on alternative primary school provision elsewhere in the District subject to meeting the CIL tests);
- * Expansion of the Ormiston Six Villages Academy in Westergate;
- * Restructuring of the St Phillip Howard, Catholic School (6th Form) in Barnham;
- * Expansion of facilities at Littlehampton Library;
- * The Barnham to Littlehampton Cycle Improvements Scheme (ID 82); and
- * On the future maintenance of the on-site public open space and local equipped area of play facility.

In addition, there is currently an offer to gift 3500m² of land to WSCC for the purposes of enlarging the school site and potentially enabling its expansion. The land gift has been accepted in principle by WSCC but whether it can be secured depends of whether a land transfer agreement can be drawn up that is acceptable to all parties. It is not considered necessary for this land gift to be included to make the proposal acceptable in planning terms. Furthermore, members should note that if the land gift is included, then although it would allow support for the proposal to be gained from YNDP policy H1, it would also mean that the amount of public open space did not meet the policy requirements.

The Councils Landscape department has advised that a contribution towards the existing multi use games area on the playing fields within the centre of Yapton cannot be sought as more than 5 contributions have already been allocated to this facility.

Sussex Police were consulted on the application and did indicate in August 2017 that a request for funding contributions might be forthcoming but no communication has since been received. It is not considered appropriate to delay the application due to this non-response so the Section 106 is being prepared without any Police contribution.

The NHS were originally consulted on the application in July 2017 and have been chased for a response several times. They then wrote to the Council on the 6th of December to say that a response would be provided by the 15th of December. The response has not yet been received.

SUMMARY:

This outline planning application considers the development of 70 residential dwellings together with access through the adjoining site which has the benefit of an existing outline permission and is within the same ownership. All other matters regarding design, layout, appearance, scale and landscaping are to be the subject of a reserved matters application.

The proposed development is contrary to the Development Plan, but as the policies that relate to the built up area boundary and protection of the countryside are out of date and little weight can be given to them, namely ALP GEN2 & GEN3 and BB1 of YNDP. The housing supply policies GEN5 and H1 of the YNDP are also out of date which means that they can only be afforded limited weight.

The site is considered to be sustainable development and when applying the 'tilted balance' in paragraph 14 of the NPPF, there are no adverse impacts which would significantly or demonstrably outweigh the benefits. Significant weight must therefore be given to the provision of housing and affordable housing in the district where the application can overcome adverse impacts, including the level of harm that would result by developing a site adjoining a conservation area and in proximity to listed buildings. The

proposed development is on balance acceptable in terms of the development plan when taken as a whole and is therefore recommended for approval.

The lack of a 3 or 5 year housing land supply and the requirement to make provision to meet the OAN, buffer and shortfall is a major consideration. The site is located in one of the most sustainable settlements in the district as stated in the Ford Lane Inquiry decision. The NPPF sets out a presumption in favour of sustainable development and for decision-taking this means:

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

There is potential for the development to have an impact upon the setting of heritage assets and to result in the loss of a parcel of Grade 1 Agricultural Land. However, these issues have been assessed in the report conclusions above and it is considered that the resultant harm is mitigated by the benefits of the development. Furthermore, the scheme is considered to be sustainable in terms of its location in proximity to local services and amenities, which can all be accessed without the need for private vehicle use. The proposed development is acceptable, subject to conditions in terms of highway impact and would not result in any adverse impacts upon biodiversity, landscape, trees, or surface water drainage. Despite concerns over the impact upon local infrastructure including schools and health care facilities, the proposed S106 Agreement would provide financial contributions towards local infrastructure improvements.

The overall design, layout and appearance of the site would be determined at reserved matters stage, however a revised indicative layout of the site has been considered as part of this application and would provide a form of mitigation for any potential harm identified on the setting of heritage assets, which is considered as having 'less than substantial harm' which should be weighed against the public benefits of the proposal, including securing the development's optimal use (paragraph 134 of the NPPF).

It is recommended that the application be delegated back to the Director of Place in consultation with the Chairman and Vice Chairman of the Development Control Committee in order that the Section 106 can be completed and signed.

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 recommendation is made subject to the completion of a S106 legal agreement which will concern the following provisions and triggers:

AFFORDABLE HOUSING

30% (21) affordable homes on-site with a tenure split and dwelling type to be agreed at a later date with the Council and set out in an Affordable Housing Statement. To be provided before 50% of the scheme is occupied.

HIGHWAY IMPROVEMENTS

A contribution of £110,530 towards the Barnham to Littlehampton Cycle Improvements Scheme (ID 82). On commencement of development.

A contribution of £180,000 to enable the A27/Yapton Lane junction (extension of right turn only lane) improvement works to be completed. Payable prior to occupation of the 50th dwelling.

PRIMARY EDUCATION

Formula for calculation at the reserved matters stage to be spent on small scale improvements @ Yapton CE Primary School, Yapton or on alternative primary school provision elsewhere in the District subject to meeting the CIL tests. On commencement of development.

SECONDARY EDUCATION

Formula for calculation at the reserved matters stage to be spent on the expansion of Ormiston Six Villages Academy, Westergate. On commencement of development.

6TH FORM EDUCATION

Formula for calculation at the reserved matters stage to be spent on the restructuring of the St Phillip Howard, Catholic School (6th Form) in Barnham to cater for the additional student population. On commencement of development.

LIBRARIES

Formula for calculation at the reserved matters stage to be spent on the expansion of facilities at Littlehampton Library. On commencement of development.

FIRE & RESCUE:

Formula for calculation at the reserved matters stage to be spent on the supply and installation of

additional fire safety equipment in the West Sussex Fire Rescue Services Southern Area serving Yapton. On commencement of development.

NHS

A contribution of £81,517 to be spent on managing Treatment Room capacity at the "Avisford Medical Group" in Yapton. On commencement of development.

OFF-SITE LOCAL PLAY

An area of Public Open Space (POS) including an on-site Local Equipped Area of Play (LEAP). The on-site POS will be subject to one of the following:

- (a) a management plan for the forward maintenance of the POS & LEAP which details the management regime and responsibility; or
- (b) where the POS & LEAP is to be handed over to the Council post practical completion, a commuted sum payment of £13.51 per m2 of POS for future maintenance.

If the area of land to be reserved for the expansion of the school is not taken up in a reasonable time period then it will revert back to being proposed POS and the maintenance payment will be adjusted.

OTHER

Members should note that the applicant has proposed to gift 3500m2 of land within the application red edge to WSCC for the purposes of the future expansion of Yapton C of E Primary School. The actual transfer of the land will be subject to a separate legal agreement but it is proposed that the Section 106 Agreement will contain a provision requiring that the hatched area on the plan be reserved for the future expansion of the school and that if the land is not taken up for this purpose within a reasonable time period (yet to be defined) then it shall return to public open space serving the approved development and be subject to landscaping to be approved by the future reserved matters application.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

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) Layout;
- (b) Scale;
- (c) Appearance;
- (d) 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 6468-04 "Location 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 All demolition & construction works are to be carried out in strict accordance with:- Arboricultural Method Statement Report Ref: PJC 4372/17-02 -23rd June 2017 and Tree Protection Plan ref: PJC 4372/17/A Rev 01 - 16th May 2017.

Reason: To comply with BS5837 and the National Planning Policy Framework to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised and they can continue to enhance the landscape and amenity of the area.

- 5 The development must be carried out in accordance with the recommendations and mitigation measures as set out within section 5.10 "Ecological Enhancements" of the Preliminary Ecological Appraisal (June 2017) by PJC Consultancy and drawing LLD1136/01 Rev 01 "Ecological and Landscape Masterplan Strategy". The enhancements and mitigation measures shall be implemented as per the document and then permanently retained and thereafter maintained as fit for purpose.

Reason: In accordance with Arun District Local Plan policy GEN29 and the National Planning Policy Framework.

- 6 Prior to any demolition or construction works or changes in site levels taking place or the introduction of machinery and plant to the site the following issues must be resolved to the complete satisfaction of Arun District Council:-

(1) A Pre-Commencement Site Meeting is to take place between the Arun DC Tree Officer and the Arboricultural Consultant representing the site owners - at this meeting all protective fencing will be inspected along with ground protection measures - they will be assessed to verify that they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan PJC 4372/17/A Rev 01 - 16th May 2017.

(2) If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reason: To comply with BS5837 and the National Planning Policy Framework to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised and they can continue to enhance the landscape and amenity of the area. This is required to be a pre-commencement condition as it is necessary to protect the trees prior to any operations starting on site.

- 7 Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The

development shall be carried out in accordance with the approved scheme and timetable.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policy GEN9 of the Arun District Council Local Plan. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a foul drainage scheme once development had been completed.

- 8 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.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a surface drainage scheme once development had commenced.

- 9 Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include (a) details of financial management of the site including arrangements made in the event that the management company (or any subsequent management company) is no longer able to fulfil its duties; and (b) arrangements for the replacement of major components at the end of the manufacturers recommended design life.

Reason: To ensure the efficient maintenance and on-going operation of the SuDS system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32. It is considered necessary for this to be a pre-commencement condition because surface water drainage goes to the heart of the planning permission.

- 10 Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policy GEN9 of the Arun District Council Local Plan. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a foul drainage scheme once development had been completed.

- 11 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with both Highways England and West Sussex County Council). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters;

* the anticipated number, frequency and types of vehicles used during construction,

- * the method of access and routing of vehicles during construction,
- * the parking of vehicles by site operatives and visitors,
- * the loading and unloading of plant, materials and waste,
- * the storage of plant and materials used in construction of the development,
- * the erection and maintenance of security hoarding,
- * the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- * details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction traffic.

12 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Where demolition is required 1. and 2. above should be submitted prior to demolition. Parts 3. and 4. can take place post demolition if necessary.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Local Plan policy GEN7. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

13 Prior to the commencement of development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a

headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason: To safeguard the amenities of residents in accordance with Arun District Local Plan policy GEN7 and Yapton Neighbourhood Pan policy BE1. It is considered necessary for this to be a pre-commencement condition because the provision of broadband needs to be incorporated into the design for the site.

- 14 Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun District Local Plan policy GEN7.

- 15 No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking spaces for the use in accordance with Policies GEN7 and GEN12 of the Arun District Local Plan and the National Planning Policy Framework.

- 16 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 in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

- 17 No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

- 18 Immediately following implementation of the approved SuDS scheme and prior to occupation

of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. There shall be no deviation to the approved scheme other than with the written consent of the Local Planning Authority. The scheme shall thereafter be maintained 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.

- 19 Upon completed construction of the SuDS System but prior to occupation of any part of the scheme, the owner or management company shall either provide the local planning authority with an updated copy of the management manual incorporating any changes as a result of construction/implementation or confirm in writing that no changes are required to the manual.

No further changes shall be made to the approved SuDS Maintenance & Management Plan/Regime including the management company responsible or the financial arrangements between the owners of the dwellings & the management company other than with the written consent of the Local Planning Authority.

The owner or management company shall thereafter strictly adhere to and implement the recommendations contained within the manual to ensure that the system is maintained in perpetuity.

Reason: To ensure the efficient maintenance and on-going operation of the SuDS system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32.

- 20 Prior to occupation of any of the dwellings, an electric vehicle charge point shall be installed to serve each dwelling and this shall then be permanently retained and maintained in working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with Policy GEN7 of the Arun District Local Plan, policy QE DM3 (c) of the Arun Local Plan 2011-2031 Publication Version showing Modifications and the National Planning Policy Framework.

- 21 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Plan policy GEN7.

- 22 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with Policies GEN7, GEN29 & GEN33 of the Arun District Local Plan.

- 23 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.

Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended and in accordance with policies GEN7 and GEN29 of the Arun District Local Plan.

- 24 There is a requirement that 25% of 1, 2 and 3 bed dwellings included as part of the development must be delivered to Lifetime Home standards.

Reason: To ensure that part of the development allows for residents to remain in their own homes over the course of their lifetime in accordance with Policy H3 of the Yapton Neighbourhood Plan.

- 25 There is a requirement that the proposed reserved matters submission conform to the following range of dwellings: 1-bed dwellings: 10-15% of all dwellings; 2-bed dwellings: 25-35% of all dwellings; 3-bed dwellings: 45-55% of all dwellings ; and 4+-bed dwellings: 5-10% of all dwellings.

Reason: In accordance with Policy H2 of the Yapton Neighbourhood Plan in the interests of ensuring homes are provided to meet local demand.

- 26 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework, March 2012). Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, in accordance with Policy GEN7 of the Arun District Local Plan.

- 27 As part of the approval of the reserved matters application, the applicant shall include details of how the scheme will link with surrounding land. The links shown shall then be provided prior to completion of the development and retained in perpetuity.

Reason: To promote sustainable development by encouraging walking and cycling in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

- 28 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant,

acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

29 INFORMATIVE: Please note the following comments of Landscape Officers:

"The indicative layout shows a large open space area which creates a usable space and is good to see. Open space in this form will also allow for the establishment of good sized habitat corridor buffers and for the bolstering of existing boundaries.

A clear indication of the proposed future management of the open space must be set out. A clear directive of responsibility should be set out with this statement explaining how the differing typologies will be maintained i.e. responsibility of any formal/informal public realm areas. Open space must be designed to include dog bins, litter bins, fencing and be gated and to prevent vehicular access except for maintenance. There must be no small unusable pockets of open space. Provision for interpretation ecological and historical features and management must be included.

The emerging landscape design aims should be:

- * To design and implement a scheme that reflects and incorporates elements of its surroundings and enhances the atmosphere of local distinctiveness;
- * To create a visually pleasing and interesting landscape for owners, employees and visitors to the development;
- * To enhance the landscape quality of the site when viewed from the surrounding area;
- * To provide a planting scheme that includes native species to blend with the surrounding location, enhance biodiversity and create enhanced wildlife corridor opportunity; and
- * To provide a sense of flow and cohesion between the different elements of the landscape, buildings, open areas and surrounding environment.

Whilst indicative information contained within the Landscape Strategy and Outline Plant Specification has been provided this will need to be provided in plan form detailing species choice, position, densities and size at time of planting. This should be plotted in plan and list form and in relation to the trees and vegetation to be retained so that a clear picture of the proposals can be seen. These details are required to ensure that appropriate screening is provided, maintaining and uncompromising the setting and ensuring that the proposals fit within the area of neighbouring properties, providing screening as required, whilst benefiting the potential of the proposed developments usage.

The use of any part of the POS for SUDS across the development needs to be integrated and detail provided regarding the future management and maintenance of these areas. The recommendation that these are subject to RoSPA or similar organisation inspection should be noted. Indication must be provided as to whether these are likely to be wet or dry areas; this has implications where situated near to residents and play areas. Where they are to remain wet for long periods their safety must be assessed where these are in close proximity to large residential areas. Any such SUDS features including swales, wet balancing ponds, reed beds and wetland areas should be designed as beneficial wildlife, amenity and landscape features as incorporated as part of an open space or landscaping scheme for the development."

30 INFORMATIVE: Please note the comments of Sussex Police:

"The development in the main has outward facing dwellings with back to back gardens which

has created good active frontage with the streets and the public areas being overlooked, this design has all but one, eliminated the need for vulnerable rear garden pathways. Parking has been provided for with in-curtilage, garage and on-street parking bays, this should leave the street layout free and unobstructed.

Where communal parking occurs it is important that they must be within view of an active room within the property. An active room is where there is direct and visual connection between the room and the street or the car parking area. Such visual connections can be expected from rooms such as kitchens and living rooms, but not from bedrooms and bathrooms. Gable ended windows can assist in providing observation over an otherwise unobserved area.

As the first line of defence, perimeter fencing must be adequate with vulnerable areas such as side and rear gardens needing more robust defensive barriers by using walls or fencing to a minimum height of 1.8 metres. In circumstances that require a more open feature such as a garden overlooking a rear parking court or a rear garden pathway, 1.5 metre high close board fencing topped with 300mm of trellis can achieve both security and surveillance requirements. This solution provides surveillance into an otherwise unobserved area and a security height of 1.8 metres. Gates that provide access to the side of the dwelling or rear access to the gardens must be robustly constructed of timber, be the same height as the adjoining fence and be lockable from both sides. Such gates must be located on or as near to the front of the building line as possible.

The design and layout whilst very positive has created an unobserved parking area behind plot 52 that is vulnerable, additionally this area provides unobserved access to a number of rear gardens.

Areas of play should be situated in an environment that is stimulating and safe for all children, be overlooked with good natural surveillance to ensure the safety of users and the protection of equipment, which can be vulnerable to misuse.

Planting must be managed to ensure natural surveillance is maintained at all times. I would recommend that the eventual location is surrounded with railings with self-closing gates to provide a dog free environment.

Lighting throughout the development would be very important and where implemented is to conform to the recommendations within BS 5489:2013. SBD promotes that external dwelling lighting is switched using a dusk till dawn sensor, not PIR operated lighting."

31 INFORMATIVE: If a sewage treatment plant or related pumping station is required on the site then there should be a distance of at least 15m between the pumping station/treatment plant and any residential dwelling.

32 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.

33 INFORMATIVE: 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.

34 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to:

AFFORDABLE HOUSING

30% (21) affordable homes on-site with a tenure split and dwelling type to be agreed at a later date with the Council and set out in an Affordable Housing Statement. To be provided before 50% of the scheme is occupied.

HIGHWAY IMPROVEMENTS

A contribution of £110,530 towards the Barnham to Littlehampton Cycle Improvements Scheme (ID 82). On commencement of development.

A contribution of £180,000 to enable the A27/Yapton Lane junction (extension of right turn only lane) improvement works to be completed. Payable prior to occupation of the 50th dwelling.

PRIMARY EDUCATION

Formula for calculation at the reserved matters stage to be spent on Small scale improvements @ Yapton CE Primary School, Yapton or on alternative primary school provision elsewhere in the District subject to meeting the CIL tests. On commencement of development.

SECONDARY EDUCATION

Formula for calculation at the reserved matters stage to be spent on the expansion of Ormiston Six Villages Academy, Westergate. On commencement of development.

6TH FORM EDUCATION

Formula for calculation at the reserved matters stage to be spent on the restructuring of the St Phillip Howard, Catholic School (6th Form) in Barnham to cater for the additional student population. On commencement of development.

LIBRARIES

Formula for calculation at the reserved matters stage to be spent on the expansion of facilities at Littlehampton Library. On commencement of development.

FIRE & RESCUE:

Formula for calculation at the reserved matters stage to be spent on the supply and installation of additional fire safety equipment in the West Sussex Fire Rescue Services Southern Area serving Yapton. On commencement of development.

NHS

A contribution of £81,517 to be spent on managing Treatment Room capacity at the "Avisford Medical Group" in Yapton. On commencement of development.

LAND RESERVED FOR THE SCHOOL

A provision requiring that the hatched area on the plan be reserved for the future expansion of the school and that if the land is not taken up for this purpose within a reasonable time period then it shall return to public open space serving the approved development and be subject to landscaping to be approved by the future reserved matters application.

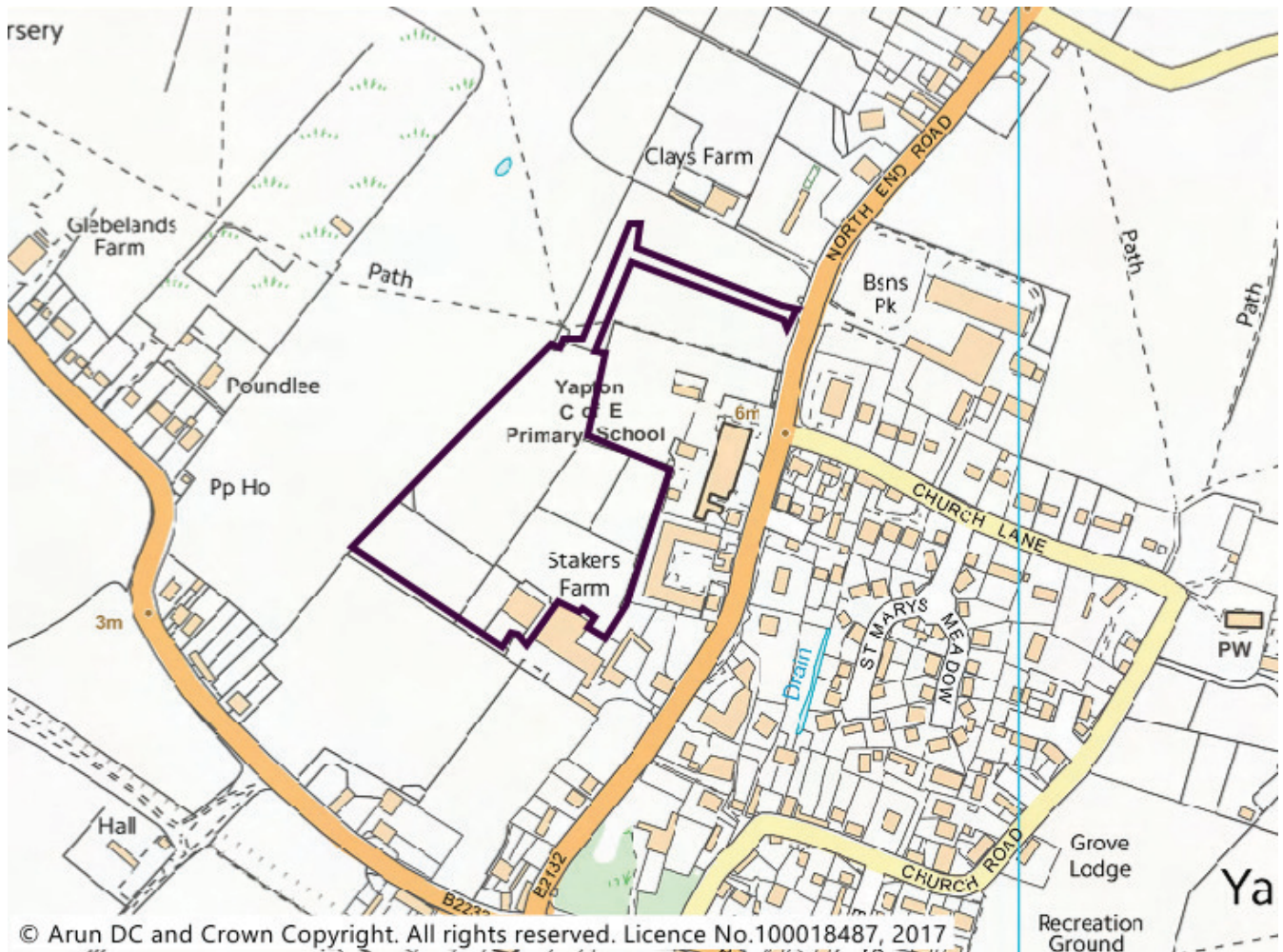
OFF-SITE LOCAL PLAY

An area of Public Open Space (POS) including an on-site Local Equipped Area of Play (LEAP). The on-site POS will be subject to one of the following:

- (a) a management plan for the forward maintenance of the POS & LEAP which details the management regime and responsibility; or
- (b) where the POS & LEAP is to be handed over to the Council post practical completion, a commuted sum payment of £13.51 per m2 of POS for future maintenance.

If the area of land to be reserved for the expansion of the school is not taken up in a reasonable time period then it will revert back to being proposed POS and the maintenance payment will be adjusted.

Y/44/17/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 9

DEVELOPMENT CONTROL COMMITTEE

11th April 2018

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/278/17/RES | Approval of Reserved Matters following Outline Permission LU/47/11 for Construction of the southern section of the Lyminster Bypass, including northern and southern roundabouts, surface water drainage and landscaping. Departure from the Development Plan & affects a Public Right of Way. | North Littlehampton Strategic Development Site Land West of Toddington Park, Toddington Lane Littlehampton BN17 7PP |
| Case Officer: | Michael Eastham | |
| Recommendation: | Approve Conditionally | |

LITTLEHAMPTON

| <u>Reference</u> | <u>Development Description</u> | <u>Location</u> |
|-------------------------------|--|--|
| LU/284/17/DOC | Application for approval of details reserved by conditions imposed under LU/47/11 relating to conditions: 1- Reserved Matters Application to be submitted, 5- Details of Materials & External Finishes, 7- Appearance, Landscaping & Layout, 8- Design statement, 10- Surface Water Drainage Strategy, 14- Landscaping, 15- Trees, 19 & 20- Ecology, 21- Ecological Management, 26- Highway Specification & Construction Details, 36- Noise Assessment & 37- Noise Mitigation. | North Littlehampton Strategic Site West of Toddington Park, Toddington Lane Littlehampton |
| Case Officer: | Michael Eastham | |
| Recommendation: | DOC all approved | |

ANGMERING

| <u>Reference</u> | <u>Development Description</u> | <u>Location</u> |
|----------------------------|--|--|
| A/75/17/PL | 4 No. dwellings. This application affects the setting of a Listed Building & is a Departure from the Development Plan. | Avenals Farm Water Lane Angmering BN16 4EP |
| Case Officer: | Mr R Leal | |
| Recommendation: | Approve Conditionally | |

ANGMERING

Reference

[A/155/17/OUT](#)

Development Description

Outline application with some matters reserved for 3 No. dwellings. This application may affect the setting of a Listed building & is a Departure from the Development Plan.

Location

Avenals Barn
Water Lane
Angmering
BN16 4EP

Case Officer:

Mr J Baeza

Recommendation:

Approve Conditionally

ALDWICK

Reference

[AW/368/17/HH](#)

Development Description

Alterations to create an elderly persons annexe.

Location

44 Christchurch
Crescent
Aldwick
PO21 5SJ

Case Officer:

Mr R Temple

Recommendation:

Approve Conditionally

PLANNING APPLICATION REPORT

| | |
|-----------|--|
| REF NO: | LU/278/17/RES |
| LOCATION: | North Littlehampton Strategic Development Site Land West of Toddington Park, Toddington Lane Littlehampton BN17 7PP |
| PROPOSAL: | Approval of Reserved Matters following Outline Permission LU/47/11 for Construction of the southern section of the Lyminster Bypass, including northern and southern roundabouts, surface water drainage and landscaping. Departure from the Development Plan & affects a Public Right of Way. |

| |
|------------------------------|
| SITE AND SURROUNDINGS |
|------------------------------|

| | |
|----------------------------|--|
| DESCRIPTION OF APPLICATION | <p>The proposed southern section of the Lyminster Bypass, measuring 730 metres long, is required to link the North Littlehampton Strategic Development Area (SDA) to the adjacent highway network.</p> <p>The site is located in Wick, Littlehampton and runs from south to north from the A259 (starting at a point immediately east of Highdown Drive), then to the east of the allotments found north of the A259; over the railway line and Toddington Lane and then finishes at a new roundabout which would be constructed adjacent to the proposed commercial area of the North Littlehampton Strategic Development Area (SDA).</p> <p>The Bypass would include two roundabouts, one as stated above at the northern end and one at the southern end. The northern roundabout would connect to the northern section of the Lyminster Bypass which would be delivered by the Local Highway Authority (WSCC); and the southern roundabout would link up with Worthing Road (the A259) and the northern end of the Fitzalan Link Road (approved under LU/234/16/RES) which runs alongside the Littlehampton Academy. The southern end of the Fitzalan Link Road has already been built by WSCC between the access to Littlehampton Academy and East Street.</p> <p>The southern section of the Lyminster Bypass would include a Road Bridge which would span Toddington Lane and a Rail Overbridge crossing the railway line. The design of the rail overbridge has been prepared in consultation with Network Rail, including an approval in principle (AIP) process.</p> <p>The proposed Lyminster Bypass would improve north-south access to Littlehampton by removing delays associated with</p> |
|----------------------------|--|

the existing A284 Lyminster Road and the Wick level crossing. The southern section of the Lyminster Bypass has been designed to be a 40mph limit road.

No Public Rights of Way are affected by this planning application for this southern section of the Lyminster Bypass.

SITE AREA

4.8 ha.

TOPOGRAPHY

The application site is predominantly flat, situated between the South Downs National Park to the north, and the coastal plain to the south. It is within the built-up area boundary of Littlehampton, and it is surrounded by mixed uses, including residential estates.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The site boundary is defined to the south by Worthing Road (A259). The western boundary of the site is defined by Allotment Gardens, Crabtree Park (Football Ground) and residential properties along Griffin Crescent, Coomes Way, Empress Close, Granary Way, Mill House and Fullers Walk. Highdown Drive is to the south west of the site. The eastern boundary of the site is defined by residential properties fronting Holly Drive and Toddington Park. The north western boundary is defined by the Household Waste Recycling Centre and Woodcote Rural Holiday Centre. To the north and north east of the application site, mixed use development is being delivered on the North Littlehampton Strategic Development Area (SDA).

SITE CHARACTERISTICS

The residential area of Toddington is located south of the railway line and the separate village of Lyminster lies to the north, whilst the northern part of the residential area of Wick is situated to the west of the site. The A284, which is the main road serving Littlehampton from the A27, passes to the west of the site through Lyminster and Wick and then south to Littlehampton Town Centre. Toddington Lane crosses the site north of the Brighton to Littlehampton railway line.

CHARACTER OF LOCALITY

To the south of the railway line is the Watersmead Business Park. To the west of the Business Park is a small haulage depot site. The majority of the land between the railway line and the A259 Worthing Road is the residential area of Toddington Park. To the west of the Toddington Park area is open land in a number of uses, including allotments, the Wick Town Football Club site and a recreation ground. Low-lying land, south of the Black Ditch, comprises grazing marshes of biodiversity value.

| |
|------------------------------|
| RELEVANT SITE HISTORY |
|------------------------------|

LU/63/11/

Outline Application for the construction of the "Fitzalan Link Road" between the A259 Worthing Road & the East
 ApproveConditionally
 06-06-12

Street/Fitzalan Road roundabout - This application affects a Public Right of Way

| | | |
|---------------|---|--------------------------------|
| LU/47/11/ | <p>Outline application with some matters reserved for mixed use development comprising: demolition of existing buildings and structures, up to 1,260 residential dwellings (out of a potential 1,460 dwelling masterplan), up to 13,000 sqm of B1 employment floorspace (including 3,000 sqm Enterprise Centre), up to 3,500 sqm of Class A local facilities, a 100 bed hotel, 60 bed care home, a new 2 Form Entry primary school, community centre, youth and leisure facilities, combined heat & power plant, extension to existing household recycling centre, landscaping, replacement and additional allotments, multi-functional green infrastructure including sports pitches (& associated changing facilities), informal open space, children's play areas, primary vehicular access from a new access from the A259 bridging over the railway line with additional access from Mill Lane & Toddington Lane. This application is the subject of an Environmental Impact Assessment & a departure from the development plan. This application affects a public right of way.</p> | App Cond with S106 23-01-13 |
| LU/92/16/RES | <p>Approval of reserved matters following LU/47/11/ for landscaping of internal road to the North of Toddington Road, East of Southern section of proposed Lyminster By Pass & West of Parcels B3 & B5.</p> | Approve 15-08-16 |
| LU/182/15/PL | <p>Variation of conditions 4, 6, 7, 8, 39 & 42 imposed under planning reference LU/47/11/ relating to list of plans, illustrative masterplan, CHP plant building, Design Statement, bus stops & traffic improvements.</p> | |
| LU/284/17/DOC | <p>Application for approval of matters reserved by conditions imposed under LU/47/11 relating to conditions: 1- Reserved Matters Application to be submitted, 5- Details of Materials & External Finishes, 7- Appearance, Landscaping & Layout, 8- Design statement, 10- Surface Water Drainage Strategy, 14- Landscaping, 15- Trees, 19 & 20- Egology, 21- Ecological Management, 22,23,25- Construction Management Plan, 26- Highway Specification & Construction Details, 33- Contamination, 36- Noise Assessment & 37- Noise Mitigation.</p> | |

| | | |
|---------------|---|----------------------------------|
| LU/121/17/RES | Approval of reserved matters following outline consent LU/47/11/ for construction of 126 No. dwellings together with internal road network, car parking & landscaping. | ApproveConditionally 20-12-17 |
| LU/234/16/RES | Application for reserved matters relating to access, appearance, landscaping, layout and scale of the previously approved LU/63/11/. This application affects a Public Right of Way | ApproveConditionally 19-10-17 |
| LU/164/15/DOC | Application for approval of matters reserved by condition imposed under LU/47/11/ relating to condition 33 for risk of contamination on site. | DOC Approved 12-06-15 |
| LU/346/14/PL | Application for variation of Conditions 11, 17, 18, 20 and 30 imposed under LU/47/11 relating to maintenance of watercourse, scheme for creation of central wetland area, scheme for details of bridges and buffer-zones to on-site watercourses, ecological management plan and scheme for hydrants. | ApproveConditionally 20-02-15 |

The outline planning permission (LU/47/11) established the principle for the construction of the southern section of the Lyminster Bypass, including the northern and southern roundabouts, surface water drainage and landscaping. This was varied by LU/346/14/PL.

The Toddington Lane Footbridge over the railway line will be submitted via a separate planning application.

| |
|------------------------|
| REPRESENTATIONS |
|------------------------|

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

No objection.

Two letters of representation have been received from local residents raising the following concerns:

Fencing has been erected on the Worthing Road allotments. There has been no provision made for reptile fencing, this is require by law and a suitable mitigation plan needs to be created. The area is home to both slowworms and common lizards. It is the understanding of the Sussex Wildlife Trust that these works should not have commenced until planning permission is granted. The overriding issue is why this fence has been erected without a suitable reptile barrier.

Woodcote Lane will be used as the access road for construction traffic going to the northern section of the Lyminster Bypass.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed below.

In terms of reptile fencing, reptile surveys were undertaken in October 2015 which identified the presence of a small population of common lizard on the site. Due to the nature of the works with a time constraint to undertake the works prior to the temperatures becoming too cold and the onset of reptile hibernation, the works on site to install the reptile fencing were undertaken simultaneously with the site clearance. The site clearance has been undertaken in a phased approach from south to north and under ecological supervision with all areas being subject to a fingertip search by ecologists prior to being strimmed and then hand searched again to a supervised top soil strip in accordance with the updated Arbeco Method Statement, 2017.

A local resident raised concerns about the construction traffic using Woodcote Lane to construct the northern section of the Lyminster Bypass. The planning application for the northern section of the Lyminster Bypass is being prepared separately by WSCC and, to date, has not been submitted to the LPA. Consequently, construction of the northern section of the Bypass could not proceed without the benefit of planning permission. A planning application for the northern section of the Lyminster Bypass would not be determined before April 2018.

| |
|----------------------|
| CONSULTATIONS |
|----------------------|

- Highways England
- Network Rail
- WSCC Strategic Planning
- Environment Agency
- Sport England South East
- Surface Water Drainage Team
- Environmental Health
- Parks and Landscapes
- Arboriculturist
- Southern Water Planning
- Economic Regeneration
- Sussex Police-Community Safety
- Engineering Services Manager
- Engineers (structural)
- Engineers (Drainage)
- Archaeology Advisor
- Ecology Advisor

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND:
No objection raised.

The southern section of the Lyminster Bypass does not materially impact upon the A27. West Sussex County Council Highways should be consulted in relation to this application.

LOCAL HIGHWAY AUTHORITY:

The Local Highway Authority initially objected and submitted three detailed responses which were addressed by the applicant.

The fourth Local Highway Authority response, dated 5th March 2018 raised no objection subject to the imposition of conditions regarding highway drainage and the submission of a landscape management plan.

1) The proposed planting (native tree and shrub planting) will be individual plants and not linear hedges. This is confirmed by the plant schedule where the spacing between the plants is proposed to be 1 metre centres (hedge planting centres are much denser, normally 0.3 metre centres).

2) Adequate inter-visibility alongside planting has been provided at cycle path intersections. This will be checked again at the detailed design/S38/278 stage.

3) Owl boxes (and the barn owl box), previously shown too close to road have now been shown removed and re-located.

4) With regard to Tree Protection Plans (TPPs), one should be submitted for approval by the CHA after consultation with the CHA prior to works starting on-site.

5) Tactile paving - This is largely shown on the engineering drawings. Where it has been omitted/not shown etc. this will need to be picked-up at the detailed S38/278 stage.

6) Maintenance bays - Applicant shows one on the southern roundabout (A259). A further one might be required somewhere along the N-S By-Pass link itself. This will be checked at detailed design/S38/278 stage.

7) Street lighting is required and will be checked at the S38/278 stage.

8) A draft signage strategy is currently being considered by the Local Highway Authority. Once agreed with the LPA and applicant through consultation with the Local Highway Authority, it should be installed prior to opening of the road.

9) AIP (bridge structures) - This is an ongoing process. The 'allotment culvert' is an underpass to provide access to and from the allotments. The Technical Approval process for the structures is progressing and will continue to do so through the S38/278 stage. Any planning approval granted does not give approval of any structures forming part of the new road.

10) Surface Water Drainage - Matters are now concluded for the planning stage. Further checks will be carried-out at the S38/278 stage.

11) Commuted payments for landscaping and any non-standard street furniture etc, will be required at the S38/278 stage (and will be calculated then).

12) Road markings - will be re-checked at the S38/278 stage. The applicant has stated that it is their intention to provide road marking diagram numbers and a road markings table at the detailed design stage.

13) Cycle lane widths and buffer zones to comply with appropriate design standards as required.

14) Speed limit transitions - This will be checked at the S38/278 stage.

15) Swept-path diagrams appear to be acceptable throughout for the vehicles tested.

16) PRow - If any diversions and/or changes are required, these must be in accordance with WSCC specifications and processes. The applicant has responded to say that no PRow is affected by the Southern Lyminster Bypass.

17) Chainage 50 is the required cut-off point between the northern end of the applicant's road and the proposed WSCC Lyminster By-Pass. This is now shown.

18) The footway on the north east corner of the A259 roundabout, forming part of the Persimmon design, will need to have adequate visibility provided to assist pedestrians crossing the road and that are visible to passing traffic. Likewise, the proposed planting at this location will also need to be looked at very carefully to ensure it does not encroach on any necessary visibility splays nor the carriageway itself. This is achieved with the current design arrangements. This will be reviewed again at the S38/278 detailed design stage.

19) A 'Tripartite/Overbridge Agreement' will be required with the applicant, Network Rail and the Highway Authority. However, such an Agreement can only be entered-into at the point of or following issuing of S38/278 Technical Approval.

20) Should planning permission be granted, the scheme will then need to be submitted to the Highway Authority for S38/278 purposes, at which stage further technical design and safety checks will be undertaken. Any approval given to the application by the Planning Authority is not technical approval of the scheme. No works must commence on-site until such time as all relevant Technical Approvals have been granted and final Agreements (S38/278 and Network Rail) have been issued.

NETWORK RAIL:

Network Rail acknowledges that they are currently in discussions with the applicant as regards to the proposed new Rail Overbridge at North Littlehampton. Whilst Network Rail is keen to help the applicant and West Sussex County Council to carry out this project, Network Rail require the applicant sign up to a tri-partite Overbridge Agreement for the scheme as soon as possible in order that this can be taken forward and Network Rail can commence to review and comment on the proposed development. Until such time Network Rail cannot comment on any detail of the scheme. The applicant must ensure that their proposal, both during construction and after completion of works on site, does not encroach onto Network Rail land; affect the safety, operation or integrity of the company's railway and its infrastructure; undermine its support zone; damage the company's infrastructure; place additional load on cuttings; adversely affect any railway land or structure; over-sail or encroach upon the air-space of any Network Rail land; and cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future.

SPORT ENGLAND:

No objection raised.

The proposed development does not fall within either the statutory remit or non-statutory remit; therefore, Sport England has not provided a detailed response, but would wish to give the following advice to aid the assessment of this application. If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposed development meets paragraph 74 of the NPPF, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place. Sport England claims that the proposed development crosses the Crabtree Park Football Ground and the adjacent allotment gardens.

SOUTHERN WATER:

No objection raised.

In order to protect public apparatus, Southern Water requested that a condition be imposed regarding the protection of the public sewers and water mains. The construction of any structures (e.g. headwalls), cellular storage, attenuation facilities and open water bodies within the easement / clearance distance of public sewers or water mains will not be acceptable. Reference should be made to Southern Water publication "A Guide to Tree Planting near water Mains and Sewers" with regards to any landscaping proposals.

WEST SUSSEX COUNTY COUNCIL (AS THE LEAD LOCAL FLOOD AUTHORITY):

The Lead Local Flood Authority response is incorporated in the third response from the Local Highway Authority, dated 11th January 2018 and set out above.

ADC ENGINEERS (STRUCTURAL):

No structural engineering comments to make.

ADC ECONOMIC DEVELOPMENT:

No comments to make on the application.

ADC ARCHAEOLOGY:

No objection raised.

Most of the area to the north of Toddington Lane has already been investigated and needs no further archaeological intervention. The area to the south, between Toddington Lane and Worthing Road, has been evaluated by trial trenching and particular areas of apparent concentrations of archaeological deposits have been identified. These should be further investigated ahead of development in order that their significance might be properly preserved (i.e. through excavation, recording and dissemination of the results), by way of a planning condition.

ADC GREENSPACE:

No objection raised.

The proposed detail contained in the amended landscape plans for Lyminstar Bypass is sufficient in detail with quantities, densities and size of trees at time of planting; and the species choice is considered to be appropriate for the location. The proposed trees are sufficient in height to provide instant impact and if planted with appropriate plant support systems should establish effectively to produce an effective and long term appropriate scheme. The scheme has taken into account tree protection measures and has detailed a maintenance and management proposal for covering a 10 year period.

ADC ARBORICULTURE:

No objection raised.

There is some tree loss but this will be of a species and size of tree that will not have an adverse impact in the landscape and significant mitigation tree planting is proposed as part of the proposed development.

SUSSEX POLICE:

No objection raised.

Sussex Police recommended that the development be constructed to Secured by Design standards. The street lighting for the footpaths should meet BS5489:2013. If the proposed pedestrian underpass is only required to access the allotments then it is recommended it is not lit, as it will be used mainly during daylight hours and less likely to attract anti-social behaviour at night. However, if it is regularly used by a variety of the public then Sussex Police recommend that it is illuminated to give a clear view completely through its length at night. Sussex Police recommend clear direction signage along any newly routed foot or cycle path and suitable, adequate protection from traffic where appropriate. Trees, hedgerows and planting should be maintained so as not to physically obstruct the footpath and keep view clear.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. All of the issues raised are addressed in the "Conclusions" section of this report apart from the comments raised by Sport England and Southern Water which are addressed below.

Sport England claims that the proposed route of the Bypass crosses the Crabtree Park Football Ground. In actual fact, the red line plan of the application boundary and the proposed development does not affect the Crabtree Park Football Ground. The application site falls outside the Football Club's ownership, so there is no loss of any sports facility. The football ground sits just below the railway line and to the west of the proposed Bypass. Therefore, the proposed development complies with paragraph 74 of the NPPF.

In response to Southern Water's request for a condition to protect public apparatus, protecting the public sewers and water mains, this is already covered by a condition which was imposed on the outline planning permission (LU/47/11).

| |
|-----------------------|
| POLICY CONTEXT |
|-----------------------|

Designation applicable to site:

Within Built-Up Area Boundary (BUAB)
North Littlehampton Strategic Development Area

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

| | |
|--------|---|
| AREA17 | Sites of Archaeological Interest |
| DEV15 | Safeguarding the Main Road Network |
| GEN14 | Public Transport |
| GEN15 | Cycling and Walking |
| GEN28 | Trees and Woodlands |
| GEN11 | Inland Flooding |
| GEN32 | Noise Pollution |
| GEN33 | Light Pollution |
| GEN34 | Air Pollution |
| GEN7 | The Form of New Development |
| GEN8 | Development and the Provision of Infrastructure |
| GEN9 | Foul and Surface Water Drainage |
| SITE7 | Land at Toddington, Littlehampton |

Publication Version of the Local Plan (October 2014):

| | |
|---------|---|
| D DM1 | Aspects of Form and Design Quality |
| D SP1 | Design |
| ENV DM4 | Protection of Trees |
| GI SP1 | Green Infrastructure & Development |
| HER DM6 | Sites of Archaeological Interest |
| INF SP1 | Infrastructure provision and implementation |
| W DM2 | Flood Risk |
| QE DM1 | Noise Pollution |
| QE DM2 | Light Pollution |
| QE DM3 | Air Pollution |
| QE SP1 | Quality of the Environment |
| T DM1 | Sustainable Travel and Public Rights of Way |
| T SP1 | Transport and Development |

| | |
|--|---------------------------------------|
| <u>Littlehampton Neighbourhood Plan 2014 Policy 18</u> | Fitzalan Link Road |
| Littlehampton Neighbourhood Plan 2014 Policy 19 | Lyminster Bypass & the A27 at Arundel |
| Littlehampton Neighbourhood Plan 2014 Policy 2 | A Spatial Plan for the Town |
| Littlehampton Neighbourhood Plan 2014 Policy 22 | Design of New 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.

A new Local Plan is in preparation and constitutes a material consideration when determining planning applications. The Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was suspended whilst Arun District Council addressed matters raised by the Inspector and published modifications to the emerging Local Plan, but it resumed on 17th September 2017 and has now concluded. The Main Modifications to the emerging Arun Local Plan and evidence base were available for public consultation over a six week period which started on Friday 12 January and ended on Friday 23 February 2018. The District Council is awaiting the Inspector's report which is due out in Spring 2018.

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 (Regulation 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; Walberton; Yapton.

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 (Regulation 14).

The Littlehampton Neighbourhood Plan (LNP) was made on 5th November 2014.

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

THE PRINCIPLE OF DEVELOPMENT

The outline planning permission (LU/47/11), which was granted on 23rd January 2013, established the principle for the southern section of the Lyminster Bypass amended by LU/182/15/PL which went to Development Control Committee but is subject to a Deed of Variation which has not been signed yet. Once the Deed of Variation has been signed it would establish the updated parameters of the masterplan for the construction of the southern section of the Lyminster Bypass, including the northern and southern roundabouts, surface water drainage and landscaping.

The appraisal of this reserved matters application (LU/278/17/RES) therefore relates to the detailed proposals for the appearance, access, landscaping, layout and scale of the southern section of Lyminster Bypass.

Arun District Council and West Sussex County Council have a long term ambition to create a bypass route to Littlehampton from the north in order to remove the congestion caused by the Lyminster level crossing. A corridor of land has been reserved in order to facilitate this route. This is part of the wider protected route under Policy DEV15 (ix) Safeguarding the Main Road Network of the Arun District Local Plan 2003, Policy T SP3 of the emerging adopted Local Plan (A284 Lyminster Bypass - Southern Section), and Policy 19 of the Littlehampton Neighbourhood Plan (NP).

Once constructed, the whole route including this southern section of the Lyminster Bypass, which is the subject of this application (LU/278/17/RES); the northern section of the Lyminster Bypass; the northern section of the Fitzalan Link Road; and the already constructed southern section of the Fitzalan Link Road would provide access to and from the A259 and Littlehampton town centre to the south and the A27 to the north.

Policy 2 of the made Littlehampton Neighbourhood Plan (LNP) says: "The Neighbourhood Plan concentrates future housing, economic and community related development within the built-up area boundary of Littlehampton and especially within the Fitzalan Corridor connecting the strategic housing allocations at North Littlehampton (Toddington - north of the railway) and at Courtwick Park with the Littlehampton Academy, the Town Centre, the Community Hub and 'the Green'".

The detailed road layout submitted by the applicant has been agreed with the Local Highway Authority, and it is based on the overarching concept approved under the outline planning permission (LU/47/11). The applicant has placed particular reference on the master plan submitted with and approved at the outline planning stage (as proposed to be amended under LU/182/15/PL).

The proposed southern section of the Lyminster Bypass is a fundamental and strategic part of the transport improvements associated with the delivery of the North Littlehampton Strategic Development Area.

The associated transport improvements which are not part of this current proposal comprise: the localised widening of the A259; re-alignment of Highdown Drive to join to the Fitzalan Link at a priority junction; the Southern Section and Fitzalan Link will both have off-road shared pedestrian / cycle facilities; extension of pedestrian / cycle facilities along the A259 where land ownership permits; Toddington Lane to become a "quiet route" mainly for pedestrian and cycle use, and residents access; improvements to the Wick Roundabout through lane marking revisions; improvements to the Watersmead roundabout to permit two lanes of straight-ahead movements from the A259 Rustington Bypass and the B2187 Worthing Road; new bus service (including evening and weekend services); closure of the Toddington Lane level crossing; closure of the bridleway-type rail crossing to the north of the Bodyshop Roundabout; a new site access from Mill Lane / Toddington Lane; the widening of the majority of Mill Lane / Toddington Lane, including a new parking layby on Mill Lane; and improvements to the junction of Mill Lane with the A284, including the provision of a right turn lane.

The intersection of the proposed southern section of the Lyminster Bypass south and Main Avenue - the main access road through the Strategic Development Area - would also be the location for the proposed commercial area.

The proposed southern section of the Lyminster Bypass will link directly into the principal access roads within the site; and the principal access roads when delivered will form a loop arrangement to create a permeable site. This will allow the proposed new bus service to negotiate the site and serve the whole development.

The proposed layout allows for a 15 metre' offset along the proposed Bypass to allow for noise attenuation, landscaping and surface water attenuation. One of the main changes is the alteration of the northern junction on the Bypass which was previously shown as a traffic light/ priority junction and is proposed to be changed to a roundabout. This is following discussions between the applicant and the Local Highway Authority. The roundabout is considered to provide capacity benefits over the traffic signalised junction. The Town Council initially raised concerns regarding the success of the traffic signals - given the level of traffic. The change was discussed at the North Littlehampton Steering Group who were broadly supportive. Therefore the proposed northern roundabout is considered to be acceptable and would allow for the safe movement of pedestrians and vehicles in accordance with Policy GEN7 of the ALP.

DESIGN, CHARACTER, LAYOUT, SCALE & APPEARANCE

Policy GEN7 of the ALP says that "Planning permission will only be granted for schemes displaying high quality design and layout". Policy D SP1 of the eALP requires "all development proposals should be of good quality and demonstrate a high standard of design". Policy D DM1 of the modified eALP requires proposed developments to "deliver or contribute to the ease of navigation within a new or existing development scheme through use of focal points (including gateways)"; and Policy 22 of the Littlehampton NP (Design of New Development).

The application proposal is for a single lane carriageway on each side of the road, running north-south for a length of 730 metres. A footpath / cycleway is shown running along the full length of the eastern side of the proposed Lyminster Bypass, with a grass verge on the west side, which is considered to be of a high quality design, which will link in with the layout of the approved Fitzalan Link Road to the south. The proposed highway would be raised up on an embankment which would measure up to 6.0 metres in height where it crosses over Toddington Lane and the railway line. The site is constrained by landownership and consequently the red line application boundary is drawn tightly against the eastern and western sides of the proposed Bypass, which provides limited space to accommodate the planting of trees and the creation of a landscape screen.

In terms of design and appearance, the scheme is high quality. Public realm includes footpaths, crossing locations and the robust tree and shrub planting scheme. Surface finish materials include tarmac to the footpaths and the road, and tactile paving for crossing locations. The landscape proposal, which is discussed in detail below, includes native tree and shrub planting areas, individual 'street' trees, amenity grass, and species rich grass to help increase potential biodiversity within the site and provide a range of textures and colours for additional interest for users of the road and footpaths.

The Bypass would comprise a 7.3 metre wide road (2 x 3.65 metre carriageways with a 1 metre hard strip at each edge); a 2.0 metre wide verge running along the western side; and a 3.5 metre wide shared footway / cycleway along the eastern side of the Bypass. The alignment of both ends of the southern section of the Lyminster Bypass with the connecting roundabouts has fixed the position of the proposed road bridge over Toddington Lane and the proposed rail overbridge over the railway line. The proposed Toddington Lane Road Bridge would have a clear span of 17.0 metres; the rail overbridge would have a clear span of 29.8 metres. Both bridge superstructures would comprise precast pre-stressed concrete U-beam with an in-situ reinforced concrete deck slab. The substructure of both bridges would comprise of reinforced concrete abutments.

The Bypass would be built-up on earthworks on the approaches to the railway and Toddington Lane bridges, comprising reinforced earth walls with concrete facing panels on three sides of the approaches with the south-western approach remaining as an earthwork embankment. The earthwork would measure up to 6.0 metres high at its highest point. The construction of an earthwork to raise up the bypass would ensure that the development does not encroach on adjacent allotment land, it would optimise the developable area adjoining the bypass, and ensure that the new road was retained within the red-line boundary. It is considered that the construction of a 6.0 metre embankment incorporating a 1.4 metre high steel parapet along the eastern side of the bridge, and a 1.15 metre high steel post and rail fence on the top of the walls on the western side of the structure, as vehicle restraint systems would have a visual impact on the surrounding area. It is considered that the visual impact of the embankment would appear incongruous in the landscape when it is initially constructed, however, this would be softened over time once the proposed landscaping has been planted and established along the eastern and western boundaries of the proposed Bypass.

An 18 metre long underpass would be provided approximately 70 metres south of the Rail Overbridge, with lockable access gates at either end; and lighting along the length of the culvert; with timed push button switches to be provided at both ends preventing light pollution, in compliance with the comments raised by Sussex Police. Policy D DM1(6) of the modified eALP endorses the provision of security measures that make places feel safer. The underpass is required as it would enable pedestrian access between the existing allotments on the western side and the proposed new allotments on the eastern side of the Bypass. The proposed lighting of the underpass would ensure the proposed development complies with secure by design requirements as set out in Policy D DM1(6) of the modified eALP.

The new allotments, which are outside the red line boundary, but are proposed for a later phase as set out on the masterplan for the Strategic Development Area, would compensate for the allotment area that would be lost due to the construction of the proposed Bypass. The provision of new allotments on the eastern side of the Bypass, in addition to the existing allotments on the western side of the Bypass, would address Sport England's comment regarding whether the proposed development meets paragraph 74 of the NPPF. in terms of providing compensatory provision for sport and leisure.

Consequently, it is considered that the design, character, layout, scale and appearance of the proposed Bypass is necessary and it complies with Policy GEN7 of the ALP, Policy D DM1, Policy D SP1 and Policy QE SP1 of the modified eALP and Policy 22 of the LNP.

HIGHWAYS AND TRANSPORT

Policy GEN7 of the ALP says "Development will be permitted provided it allows for the safe movement of pedestrians and vehicles, giving priority to pedestrians". Policy 22 of the LNP says: "the carriageway widths of roads that may support (existing and future) local bus routes, are capable of doing so". Policy T SP1 of the modified eALP says that "the Council will ensure that development provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network".

The Northern and Southern Roundabouts

The traffic signalised junction at the northern end of the Bypass, which was initially proposed in the masterplan submitted with the outline planning application (LU/47/11), has been changed and the current planning application proposes the construction of a roundabout at this junction. The northern roundabout junction would provide capacity benefits over a traffic signalised junction. A roundabout design facilitates a better central hub for the local / commercial centre and the better placement of focal buildings in the North Littlehampton Strategic Development Area. The 4-arm northern roundabout has been designed to accommodate links into the Strategic Development Area; and the future implementation of the northern section of the Lyminster Bypass, which will be planned and delivered by the Local Highway Authority.

The applicant is proposing a 3 lane entry southern roundabout onto the A259 (Worthing Road). The southern roundabout has been designed to accommodate the future implementation of the A259 dualling scheme, which is being drawn up and will be implemented by the Local Highway Authority. An underground storage tank for surface water is proposed under the southern roundabout; and access has been added to the southern roundabout to assist maintenance of this drainage feature.

Traffic Movements

The anticipated traffic flows taken from the WSCC Forecast indicate an approximate 2-way traffic flow over 24 hours on the southern section of Lyminster Bypass of 26,000 movements, which would take traffic off the existing road network. The Road Safety Audit confirms that the proposed road could accommodate that estimated number of vehicles and the road has been designed accordingly.

Speed limit

There would be a 40mph speed limit along the full length of the southern section of the Lyminster Bypass and the road has been designed accordingly, to tie in with the northern section of the Bypass which is being designed up by the Local Highway Authority; and the northern part of the Fitzalan Link Road (LU/234/16/RES) to the south of the current application site. The speed limit is considered to be safe as it has been assessed in the Road Safety Audit; and the corresponding design of the proposed southern section of the Lyminster Bypass complies with Policy D SP1 of the eALP

Street Lighting

Policy GEN33 of the ALP and Policy QE DM2 of the modified eALP emphasise the need to consider the impact of light on neighbouring uses and wider landscape, particularly with regard the South Downs International Dark Sky Reserve designation, light levels should be the minimum required for security and working purposes, and minimise potential glare and spillage.

Only the roundabouts and their approaches at the northern and southern end of the Bypass are proposed to be illuminated by street lighting, with the central area being unlit. The street lighting would comprise of 26 eight metre high columns, the detailed design of the street lighting would be submitted and assessed at the Section 278 stage by the Local Highway Authority. It is considered that the number and concentration of street lighting columns at the roundabouts and not along the central, raised up section of the proposed Bypass is acceptable in terms of design and appearance.

In addition, Environmental Health raised no objection in terms of light emissions from the proposed street

lighting on the existing residents along the route of the southern section of the Lyminster Bypass.

Consequently, it is considered that the proposed development complies with Policy GEN33 of the ALP and Policy QE DM2(a) to (d) of the modified eALP.

Signage

Policy D SP1 of the eALP requires "all development proposals should be of good quality and demonstrate a high standard of design".

The applicant has submitted plans of the location and details of the signage as part of the Road Safety Audit (RSA). A full signage scheme would be developed as part of the detailed design process (the Section 278 Stage) to ensure consistency of signage across the scheme. The submitted signage details are clear with good legibility and will assist drivers, walkers and cyclists to navigate along the proposed southern section of the Bypass and the adjoining local road network.

In addition, Sussex Police have requested the provision of clear direction signage along footways and cycle paths, which will be delivered through the detailed design process at the Section 278 Stage.

The plans of the location and details of the proposed signage, submitted with the RSA, are considered to be acceptable, the information on the signage is clear and legible and it complies with GEN7 of the ALP and Policy D SP1 of the eALP.

Public Transport

Policy GEN14 of the ALP says "the Council will support the provision of comprehensive public transport services throughout the District. Where appropriate, new development will be required to make provision for public transport facilities". Policy T SP1(a) of the modified eALP says: "The Council will support transport and development which is designed to reduce the need to travel by car by identifying opportunities to improve access to public transport services and passenger transport services".

The North Littlehampton Strategic Development Area includes the provision of funding for a new bus route. A 30 minute bus service will be provided running 7 days a week. The main route proposed will form a loop running from Littlehampton town centre along Wick Street, east along the A259, north along the southern section of the Lyminster Bypass (LU/278/17/RES), along Main Avenue through the commercial element and residential area of the Strategic Development Area stopping at key stops, including the proposed primary school. The service would return to Littlehampton Town Centre via the same route in reverse.

It is also considered that the southern section of the Lyminster Bypass, when it is constructed and linked up with the wider arterial route, which is proposed between the A27 and Littlehampton town centre would provide a perfect route for bus services to run north / south along.

Consequently, the proposed southern section of the Lyminster Bypass, when considered alongside the wider plans for the highway network between the A27 and Littlehampton town centre; and linking up with the mixed commercial, retail and residential development on the North Littlehampton Strategic Development Area, would be accessible by public transport and it complies with Policy GEN14 of the ALP and Policy T SP1(a) of the modified eALP.

Cycling and Walking:

Policy GEN15 of the ALP says: "Where appropriate, new development will be required to provide safe and attractive facilities for cyclists and pedestrians, both within the site and in the form of links to the surrounding area". "Policy T SP1 of the modified eALP says: "The Council will support transport and development which gives priority to pedestrian and cycle movements".

A pedestrian and cycle route will also be provided along the southern section of the Lyminster Bypass, linking with the Fitzalan Link Road to the south of the A259 to give access to the Academy, the town centre, the seafront and other parts of the town to the south of the site. A network of planned footway and cycleway links extends through the Strategic Development Area, out into open land running up to the Black Ditch Rife and beyond; linking up with the wider strategic network of footways and cycleways promoted for delivery in the West Sussex Walking and Cycling Strategy 2017.

The footway/cycleway on the northern side of the eastern arm of the southern roundabout (i.e. the A259 Roundabout) has been removed from the current application because the Local Highway Authority's future dualling scheme for the A259 would include the implementation of an extension to the footway/cycleway on this arm to link with the signal crossing to the east.

Consequently, the proposed cycleway and footway proposals along the eastern side of the Bypass, as agreed at a meeting between the applicant and the Local Highway Authority in October 2008, are acceptable and the proposed development is in accordance with Policy GEN15 of the ALP, Policy T SP1 and Policy T DM1 of the modified eALP.

LANDSCAPING

Policy GEN27 of the ALP says that "development which would have an unacceptable adverse impact on individual features or the character of the landscape will not be permitted". Policy GI SP1 of the ALP says: "all major development must be designed to protect and enhance existing Green Infrastructure assets, and the connections between them, in order to ensure a joined up Green Infrastructure Network".

The proposed landscaping includes native tree and shrub planting areas, individual street trees, amenity grass and species rich grass; and includes a continuous green 'parkway' along the length of the southern section of the Lyminster Bypass. The northern element of the proposed bypass would however be more urban in character as it would be located within the commercial / local centre of the North Littlehampton SDA.

The applicant has amended the proposals removing the swales from the 15 metre landscape offset. Blackthorn and thorny shrubs have been removed from the planting plan adjacent to any of the cycle paths. A bund and landscaping would be provided at the northern end of Highdown Drive, as the alignment of Highdown Drive would result in headlights shining towards southbound vehicles on the Lyminster Bypass and vice-versa, as identified in the Stage 1 - Road Safety Audit Addendum.

Following the review and sign-off of the road safety audit (the RSA), the applicant submitted amended landscape drawings in December 2017. The amended landscape scheme includes the planting of landscaping belts, comprising native tree and shrub planting, the planting of trees along both sides of the carriageway, wherever possible, together with the retention of existing vegetation and the laying of amenity grassland and species rich grassland on the verges. The proposal to plant trees wherever possible along the length of the southern section of the Lyminster Bypass would will help to create a strong public realm. The applicant has submitted amended plans, following comments received from the LPA, proposing a row of trees in place of the original scheme for a native hedge on the western approach to the southern roundabout and along Worthing Road to the east of the roundabout. Trees are also now proposed on the eastern side of the Bypass between the Toddington Lane Road Bridge and the Rail Overbridge and running west from the northern roundabout to give the impression of a tree-lined avenue. The proposed 'street' trees have been selected with a 2.4 metre clear stem to ensure visibility is maintained across the site; and most have been specified as semi-mature trees. Tree grilles would be provided along the northern side of the Bypass, to enable continuity with the residential developments already approved for Parcels C1 and B2 on the North Littlehampton SDA.

The landscape elements of the proposals are considered to be acceptable by ADC Greenspace. The ADC Arboricultural Officer raised no objection but requested a condition be imposed to ensure that tree protection fencing to BS 5837: 2012 is erected and retained during the construction of the southern section of the Lyminster Bypass. A condition requiring tree protection fencing was imposed on the outline planning permission (condition 15) and is not required to be repeated on this reserved matters application. The landscaping plans will be checked again by WSCC at the detailed highway design stage (Section 38 / Section 278).

Consequently, it is considered that the proposed development complies with Policies GEN27 and GEN28 of the ALP and Policies ENV DM4 and Policy GI SP1 of the modified eALP.

PUBLIC ART

Policy D DM1 of the modified eALP says "public art should be incorporated into schemes where there is capacity to do so. Public art can encompass a wide variety of elements to include art as part of developments, landscape and planting, street furniture, signage and lighting in the public realm which is accessible to all. This can result in physical, permanent artworks and sculptures".

In terms of public art on the roundabouts at both ends of the Bypass, landscape drawings have been submitted showing an indicative proposal and location for public art, in accordance with the masterplan which accompanied the outline planning application (LU/47/11) for North Littlehampton SDA; and varied by LU/346/14/PL.

The applicant submitted plans which show artwork comprising upright timbers arranged to mimic waves of the sea, however, it is considered that further consultation is required to ensure the artwork provides a gateway feature into Littlehampton and into the Strategic Development Area, which is being planned and delivered on the former Toddingon Lane Nursery site.

Consequently, it is considered reasonable and necessary to impose a condition requiring the submission of a scheme of artwork on, or in close proximity to the northern and southern roundabouts, in accordance with Policy D DM1 of the modified eALP.

OTHER MATTERS

Conditions 1 (reserved matters application), 5 (details of materials and finishes), 7 (appearance, landscaping and layout), 8 (Design statement), 14 (Landscaping) and 26 (highway specification and construction details), are dealt with in this report as the conditions outlined the information required to be submitted for each reserved matters application. The applicant is also seeking to discharge 7 conditions imposed on the outline planning permission (LU/47/11/) and their discharge is the subject of a separate, concurrent application (LU/284/17/DOC), which is covered in a separate report to the Development Control Committee because the matters under consideration are closely interlinked with the reserved matters issues closely.

The issues to be dealt with under the concurrent DOC application (LU/284/17/DOC) comprise surface water drainage (condition 10), tree protection measures (condition 15), ecology (conditions 19 & 20) and ecological management (condition 21), noise assessment (condition 36) and noise mitigation (condition 37).

CONCLUSION

It is considered that the application for reserved matters (relating to access, appearance, landscaping, layout and scale) comprises a detailed highway scheme for the construction of the southern section of the Lyminster Bypass.

The proposed development of the southern section of the Lyminster Bypass is of strategic importance as

it will assist in the delivery of wider highway improvements, providing (when the northern section is in place) a new highway link between the A27 in the north and Littlehampton Town Centre in the south; and connecting the developing Strategic Development Area on the former Toddington Lane Nursery site in North Littlehampton with the highway network. The proposal is part of the wider protected highway route and complies with Policy DEV15 (ix) Safeguarding the Main Road Network of the Arun District Local Plan 2003 and Policy T SP3 of the emerging ALP.

The southern section of the Bypass as proposed is both acceptable and it complies with the policies in the Development Plan and accords with the National Planning Policy Framework (the NPPF).

This reserved matters application is therefore recommended for approval. Should the Deed of Variation attached to LU/182/15/OUT not be finalised prior to the Committee meeting, delegated authority is sought for the Group Head of Planning in consultation with the Chairman and Vice Chairman of the Development Control Committee to approve this application (LU/278/17/RES).

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.B

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 development hereby approved shall be carried out in accordance with the following approved drawings, or as otherwise agreed in writing with the Local Planning Authority after consultation with the Local Highway Authority.

- Drawing Number MBSK170907-1 Rev. P1 - Extent of Lyminster Bypass Southern Section Works
- Drawing Number A/PHLYM.1/GA-1 Rev P15 - Southern By-pass Roundabout General Arrangement Drawing

- Drawing Number A/PHLYM.1/GA-2 Rev P14 - A259 Worthing Road Roundabout General Arrangement Drawing
- Drawing Number A/PHLYM.1/ST-1 Rev P9 - Southern Bypass Roundabout Surface Treatments Drawing
- Drawing Number A/PHLYM.1/ST-2 Rev P10 - A259 Worthing Road Roundabout Surface Treatments Drawing
- Drawing Number A/PHLYM.1/VIS-1 Rev P9 - Southern Bypass Roundabout Visibility Splays
- Drawing Number A/PHLYM.1/VIS-2 Rev P10 - A259 Worthing Road Roundabout Visibility Splays
- Drawing Number A/PHLYM.1/TR-1 Rev P7 - Southern Bypass Roundabout Tree Removal Drawing
- Drawing Number A/PHLYM.1/TR-2 Rev P7 - A259 Worthing Road Roundabout Tree Removal Drawing
- Drawing Number A/PHLYM.1/TK-1 Rev P8 - Anticipated Vehicle Swept Paths
- Drawing Number A/PHLYM.1/TS01 Rev P1 - Proposed Traffic Signing Strategy
- Drawing Number 35944_2001_001 Rev. L - Proposed Road Alignment and Contours
- Drawing Number 35944/2001/002 Rev. C - Proposed Finishes and Kerbing
- Drawing Number 35944/2001/003 - Highway Construction Details (Sheet 1 of 2)
- Drawing Number 35944/2001/004 - Highway Construction Details (Sheet 2 of 2)
- Drawing Number 35944/3501/004 Rev P5 - Reco Walls (WSCC Ref: 6078 & 6079) - General Arrangement
- Drawing Number SLB1 Rev. E - Landscape Proposals (Sheet 1 of 2)
- Drawing Number SLB2 Rev. E - Landscape Proposals (Sheet 2 of 2)
- Drawing Number SLB3 Rev. E - Landscape Proposals: Northern roundabout
- Drawing Number SLB3.1 Rev. E - Landscape Proposals: Northern roundabout (showing drainage and visibility splays)
- Drawing Number SLB4 Rev. E - Landscape Proposals: Southern roundabout
- Drawing Number SLB4.1 Rev. E - Landscape Proposals: Southern roundabout (showing drainage and visibility splays)
- Drawing Number SK02 - Receptor and Acoustic Barrier Locations

1. Stage 1 Road Safety Audit (RSA) - March 2017.
2. Designer's Response to March 2017 RSA.
3. Addendum Stage 1 RSA - September 2017.
4. Designer's Response to September 2017 RSA.
5. RSA 1 Addendum 2 Report
6. RSA 1 Addendum 2 Designer's Response

Reason: For the avoidance of doubt and in the interests of amenity and the environment, road safety and to ensure appropriate design in accordance with Policy GEN7 of the Arun District Local Plan.

- 2 Within 3 months of the date of this planning permission, a scheme of public artwork should be submitted to and approved in writing by the Local Planning Authority, for the provision of artwork on or in close proximity to the 2 roundabouts along the southern section of the Lyminster Bypass. The approved scheme of public artwork shall be implemented prior to the opening of the southern section of the Lyminster Bypass.

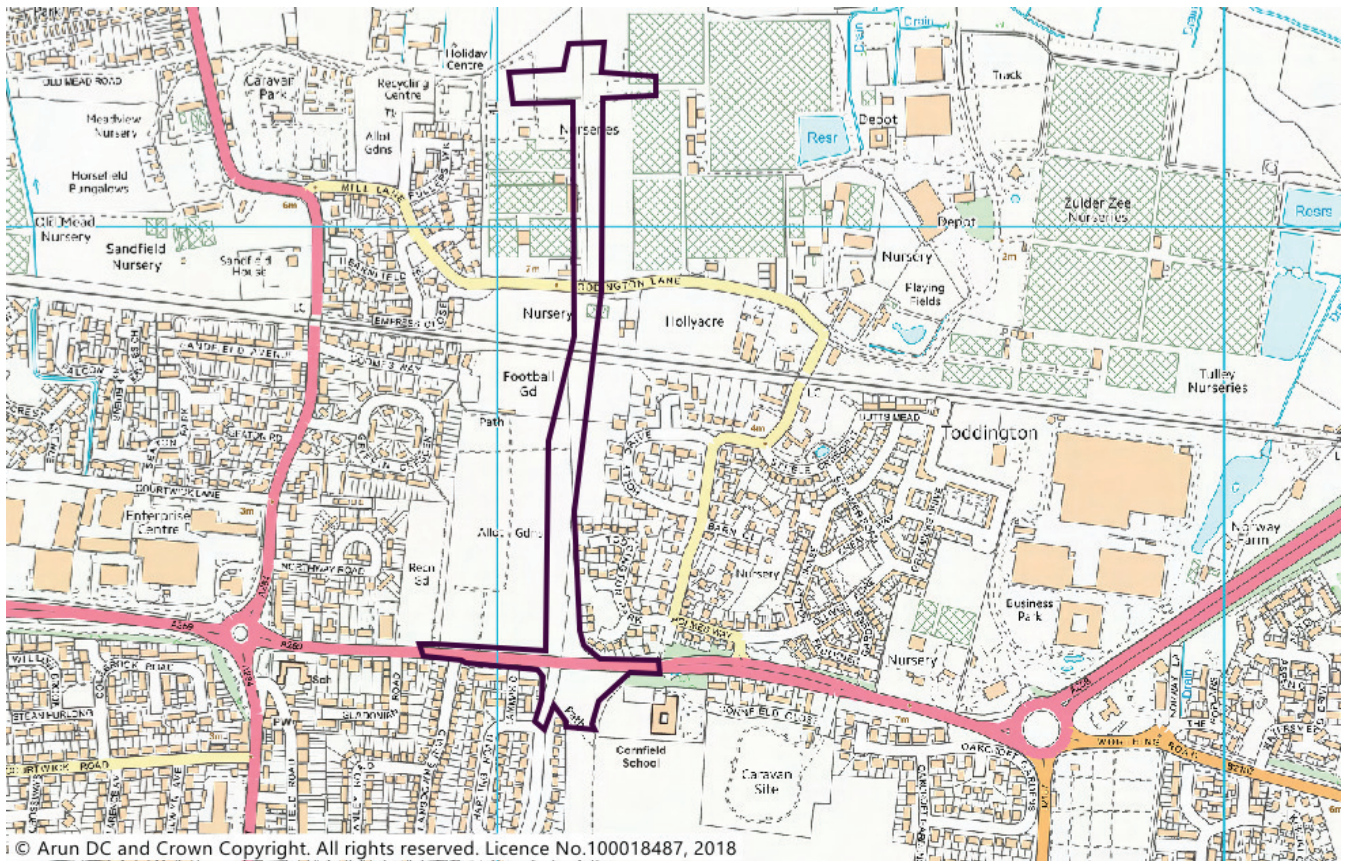
Reason: To ensure that the proposed development incorporates public artwork at this strategic gateway into Littlehampton, in accordance with Policy GEN7 of the Arun District Local Plan.

- 3 INFORMATIVE: Section 59 of the 1980 Highways Act - Extra-ordinary Traffic*

The applicant is required to enter into a Section 59 Agreement under the 1980 Highways Act to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Area Highway Engineer WSCC in order to commence this process. *Note this is only required if HGV traffic exceeds 20 movements per working day.

- 4 INFORMATIVE: The applicant is required to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant should to contact The Implementation Team Leader (0330 2225704) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.
- 5 INFORMATIVE: Section 278 Agreement of the 1980 Highways Act - Works within the Highway
The applicant is required to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works if they affect the existing public highway. The applicant should contact The Implementation Team Leader (0330 2225704) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- 6 INFORMATIVE: Temporary Works Required During Construction
The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.
- 7 INFORMATIVE: Temporary Developer Signage
The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
- 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 9 INFORMATIVE: The developer must advise the Local Planning Authority, in consultation with Southern Water, of the measures which will be undertaken to protect the public sewers and water mains, prior to commencement of the development.
- 10 INFORMATIVE: Any works to the trees or vegetation clearance on the site should only be undertaken outside the bird breeding season, which takes place between 1st March and 1st October. If works are required within this time the Ecologist will need to check the site before any works take place (within 24 hours of any work).

LU/278/17/RES - 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: LU/284/17/DOC

LOCATION: North Littlehampton Strategic Site West of Toddington Park, Toddington Lane.

PROPOSAL: Application for approval of details reserved by conditions imposed under LU/47/11 relating to conditions: 1 - Reserved Matters Application to be submitted, 5 - Details of Materials & External Finishes, 7 - Appearance, Landscaping & Layout, 8 - Design statement, 10 - Surface Water Drainage Strategy, 14 - Landscaping, 15 - Trees, 19 & 20- Ecology, 21 - Ecological Management, 26 - Highway Specification & Construction Details, 36 - Noise Assessment & 37 - Noise Mitigation.

DESCRIPTION OF APPLICATIONS

This application seeks to discharge 7 conditions (Numbers 10, 15, 19, 20, 21, 36 and 37) which were imposed upon outline planning permission (LU/47/11) granted on 23rd January 2013. The outline planning permission established the principle for the southern section of the Lyminster Bypass which was amended by LU/182/15/PL which went to Development Control Committee, but which is subject to a Deed of Variation which has not been signed yet. Once the Deed of Variation has been signed it would establish the updated parameters of the masterplan for the construction of the southern section of the Lyminster Bypass, including the northern and southern roundabouts.

Conditions 1 (reserved matters application), 5 (details of materials and finishes), 7 (appearance, landscaping and layout), 8 (Design statement), 14 (Landscaping) and 26 (highway specification and construction details), are all dealt with in a separate report - LU/278/17/RES - as these conditions outlined the information required to be submitted for each reserved matters application.

The issues to be dealt with in this report comprise surface water drainage (condition 10), tree protection measures (condition 15), ecology (conditions 19 & 20) and ecological management (condition 21), noise assessment (condition 36) and noise mitigation (condition 37).

SITE AREA

4.8 Ha

TOPOGRAPHY

The application site is predominantly flat, situated between the South Downs National Park to the north, and the coastal plain to the south. It is within the built-up area boundary of Littlehampton, and it is surrounded by mixed uses, including residential estates.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The site boundary is defined to the south by Worthing Road (A259) and Cornfield School. Cornfield School has mature trees along its boundary with the site. The western boundary of the site is defined by Allotment Gardens, Crabtree Park (Football Ground) and residential properties along Griffin Crescent, Coomes Way, Empress Close, Granary Way, Mill House and Fullers Walk. Highdown Drive is to the south west of the site. The eastern boundary of the site is defined by residential properties fronting Holly Drive and Toddington Park. The north western boundary is defined by the Household Waste Recycling Centre and Woodcote

Rural Holiday Centre. To the north and north east of the application site, mixed use development is being delivered on the North Littlehampton Strategic Development Area (SDA).

SITE CHARACTERISTICS

The residential area of Toddington is located south of the railway line and the separate village of Lyminster lies to the north, whilst the northern part of the residential area of Wick is situated to the west of the site. The A284, which is the main road serving Littlehampton from the A27, passes to the west of the site through Lyminster and Wick and then south to Littlehampton Town Centre. Toddington Lane crosses the site north of the railway line.

CHARACTER OF LOCALITY

To the south of the railway line is the Watersmead Business Park. To the west of the Business Park is a small haulage depot site. The majority of the land between the railway line and the A259 Worthing Road is the residential area of Toddington Park. To the west of the Toddington Park area is open land in a number of uses, including allotments, the Wick Town Football Club site and a recreation ground. Low-lying land, south of the Black Ditch, comprises grazing marshes of biodiversity value.

RELEVANT SITE HISTORY

LU/47/11/ - App Cond with S106 23-01-13 – Outline application with some matters reserved for mixed use development comprising: demolition of existing buildings and structures, up to 1,260 residential dwellings (out of a potential 1,460 dwelling masterplan), up to 13,000 sqm of B1 employment floorspace (including 3,000 sqm Enterprise Centre), up to 3,500 sqm of Class A local facilities, a 100 bed hotel, 60 bed care home, a new 2 Form Entry primary school, community centre, youth and leisure facilities, combined heat & power plant, extension to existing household recycling centre, landscaping, replacement and additional allotments, multi-functional green infrastructure including sports pitches (& associated changing facilities), informal open space, children's play areas, primary vehicular access from a new access from Mill Lane & Toddington Lane. This application is the subject of an Environmental Impact Assessment & a departure from the development plan. This application affects a public right of way.

LU/278/17/RES – Approval of Reserved Matters following Outline Permission LU/47/11 for Construction of the southern section of the Lyminster Bypass, including northern and southern roundabouts, surface water drainage and landscaping. Departure from the Development Plan & affects a Public Right of Way.

LU/182/15/PL – Variation of conditions 4, 6, 7, 8, 39 & 2 imposed under planning reference LU/47/11/ relating to list of plans, illustrative masterplan, CHP plant building, Design Statement, bus stops & traffic improvements.

LU/346/14/PL – Approve Conditionally 20-02-15 – Application for variation of Conditions 11, 17, 18, 20 and 30 imposed under LU/47/11 relating to maintenance of watercourse, scheme for creation of central wetland area, scheme for details of bridges and buffer zones to on-site watercourses, ecological management plan and scheme for hydrants.

SUMMARY OF REPS RECEIVED

None. Discharge of Condition applications are not subject to public consultation.

OFFICERS COMMENTS ON REPS

None

SUMMARY OF CONSULTATIONS RESPONSES

ENVIRONMENT AGENCY:

No objection.

The site is not within a Source Protection Zone. The Environment Agency has reviewed the Technical Drainage Note submitted with the planning application which concludes that soakaways are not feasible as the groundwater level is close to the ground surface and infiltration tests have shown that the ground is unsuitable for a soakaway. The Environment Agency would support the inclusion of water efficiency measures as part of this development. The Environment Agency also raised no objection to the Addendum Technical Note on Surface Water (dated December 2017) submitted by the applicant removing the surface water swale which was initially proposed.

ADC DRAINAGE:

No objection raised.

The road (surface water) drainage will need to be approved by West Sussex County Council as the Local Highway Authority.

ADC ECOLOGICAL ADVISOR:

No objection raised once the Ecological Advisor was made aware that a protected species survey (the reptile survey) had been undertaken on the site and it was possible to establish if protected species were present. The requisite information has been submitted with this DOC application. The Ecological Advisor has requested that the lighting scheme for the site takes into consideration the presence of bats and minimises the impacts to any bats by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The reptile survey has shown that there is a small population of common lizards on site. Due to this, mitigation has been proposed within the Reptile Presence / Likely Absence Survey (October 2015); the proposed mitigation is suitable. The applicant should note that no works can commence until the reptile translocation has taken place. In terms of nesting birds, the Ecologist has recommended that any works to the trees or vegetation clearance on the site should only be undertaken outside the bird breeding season, which takes place between 1st March and 1st October. If works are required within this time the Ecologist will need to check the site before any works take place (within 24 hours of any work).

ADC ENVIRONMENTAL HEALTH:

No objection.

The Noise Assessment proposes a 3.0 metre high acoustic barrier to extend around properties Numbers 9 to 23 Toddington Park and somewhat to the north of this; which will achieve noise attenuation of up to 7.4dB (p18). The applicant responded that the dwellings that will receive the 7.4dB reduction in noise levels as a result of the 3.0 metre high barrier are Number 14 Toddington Park and Number 23 Toddington Park. The guidance within the Design Manual for Roads and Bridges (HD213/11) and the 1975 Noise Insulation Regulations (as amended 1988), which provide guidance for the assessment changes in noise levels as a result of new road developments, were used within the noise assessment. The applicant has also stated that none of the representative receptors are predicted to experience levels in excess of 68 dB LA10, 18 hour and therefore are not eligible for any additional insulation as specified in the Noise Regulations 1975.

ADC ARBORICULTURE:

No objection raised.

There is some tree loss but this will be of a species and size of tree that will not have an adverse impact in the landscape and significant mitigation tree planting is proposed as part of the proposed development. The submitted tree reports and plans show that the tree content has been properly assessed and considered in accordance with BS5837 requirements; and tree protection matters have been highlighted and adequately addressed on the submitted plans.

OFFICERS COMMENTS ON CONSULTATIONS

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Within Built-Up Area Boundary (BUAB)
North Littlehampton Strategic Development Area

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.

A new Local Plan is in preparation and constitutes a material consideration when determining planning applications. The Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was suspended whilst Arun District Council addressed matters raised by the Inspector and published modifications to the emerging Local Plan, but it resumed on 17th September 2017 and has now concluded. The Main Modifications to the emerging Arun Local Plan and evidence base were available for public consultation over a six week period which started on Friday 12 January and ended on Friday 23 February 2018. The District Council is awaiting the Inspector's report which is due out in Spring 2018.

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 (Regulation 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; Walberton; Yapton.

The Littlehampton Neighbourhood Plan (LNP) was made on 5th November 2014.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

| | |
|--------|------------------------------------|
| AREA17 | Sites of Archaeological Interest |
| DEV15 | Safeguarding the Main Road Network |
| GEN11 | Inland Flooding |
| GEN28 | Trees and Woodlands |
| GEN32 | Noise Pollution |
| GEN33 | Light Pollution |
| GEN34 | Air Pollution |
| GEN7 | The Form of New Development |
| GEN9 | Foul and Surface Water Drainage |
| SITE7 | Land at Toddington, Littlehampton |

Publication Version of the
Local Plan (October 2014):

D DM1 Aspects of Form and Design Quality
D SP1 Design
QE DM1 Noise Pollution
QE DM2 Light Pollution
QE DM3 Air Pollution
QE SP1 Quality of the Environment
W DM2 Flood Risk
ENV DM4 Protection of Trees
GI SP1 Green Infrastructure & Development
HER DM6 Sites of Archaeological Interest

Littlehampton Neighbourhood Plan 2014 Policy 18 Fitzalan Link Road
Littlehampton Neighbourhood Plan 2014 Policy 19 Lyminster Bypass & the A27 at Arundel
Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town
Littlehampton Neighbourhood Plan 2014 Policy 22 Design of New Development

PLANNING POLICY GUIDANCE

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

CONCLUSIONS

SURFACE WATER DRAINAGE (CONDITION 10)

GEN9 of the ALP deals with surface water drainage: development which will materially increase surface water discharges will be refused unless the LPA is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development.

There are two drainage areas, or catchments that the surface water along the southern section of the Lyminster Bypass will run-off into and they are the northern catchment and the southern catchment. The initial drainage strategy for the northern catchment comprised a surface water swale and an attenuation tank. The Addendum Technical Note on Surface Water (dated December 2017) removed the water swale and an attenuation tank and the amended proposal is to allow the surface water run-off to flow freely into the downstream drainage network.

The drainage network will also receive connections from the future development parcels on the North Littlehampton Strategic Development Area. The proposed run-off would discharge freely into the adjacent proposed drainage system. The run-off from the southern catchment would be stored in two pipes within the carriageway, with an outflow discharge into the existing sewer to the south. The Environment Agency, ADC Drainage and West Sussex County Council as the Lead Local Flood Authority are satisfied with the amended drainage strategy, including the Addendum Technical Note on Surface Water, for both the northern and southern catchments. Southern Water has requested a condition regarding the protection of the public sewers and water mains, however there is already a drainage condition imposed on the outline planning permission. Therefore, there is no need for a further drainage condition.

Consequently, it is considered that the surface water drainage strategy is acceptable and it complies with Policy GEN9 of the ALP and Policy W DM1 of the modified eALP; and it is recommended that condition 10 should be approved in part insofar as it relates to the southern section of the Lyminster Bypass phase of the development.

TREES (CONDITION 15)

Policy GEN28 of the ALP says "development will not be permitted if it would damage or destroy one or more trees protected by a tree preservation order, identified as ancient woodland or in a conservation area". Policy ENV DM4 of the modified eALP says: "where planning permission is granted, conditions shall be used to ensure that, for any trees which are removed as part of a development, at least an equivalent number of a similar species and age (where practical) are planted on the proposed development

site. Sufficient space for replacement trees to mature without causing future nuisance or damage shall be provided. The planting of new trees shall form an integral part of the design of any development scheme".

An Arboricultural Assessment and Method Statement, a Tree Constraints Plan and a Tree Protection Plan have been submitted by the applicant to discharge condition 15 imposed on the outline planning permission (LU/47/11), to the satisfaction of the Council's Arboricultural Officer.

Consequently, it is considered that condition 15 should be approved in part insofar as it relates to the southern section of the Lyminster Bypass phase of the development.

ECOLOGY (CONDITIONS 19, 20 & 21)

Policy GEN29 of the ALP states that development will only be permitted on sites which contain semi-natural habitats, features of nature conservation interest, or within wildlife corridors, where these can be largely retained and sympathetically incorporated into the scheme.

The ecological details, including an updated ecological survey, required under conditions 19, 20 (varied condition) and 21 imposed on outline planning permission (LU/47/11) have been submitted by the applicant. The conditions required the submission of an ecological management plan. The proposed ecological mitigation measures include the provision of a pole mounted Barn Owl box and some bat 'hop-over' locations along the route of the proposed Bypass.

As such, the proposed development complies with Policy GEN29 of the ALP and Policy QE SP1 of the modified eALP; and that conditions 19, 20 and 21 should be approved in part insofar as they relate to the southern section of the Lyminster Bypass phase of the development.

NOISE & RESIDENTIAL AMENITY (CONDITIONS 36 & 37)

Policy QE DM1 of the modified eALP says: "new noise generating development proposals will need to be supported by a noise report which provides accurate information about the existing noise environment, and the likely impact of the proposed development upon the noise environment. The report must also demonstrate any mitigation measures require to ensure noise is managed to an acceptable level".

A noise report has been submitted by the applicant to discharge conditions 36 and 37 imposed on the outline planning permission (LU/47/11). The noise report recommended that a 3.0 metre high acoustic barrier was required along the eastern boundary of the Bypass adjacent to the existing residential property boundaries at the proposed new southern roundabout with Worthing Road, so as to reduce traffic noise levels by up to 9.3dB (decibels). Environmental Health is satisfied with the results of the noise modelling.

The erection and retention of an acoustic barrier alongside the Lyminster Bypass, backing onto the rear gardens of residential properties in the vicinity of the proposed new roundabout on Worthing Road, would have a visual impact upon the amenity of local residents, but this needs to be measured against the noise emissions from the vehicles travelling along the Bypass. It is considered that the higher the acoustic barrier is, the lower the noise emissions and the lower the acoustic barrier is, the higher the noise emissions will be. On balance, it is considered that the visual impact of a 3.0 metre high acoustic barrier, as proposed by the applicant, would be acceptable when measured against the noise levels emitted by vehicles travelling along the southern section of the Lyminster Bypass.

As there are 2 noise conditions (conditions 36 and 37) imposed on the outline planning permission for the North Littlehampton SDA, it is not considered necessary to require further noise conditions to be imposed on the residential developments that have recently been constructed within Phase 1, which would back onto the proposed Bypass as noise assessment and mitigation have already been agreed for earlier phases of the development of the North Littlehampton Strategic Development Area. Future phases would also require noise assessment measures.

As such, the proposed development complies with Policy QE DM1 of the eALP in terms of noise generating development; and that conditions 36 and 37 should be approved in part insofar as they relate to the southern section of the Lyminster Bypass phase of the development.

CONCLUSION

It is considered that the applicant has submitted sufficient information to approve in part the following 7 conditions imposed on the outline planning permission (LU/47/11) insofar as they relate to the southern section of the Lyminster Bypass phase of the development and the conditions be part discharged: surface water drainage (condition 10); tree protection measures (condition 15); ecology (conditions 19 and 20); and ecological management (condition 21); noise assessment (condition 36); and noise mitigation (condition 37).

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 all 7 of the conditions be approved in part insofar as they relate to the southern section of the Lyminster Bypass phase of the development with the following decision notice wording:

Condition 10

The following information submitted regarding Condition 10 imposed on outline planning permission LU/47/11: relating to a Surface Water Drainage Strategy is approved in part insofar as it relates to the southern section of the Lyminster Bypass phase of the development and the condition is hereby part discharged:

- Addendum Technical Note - Surface Water (Reference PHLYM.10) prepared by Mayer Brown, dated 4th November 2017; and
- The Technical Note Drainage (Reference A100789/170833) prepared by WYG, dated 22nd August 2017 - with reference to the drainage strategy for the southern catchment of the Lyminster Bypass.

Condition 15

The following information submitted regarding Condition 15 imposed on outline planning permission LU/47/11: relating to Tree Protection Measures is approved in part insofar as it relates to the southern section of the Lyminster Bypass phase of the development and the condition is hereby part discharged:

- Arboricultural Assessment & Method Statement - Land off Toddington Lane, Littlehampton, West Sussex (Southern Lyminster Bypass), (reference: 16267-AA-Southern Lyminster Bypass-260717-JB), prepared by Barrell Tree Consultancy, dated 26th July 2017;

- Drawing Number 16267-BT4 a - Tree Protection Plan - Location of trees, categorisation and protection/management proposals at Land off Toddington Lane, Littlehampton, West Sussex, prepared by Barrell Tree Consultancy;
- Drawing Number 16267-BT4 b - Tree Protection Plan - Location of trees, categorisation and protection/management proposals at Land off Toddington Lane, Littlehampton, West Sussex, prepared by Barrell Tree Consultancy; and
- Drawing Number 16267-BT4 c - Tree Protection Plan - Location of trees, categorisation and protection/management proposals at Land off Toddington Lane, Littlehampton, West Sussex, prepared by Barrell Tree Consultancy.

Condition 19

The following information submitted regarding Condition 19 imposed on outline planning permission LU/47/11: relating to Ecology is approved in part insofar as it relates to the southern section of the Lyminster Bypass phase of the development and the condition is hereby part discharged:

- Toddington Lane, North Littlehampton - Update Ecological Constraints Appraisal, 2014 (Reference: A086068), prepared by WYG, dated 17th October 2014;
- Toddington Lane, North Littlehampton - terrestrial invertebrate habitat assessment (Reference: A086068), prepared by WYG, dated 20th October 2014;
- Toddington Lane, North Littlehampton - Reptile Presence / Likely Absence Survey Report (Reference: A086068), prepared by WYG, dated 20th April 2015;
- Toddington Lane, North Littlehampton - Bat Emergence / Return Survey Report (Reference: A086068), prepared by WYG, dated October 2014;
- North Littlehampton - Breeding Bird Report (Reference: A086068), prepared by WYG, dated October 2014;
- North Littlehampton - Water Vole Presence / Likely Absence Survey (Reference: A086068), prepared by WYG, dated October 2014; and
- Toddington Lane, North Littlehampton - Great Crested Newt Presence / Likely Absence Survey (Reference: A086068), prepared by WYG, dated October 2014.

Condition 20

The following information submitted regarding Condition 20 imposed on outline planning permission LU/47/11: relating to Ecology is approved in part insofar as it relates to the southern section of the Lyminster Bypass phase of the development and the condition is hereby part discharged:

- Toddington Lane, North Littlehampton - Update Ecological Constraints Appraisal, 2014 (Reference: A086068), prepared by WYG, dated 17th October 2014;
- Toddington Lane, North Littlehampton - terrestrial invertebrate habitat assessment (Reference: A086068), prepared by WYG, dated 20th October 2014;
- Toddington Lane, North Littlehampton - Reptile Presence / Likely Absence Survey Report (Reference: A086068), prepared by WYG, dated 20th April 2015;
- Toddington Lane, North Littlehampton - Bat Emergence / Return Survey Report (Reference: A086068), prepared by WYG, dated October 2014;
- North Littlehampton - Breeding Bird Report (Reference: A086068), prepared by WYG, dated October 2014;
- North Littlehampton - Water Vole Presence / Likely Absence Survey (Reference: A086068), prepared by WYG, dated October 2014; and
- Toddington Lane, North Littlehampton - Great Crested Newt Presence / Likely Absence Survey (Reference: A086068), prepared by WYG, dated October 2014.

Condition 21

The following information submitted regarding Condition 21 imposed on outline planning permission LU/47/11: relating to Ecological Management is approved in part insofar as it relates to the southern section of the Lyminster Bypass phase of the development and the condition is hereby part discharged:

- North Littlehampton, Southern Lyminster Bypass, West Sussex - Ecological Management Plan, prepared by ECOSA Ltd, dated 11th August 2017 (Report Reference: 2092.F0-3).

Condition 36

The following information submitted regarding Condition 36 imposed on outline planning permission LU/47/11: relating to Noise Assessment is approved in part insofar as it relates to the southern section of the Lyminster Bypass phase of the development and the condition is hereby part discharged:

- Discharge of Condition 36, Lyminster Bypass, Noise Barrier, North Littlehampton - Noise Assessment, prepared by WYG, dated 25th August 2017.

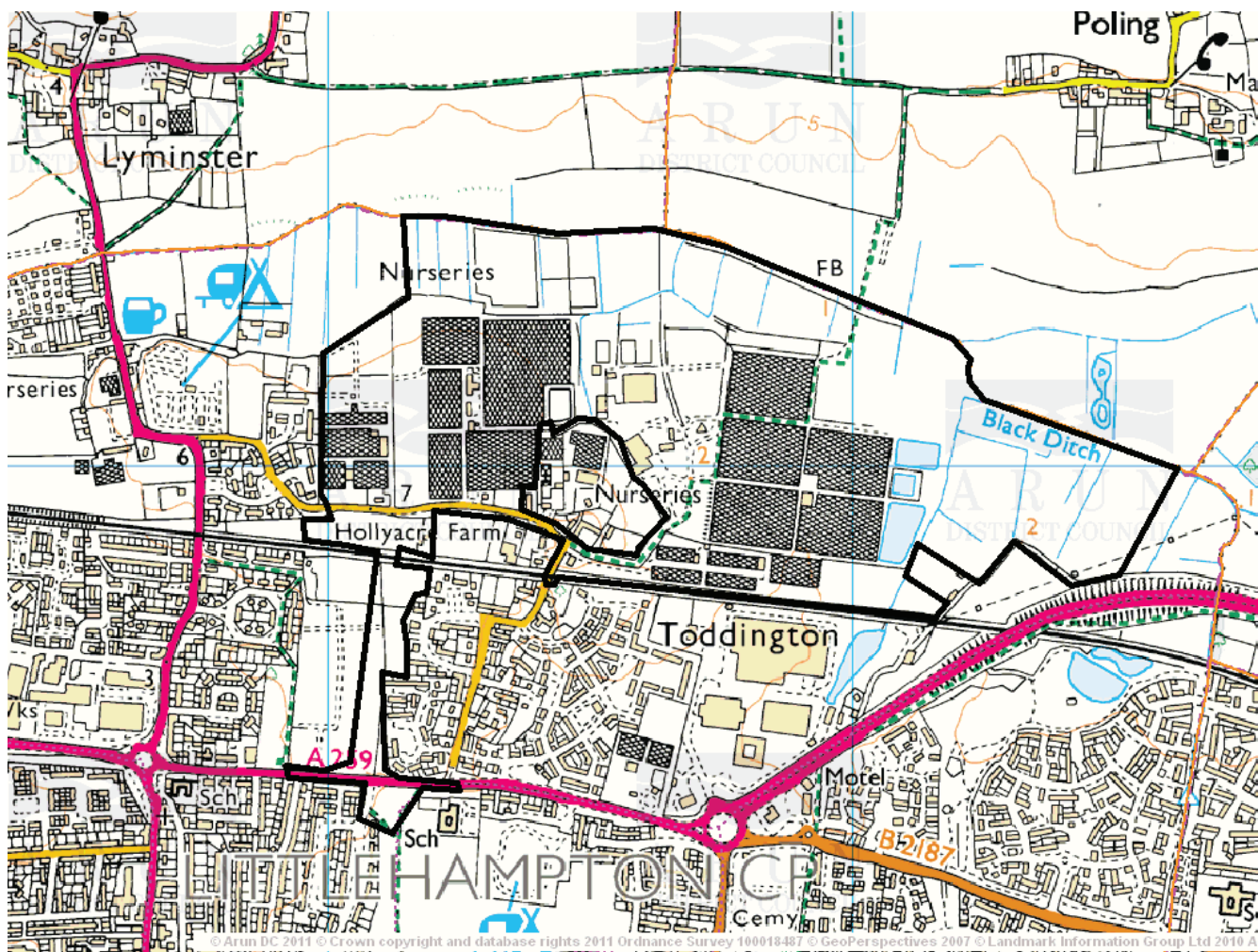
Condition 37

The following information submitted regarding Condition 37 imposed on outline planning permission LU/47/11: relating to Noise Mitigation is approved in part insofar as it relates to the southern section of the Lyminster Bypass phase of the development and the condition is hereby part discharged:

- Discharge of Condition 36, Lyminster Bypass, Noise Barrier, North Littlehampton - Noise Assessment, prepared by WYG, dated 25th August 2017.

The mitigation measures proposed for condition 36 ensures that the land subject to this application which falls within noise category C is sufficiently mitigated.

LU/284/17/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

PLANNING APPLICATION REPORT

REF NO: A/75/17/PL

LOCATION: Avenals Farm
Water Lane
Angmering
BN16 4EP

PROPOSAL: 4 No. dwellings. This application affects the setting of a Listed Building & is a Departure from the Development Plan.

| |
|------------------------------|
| SITE AND SURROUNDINGS |
|------------------------------|

DESCRIPTION OF APPLICATION

The application seeks planning permission for the erection of 4 No. dwellings on land to the north of Avenals Farm. The proposed development has been amended from that originally submitted to the local planning authority with the number of dwellings having been reduced from 5 to 4 and their massing and height have been reduced. A comparatively large detached dwelling has been deleted and a terrace of 4 units divided into 2 pairs of 2 units. These are now designed to take the form of a group of farm labourers cottages.

The dwellings proposed in this application would be of a traditional design and would be two pairs of semi detached dwellings. These would be located to the south of an existing single storey office building at Avenals Farm and served by the existing access drive on the east side of the proposal. The number of bedrooms proposed would be 3 for each dwelling. The proposed dwellings have been substantially reduced in height from those previously proposed. The materials would be coursed flintwork with orange/red brick plinths, arches and quoins. Roof tiles would be clay and painted timber windows and doors would be utilised. The proposed layout would include parking for 2 cars at the front of each dwelling, with 2 visitors spaces to the north side of the entrance courtyard serving the new dwellings. Turning and manoeuvring would also be to the front of the dwellings.

In effect, the layout proposed provides for a separate and discrete environment from the land to the north and north east. The proposed site layout indicates retention of screen hedging to the north and west boundaries. retention of existing trees to the south boundary and new indigenous planting to the east boundary.

The site layout also indicates that within the site boundary and between Avenals Farm and Avenals Barn to the north,

provision for access between these properties and thence onto a right of access across the paddocks to the west terminating in a field gate onto Weavers Hill.

The application is accompanied by an assessment of the impact of the changes in terms of visual impact, which demonstrates the reduction in impact as a consequence of height reduction. There is also a combined Design and Access & Heritage Statement and Ecological Appraisal and this concludes that the ecological value of the site is low with species-poor hedgerows along the west, south and east boundaries providing the only suitable habitats for wildlife. The development will see the loss of short amenity grassland, some bare earth and a small shiplap building with negligible potential for bats. The hedgerows along the east and south boundaries would be retained. Dwellings are proposed for the site and this will have negligible impact. The area could be enhanced by planting a species-rich hedgerow either along the east or west boundaries.

| | |
|---------------------------------|---|
| SITE AREA | Approximately 0.19 hectares. |
| RESIDENTIAL DEVELOPMENT DENSITY | Approximately 21 dwellings per hectare. |
| TOPOGRAPHY | Predominantly flat. |
| TREES | None of any significance affected by the proposed development. |
| BOUNDARY TREATMENT | The eastern, southern and western boundary of the site consists of picket fencing with the northern and eastern boundaries of the site featuring mature planting. |
| SITE CHARACTERISTICS | The site is a rural field (grassed paddock) situated outside of the built up area boundary. The field currently features a timber clad building but is otherwise undeveloped. |
| CHARACTER OF LOCALITY | The character of the locality is predominantly rural. However, Avenals Farm is a Grade II Listed Building and is situated to the north-east of the application site with single storey commercial development situated to the immediate north of the site. Planning permission has been sought under reference A/99/17/OUT for the construction of up to 175 dwellings on land to the west and east of the application site. There is also an application for planning permission for 3 dwellings under reference A/155/17/OUT on land to the north east of Avenals Farm by a separate applicant. |

| |
|------------------------------|
| RELEVANT SITE HISTORY |
|------------------------------|

| | | |
|---------|---|----------------------------------|
| A/8/11/ | Conversion of barn/store into private residence for family members (re-submission of A/124/10/) | ApproveConditionally 06-04-11 |
|---------|---|----------------------------------|

| | | |
|-----------|---|----------------------------------|
| A/124/10/ | Conversion of barn into private residence for family members. | Refused 02-11-10 |
| A/139/05/ | Change of use of redundant stables and storage buildings to owners offices. | ApproveConditionally 25-01-06 |

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

Angmering Parish Council

Objection - 09/06/2017

- 1) that the subject site is outside of the built-up area boundary and the application does not comply with Neighbourhood Plan policy HD1;
- 2) the proposed highway access does not provide sufficient visibility splays
- 3) there is general concern about flood risk in the area.

Objection - 01/02/2018

The reduction in number of dwellings does not deal with the grounds for the original objection.

No letters of representation received from surrounding occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments from the Parish Council are noted and will be considered in the conclusions section to this report.

CONSULTATIONS

WSCC Strategic Planning

Engineering Services Manager

Engineers (Drainage)

WSCC Strategic Planning

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Engineers (Drainage):

- Apply standard condition ENGD2A (Surface Water Drainage) and ENGD5A (SUDS Maintenance).

WSCC Strategic Planning

- No highway objections subject to conditions.

Arun DC Conservation Officer received 22.11.2017

- No objections to the revised proposal subject to conditions relating to material finishes to the properties,

their boundary treatments and hard-landscaping.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICES

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

| | |
|-------|--|
| GEN12 | Parking in New Development |
| GEN2 | Built-up Area Boundary |
| GEN26 | Water Quality |
| GEN3 | Protection of the Countryside |
| GEN33 | Light Pollution |
| GEN5 | Provision of New Residential Development |
| GEN7 | The Form of New Development |
| GEN9 | Foul and Surface Water Drainage |

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

| | |
|---------|------------------------------------|
| C SP1 | Countryside |
| D DM1 | Aspects of Form and Design Quality |
| D SP1 | Design |
| ECC SP1 | Adapting to Climate Change |
| HER DM1 | Listed Buildings |
| HER SP1 | The Historic Environment |
| QE DM2 | Light Pollution |
| SD SP1 | Sustainable Development |
| SD SP2 | Built -Up Area Boundary |
| W DM1 | Water Supply & Quality |
| W DM3 | Sustainable Urban Drainage Systems |
| WM DM1 | Waste Management |
| W SP1 | Water |

| | |
|---|------------------------------|
| <u>Angmering Neighbourhood Plan 2014 POLICY HD1</u> | Built-up Area Boundary |
| Angmering Neighbourhood Plan 2014 POLICY HD2 | Parish Housing Allocation |
| Angmering Neighbourhood Plan 2014 POLICY HD4 | Materials |
| Angmering Neighbourhood Plan 2014 POLICY HD5 | Built Form |
| Angmering Neighbourhood Plan 2014 POLICY HD6 | Housing Layout & Design |
| Angmering Neighbourhood Plan 2014 POLICY HD7 | Housing Density |
| Angmering Neighbourhood Plan 2014 POLICY HD8 | Parking for New Developments |
| Angmering Neighbourhood Plan 2014 POLICY TM1 | Local Highways |

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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

The Main Modifications to the Arun Local Plan (2011-2031) were published for Public Consultation purposes over a six week period starting on Friday 12 January 2018 and until 5pm on Friday 23 February 2018.

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. 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; Walberton; 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

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 Angmering Neighbourhood Plan has been made and the relevant policies have been considered in the determination of this application.

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 not considered to comply with relevant Development Plan policies in that it is not considered to be consistent with policies in the Neighbourhood Plan and the Arun Local Plan 2003 since the site is not within the built up area.

However, the proposal is considered to be sustainable development and 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 or the nearby Listed Building. The reasons why the proposed development ought to be permitted are set out in the conclusions section of this report.

OTHER MATERIAL CONSIDERATIONS

It is however considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. These are set out in the conclusions section of this report.

CONCLUSIONS

PRINCIPLE

The application site falls within the parish of Angmering and as such the development plan for the determination of this application will comprise of the Arun District Local Plan (2003) and Angmering Neighbourhood Plan (2015).

Arun District Local Plan (2003):

The key policy considerations in the determination of this application are considered to be GEN2, GEN3 and GEN5 of the Arun Local Plan (ALP). The application site is situated outside of the built up area boundary (BUAB) as specified by policy GEN2. Policy GEN2 will not permit development situated outside of the BUAB unless it is consistent with other ALP policies. Policy GEN3 of the ALP seeks to protect the countryside for its own sake and as such exerts strict control over development situated outside of the BUAB. Due to the sites location outside of the BUAB development in this location would be in conflict with policies GEN2 and GEN3 of the Arun District Local Plan.

Policy GEN5 of the ALP relates to the provision of new development within the Arun District, making provision for 8,700 new dwellings during the ALP period of 1996-2011. The application site is not identified within policy GEN5 and as such the proposed development is deemed to conflict with policy GEN5 of the ALP.

Angmering Neighbourhood Plan (2015):

The Angmering Neighbourhood Plan (ANP) was made on the 11th March 2015 on the basis of the saved policies in the ALP and the draft policies of the emerging Arun Local Plan 2014 (eALP).

The key policy considerations within the ANP are deemed to be HD1 and HD2. Policy HD1 identifies the BUAB for Angmering and states that development within the BUAB will generally be permitted. Policy HD1 also modifies the BUAB of Angmering incorporating an additional 1.47 hectare of land on Mayflower Way. Policy HD2 sets housing allocations within the neighbourhood plan area of Angmering and does not identify the application site.

Therefore, the proposed development by virtue of its location is considered to conflict with policies HD1 and HD2.

Planning Balance:

For reasons given above, the application is not considered to accord with ALP Policies GEN2, GEN3 and GEN5 and Policies HD1 and HD2 of the ANP. The following sets out whether there are any material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

The 2003 Local Plan predates the NPPF and the requirement to establish the full objectively assessed housing need and only made housing provision to 2011. Policy GEN3, in protecting the countryside for its own sake, is inconsistent with the approach in the NPPF which is to protect valued landscape. These policies are all therefore inconsistent with the NPPF and being inconsistent with the NPPF are out of date.

Policy GEN 2 is clear that the boundaries of the built up area were defined 'for the purposes of the West Sussex Structure Plan and this District Local Plan'. The built-up areas were drawn for the purposes of defining the extent of the built up areas and countryside. This was done with the background of the required number of dwellings for the plan making period being provided within the built-up areas or on allocated sites (up to 2011). Therefore this policy is out-of-date as it does not relate to the development needs after 2011.

A written Ministerial Statement was published on the 13th December 2016 which stated that;

"relevant policies for the supply of housing in a neighbourhood plan, that is part of the development plan, should not be deemed to be 'out-of-date' under paragraph 49 of the National Planning Policy Framework where all of the following circumstances arise at the time the decision is made:

- this written ministerial statement is less than 2 years old, or the neighbourhood plan has been part of the development plan for 2 years or less;
- the neighbourhood plan allocates sites for housing; and
- the local planning authority can demonstrate a three-year supply of deliverable housing sites.

The statement applies to decisions made on planning applications and appeals from the date it was laid."

The Council are currently only able to demonstrate a 2.09 year HLS and as such the policies relating to the supply of housing in Neighbourhood Plans must be considered 'out-of-date' in accordance paragraph 49 of the NPPF and in accordance with the written ministerial statement (published 13th December 2016). Because of the current HLS position and the fact that the Neighbourhood Plan policies were based on out of date housing needs, policy HD2 of the ANP are out of date in the determination of this application and as such reduced weight can be attributed to this policy.

The proposed development is in conflict with policy HD1 of the ANP. However, the ANP was prepared on the basis of the OAN identified within the Publication Version of the eALP (2015). Therefore, given the significant revision of this figure which has taken place it is considered that only limited weight can be attributed to policy HD1 of the ANP.

Currently the Council is unable to demonstrate a 5-year housing land supply as required by paragraph 49 of the NPPF. The primary purpose of paragraph 49 is to act as a trigger to the operation of the tilted balance in favour of approving sustainable development. The Council are currently only able to demonstrate 2.09 years supply of deliverable housing and by virtue of this significant shortfall that the tilted balance in favour of the grant of permission is triggered unless the benefits are significantly and demonstrably outweighed by the adverse effects of the development as stated in paragraph 14 of the NPPF.

In recognition of this, Full Council resolved (January 2017) to invite planning applications on 'deliverable' HELAA sites or for the first phases of sites being investigated at potential strategic allocations in order to boost the short term housing land supply.

The consideration of the emerging Development Plans relates to the emerging Arun Local Plan 2011-2031 Publication Version October 2014 (eALP) as modified in January 2018 ('the modified eALP').

The Examination of the Publication Version of the eALP (2015) was suspended by the Planning Inspector on the grounds that the Council's OAN should be reviewed higher than that proposed (580 units p.a). The Council has therefore had to identify more suitable land to meet additional housing supply requirements. Thus the OAN figure has been increased to 919 units per annum as of October 2016 with additional strategic sites currently being assessed and allocated in order to meet this higher figure. The proposed Modifications were approved by Full Council on the 22nd March 2017 and consultation took place between the 10th April and 30th May 2017. The proposed Modifications underwent further consultation between 12 January 2018 - 23 February 2018 and the Inspectors decision is expected in May/June 2018.

The key policy considerations contained within the 'the modified eALP' are considered to be;

Policy H SP1 - Housing Allocation of the modified eALP sets out the overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes reference to additional allocations for small sites being made across the District.

Policy H SP2 - Strategic Site Allocations - is split into 3 sections covering different areas of the District.

Policy SD SP2 - Built up area boundary - states that outside the BUAB apart from Strategic, Site Specific and Broad Allocations, development will not be permitted unless consistent with other plan policies.

Policy C SP1 - Countryside - states that outside the BUAB as well as outside both the strategic, site specific and broad allocations, the countryside will be safeguarded for its own sake.

Given that the application site is situated outside of the BUAB and is not a strategic allocation identified in policy H SP1 or H SP2 the proposed development the subject of this application will conflict with policy SD SP2 and C SP1 of 'the modified eALP'

The proposed development conflicts with policies SD SP2 and C SP1 the modified eALP (2018). This Plan is at an advanced stage towards adoption and has been through examination. Whilst it has not yet been adopted weight can be attributed to the policies contained within 'the modified eALP' at this time.

Given the policy position which has been identified above it will be necessary to consider the development and ascertain if it will give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the development as stated in paragraph 14 of the NPPF.

Presumption in favour of sustainable development:

Para 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.

Para 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'.

Environmental Role -

The application site is situated outside of the built up area boundary of Angmering. However, the proposal will be situated approximately 565m from Angmering Village Centre. Therefore, it is considered that the site would be located within acceptable walking distance of services and facilities. However, this would require future occupiers to walk along Water Lane which is devoid of any footways or grass verge sufficient to provide refuge from traffic. Therefore, it is considered that by virtue of some severance from pedestrian walkways it is likely future occupiers would be to some degree more reliant upon motor vehicles for the majority of journeys.

However, evidence has been provided by the applicant that an easement exists over land to the west of Avenals Farm which would provide a pedestrian access onto Weavers Hill and the existing footway on Cumberland Road. Providing safe pedestrian access into Angmering and to services and facilities. This matter has been addressed in condition number 6 which will secure provision of the pedestrian access.

Taken with the comments of WSCC Highways, it is considered that there are sustainable alternatives to car use (cycle and pedestrian) that will mitigate car use to a level where as a result the development can be considered to be sufficiently sustainable in terms of alternative transport modes to be acceptable.

Economic Role -

The proposal will result in localised economic benefits through the need to employ people to carry out the development. The proposal will also result in an increase in Council Tax receipts and new homes bonus payments. These economic factors weigh in the schemes favour.

Social Role -

The proposal will provide a number of social benefits through the provision of housing to meet the significant shortfall currently faced by the Local Authority. This is deemed to weigh in the scheme's favour in terms of its social benefits.

Conclusion

Where the development plan is absent, silent or the relevant policies are out of date, 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'. Any adverse impacts are assessed below.

DESIGN AND VISUAL AMENITY

The application seeks permission for the construction of 4 no. semi-detached dwellings on land to the east of Avenal's Farm. The proposed two storey dwellings will feature m-type roofs and as such will

measure a maximum of 8.4m in height. It is intended for the proposed dwellings to be constructed from materials which reflect the rural character of the locality with coursed flint work and brick quoins and arches which are considered to reflect the local character and materials in accordance with policy HD4 of the Angmering Neighbourhood Plan.

The proposed dwellings will not be visible from the highway by virtue of their location 156m from Water Lane and the existing development situated to the north of the site. The site also features mature planting along the western and southern boundaries which will further reduce the presence of the proposed dwellings within the landscape.

Whilst, the existing character of the area is rural it must be noted that an application has been submitted for 175 dwelling on land immediately to the east of the application site under reference A/99/17/OUT. The application for development on land to the east of the application site as yet has not been determined. However, regardless of this development (A/99/17/OUT) coming forward any landscape impact caused by this development could be mitigated by a suitable landscaping scheme which minimises hard surfacing in accordance with policy HD5 of the Angmering Neighbourhood Plan.

The proposed development will be at a density of approximately 21 dph which will exceed the density of the immediate locality which features predominantly large residential dwellings set within large plots. However, given the character of the immediate locality and the level of development which is present to the north the density of development will not have an unacceptably adverse impact upon the character of the locality. Therefore, the proposed development is deemed to accord with policy HD7 of the Angmering Neighbourhood Plan.

Therefore, it is considered that the proposed development will accord with policy GEN7(ii) of the Arun District Local Plan and relevant policies within the Angmering Neighbourhood Plan.

RESIDENTIAL AMENITY

The nearest residential property to the application site is Avenal's Farm which is situated approximately 23m to the west. The western boundary of the site features mature planting and as such it is considered that the proposal will not give rise to any unacceptably adverse overbearing, overshadowing or overlooking impacts upon neighbours. The proposed dwellings by virtue of their siting are also not considered to result in any unacceptably adverse overlooking, overbearing or overshadowing impacts on one another.

To the north of the site are commercial units which are classified as use class B1. It is considered this approved use will not give rise to unacceptably adverse impacts upon residential amenity of future occupiers by virtue of B1 uses deemed as appropriate within a residential area.

The proposed dwellings will have a gross internal floor area (GIA) of approximately 118m². Therefore, the 3 bedroom dwellings will exceed the minimum space standards as specified within the Nationally Described Space Standards. The proposed rear gardens for the dwellings will have a minimum depth of 13.8m which is considered to be an acceptable level of provision.

Therefore, the provision of internal and external space in this development is not considered to result in any adverse impacts upon the residential amenity of future occupiers in accordance with paragraph 17 of the NPPF.

HIGHWAY CONSIDERATIONS

WSCC Strategic Planning have been consulted and no objections have been raised in relation to the proposed development. Access from the site onto Water Lane will be achieved via the existing vehicular access serving the existing residential dwellings, office building (B1), stables and farm. Visibility at the

access has been assessed and found to be acceptable. However, the Local Highway Authority have advised that a condition is imposed on any approval demonstrating the maximum achievable visibility splays.

The proposed parking provision at the site is in accordance with the WSCC Parking Demand Calculator and the vehicle parking space will measure 2.6m x 4.8m and will suitably accommodate an average sized vehicle. A shed has also been included in the proposal for each dwelling which may be utilised as secure covered cycle storage.

LISTED BUILDING

It is clearly evident from both the comments of the Councils Conservation Officer and officer appraisal of the site that the impact on the Listed Building will be minimal in terms of its setting and there is considered to be no unacceptable harm in this regard.

CONCLUSIONS

The proposed development does not give rise to unacceptable harm to visual or residential amenity or to the setting of the Listed Building. Whilst the site is not within the built up area, the development is reasonably well related to the existing development nearby and is also largely sustainable with alternative means of travel to nearby facilities. The position in respect of the Councils housing land supply and the 'Planning Balance' means that the weight which can be accorded to existing housing related policies is limited. The proposal is consistent with guidance in the NPPF

It is therefore recommended that planning 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 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 Number 1428/01a Rev A - Location Plan - Dated 14.12.17
Drawing Number 1428/02C Rev C - Block Plan - Dated 14.12.17
Drawing Number 1428/110 - Section, Visual Bulk - Dated 20.09.17
Drawing Number 1428/109 - Proposed Dwellings Roof Plans & Shed Detail - Dated 11.10.17
Drawing Number 1428/108 - Proposed Dwellings East & West Elevations - Dated 11.10.17
Drawing Number 1428/107 - Proposed Dwellings South Elevations - Dated 11.10.17
Drawing Number 1428/106 - Proposed Dwellings North Elevations - Dated 11.10.17
Drawing Number 1428/105 - Proposed Dwellings First Floor Plans - Dated 11.10.17
Drawing Number 1428/104 - Proposed Dwellings Ground Floor Plans - Dated 11.10.17
Drawing Number 1426/103 - Proposed Dwellings Site Plan - Received 16.10.17
Combined Design & Access and Heritage Statement - Dated 16.10.17
Preliminary Ecological Appraisal & Bat Scoping Assessment - Dated 22.04.17

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, roofs, doors and windows of the dwellings hereby permitted have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dwellings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the setting of the nearby Listed Building by endeavouring to achieve a development 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 there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and walls and/or fencing and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the dwellings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The approved details of the hard surfacing and walls and/or fencing shall be implemented before the dwellings are occupied.

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

- 5 Development shall not commence until details of a scheme for the mitigation of the ecological impact of and the ecological enhancement of the development hereby permitted has been submitted to and approved by the Local Planning Authority. The scheme so approved shall be

implemented prior to the occupation of the dwellings hereby permitted.

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

- 6 The provision shown on drawing numbers 1428/01a Rev A - Location Plan and 1428/02C Rev C - Block Plan for the right of access between Avenals Farm and Avenals Barn shall be provided before the dwellings hereby permitted are first occupied and shall thereafter be retained in perpetuity.

Reason: To ensure that the right of way is maintained to contribute to the sustainability of the development and in accordance with policy GEN7 of the Arun District Local Plan.

- 7 No development above damp proof course (DPC) level shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of provisions for the storage of refuse/waste and cycle parking/storage provision for each dwelling. The details so approved shall be implemented in accordance with the details so approved for each dwelling before it is first occupied.

Reason: To protect the amenities of nearby residents and occupiers of the new development in accordance with Arun District Local Plan policy GEN7.

- 8 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 the occupiers of the development, maintain adequate amenity space, safeguard the cohesive appearance of the development and to protect the setting of the nearby Listed Building in accordance with policy GEN7 of the Arun District Local Plan.

- 9 The dwellings shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking/turning/and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies GEN7 and GEN12 of the Arun District Local Plan.

- 10 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.

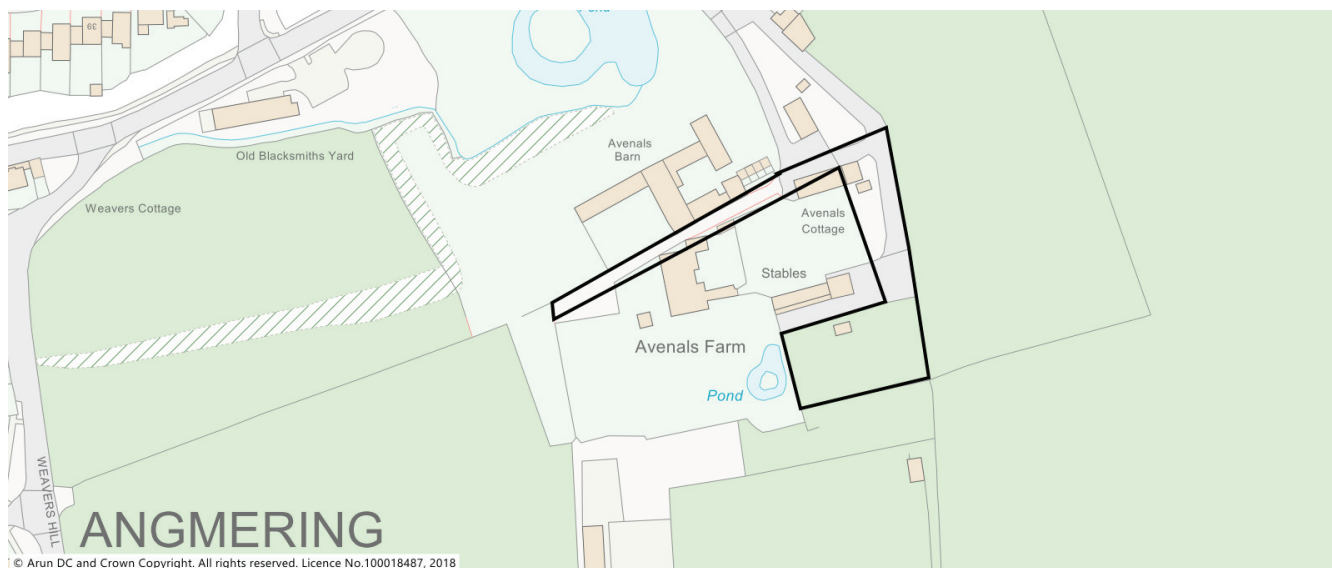
Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing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

- 11 Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include (a) details of financial management of the site including arrangements made in the event that the management company (or any subsequent management company) is no longer able to fulfil its duties; and (b) arrangements for the replacement of major components at the end of the manufacturers recommended design life.

Reason: To ensure the efficient maintenance and on-going operation of the SuDS system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32.

- 12 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

A/75/17/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: | A/155/17/OUT |
| LOCATION: | Avenals Barn Water Lane Angmering BN16 4EP |
| PROPOSAL: | Outline application with some matters reserved for 3 No. dwellings. This application may affect the setting of a Listed building & is a Departure from the Development Plan. |

| |
|------------------------------|
| SITE AND SURROUNDINGS |
|------------------------------|

| | |
|---------------------------------|---|
| DESCRIPTION OF APPLICATION | As above. The proposal is to use the land and surrounding curtilage of a redundant tennis court to erect a U shaped stable style courtyard of 3 x 2 bed dwellings. The units are proposed to be for rental use and to be managed from the adjacent, applicant owned, property. The courtyard area will be laid in gravel and have space for at least 6 parking spaces. Each of the 3 units will have its own dedicated garden with the provision of shed for bike storage. |
| SITE AREA | 0.20 hectares |
| RESIDENTIAL DEVELOPMENT DENSITY | 15 dwellings per hectare |
| TOPOGRAPHY | Downward slope running from south to north. |
| TREES | None affected by the proposed development. |
| BOUNDARY TREATMENT | Approximately 3m plus high flint and blockwork walling with additional screening supplied by dense arrangement of mature trees, hedging and shrubbery around the site boundary. |
| SITE CHARACTERISTICS | The site is occupied by a barn that has been converted into a residential dwelling. There is an extension to the western elevation which also forms part of the conversion. To the east was a former storage barn which is attached to the main dwelling by way of an overhanging roof and now benefits from permission for additional living accommodation. There are further detached buildings on site used for storage and as garages. All the main buildings are flint walled with red brick quoins and window dressings and slate roofs. The curtilage benefits from a tennis court area and surrounding curtilage which is proposed to be used for the purposes of this application. |
| CHARACTER OF LOCALITY | The site is located outside of the built-up area and is set back from the highway, accessed by a private track. The character of the locality is predominantly rural. |

A/155/17/OUT

Avenals Farm is a Grade II Listed Building and is situated approximately 30m to the north-east of the application site where planning permission is being sought under reference A/75/17/PL for the construction of 4 dwellings. Furthermore on land to the east and west of the application site up to 175 dwellings are proposed under reference A/99/17/OUT.

If approved these developments will alter the existing mainly rural outlook of the area.

RELEVANT SITE HISTORY

| | | |
|----------|---|----------------------------------|
| A/90/13/ | Proposed barn conversion ancillary to main dwelling | ApproveConditionally 05-09-13 |
| A/54/92 | Construction of tennis court | Approve 01-07-92 |
| A/12/92 | Construction of conservatory and greenhouse/potting shed | Approve 07-04-92 |
| A/67/87 | Proposed use of barn as a craft workshop producing hand-made pine furniture and associated crafts | ApproveConditionally 29-06-87 |

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

Objection:

- 1) that the subject site is outside of the built-up area boundary and the application does not comply with Neighbourhood Plan policy HD1;
- 2) the proposed highway access does not provide sufficient visibility splays
- 3) there is general concern about flood risk in the area.

No letters of representation received from surrounding occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments from the Parish Council are noted and will be considered in the conclusions section to this report.

CONSULTATIONS

WSCC Strategic Planning
Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

WSCC Strategic Planning
- No highway objections subject to conditions.

WSCC Strategic Planning
- No highway objections subject to conditions.

Arun DC Conservation Officer
Objections to the proposal on heritage grounds.

COMMENTS ON CONSULTATION RESPONSES:

The objection from the heritage officer is noted. However, she recognises that there is considerable development pressure on the area which, if approved, would make her comments redundant. Also it is considered that the high boundary screening, single storey nature of the proposal combined with a distance of 30m away from the Listed Avenals farm building will mean that the proposed 3 units will not have an unacceptable impact on the setting of the Listed Building.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary.

DEVELOPMENT PLAN POLICES

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

| | |
|-------|--|
| GEN12 | Parking in New Development |
| GEN2 | Built-up Area Boundary |
| GEN26 | Water Quality |
| GEN3 | Protection of the Countryside |
| GEN33 | Light Pollution |
| GEN5 | Provision of New Residential Development |
| GEN7 | The Form of New Development |
| GEN9 | Foul and Surface Water Drainage |

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

| | |
|---------|------------------------------------|
| C SP1 | Countryside |
| D DM1 | Aspects of Form and Design Quality |
| D SP1 | Design |
| ECC SP1 | Adapting to Climate Change |
| HER DM1 | Listed Buildings |

HER SP1 The Historic Environment
 QE DM2 Light Pollution
 SD SP1 Sustainable Development
 SD SP2 Built -Up Area Boundary
 W DM1 Water Supply & Quality
 W DM3 Sustainable Urban Drainage Systems
 WM DM1 Waste Management
 W SP1 Water

[Angmering Neighbourhood Plan 2014 POLICY HD1](#) Built-up Area Boundary
 Angmering Neighbourhood Plan 2014 POLICY HD2 Parish Housing Allocation
 Angmering Neighbourhood Plan 2014 POLICY HD4 Materials
 Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form
 Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design
 Angmering Neighbourhood Plan 2014 POLICY HD7 Housing Density
 Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments
 Angmering Neighbourhood Plan 2014 POLICY TM1 Local Highways

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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

The Main Modifications to the Arun Local Plan (2011-2031) were published for Public Consultation purposes over a six week period starting on Friday 12 January 2018 and until 5pm on Friday 23 February 2018.

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. 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; Walberton; 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

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 Angmering Neighbourhood Plan has been made and the relevant policies have been considered in the determination of this application.

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 not considered to comply with relevant Development Plan policies in that it is not considered to be consistent with policies in the Neighbourhood Plan and the Arun Local Plan 2003 since the site is not within the built up area.

However, the proposal is considered to be sustainable development and 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 or the nearby Listed Building. The reasons why the proposed development ought to be permitted are set out in the conclusions section of this report.

OTHER MATERIAL CONSIDERATIONS

It is however considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. These are set out in the conclusions section of this report.

CONCLUSIONS

PRINCIPLE

The application site falls within the parish of Angmering and as such the development plan for the determination of this application will comprise of the Arun District Local Plan (2003) and Angmering Neighbourhood Plan (2015).

Arun District Local Plan 2003 (ADLP):

The key policy considerations in the determination of this application are considered to be GEN2, GEN3 and GEN5 of the Arun Local Plan (ALP). The application site is situated outside of the built up area boundary (BUAB) as specified by policy GEN2. Policy GEN2 will not permit development situated outside of the BUAB unless it is consistent with other ALP policies. Policy GEN3 of the ALP seeks to protect the countryside for its own sake and as such exerts strict control over development situated outside of the BUAB. Due to the sites location outside of the BUAB development in this location would be in conflict with policies GEN2 and GEN3 of the Arun District Local Plan.

Policy GEN5 of the ALP relates to the provision of new development within the Arun District, making provision for 8,700 new dwellings during the ALP period of 1996-2011. The application site is not identified within policy GEN5 and as such the proposed development is deemed to conflict with policy GEN5 of the ALP.

Angmering Neighbourhood Plan (2015):

The Angmering Neighbourhood Plan (ANP) was made on the 11th March 2015 on the basis of the saved policies in the ADLP and the draft policies of the emerging Arun District Local Plan 2014 (eADLP).

The key policy considerations within the ANP are deemed to be HD1 and HD2. Policy HD1 identifies the BUAB for Angmering and states that development within the BUAB will generally be permitted.

Policy HD1 also modifies the BUAB of Angmering incorporating an additional 1.47 hectare of land on Mayflower Way. Policy HD2 sets housing allocations within the neighbourhood plan area of Angmering and does not identify the application site.

Therefore, the proposed development by virtue of its location is considered to conflict with policies HD1 and HD2.

Planning Balance:

For the reasons given above, the application is not considered to accord with ADLP Policies GEN2, GEN3 and GEN5 and Policies HD1 and HD2 of the ANP. The following sets out whether there are any material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

The 2003 Local Plan predates the NPPF and the requirement to establish the full objectively assessed housing need and only made housing provision to 2011. Policy GEN3, in protecting the countryside for its own sake, is inconsistent with the approach in the NPPF which is to protect valued landscape. This policy is inconsistent with the NPPF and being inconsistent with the NPPF are out of date.

Policy GEN 2 is clear that the boundaries of the built up area were defined 'for the purposes of the West Sussex Structure Plan and this District Local Plan'. The built-up areas were drawn for the purposes of defining the extent of the built up areas and countryside. This was done with the background of the required number of dwellings for the plan making period being provided within the built-up areas or on allocated sites (up to 2011). Therefore this policy is out-of-date as it does not relate to the development needs after 2011.

A written Ministerial Statement was published on the 13th December 2016 which stated that;

"relevant policies for the supply of housing in a neighbourhood plan, that is part of the development plan, should not be deemed to be 'out-of-date' under paragraph 49 of the National Planning Policy Framework where all of the following circumstances arise at the time the decision is made:

- this written ministerial statement is less than 2 years old, or the neighbourhood plan has been part of the development plan for 2 years or less;
- the neighbourhood plan allocates sites for housing; and
- the local planning authority can demonstrate a three-year supply of deliverable housing sites.

The statement applies to decisions made on planning applications and appeals from the date it was laid."

The Council are currently only able to demonstrate a 2.09 year HLS and as such the policies relating to the supply of housing in Neighbourhood Plans must be considered 'out-of-date' in accordance paragraph 49 of the NPPF and in accordance with the written ministerial statement (published 13th December 2016). Because of the current HLS position and the fact that the Neighbourhood Plan policies were based on out of date housing needs, policy HD2 of the ANP are out of date in the determination of this application and as such reduced weight can be attributed to this policy.

The proposed development is in conflict with policy HD1 of the ANP. However, the ANP was prepared on the basis of the OAN identified within the Publication Version of the eALP (2015). Therefore, given the significant revision of this figure which has taken place it is considered that only limited weight can be attributed to policy HD1 of the ANP.

Currently the Council is unable to demonstrate a 5-year housing land supply as required by paragraph 49 of the NPPF. The primary purpose of paragraph 49 is to act as a trigger to the operation of the tilted balance in favour of approving sustainable development. The Council are currently only able to demonstrate 2.09 years supply of deliverable housing and by virtue of this significant shortfall that the tilted balance in favour of the grant of permission is triggered unless the benefits are significantly and demonstrably outweighed by the adverse effects of the development as stated in paragraph 14 of the NPPF.

In recognition of this, Full Council resolved (January 2017) to invite planning applications on 'deliverable' HELAA sites or for the first phases of sites being investigated at potential strategic allocations in order to boost the short term housing land supply.

The consideration of the emerging Development Plans relates to the emerging Arun Local Plan 2011-2031 Publication Version October 2014 (eALP) as modified in January 2018 ('the modified eALP').

The Examination of the Publication Version of the eALP (2015) was suspended by the Planning Inspector on the grounds that the Council's OAN should be reviewed higher than that proposed (580 units p.a). The Council has therefore had to identify more suitable land to meet additional housing supply requirements. Thus the OAN figure has been increased to 919 units per annum as of October 2016 with additional strategic sites currently being assessed and allocated in order to meet this higher figure. The proposed Modifications were approved by Full Council on the 22nd March 2017 and consultation took place between the 10th April and 30th May 2017. The proposed Modifications underwent further consultation between 12 January 2018 - 23 February 2018 and the Inspectors decision is expected in May/June 2018.

The key policy considerations contained within the 'the modified eALP' are considered to be;

Policy H SP1 - Housing Allocation of the modified eALP sets out the overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes reference to additional allocations for small sites being made across the District.

Policy H SP2 - Strategic Site Allocations - is split into 3 sections covering different areas of the District.

Policy SD SP2 - Built up area boundary - states that outside the BUAB apart from Strategic, Site Specific and Broad Allocations, development will not be permitted unless consistent with other plan policies.

Policy C SP1 - Countryside - states that outside the BUAB as well as outside both the strategic, site specific and broad allocations, the countryside will be safeguarded for its own sake.

Given that the application site is situated outside of the BUAB and is not a strategic allocation identified in policy H SP1 or H SP2 the proposed development the subject of this application will conflict with policy SD SP2 and C SP1 of 'the modified eALP'

The proposed development conflicts with policies SD SP2 and C SP1 the modified eALP (2018). This Plan is at an advanced stage towards adoption and has been through examination. Whilst it has not yet been adopted weight can be attributed to the policies contained within 'the modified eALP' at this time.

Given the policy position which has been identified above it will be necessary to consider the development and ascertain if it will give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the development as stated in paragraph 14 of the NPPF.

Presumption in favour of sustainable development:

Para 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.

Para 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'.

Environmental Role -

The application site is situated outside of the built up area boundary of Angmering. However, the proposal will be situated approximately 565m from Angmering Village Centre. Therefore, it is considered that the site would be located within acceptable walking distance of services and facilities. However, this would require future occupiers to walk along Water Lane which is devoid of any footways or grass verge sufficient to provide refuge from traffic. Therefore, it is considered that by virtue of some severance from pedestrian walkways it is likely future occupiers would be to some degree more reliant upon motor vehicles for the majority of journeys.

However, evidence has been provided by the applicant that an easement exists over land to the west of Avenals Barn which would provide a pedestrian access onto Weavers Hill and the existing footway on Cumberland Road. Providing safe pedestrian access into Angmering and to services and facilities. This matter has been addressed in condition number 5 which will secure provision of the pedestrian access.

Taken with the comments of WSCC Highways, it is considered that there are sustainable alternatives to car use (cycle and pedestrian) that will mitigate car use to a level where as a result the development can be considered to be sufficiently sustainable in terms of alternative transport modes to be acceptable.

Economic Role -

The proposal will result in localised economic benefits through the need to employ people to carry out the development. The proposal will also result in an increase in Council Tax receipts and new homes bonus payments. These economic factors weigh in the schemes favour.

Social Role -

The proposal will provide a number of social benefits through the provision of housing to meet the significant shortfall currently faced by the Local Authority. This is deemed to weigh in the scheme's favour in terms of its social benefits.

Conclusion

Where the development plan is absent, silent or the relevant policies are out of date, 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'. Any adverse impacts are assessed below.

DESIGN AND VISUAL AMENITY

The proposed development will be formed in the shape of a traditional stable block with a feature courtyard area and will utilise materials that complement the existing barn. The parking area will be located at the front of the development and will be finished with shingle to match the existing driveway. A future landscaping application will need to be submitted where the courtyard area can be upgraded with suitable landscaping scheme which minimises hard surfacing in accordance with policy HD5 of the Angmering Neighbourhood Plan whilst still maintaining the required level of parking provision. Each unit will have a rear garden 10m long.

No part of the development will be seen from the road and the single storey barn like appearance will complement the existing barn on the site. The proposed development will be at a density of approximately 15 dph which given the character of the immediate locality and the level of development which is present to the east and south will result in a density of development that will not have an unacceptably adverse impact upon the character of the locality. Therefore, the proposed development is deemed to accord with policy HD7 of the Angmering Neighbourhood Plan.

Therefore, it is considered that the proposed development will accord with policy GEN7(ii) of the Arun District Local Plan and relevant policies within the Angmering Neighbourhood Plan.

RESIDENTIAL AMENITY

All surrounding properties nearest to the proposed dwellings are sufficiently distant (Avenals Farm is 30m away to the east) to ensure that there will not be an unacceptable impact on neighbouring residential amenity. This is reinforced by the fact that the eaves height of the proposed building is 2.5 m and there is no proposed first floor accommodation. The height of the boundary screening will also ensure that there is no overlooking out of the proposed ground floor windows. The proposed dwellings by virtue of their siting, scale and boundary screening are therefore not considered to result in any unacceptably adverse overlooking, overbearing or overshadowing impacts on one another.

The proposed dwellings will have a gross internal floor area (GIA) of approximately 107m². Therefore, the 2 bedroom dwellings will exceed the minimum space standards (70 m²) as specified within the Nationally Described Space Standards. The proposed rear gardens for the dwellings will have a minimum depth of 10m which is considered to be an acceptable level of provision.

Therefore, the provision of internal and external space in this development is not considered to result in any adverse impacts upon the residential amenity of future occupiers in accordance with paragraph 17 of

the NPPF.

HIGHWAY CONSIDERATIONS

WSCC Strategic Planning have been consulted and no objections have been raised in relation to the proposed development. Access from the site onto Water Lane will be achieved via the existing vehicular access serving the existing residential dwellings, office building (B1), stables and farm. Visibility at the access has been assessed and found to be acceptable. However, the Local Highway Authority have advised that the development provides for access to Weavers Hill and this will be ensured via proposed condition number 5.

The proposed parking provision of 7 spaces at the site meets with approval of WSCC and the vehicle parking space will measure 2.5m x 4.8m and will suitably accommodate an average sized vehicle. A 2.4m x 1.8m shed has also been included in the proposal for each dwelling which may be utilised as secure covered cycle storage.

LISTED BUILDING

Whilst the comments of the Councils Conservation Officer in terms of the developments impact on the setting of the adjacent Listed Building it is considered that there is no unacceptable harm in this regard given its distance away from the proposed dwellings, the extent of boundary screening and the singlet storey nature of the dwellings proposed.

CONCLUSIONS

The proposed development does not give rise to unacceptable harm to visual or residential amenity or to the setting of the Listed Building. Whilst the site is not within the built up area, the development is reasonably well related the existing development nearby and is also largely sustainable with alternative means of travel to nearby facilities. The position in respect of the Councils housing land supply and the 'Planning Balance' means that the weight which can be accorded to existing housing related policies is limited. The proposal is consistent with guidance in the NPPF

It is therefore recommended that planning 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:-

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 plans: AR-122-01-A &AR-122-02-A.

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 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, roofs, doors and windows of the dwellings hereby permitted have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dwellings.

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

5 The provision shown on drawing number AR-122-01-A for the right of access between Avenals Barn and Weavers Hill shall be provided before the dwellings hereby permitted are first occupied and shall thereafter be retained in perpetuity.

Reason: To ensure that the right of way is maintained to contribute to the sustainability of the development and in accordance with policy GEN7 of the Arun District Local Plan.

6 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 the occupiers of the development, maintain adequate amenity space, safeguard the cohesive appearance of the development and to

protect the setting of the nearby Listed Building in accordance with policy GEN7 of the Arun District Local Plan.

- 7 The dwellings shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking/turning/and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies GEN7 and GEN12 of the Arun District Local Plan.

- 8 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.

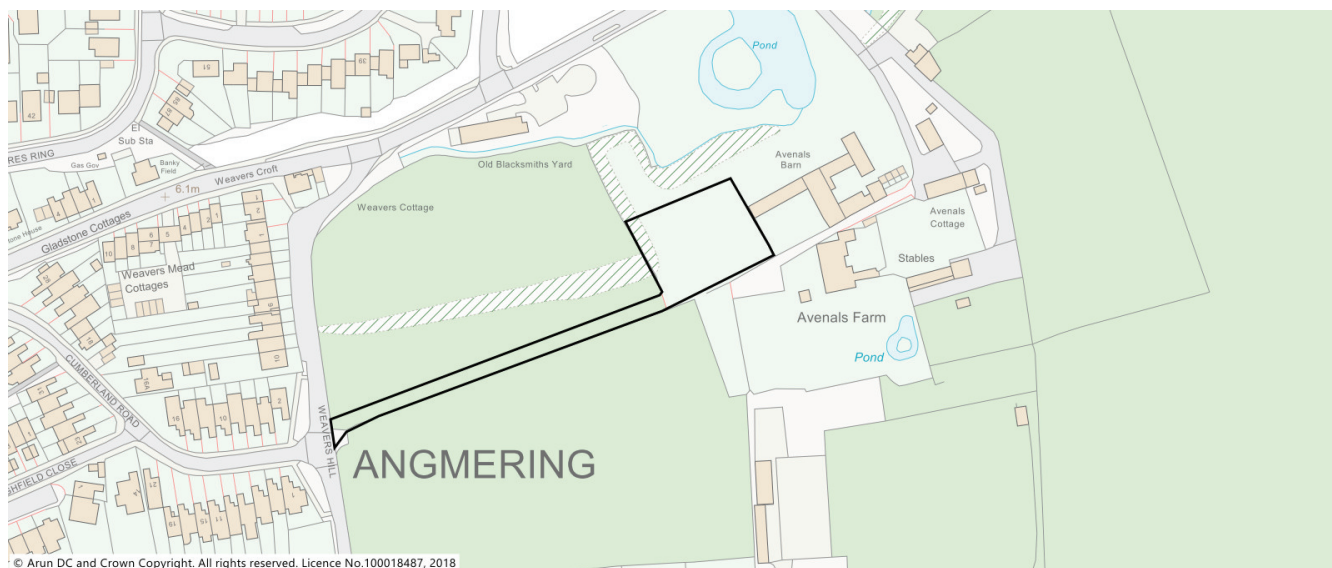
Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing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

- 9 Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include (a) details of financial management of the site including arrangements made in the event that the management company (or any subsequent management company) is no longer able to fulfil its duties; and (b) arrangements for the replacement of major components at the end of the manufacturers recommended design life.

Reason: To ensure the efficient maintenance and on-going operation of the SuDS system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32.

- 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

A/155/17/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

PLANNING APPLICATION REPORT

REF NO: AW/368/17/HH

LOCATION: 44 Christchurch Crescent
Aldwick
PO21 5SJ

PROPOSAL: Alterations to create an elderly persons annexe.

| |
|------------------------------|
| SITE AND SURROUNDINGS |
|------------------------------|

| | |
|----------------------------|---|
| DESCRIPTION OF APPLICATION | The property is currently used as two separate dwellings which is an unauthorised use. The application is to convert the unit into one dwelling with an attached 'granny annexe' by creating an internal link between the two buildings. The rear garage would also be demolished and replaced with planting, two parasols and hardstanding. The driveway would be made wider with two additional parking spaces and paving removed to front to be replaced by lawn. A 1m wooden fence with shallow access ramp to front. |
| SITE AREA | 0.05 hectares/ 514m2. |
| TOPOGRAPHY | Predominantly flat. |
| TREES | None affected by the proposed development. |
| BOUNDARY TREATMENT | Low red brick wall to front (south west) and north east (side) 1.8m fence to north west (rear) and south west (side). |
| SITE CHARACTERISTICS | Single storey semi-detached bungalow with side extension (currently used as an unauthorised separate dwelling) open plan garden to front and side and driveway to side leading to garage at rear with garden. |
| CHARACTER OF LOCALITY | Open plan estate formed of detached and semi-detached bungalows set back from the road with off street parking. |

| |
|------------------------------|
| RELEVANT SITE HISTORY |
|------------------------------|

| | | |
|---------------|---|----------------------------------|
| AW/250/12/ | Single storey side extension | ApproveConditionally 15-11-12 |
| AW/188/09/CLP | Application for a Certificate of Lawfulness for a proposed replacement conservatory | PP Not Required 25-11-09 |

Side extension (currently used as separate dwelling) granted conditional approval in 2012. More recently the extension has been used as a separate dwelling without the benefit of planning permission.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Objection.

Members strongly objected to the application on the grounds that the proposed extension does not sympathetically relate to and is not visually integrated with, the existing building in siting, design, form, scale and materials; and because the proposed extension would compromise the established spatial character and pattern of the street. Therefore Members agreed that the application is in direct conflict with Policy Dev 19 (i) and (v) of the Arun District Local Plan (2003) and with the Parish Design Statement (Page 71).

5 letters of representation received, objecting on the grounds of:-

- lack of off street parking
- bin storage and log store to front are out of character with the area
- permission should not be granted for a new house
- overdevelopment of the site

Leader of the Council requested the application was called in to committee which was agreed by the Chairman of Committee. This objected on the grounds of overdevelopment of the site and that the current use as two dwellings was unauthorised.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

The side extension already has planning permission and is considered to comply with DEV19 (i) and (v) as it was when permission was granted in 2012 and is acceptable in terms of visual amenity, the extension is set down from the main house and of materials similar to the host dwelling.

The development would create 4 parking spaces parked in a tandem of two. This meets parking requirements for a 4 bedroom dwelling set out in T SP1 and required by WSCC.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

No consultations made.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within the built up area boundary.

Open plan condition.

DEVELOPMENT PLAN POLICES

Arun District Local Plan (2003):

| | |
|------|-----------------------------|
| GEN2 | Built-up Area Boundary |
| GEN7 | The Form of 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 |
| SD SP2 | Built -Up Area Boundary |
| T SP1 | Transport and Development |

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

| | |
|-------|---------------------------------|
| SPD10 | Aldwick Parish Design Statement |
|-------|---------------------------------|

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017. The most recent examination resulted in the production of Main Modifications and consultation on this version of the plan has now closed. The Inspector is likely to inform the Council if the plan is sound by Spring 2018. Formal adoption would take place after this if the plan is found sound.

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. 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; Walberton; Yapton.

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).

Aldwick Parish is not preparing a NDP but has an adopted Parish Design Statement which is a material consideration.

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 principle of development is considered to be acceptable as the site is within the built up area boundary in compliance with saved Arun Local Plan policy GEN2.

Visual amenity

The building itself will not change significantly, externally. A new UPVC front door with open porch and UPVC central window to front are proposed which are considered to be in character with the main house. The side extension was granted planning permission in 2012 under the same saved Local Plan policies being considered currently. The, access ramp 1m fence to front of the logs store and seat to front is set back from the front boundary of the site so is not considered to impinge on the open character of the street. The new hard surface to create 2 additional parking spaces and removal of paving to front would have a modest impact on the visual amenity of the area.

Overall the alterations to the outside of the property are considered to comply with relevant policies GEN7(ii) and Area 15 of the Aldwick Parish Design Statement.

Neighbour Amenity

The impact on neighbouring residential amenity would be limited as the external alterations would not increase the scale of the building and the external alterations are modest. The use of the annexe by a dependent relative and house together is not considered likely to create noise and disturbance significantly over and above that of a single dwelling. Therefore, it is not considered the development would have a detrimental impact on residential amenity and meet the aims of saved policy GEN7 (iv) and (v).

Parking

The development would create a 4 bedroom dwelling, two in the main house and two in the dependent relative annexe. Four off street parking spaces are proposed which meets the requirements of West Sussex County Council Parking Standards and emerging Arun Local Plan policy T SP1. It is not considered the development would create significant parking generation which could mean significant on street parking pressure.

The application is recommended for conditional approval with a development and completion condition for 1 year. The current use is unauthorised and the Council wish to be able to ensure the breach of planning control is ceased in an efficient but reasonable timescale.

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 as a disabled access ramp is proposed.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun and completed before the expiration of 1 year from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and allow the Council to efficiently cease the current breach of planning control.

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

DRG NO 040-01B

DRG NO 640-02C

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 of the development to the main house hereby permitted shall match in colour and texture those of the existing dwelling.

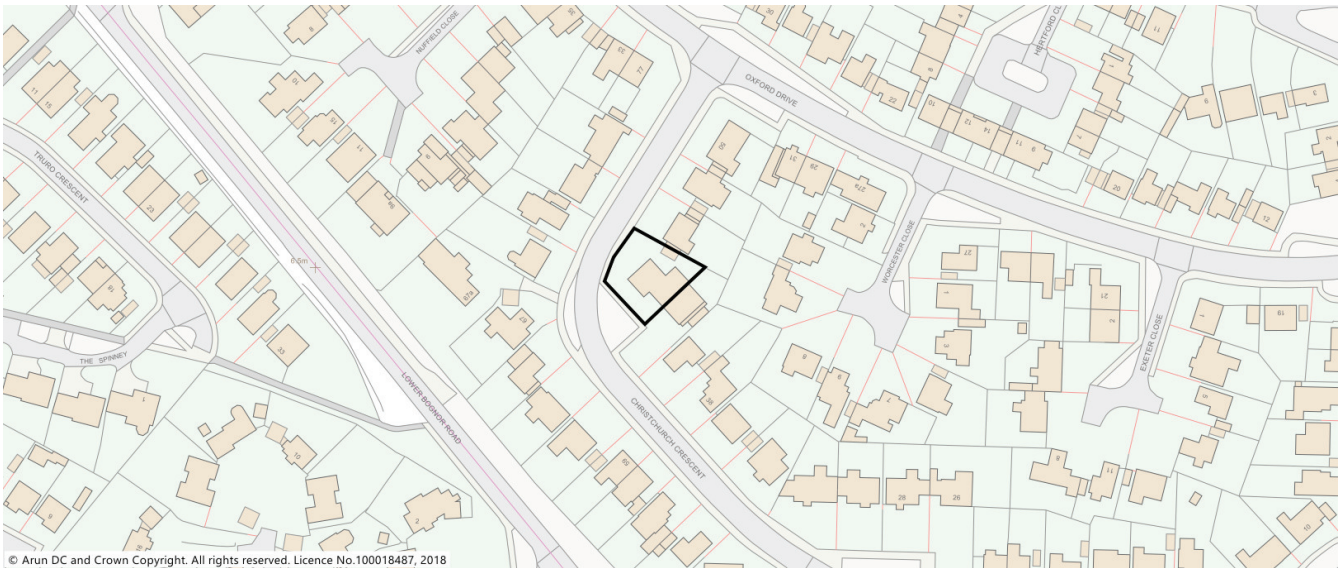
Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 The annexe accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 44 Christchurch Crescent, Aldwick as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies GEN7 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

AW/368/17/HH - 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 11

DEVELOPMENT CONTROL COMMITTEE

PLANNING APPEALS

APPEALS RECEIVED AGAINST PLANNING DECISIONS & ENFORCEMENTS

Appeals Awaiting a Decision

A/44/17/OUT

Received: 05-12-17

Land west of Brook Lane and South of A259 Angmering

Outline application (with all matters reserved) for demolition of existing buildings on site and the erection of a mixed use development comprising up to 90No. residential units and a care home (Use Class C2 and C3) & ancillary facilities, including railway crossing, together with associated access, car parking & landscaping. Departure from the Development Plan. This application also falls within the parishes of Littlehampton & Rustington.

Written Representations

PINS Ref: APP/C3810/W/17/3185128

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/38/17/PL

Received: 27-02-18

74 Barrack Lane Aldwick

Demolition of existing dwelling house & annex & erection of 5No. dwellings, with access drive & associated works. Re-submission of AW/80/16/PL

Written Representations

PINS Ref: APP/C3810/W/17/3187210

BE/83/17/PL

Received: 27-02-18

Land adjacent to 385 Chichester Road & 24 Ashurst Close Bersted

1 No. dwelling & associated parking.

Written Representations

PINS Ref: APP/C3810/W/17/3191562

BR/156/16/PL

Received: 30-11-17

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

Redevelopment of the Bognor Regis Centre to provide 6358 sqm 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 childrens 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 Conservaton Area

Informal Hearing **20-02-18**

PINS Ref: APP/C3810/W/17/3178817

CM/1/17/OUT

Received: 27-11-17

Land West of Church Lane & South of Horsemere Green Lane Climping

Outline application for the erection of up to 300 dwellings & ancillary development comprising open space, a building within use class D1 (Non-Residential Institutions) of up to 875 square metres net, a building for A1 (Shops) use having a floor area of up to 530 sq. metres net, together with open space & ancillary works, including car parking & drainage arrangements, with appearance, landscaping, layout & scale wholly reserved for subsequent approval. The access detail, showing the points of access to the development, & indicated on Bellamy Roberts drawings numbered 4724/004 & 4724/005 are access proposals to be determined at this stage of the application. For the avoidance of doubt all other access detail within the site is to be determined as a reserved matter at a later stage. This application is a Departure from the Development Plan & affects the setting of Listed Buildings.

Public Inquiry **10-07-18**

PINS Ref: APP/C3810/W/17/3187601

EG/46/17/OUT

Received: 26-02-18

Land north of Spode Cottage & West of Greenings & South of Fontwell Cottages Eastergate Lane Fontwell

Outline application with all matters reserved for up to 30 No. dwellings. This is a departure from the Development Plan.

Public Inquiry

PINS Ref: APP/C3810/W/18/3195765

FP/234/17/PL

Received: 27-02-18

10 South Road Felpham

Development of 1No. residential detached chalet. Plans to include partial demolition of 10 South Road extension to allow for suitable access.

Written Representations

PINS Ref: APP/C3810/W/18/3195440

K/5/17/HH

Received: 17-08-17

Kingston Manor Kingston Lane Kingston

Construction of a Detached 6 Bay Barn with Log Store

Written Representations

PINS Ref: APP/C3810/W/17/3175616

LU/111/17/PL

Received: 01-03-18

19 Bayford Road Littlehampton

Change of use of existing residential property (C3 Dwellinghouses) to form 1 No. 7 bedroom HMO (Sui Generis).

Written Representations

PINS Ref: APP/C3810/W/18/3192887

LU/243/17/PL

Received: 01-03-18

56-57 Pier Road Littlehampton

Conversion & minor extension of existing restaurant & five bedroom flat to create a shop unit & 6 No. residential units (resubmission following LU/71/17/PL).

Written Representations

PINS Ref: APP/C3810/W/17/3189247

LU/283/17/HH

Received: 20-02-18

56 South Terrace Littlehampton

Removal & erection of fence.

Written Representations

PINS Ref: APP/C3810/W/18/3193721

R/177/17/A

Received: 22-02-18

Land adjacent to 16 A Ash Lane Rustington

Retention of 1 No. non-illuminated A board

Written Representations

PINS Ref: App/C3810/Z/17/3192684

R/210/17/HH

Received: 14-03-18

7 Orchard Gardens Rustington

Retention of wooden gate & raised bed planter to front.

Written Representations

PINS Ref: APP/C3810/D/18/3193589

Y/48/17/HH

Received: 29-01-18

8 Canal Road Yapton

Replace existing fence with closeboard wooden panel fence.

Written Representations

PINS Ref: APP/C3810/D/17/3189510