



Public Document Pack

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Committee Manager - Andrew Bishop (Ext. 37984)

30 May 2023

PLANNING COMMITTEE

A meeting of the Planning Committee will be held in **The Council Chamber at The Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** on **Wednesday 7 June 2023 at 2.00 pm** and you are requested to attend.

Members: Councillors Hamilton (Chair), Wallsgrove (Vice-Chair), Bower, Kelly, Long, Lury, McDougall, Northeast, Partridge, Patel and Woodman.

(Please note that the above membership to the Planning Committee is subject to approval at the Annual Meeting of the Council taking place on 31 May 2023)

PLEASE NOTE: Where public meetings are being held at the Arun Civic Centre, to best manage safe space available, members of the public are encouraged to watch the meeting online via the Council's [Committee pages](#).

1. Where a member of the public wishes to attend the meeting or has registered a request to take part in Public Speaking physically at the Planning Committee, they are to enter the Civic Centre via the front reception and then make their way up to the Council Chamber on the second floor and take a seat in the Public Gallery [the Blue Room].
2. We request members of the public do not attend any face to face meeting if they have Covid-19 symptoms

For further information on the items to be discussed, please contact Committees@arun.gov.uk.

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 ON LINE AT www.arun.gov.uk/planning

AGENDA

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 as set out in the Council's adopted Planning Local Code of Conduct for Members and Officers at Part 8 of the Constitution. A copy of the Planning Local Code of Conduct can be obtained from Planning Services' Reception and is available for inspection in the Members' Room.

4. MINUTES

(Pages 1 - 10)

To approve as a correct record the Minutes of the meeting held on 19 April 2023.

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. START TIMES

The Committee is asked to approve its start times for meetings during 2023/24.

PLANNING APPLICATIONS

7. **LU/49/23/PL - FLAT ABOVE 62 HIGH STREET, LITTLEHAMPTON, BN17 5EA** (Pages 11 - 18)
8. **FG/28/23/PL - 61 SEA LANE GARDENS, FERRING, BN12 5EG** (Pages 19 - 30)
9. **BR/64/23/PL - TOWN HALL, CLARENCE ROAD, BOGNOR REGIS, PO21 1LD** (Pages 31 - 38)
10. **BE/21/23/RES - THE COTTAGE, SHRIPNEY ROAD, BOGNOR REGIS, PO22 9PA** (Pages 39 - 58)
11. **AB/24/23/PL - 23 TORTON HILL ROAD, ARUNDEL, BN18 9HF** (Pages 59 - 70)
12. **A/71/23/PL - LAND ADJACENT TO CRETE HOUSE, THE BEECHES, DAPPERS LANE, ANGMERING, BN16 4EN** (Pages 71 - 84)

PLANNING APPEALS

13. **APPEALS LIST** (Pages 85 - 88)
14. **COUNCIL VISION 2022-2023 ANNUAL REPORT** (Pages 89 - 106)
15. **KEY PERFORMANCE INDICATORS 2022-2026 QUARTER 4 END OF YEAR PERFORMANCE REPORT FOR THE PERIOD 1 APRIL 2022 TO 31 MARCH 2023** (Pages 107 - 112)
16. **CONSULTATION ON A LOCAL DEVELOPMENT ORDER FOR THE BUTLINS COMPLEX, BOGNOR REGIS** (Pages 113 - 126)
17. **CONSULTATION ON A LOCAL DEVELOPMENT ORDER FOR THE UNIVERSITY OF CHICHESTER, BOGNOR CAMPUS** (Pages 127 - 140)

OFFICER REPORT UPDATES

Will be circulated ahead of the meeting if there are any.

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) email neil.crowther@arun.gov.uk
Daniel Vick (Ext 37771) email Daniel.Vick@arun.gov.uk
Juan Baeza (Ext 37765) email juan.baeza@arun.gov.uk
David Easton (Ext 37698) email david.easton@arun.gov.uk

Note: Reports are attached for all Members of the Committee only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager.

Note: Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

Note: Filming, Photography and Recording at Council Meetings - The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link – [PART 8 - CP - Section 5 Filming Photographic Protocol](#)

These meetings are webcast live.

To watch recorded webcasts use the following link – Planning Committee [Webcast Page](#)

Agenda Item 4

Subject to approval at the next Planning Committee meeting

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PLANNING COMMITTEE

19 April 2023 at 1.00 pm

Present: Councillors Chapman (Chair), Lury (Acting Vice-Chair), Blanchard-Cooper, Bower, Chace, Edwards, Hamilton, Haywood, Kelly, Thurston and Warr

782. ELECTION OF THE VICE-CHAIR

The Chair opened the meeting and explained that the Vice-Chair had given his apologies for the first part of the meeting. He then proposed Councillor Lury as Acting Vice-Chair for this meeting. This was seconded by Councillor Blanchard-Cooper.

The Committee

RESOLVED

That Councillor Lury be Vice-Chair of this meeting.

783. DECLARATIONS OF INTEREST

No declarations of interest were made.

784. MINUTES

The Minutes of the previous meeting held on 8 March 2023 were approved by the Committee and signed by the Chair.

785. 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

The Chair confirmed that there were no urgent items to consider at this meeting.

786. DEFERRED ITEM: A/257/22/RES - LAND JUNCTION WITH HEATHFIELD/DOWNS WAY, EAST PRESTON, BN16 1AB

Approval of reserved matters following outline consent A/46/21/OUT for 2 No dwellings including details of the access, appearance, landscaping, layout, and scale. This application is in CIL Zone 4 and is CIL Liable as new dwellings.

The Planning Area Team Leader presented the report and explained that the application had been deferred by Committee on 8 March 2023 [Minute 771] for a site visit in order for Members to acquaint themselves with the site's characteristics before further considering the application.

One Member raised the consistency of recent Planning Inspectorate decisions, but the Chair deemed this not relevant to the item under discussion. Another Member

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noted further regretful loss of green space in the District. The recommendation was then proposed by Councillor Chace and seconded by Councillor Lury.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report subject to the conditions as detailed.

787. CHANGE TO THE ORDER OF THE AGENDA

With the Committee's approval, the Chair amended the order of the agenda to hear Agenda Item 8 [A/14/23/RES LAND SOUTH OF DOWNS WAY, ANGMERING, BN16 1AA] ahead of Agenda Item 7 [A/282/22/RES LAND OFF ARUNDEL ROAD, ANGMERING, BN16 4ET] due to the availability of Planning Officers in the Council Chamber.

788. A/14/23/RES: LAND SOUTH OF DOWNS WAY, ANGMERING, BN16 1AA

Approval of reserved matters (access, appearance, landscaping, layout and scale) following APP/C3810/W/21/3268934 (A/151/20/OUT) for the erection of 1 No. dwelling and associated works (resubmission following A/218/22/RES). This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

The Planning Area Team Leader presented the report. He explained that this was a resubmission of a reserved matters application previously refused on the grounds of harm to visual and residential amenity, following an outline application approved on appeal. Members that spoke raised concerns over the loss of green space and the impact to the open aspect enjoyed by neighbouring properties, and the previous and ongoing ownership of the land and whether any of the green space would remain for public use or would all come under the ownership of the new dwelling. Planning Area Team Leader confirmed that some of the green space would remain outside of the new dwelling's boundaries. One Member noted the lack of options available to the Committee after the Planning Inspectorate overturned their decision on the outline application. The recommendation was then proposed by Councillor Chapman and seconded by Councillor Chace.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report subject to the conditions as detailed.

789. A/282/22/RES: LAND OFF ARUNDEL ROAD, ANGMERING, BN16 4ET

1 Public Speaker

Tim Burden – Agent

Approval of reserved matters following A/122/19/OUT and varied by A/207/21/PL pertaining to the layout, scale, appearance and landscaping for 160 No dwellings with associated public open space, landscaping, parking, ecological mitigation and earthworks. This application is a Departure from the Development Plan and is in CIL Zone 3 and is CIL Liable as new dwellings.

The Planning Area Team Leader presented the report with both verbal and written updates. He noted that 94 letters of objection had been received yesterday and on the morning of the meeting (both of which were outside the consultation period) and due to the late representation it had not been possible for Officers to fully review them all though the vast majority of issues appeared to concern matters which were subject to consideration at the outline application stage such as design and lack of response to local character. 2 representations were received during the consultation period and are referred to in the report update. This was followed by 1 Public Speaker.

One Member, though pleased to hear about the proposed energy arrangements, raised concerns about the number of trees being felled and the absence of a Tree Officer's report. The Group Head of Planning explained that the Tree Officer had been consulted at the outline stage but that this was a reserved matters application looking at the landscaping scheme and so landscaping Officers had been consulted. Another Member noted that there were some benefits to the application including the planting of more trees to mitigate the parking provision and that trees would no longer be within front gardens of properties and therefore less likely to be felled at a future date, though he did raised concerns about the height of the proposed 2.5 storeys. The recommendation was then proposed by Councillor Bower and seconded by Councillor Blanchard-Cooper.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions as detailed.

790. A/20/23/PL: LAND TO THE REAR OF 36-40 MEADOWSIDE, ANGMERING

2 Public Speakers

Rebecca Witchell – Objector

Huw James – Agent

Erection of 8 no. Garages for non-commercial, domestic use (Use Class B8) to the rear of 36-40 Meadowside. This application is in CIL Zone 2 (zero rated) as other development.

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The Planning Area Team Leader presented the report with updates. He noted that the application had originally proposed 9 garages but that Officers had reduced the number to 8 in order to improve accessibility on the site. This was followed by 2 Public Speakers. Members raised concerns about how these garages might be used and what might be stored in them, especially by residents working in the construction industry or similar, and whether a restriction on the materials to be stored in these garages should be added to ensure they were reserved for residential use only. The Planning Area Team Leader noted condition 4 restricting the garages' use to domestic rather than commercial use. Other Members questioned how this condition would be enforced. It was explained that the explicit wording of the condition provided the Council with sufficient powers should a breach be identified following a complaint from neighbouring residents and a subsequent investigation. Clarification was also sought on the planning history of the site. The recommendation was then proposed by Councillor Chapman and seconded by Councillor Bower.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions as detailed.

791. BE/8/23/PL: COLWORTH MANOR FARM, COLWORTH LANE, COLWORTH, PO20 2DU

[Councillor Edwards arrived during this item.]

4 Public Speakers

Mike Walsh – Objector

David Campion – Objector

Richard Wilkinson – Agent

Councillor Gill Yeates – Arun District Council Ward Member

Polytunnels for soft fruit production (resubmission following BE/106/22/PL). This site is in CIL Zone 3 (Zero Rated) as other development.

The Planning Area Team Leader presented the report. This was followed by 4 Public Speakers. A number of Members who spoke raised concerns with this application. There was concern that the polytunnels would industrialise an agricultural area and detrimentally impact the landscape and the views to the South Downs from the A259 towards Chichester. Clarification was sought on the nature of the proposed buffer zone, whether it would be completely clear of materials and how this would be maintained. The need to support those making a living from the land was noted but whether the cost was too great in this application due in part of the size of the area being proposed, its location within a strategic gap and the ongoing water demands of the site in a water stressed area. The need to protect the countryside, even from agricultural development was also discussed.

One Member, speaking broadly in support of the application, stressed the need for consistency in terms of policies applied by Chichester District Council due to the site's location in the strategic gap between Bersted and Chichester, whilst providing protection to Arun's countryside. It was noted that Chichester District Council had approved polytunnels. It was considered that the application was seeking to enhance agricultural activity in the area and the agricultural economy of the District more generally, an argument often used by those against largescale housing developments, and that the use of polytunnels was an inevitable part of this activity. Another Member noted that as polytunnels were not permanent, he would rather see these than more housing in the area.

Following the discussion, the Group Head of Planning noted that justification for use was not a material planning application and that the strategic gap policy was not a landscape designation and rather an anti-coalescence designation, that the two were not the same thing and so issues of landscape had to be separated from matters of the strategic gap. The recommendation was then proposed by Councillor Bower and seconded by Councillor Kelly.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report subject to the conditions as detailed.

792. BR/12/23/PL: CORDELL HOUSE REST HOME, 120 VICTORIA DRIVE, BOGNOR REGIS, PO21 2EJ

[At the beginning of this item, Councillor Warr declared a prejudicial interest as a Member of Bognor Regis Town Council where she had already discussed and voted on this item. After making her declaration, she left the Chamber and did not take part in the discussion on the item or the vote.]

1 Public Speaker

Harry Brann – Agent

Change of use of a C2 Residential care home into an 8 No bed C4 House in Multiple Occupation (resubmission following BR/37/22/PL). This application is in CIL Zone 4 (Zero Rated) as other development.

The Planning Area Team Leader presented the report. This was followed by 1 Public Speaker. One Member raised concerns about a maximum number of people that could reside in an 8 bedroom property. The Planning Area Team Leader confirmed that the number of residents would depend on the number of beds fitted into the property and that a condition could be added to limit the number of residents to 16 (i.e. 2 beds per room). Councillor Haywood proposed that an additional condition that the number of residents be limited to 16 be added. This was seconded by Councillor Thurston.

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Following a vote, the motion was declared CARRIED and the additional condition then formed part of the substantive conditions of the Officer recommendation.

After another Member sought further information on the proposed removal of chimney breasts and the improvements this development would bring to the property, the recommendation was then proposed by Councillor Bower and seconded by Councillor Edwards.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report subject to the conditions as detailed and a Section 106 agreement.

793. EP/7/23/PL: LAND NORTH OF 9 LASHMAR ROAD, EAST PRESTON, BN16 1ES

[Councillor Warr returned to the Council Chamber at the beginning of this item.]

1 Public Speaker

Huw James – Agent

Erection of 1 No. two storey dwelling house. This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

The Planning Area Team Leader presented the report. This was followed by 1 Public Speaker. The recommendation was then proposed by Councillor Bower and seconded by Councillor Chace.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report subject to the conditions as detailed.

794. LU/263/22/RES: LAND WEST OF HOLLY DRIVE, LITTLEHAMPTON

[At the beginning of this item, Councillor Blanchard-Cooper declared a prejudicial interest due to previous comments and decisions made as a Member of Littlehampton Town Council and as Chair of the Community Resources Committee with regards allotment provision. He confirmed that he had sought advice from the Monitoring Officer, who had advised that he did not need to leave the Chamber, but was uncomfortable remaining for the item. After making his declaration, he left the Chamber and did not take part in the discussion on the item or the vote.]

2 Public Speakers

Dr Carol Howell – Objector

Edward Nabbs – Applicant

Approval of reserved matters following LU/47/11 for the Southern allotments and access.

The Director of Growth presented the report with updates. He noted that since the publication of the Report Update, a response had been received from West Sussex County Council which confirmed they were ok with the proposed easement area and did not need to undertake a road safety audit having reviewed their policy, but that they did seek an additional plan in relation to visibility splays. A request had been made to the applicant to provide this. Arun's landscaping Officers had also confirmed they were ok with the species for hedge planting but had asked for further details on the ongoing management arrangements for these. This had been addressed by the inclusion of a condition. Two additional conditions from the consultant Ecologist had been missed from the report that related to mitigation to be carried out in accordance with the submitted appraisal and the submission of a biodiversity enhancement strategy and needed to be included within the list of conditions. The applicant had also been asked to provide an updated plan reference as per condition 1. To reflect these updates, the Director of Growth verbally amended the Officer recommendation (which was repeated by the Group Head of Planning at the end of the item) to the following:

'To defer with delegated approval to the Group Head of Planning to grant planning permission following the satisfactory resolution of the outstanding matters regarding consultee responses and plans showing visibility splays. This will include the addition of two conditions recommended by the Ecologist as set out in the Report Update.'

He explained that the wording 'in consultation with the Chair' was being recommended to be removed from the recommendation due to the Chair's role ceasing on 9 May and Officers being unable to exercise the delegation before a new Chair had been appointed after the election. This was followed by 1 Public Speaker.

One Member welcomed more allotments in the District but wondered whether any restrictions had been put on the size of sheds that might be used for storage on-site. The Director of Growth explained that no such recommendation had been proposed by Officers but that Members could add one if they felt it appropriate bearing in mind the challenges this level of control might bring for the Council. The Chair questioned whether this would ultimately be a matter for Littlehampton Town Council. The Director of Growth explained that Littlehampton Town Council would be the Managing Authority with their own set of controls, but the Committee could add a condition as the Planning Authority if there was a planning reason to do so. The Chair asked the Committee for their preference on whether a condition be added to the planning approval or left as a matter to be dealt with by Littlehampton Town Council. After a vote by the show of hands, the Committee's feeling was that it was a matter to be dealt with by Littlehampton Town Council.

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A Member asked about pedestrian access and why allotments had not instead been designed as part of the strategic site housing developments. Following answers from the Director of Growth, another Member noted that Nightingale Way took up some of the previously allocated allotment space and so this was a land swap of sorts to replace land lost to development. After the Group Head of Planning repeated the amended recommendation, it was proposed by Councillor Chace and seconded by Councillor Kelly.

The Committee

RESOLVED

To defer with delegated approval to the Group Head of Planning to grant planning permission following the satisfactory resolution of the outstanding matters regarding consultee responses and plans showing visibility splays. This will include the addition of two conditions recommended by the Ecologist as set out in the Report Update.

795. LU/3/23/PL: 37 GRIFFIN CRESCENT, LITTLEHAMPTON, BN17 7LH

[Councillor Blanchard-Cooper returned to the Council Chamber at the beginning of this item.]

Single storey rear extension with balcony, rear dormer and change of use from a single dwelling to two flats (resubmission following LU/242/22/PL). This site is in CIL Zone 2 and is CIL Liable as new flat.

The Planning Area Team Leader presented the report. He noted that areas of concern with similar previously refused applications on the site had been removed. The recommendation was then proposed by Councillor Bower and seconded by Councillor Chapman.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report subject to the conditions as detailed.

796. WA/125/22/PL: SPINDLEWOOD, YAPTON LANE, WALBERTON, BN18 0AS

Change from 2 pairs of semi-detached units approved under WA/79/20/PL on western side of site to 4 No detached properties. This application is a Departure from the Development Plan and is in CIL Zone 3 and is CIL Liable as new dwellings.

The Planning Area Team Leader presented the report with updates. He clarified that rather than a variation to the plans of a previous approval (won on appeal) as described in the Officer report, this was a full planning application to amend a section of

that previous approval. He also provided an update on materials and that condition 4 had been amended to reflect this. After more information was provided on the reconfiguration from semi-detached to detached, the recommendation was then proposed by Councillor Lury and seconded by Councillor Bower.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions as detailed.

797. WA/6/23/PL: LAND WEST OF TYE LANE, WALBERTON

Variation of condition following APP/C3810/W/3278130 (WA/68/20/OUT) relating to Condition Nos 8 - foul drainage and 14 - surface water drainage scheme/system.

The Planning Area Team Leader presented the report. He explained that this application dealt only with the drainage and foul water condition and that the applicant was seeking that these conditions be phased rather than discharged prior to commencement of the development. Negotiations had taken place between the applicants and Planning Officers on the wording of the condition and Officers were recommended approval of the variation. After one Member highlighted Walberton Parish Council's concerns about the management of this and Southern Water's involvement, the recommendation was then proposed by Councillor Bower and seconded by Councillor Chapman.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report subject to the conditions as detailed.

798. APPEALS LIST

The Committee noted the Appeals list and the Chair congratulated Officers for their work on the significant number of Appeals dismissed.

799. CONSULTATION ON PROPOSED INCREASE IN PLANNING FEES

Upon the invitation of the Chair, the Interim Head of Development Management presented the report which sought the Committee to consider the Officer response to the consultation on proposals to increase planning application fees and the potential implications of this. It was noted that in England planning fees were set by central Government and were last updated in January 2018 when a 20% increase was applied to all planning fees. The Interim Head of Development Management also clarified that

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the recommendation was for the Committee to note and endorse the consultation response attached in the report.

One Member welcomed that suggestion that retrospective planning applications should be double the cost of a new application and further suggested that a differentiation in charges along similar lines between applications within the Local Plan and those seeking a departure from it also be considered. The Group Head of Planning noted that what was or was not a departure from the Local Plan was subjective and that the Planning Inspectorate might disagree making the process impossible to manage in reality.

Another Member, whilst also in support of the doubling of fees for retrospective applications, was less comfortable with the Officer-proposed disagreement with a 25% increase for householder planning applications. She also noted the difference between Listed Building consent and Listed Building planning applications and asked whether the difference in work involved for Officers merited a differentiation in fees. The Interim Head of Development Management confirmed that currently there were no fees charged on any Listed Building consent but did note that due to the complexities of some applications specialist advice was needed which could be expensive, and the suggestion of introducing fees for Listed Building consent was in response to the consultation question asking whether there were any other application types or planning services which could be chargeable. Councillor Thurston proposed an amendment to the draft consultation response that the response to question 4 not include suggesting a charge on Listed Building consent applications. This was seconded by Councillor Hamilton. Following a vote, the motion was declared NOT CARRIED.

The substantive recommendation was then proposed by Councillor Lury and seconded by Councillor Blanchard-Cooper.

The Committee

RESOLVED

That they note and endorse the consultation response attached in the report.

800. CLOSING REMARKS

This was the Chair's final Planning Committee meeting of the municipal year and of his 16-year career as a Councillor as he was not standing for re-election at the Local Election in May. He sincerely thanked Committee Members and Officers for their hard work and support of the planning process. Members thanked the Chair for his service to the Committee and wished him well for the future.

(The meeting concluded at 3.36 pm)

PLANNING APPLICATION REPORT

REF NO: LU/49/23/PL

LOCATION: Flat Above
62 High Street
Littlehampton
BN17 5EA

PROPOSAL: Alterations to existing shop and flat to create 2 No additional flats with new window at front elevation and 5 No new secure cycle spaces within alleyway next to the communal entrance to the flats. This application is in CIL Zone 4 (Zero Rated) as flats.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Conversion of existing maisonette flat above the shop to provide a total of 3 flats, including alterations to the ground floor shop.
	The existing flat located on the first and second floors of the building, comprises a 4-bed unit. It is proposed to subdivide the unit to create 3 no. 1-bed units overall. Two of these would be located on the first floor with the third on the second floor. The conversion involves first floor fenestration changes, bike storage and boundary treatments.
SITE AREA	0.03 hectares.
BOUNDARY TREATMENT	1.8m high fence to rear.
SITE CHARACTERISTICS	Mixed use site. Ground Floor commercial lock-up shop with residential accommodation above.
CHARACTER OF LOCALITY	Mixed commercial and residential.

RELEVANT SITE HISTORY

LU/275/16/PL	Alterations to existing shop & flat to create 1 No. additional flat.	ApproveConditionally 17-11-16
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Permission was granted in 2016 to create 2 units, but was not implemented.

REPRESENTATIONS

Littlehampton Town Council - Objection:
Concerns over size, safety and ventilation. Overdevelopment of the site.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted and addressed in conclusions section.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - No objection.

Drainage Engineers - No comments to make.

Given the size and scale of the application drainage issues will be dealt with at the Building Regulations phase.

Private Sector Housing - Advice.

Room sizes appear to be small for the first floor south and north facing flats.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in conclusions section.

POLICY CONTEXT

Designation applicable to site:

Town Centre Retail Boundary

SSSI Buffer Zone

Economic Growth Area

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
RETDM1	RET DM1 Retail development

[Littlehampton Neighbourhood Plan 2014 Policy 2](#) A Spatial Plan for the Town

Littlehampton Neighbourhood Plan 2014 Policy 1 The Presumption in Favour of Sustainable Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The relevant policies in the Littlehampton NP have been taken into account 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 complies with relevant Development Plan policies in that the proposal will not cause significant harm to the character and appearance of the area, nor the residential amenity of neighbouring occupiers.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

The proposal would contribute a net gain of two dwellings to housing stock within the district. There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The site is located within the built-up area where the principle of development is acceptable in accordance with SD SP2, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within relevant policies of the Arun District Local Plan mainly D DM1, D DM4, D DM2 and RET DM1(2) which seeks to prevent development that would have an adverse impact upon visual and residential amenities and the character of the area.

Policy 1 of the Littlehampton Neighbourhood Development Plan states that permission should be granted where applications accord with the relevant polices in the Neighbourhood Plan. It goes on to set out circumstances where an applications conflict with Policy 1 would be acceptable including that it accords with other policies in the Development Plan. The proposal accords with Policy 1.

Policy 2 of the Littlehampton Neighbourhood Development Plan seeks to focus development in the built up area boundary. The development is located within the BUAB and therefore accords with Policy 2.

The site lies within the Primary Retail Frontage of Littlehampton. The use of the ground floor for a retail use would not be affected by this application and therefore there would be no adverse effect on the vitality and viability of the shopping area. Other residential uses exist above other premises and there would be no adverse impact on the character of the area.

CHARACTER AND APPEARANCE

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Layout, Density and Scale.

RET DM1(2) sets out its support for retail provision (A1) within primary and secondary shopping frontages. The shop at ground floor level is located in a primary retail frontage, no alterations are proposed to this unit. As the vitality, character and amenities of the retail area will be protected, the proposal accords with Policy RET DM1.

Although the Arun Design Guide (ADG) does not specifically refer to the subdivision of existing residential units, Part N does relate to the conversion of buildings. It recommends that conversions retain the existing character of the building and its setting.

The property has two street frontages, the High Street where the shop front is located, and Sparks Court, a service road to the rear, where there is an existing service area for the shop/bin storage and access to the side entrance for the first floor residential accommodation.

The character of the area is that of a mixed-use town centre. The High Street consists of lock up shops to the ground floor, with office and residential accommodation to upper floors. The area has a high density and good transport connections. Most buildings in the immediate area are 2-3 storeys.

This proposal will have little effect on the external appearance of the building. One new window is proposed to the northern elevation serving a new bedroom to the first floor. Despite being located to the primary elevation of the building, the window is set back from the High Street frontage by 6.5m. Its size, scale and design (sash) match the host dwelling and will not harm the character of the area. To the side and rear 3 bike storage cages are proposed and new fencing to enclose the bin storage area. Both of these features are appropriately scaled and will not negatively impact the character of the area.

In terms of character and appearance, the minimal alterations to the exterior of the building do not harm the appearance of the site nor the character of the area. The proposal accords with policy D DM1 of the ALP and Part N of the ADG.

RESIDENTIAL AMENITY

Policy D DM4 and QE SP1 of the ALP set out criteria for which applications relating to alterations of existing buildings and proposed new development, must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality and enhance the quality of its environment.

There will be an impact arising from increasing the density of residential accommodation on the site. Given the existing high density of residential accommodation in the area, this is not out of character and will not be significantly harmful. One new window is proposed to the front (northern) elevation. This overlooks the main pedestrian High Street, as such there are no concerns in terms of privacy.

In terms of residential amenity for existing neighbours and future occupiers, the proposed development accords with the criteria set out in ALP policies D DM4 and D DM1.

QUALITY OF ACCOMODATION

Comments relating to the size of accommodation provided have been received. On the first floor the southern flat will be a 1-bed, 1-person dwelling and will have a proposed gross internal area (GIA) of 37sqm. The northern flat will be a 1-bed, 2-person dwelling with a GIA of 50sqm. The second-floor flat will be 1-bed, 2-person and will have a GIA of 61.5sqm. Respectively, the Nationally Described Space Standards require a minimum GIA of 37sqm and 50sqm for each of the other two flats. Although it is acknowledged that the 1-bed, 1-person flat only just meets minimum standards, it is acceptable.

In this respect, the proposal accords with D DM2 of the ALP.

Part H of the ADG states that all residential development should be afforded private/communal amenity space. None is proposed, this is due to the existing dwelling not benefiting from any external garden space. Although this is not ideal it does not warrant refusal of the application as the site is well served by multiple open green spaces/parks within a 200-500m radius. The proposed smaller 1-bed units are also more suited to this site without private access to external garden space, over that of the existing 4-bed dwelling, which could be expected to be used as family accommodation, where the need for a garden would be greater.

Given that the character of residential units in this location is one of higher densities, the proposal is not considered to make the current situation for the existing and proposed residential units materially worse. Despite not providing for access to on-site amenity space given the existing site constraints and therefore not according with Part H of the ADG, no harm will arise from this situation.

PARKING

Policy T SP1 ensures development of the transport network so that it reduces the need for car travel, promotes green infrastructure, protects the major road network, maintains appropriate levels of parking standards and requires applications to consider and design for development in relation to transport infrastructure.

The Arun Parking Standards advise that in this location the likely parking demand for the flats is 1 space per unit, given a total of 3 required spaces on site. There is no parking provision currently with the existing dwelling nor the opportunity to include any given the requirement for servicing of the retail unit below. The existing 4-bed unit would have been expected to accommodate 2 spaces in its own right. However, this is a highly sustainable town centre site such that residents can access shops, services and public transport hubs without the need to use a car.

As a town centre location, on street parking is limited and strictly controlled. This will help to enforce a car free development.

The Parking Standards document cites that in instances where the character is of limited parking provision, this is a significant planning consideration when determining levels of off street parking. This is accepted subject to the scale of the development and the availability of alternative means of transport. The proposal is in a highly sustainable location and will provide 3 cycle storage cages, one for each unit is acceptable and accords with the Arun Parking Standards and Policy T SP1 of the ALP.

SUMMARY

The proposal accords with the relevant Development Plan policies, Neighbourhood Plan policies and NPPF. As such it is recommended for approval with the following conditions and informatives.

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:
 - Location and Block Plan 23004-101
 - Proposed Site Plan 23004-102 Rev A
 - Proposed First and Second Floor Plans 23004-401
 - Proposed West Elevation 23004-502
 - Proposed North and South Elevations 23004-501
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans (Proposed Site Plan 23004-102 Rev A). The secure cycle parking facilities shall be retained in good working order at all times.

Reason: To provide alternative travel options to the use of the car in accordance with policies T SP1 of the Arun Local Plan.

- 4 Neither flat shall be first occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the dwellings and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan.

- 5 No construction activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan.

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

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

LU/49/23/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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PLANNING APPLICATION REPORT

REF NO: FG/28/23/PL

LOCATION: 61 Sea Lane Gardens
Ferring
BN12 5EG

PROPOSAL: 1 No dwelling (resubmission following FG/37/22/PL). This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed 3 bedroom, two storey detached dwelling is approx. 11.5m by 8.5m. The dwelling would comprise two roof forms with the main roof being approx. 6.8m at ridge height with eaves at 4.3m, and the secondary roof being approx. 4m at ridge height and 2.5m at eaves height. The dwelling is proposed to feature render at ground floor, plain tiles to the roof and plain tile hanging to the first floor. The plot is of an irregular shape and is located within the Eastern section of 61 Sea Lane Gardens.
SITE AREA	288 sqm.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	39 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	The site is surrounded by mature hedging and trees. There is a TPO Ash tree to the northern boundary of the site.
BOUNDARY TREATMENT	Fencing, hedging and trees.
SITE CHARACTERISTICS	The site is within the curtilage of an existing 1.5 storey dwelling and situated between the junctions of Sea Lane Gardens and Greenways Crescent. It forms an irregular garden plot belonging to No 61. Sea Lane Gardens. The area is characterised by a relatively low density character with extensive tree cover. No. 36 (opposite) is a similar shaped plot and measures approx. 72m in length and ranges from 18.5m to 7.5m in depth, forming a long wedge plot between Sea Lane Gardens and Sea Lane. The proposed plot is of a similar wedge shape but shorter and narrower, with a length of 26m and a depth ranging from 19.5m to 5m.
CHARACTER OF LOCALITY	Predominantly residential. The site is located within an area of detached dwellings on the North side of Sea Lane Gardens and South of Greenways Crescent. Individual plot sizes within the area are generally larger, but there are many dwellings with limited curtilages around the bend to the West of Sea Lane Gardens and 2 No. bungalows with limited curtilage adjacent to the plot on the eastern side.

RELEVANT SITE HISTORY

FG/37/22/PL	1 No dwelling. This site is in CIL Zone 4 and is CIL Liable as new dwelling.	Refused 21-04-22
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This application follows a refused application for one new dwelling on this plot. The primary concerns for the original refusal were the limited amenity space and limited site area for the scale of the proposed dwelling.

This submission has seen an increase in site area from the previous submission resulting in a site area of 288 square metres up from the previous 267 square metres. Through the alteration of the dwelling design, relocation of the highways access, parking, and reduction in the total parking area, the proposal has provided a larger and more usable garden space at 184 square metres, up from 127 square metres as had previously been proposed. More importantly, the bulk of this amenity space is in an more appropriate location.

REPRESENTATIONS

Ferring Parish Council - Objection:

- The change to the vehicular access reduces the highway safety concerns raised on the previous application.
- Concerns that the proposal is still an overdevelopment of the site.
- Concerns that this scheme does not overcome previous objections relating to design, density, and lack of private amenity space for the host dwelling.
- The applicant has tried to address the issue of overlooking into a neighbouring property to the south by the use of obscure glass to the first floor windows on that elevation. These windows appear to be openers and would not be an effective privacy barrier. At the very least these would need to be secured closed to a minimum height of 1.7 metres by condition, should the Local Planning Authority (LPA) be minded to approve.

10 No. Objections:

- Concerns of increased highway traffic both during and after the development.
- Noting previous concerns and reasons for refusal concerning the awkward shaped plot, limited amenity space and design.
- Concerns of overlooking.
- Concerns of overdevelopment and local character.
- Concerns of precedent for infill development.
- Loss of habitats.
- Concerns of surface drainage.

1 No. support:

- Stating the site is large enough for a dwelling.

Ferring Conservation Group - Objection:

- Noting the previous reasons for refusal (awkward shaped plot, contrived design and drainage) and claiming they have not been addressed by the proposal.

COMMENTS ON REPRESENTATIONS RECEIVED:

All representations are noted and considered. The main concerns raised by the Parish Council and local residents relate to overdevelopment of the site, concerns of highway safety and use, and adverse impact on character of area. All policy and material planning concerns are addressed within the conclusions section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health - Advice:

Requesting conditions regarding the following matters:

- Construction hours.
- A construction management plan.
- External lighting.
- EV charging.
- An informative noting that planning permission does not indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990.

WSSC Highways - Advice:

- Any access works proposed will require formal approval from the proprietor of the privately maintained road.
- The proposed development is not anticipated to lead to a material intensification of movements to or from the site.
- Acceptable off-street parking spaces and a cycle shed are proposed which is in accordance with the Arun Parking Standards for a dwelling of this size and location.
- On-site turning does not appear achievable, so vehicles may have to exit in a reverse gear - however, this is not anticipated to lead to a highway safety concern in this location.

Drainage Engineers:

- Due to the scale, location and type of application we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions regarding construction hours, EV charging points and Cycle storage have been added to this decision. Those concerning the request for a Construction Management Plan and external lighting conditions have not been imposed as they are not necessary for a scheme of this limited scale.

POLICY CONTEXT

Designation applicable to site:

Within the Built-up Area Boundary.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity

[Ferring Neighbourhood Plan 2014 Policy 1A](#)

A Spatial Plan for the Parish

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The relevant policies from the Ferring Neighbourhood Plan 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 in accordance with relevant Development Plan policies as it is of an acceptable density and design that would not have and significantly adverse or demonstrable negative impacts on the neighbouring properties or character of the area.

OTHER MATERIAL CONSIDERATIONS

The proposal would contribute, albeit to a limited degree, to the housing stock in the District. It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and legislative background.

CONCLUSIONS

PRINCIPLE

The site benefits from being within the Built-Up Area Boundary in which the principle of residential redevelopment is acceptable. Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built-Up Area Boundaries and will be permitted, subject to consideration of other relevant policies of the within the Local Plan.

The key development plan policy considerations for this proposal are D SP1 (Design), D DM1 (Aspects of Form and Design Quality), D DM2 (Internal Space Standards), T SP1 (Transport and Development), ECC SP2 (Energy and Climate Change mitigation), QE SP1 (Quality of the environment), ENV DM4 (Protection of trees), and ENV DM5 (Development and Biodiversity) of the Arun Local Plan.

Part P (Infill Development) of the Arun Design Guide is also of relevance. This Guidance seeks to ensure that development:

- Reflects or improves the character of the site and the surrounding area.
- Minimises the impact on neighbouring land/residents.
- Provides appropriately sized internal space standards.
- Provides safe access on to the highway network and incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision.

Ferring Parish Neighbourhood Plan.

Policies 1A (Spatial Plan for the Parish) and 10 (Sustainable Drainage Systems) of the Ferring Neighbourhood Plan 2014 (NP) are also relevant to consideration of this application.

Policy 1A, supports proposals inside the Built-Up Area Boundary provided they are suited to an urban setting and accord with the provisions of the Neighbourhood Plan and with other relevant Development Plan policies.

DESIGN AND VISUAL AMENITY

The design of the proposed dwelling reflects some prominent architectural features within the locality. It includes a small East facing dormer at first-floor, barn ended roof form, and a single storey gable ended forward projection, and is acceptable. The choice of materials (render walls, hanging tile and plain roof tiles) is also reflective of buildings in the locality and is acceptable, though given this is a prominent corner plot, details of these materials have been requested by way of condition to ensure they are of appropriate finish and quality.

In terms of scale, the dwelling is to be approx. 1m narrower but approx. 1m taller than that that of the previous refusal. The scale of the dwelling itself is not out of proportion for the area which generally features a mix of dwelling sizes but is inclusive of large, detached dwellings. From the street scene drawing submitted, it is clear the increased ridge height would be higher than that of 61 Sea Lane Gardens, but not significantly taller. The local area is predominantly characterised by 1/1.5 storey dwellings. Section P of the Arun Design Guide states that the prevailing character of the area should inform infill development. The majority of these 1.5 storey dwellings have a comparable roof height to No. 61. However, there are numerous examples of two storey dwellings within a reasonable proximity and the adjacent neighbour (No. 36 Sea Lane Gardens) features a two-storey component that is around the same height as the proposed dwelling. As such, the increased ridge height would not be a discordant feature within the locality. Additionally, Section J of the Arun Design Guide notes that small variations in ridge height can add interest to the street scene.

Many dwellings within the area feature large curtilages, giving a sense of openness and reducing the average density of plots within the area. However, reviewing other dwellings along Sea Lane Gardens, such as Nos. 63, 65, 26, 28 & row 31-39, it is clear that the local area features plots of varying sizes.

These dwellings feature minimal private amenity space and little separation between the host dwellings and their site boundaries, demonstrating that the area is not only characterised by large plots and low density housing.

The site is an irregularly shaped plot, tapering to the East and making it difficult for the inclusion of adequate amenity space, made clear by the previous refusal at the site. The relocation of the parking spaces has resulted in the opportunity for the location of the garden now to be to the East side of the plot. The maximum depth of the amenity space is approx. 13.4m. This is a far more extensive, functional, amenity space than the previous submission and would be compliant with the recommended 10.5m depth set out in Section H of the Arun Design Guide. It is noted that the layout of the plot ensures there is a sufficient separation distance between the dwelling and the TPO tree to the North, which is a positive factor. This space ensures that the relationship of the dwelling with the vegetation along the Northern boundary is appropriate. Whilst this is an awkward shaped plot, this proposal has addressed one of the main reasons for refusal previously, by providing adequate amenity space for the host dwelling.

The siting of the proposed dwelling is, at its closest point, approx. 2.5m from the South side boundary that abuts the road (Sea Lane Gardens). Whilst this is a short distance, it is comparable to that of No.36 Sea Lane Gardens across the street, and does maintain the tapering front building line of the dwellings to the North side of Sea Lane Gardens. It is also greater than the minimum 2m front garden depth stated in Section H.04 of the Arun Design Guide.

The proposed design is not out of character with the local area in terms of scale, materials and architectural features, or massing. The relationship of the footprint of the dwelling to its site area is comparable to, and in some cases more acceptable than, single storey dwellings within the vicinity.

In terms of design, visual amenity, and impact on the character of the area the proposed dwelling is acceptable and in accordance with policies D DM1 & D SP1 of the Arun Local Plan.

RESIDENTIAL AMENITY

Policy D DM1 requires that there be minimal impact to neighbours in terms of loss of privacy or outlook, or unacceptable disturbance. Given the isolated siting of the plot, it will have limited adverse impact by way of overbearing or overshadowing on any neighbouring dwellings with the exception of No. 61 Sea Lane Gardens. The proposed dwelling would retain a separation distance of approx. 11.5m from the front of No. 61 to the side of the proposed dwelling. The minimum recommended separation distance from front to side elevations set out in Section H of the Arun Design Guide is 14m. However, it is noted that the relationship of these two elevations does not span the full extent of the No.61 due to the offset siting of the two dwellings and therefore, overshadowing or overbearing impact to No. 61 is limited. There are also no first-floor windows proposed to the West elevation of the new dwelling and so there would be no adverse impacts by way of overlooking on No. 61.

The proposed dwelling is separated from the neighbour dwelling to the South by approx. 13.5m. Being a front to side relationship, this is 0.5m lower than that of the recommended 14m minimum set out in Section H of the Arun Design Guide. However, this is a minor deviation and there are existing trees to the South elevation that are to be retained that would mitigate the impacts this development on No. 36. The plans also indicate obscure glazing up to 1.7m from finished floor level to the first-floor windows on the South elevation. This window is to be conditioned to remain obscure glazed and non-opening to address the lower than 14m separation distance between this window and the front windows of No. 36.

By relocating the private amenity space to the Eastern side of the plot, impacts by way of overlooking from No. 61 to the proposed dwelling as seen in the previous submission, have been removed.

The proposed dwelling would afford future and neighbouring occupiers with an acceptable standard of amenity in compliance with Policy D DM1 & QE SP1 of the Arun Local Plan, and the Arun Design Guide.

QUALITY & SPACE STANDARDS

Policy D DM2 of the Arun Local Plan requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs. Section J.08 of the ADC Design Guide SPD reiterates the need to comply with the Nationally Prescribed Space Standards (NDSS).

The proposal is for a 3-bedroom two storey dwelling. The overall site area, gross internal floor space (GIA), and amenity space are adequate, with the GIA exceeding the minimum area set out in the NDSS. Each bedroom is of an appropriate width and internal floor area, with two of the bedrooms including designated storage. From measuring the submitted sections, the floor to ceiling heights throughout the ground floor are consistently at a minimum of 2.3m, and at first floor, are predominantly at a height of 2.3m, resulting in an overall 75% 2.3m floor to ceiling height, as per the NDSS requirements.

The external private amenity space (Garden) features a minimum depth of 13m from the side wall to the East side site boundary. Whilst this is a side amenity space, it is an isolated area with dense boundary treatment and roads to the North, East, and South sides of the space. The width of this garden area ranges from 8.5m to 5m tapering toward the end covering and approx. 76 sqm. There is also external space provided to the South-West and North of the dwelling however, these areas appear more as buffers to the site boundaries than functional amenity space and are considered as such. The side garden area is not extensive, but is of a sufficient depth and area to be considered a functional and usable private amenity space in accordance with Section H.04 of the Arun Design Guide.

The proposal is in accordance with policy D DM2 of the ALP as it is compliant with the NDSS, and Section H.04 of the Arun Design Guide.

TREES AND ECOLOGY

The Tree Officer has been consulted but no response has been received as yet. However, it has been demonstrated by the site plan that the proposed dwelling would be sufficiently separated from the TPO tree (outside of its Root Protection Area) and that the trees surrounding the perimeter of the site are to be retained. Adequate consideration of both the protected and other high amenity trees has been shown in accordance with policy ENV DM4 of the Arun Local Plan.

Policy ENV DM5 requires development seek to achieve a net gain in biodiversity and protect existing habitats on site. The garden area would have a positive impact on biodiversity when compared to the existing hardstanding that is present. Additionally, the retention of the trees and hedging surrounding the perimeter of the site is also positive but would not contribute to a net gain of biodiversity. The introduction of additional biodiversity measures would be necessary to demonstrate that the application would achieve biodiversity net gain. These enhancements are to be secured by way of condition attached to this decision.

Subject to the relevant conditions, the proposal is in accordance with policies ENV DM4 & ENV DM5 of the Arun Local Plan.

ENERGY EFFICIENCY & CLIMATE CHANGE

Policy ECC SP2 requires all new residential and commercial development to be energy efficient and to demonstrate how they will achieve energy efficiency measures that reflect the current standards, use design and layout to promote energy efficiency, and incorporate decentralised, renewable, and low

carbon energy supply systems such as solar panels. The inclusion of energy efficient materials such as double glazing is expected.

Subject to conditions, the proposal is in accordance with relevant Development Plan policy ECC SP2 of the Arun Local Plan.

ACCESS & PARKING

The proposed level of parking provision to serve the new dwelling is for 2 No. parking spaces which is appropriate and in accordance with the Arun Parking Standards Supplementary Planning Document for this area and policy T SP1 of the Arun Local Plan. Adequate off street parking would also be retained by No.61 to meet that property's own parking needs.

West Sussex County Council Highways have confirmed that the proposed access and parking provision would not give rise to any unacceptable impact on highway safety. The proposal also includes the provision of cycle storage which is to be secured by way of condition on this decision.

Policy T SP1 of the Arun Local Plan also requires the incorporation of facilities for charging electric and plug-in hybrid vehicles. This is also to be secured by way of a planning condition.

SUMMARY

For the reasons outlined above, the proposal is in accordance with the relevant Development Plan policies and is recommended for approval subject to the following conditions and informatives.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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.

CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

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:

- Proposed Street Elevations (Dwg No. 06 A).
- Proposed Site Plan (Dwg No. 01 C).
- Proposed Floor Plans (Dwg No. 04 A).
- Proposed Elevations (Dwg No. 05 A).
- Location Plan (Dwg No. 01).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, character, and appearance of the area by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

4 The proposed first-floor window to the South elevation of the building shall at all times be glazed with obscured glass and fixed to be permanently non-opening to a minimum height of 1.7m from the finished floor level of the room that it serves. This window shall remain as such in perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

5 No part of the development shall be first occupied until covered and secure cycle parking provision has been provided in accordance with the Proposed Site Plan (Dwg No. 01 C) details of which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall thereafter be retained.

Reason: To provide alternative travel options to the use of the car in accordance with policies T SP1 of the Arun Local Plan.

6 Prior to occupation of the approved dwelling, the applicant or developer shall provide the dwelling with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires all dwellings with a garage or driveway to have EV charging points in 100% of parking spaces with electric ducting provided to all other spaces where appropriate to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set

out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the NPPF.

- 7 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works on Sunday or Bank/Public Holidays.

Reason: to protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 - 2031.

- 8 No development above damp proof course (DPC) level shall take place until a Biodiversity Enhancement Strategy has been submitted to and approved in writing by the Local Planning Authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

Reason: To enhance biodiversity on the site and within the vicinity in accordance with Policy ENV DM5 of the Arun Local Plan.

- 9 The dwelling shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems including full details of solar panels or air source pumps. The approved scheme shall thereafter be implemented prior to occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun.

- 10 INFORMATIVE: Any access works proposed will require formal approval from the proprietor of the privately maintained road.

- 11 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information, please contact the Environmental Health Department on 01903 737555.

- 12 INFORMATIVE: This development is CIL liable.

- 13 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.

BACKGROUND PAPERS

The documents relating to this application can be viewed on the Arun District Council website [by going to https://www.arun.gov.uk/weekly-lists](https://www.arun.gov.uk/weekly-lists) and entering the application reference or directly by clicking on [this link](#).

FG/28/23/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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PLANNING APPLICATION REPORT

REF NO: BR/64/23/PL

LOCATION: Town Hall
Clarence Road
Bognor Regis
PO21 1LD

PROPOSAL: Application under Regulation 3 for a wall mounted defibrillator and associated housing. This application affects the setting of a Listed Building and is in CIL Zone 4 (zero rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to install a wall mounted defibrillator and associated housing.

SITE CHARACTERISTICS The site is a Grade II Listed building built in 1929. The building has a symmetrical splayed design with central spur to rear in Flemish bond brickwork with brown brick and stone dressings. It is three storeys high, and is a well planned and well detailed example of a small town hall of the inter-war period. It is of architectural and historical significance.

CHARACTER OF LOCALITY Town Centre location. Grade II Listed Building War Memorial to front. The surrounding area is characterised by mixed commercial, retail and residential use.

RELEVANT SITE HISTORY

BR/65/23/L Listed building consent for a new wall mounted defibrillator and associated housing.

BR/324/18/L Listed building consent to mount 2 No. Blue Plaques to exterior of balcony. ApproveConditionally 13-03-19

Relevant planning history noted. BR/65/23/PL does not need to be determined by this Committee and will be determined following this meeting under delegated powers.

REPRESENTATIONS

Bognor Regis Town Council - No objection

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:**ADC CONSERVATION OFFICER**

It is noted from reviewing the heritage statement that the positioning of the unit has been carefully considered, and a careful balance needs to be achieved between the unit being readily visible in a public location against any potential harm to the heritage asset where it is to be located.

The size of the unit, per-se is not really an issue, based on the scale of the building it is to be attached to. The unit would be visible on the front elevation, partly based on its colour. It is not clear how the electricity will be supplied to the equipment, and if any cabling etc. would be visible on the external elevation. Any works to create points of access for cabling should be made via the existing mortar and not the bricks themselves.

The defibrillator and housing would be potentially visible, based on its colour, in the setting of the nearby grade II listed War Memorial. This is when viewed in the junction of Belmont Street and Clarence Road. There is potential for it to be partially hidden from view as a result of the existing planting around the memorial itself.

On balance, the proposal would have a minor negative impact on the heritage assets and the setting of the memorial.

Conclusion

The proposal is such that the impact can be described as causing less than substantial harm in accordance with paragraph 202 of the NPPF (2021). The level of harm is considered to be on the lower end of the scale.

You will need to consider the public benefits that the development may achieve as part of your assessment of the application, along with the contents of section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

ADC ESTATES MANAGER

No response.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary
Grade II Listed Building

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1 D DM1 Aspects of form and design quality

DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#) Delivery of the Vision

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 not have a materially adverse impact on the residential amenities of nearby properties, nor would it have a significant adverse impact upon the established character of the surrounding area.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan other than the public benefits identified below.

CONCLUSIONS

PRINCIPLE

The key policies are D DM1, D DM4, and HER DM1 of the Arun Local Plan, and guidance set by the

Arun Design Guide.

Bognor Regis has a 'made' Neighbourhood Development Plan, of which Policy 1 is of relevance. Policy 1 relates to 'delivery of the vision' and requires proposals to identify the significance of any affected heritage asset and assess any harm and benefit.

DESIGN AND VISUAL AMENITY

The proposal seeks the installation of a wall mounted defibrillator, in associated housing, to the front elevation. This will be clearly visible from the principal elevation, and public realm.

The defibrillator will be on the corner of the western side of the front elevation, situated 0.9m above ground level. The housing will be yellow, and measure 0.465m by 0.435m. Due to its colour, it will stand out against the building, and have some impact on visual appearance. Given its small scale in comparison to the rest of the building, and the public benefit it will provide, the harm to visual amenity will be minor and acceptable. It will have no adverse impact on the composition or appearance of the street scene, nor be unduly harmful to the character of the area.

By virtue of its small scale and use, the works are in accord with the Arun Design Guide.

The proposal will have no adverse harm on visual amenity and remains in keeping with the general character of the area. This is in accord with D DM1 and D DM4 of the Arun Local Plan, and the Arun Local Plan.

RESIDENTIAL AMENITY

By virtue of its small scale, use and location, the defibrillator will have no adverse impact on residential amenity, and will not result in any overbearing or overshadowing.

This is in accord with D DM1 and D DM4 of the Arun Local Plan, and the Arun Design Guide.

HERITAGE ASSETS

The application concerns external works to a grade II listed building. Given the building's listed status, any alterations should protect and enhance the special historic and architectural character of the building and preserve its setting.

Policy HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, because the listed building is a significant heritage asset, proposals should protect the setting of these buildings.

Para 194 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a development. The property is a 1900s grade II listed building. Its architectural and historical features are set out above. The building is considered to be of architectural and historical significance.

Para 195 requires the LPA consider the significance of the impact upon that heritage asset. The proposal seeks a wall mounted defibrillator and associated housing to the principal elevation of the Town Hall. This will be situated on a corner of the western side of the front elevation, situated 0.9m from ground level and measuring 0.465m by 0.435m. The housing for the defibrillator is to be yellow and will be clearly visible as part of the front elevation from the public realm. This will have some impact on the significance of the heritage asset and subsequently the surrounding memorial to the north of the hall. Given the scale of the proposal in relation to the building, the harm is considered to be less than substantial, and the overall negative impact will be minor.

The proposal would cause less than substantial harm in accordance with paragraph 202 of the NPPF (2021), however there are public benefits of the proposal that would outweigh the harm to the heritage asset. Providing a defibrillator to the area will be of great public benefit, in terms of providing an emergency health service which could potentially save a life. The harm caused to the visual appearance of the property due to the colour of the housing is of limited negative impact in comparison to the benefit this service offers.

Section 16 (2) of the Listed Buildings Act 1990 states that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The proposal in this case will have less than substantial harm on the special architectural and historic interest of the asset, and preserves the building and its setting. The less than substantial harm is outweighed by the public benefit.

The proposal would not adversely harm the significance of the heritage asset and as is in accordance with HER DM1 and HER SP1, Para 202 of the NPPF, and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

SUMMARY

The development accords with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is not CIL Liable.

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:

- Location Plan and Block Plan Dwg No 1241/04
- Proposed Part Ground Floor, Front & Side Elevations and Defibrillator Dwg No 1241/02

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

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

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

BR/64/23/PL - Indicative Location Plan (Do not Scale or Copy)
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PLANNING APPLICATION REPORT

REF NO: BE/21/23/RES

LOCATION: The Cottage
Shripney Road
Bognor Regis
PO22 9PA

PROPOSAL: Approval of reserved matters following outline consent BE/69/19/OUT relating to the layout, scale, appearance and landscaping for the erection of 20 dwellings at The Cottage, Shripney Road, Bognor. This application is not CIL Liable.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Reserved matters for 20 dwellings with associated parking, road/footway provision, open space, landscaping, and ancillary works. Approval of scale, layout, external appearance, and landscaping are sought. Access was approved at the outline stage.

The scheme includes 1 & 2 bed flats and 2, 3 & 4 bed houses. The mix is shown on the "Proposed Site Plan" (drawing 003 Rev P8). The 6 flats will be affordable in accordance with the requirements of the s106 Agreement. The houses will be two storeys in height but as the flatted building has rooms in its roof, it can be described as two and a half storeys.

Parking provision comprises a mix of car ports, tandem spaces, on-street visitor spaces and a parking area for the flats with a total of 47 spaces (including 9 visitor spaces). No garages are proposed. There is a cycle store attached to the east side of the flatted building. All other cycle storage will be in car ports or secure sheds in gardens. A condition will be imposed to agree the details of this.

Bins will be stored in domestic gardens and this is an appropriate solution. The flatted building has its external bin store, and a specification is provided. There is no lighting scheme, but this is covered by condition 18 of the outline permission. Electric charge points are indicated although these will be assessed through the discharge of outline condition 21.

The layout includes two areas of Public Open Space (POS) totalling 1,333m². The flats have their own area of amenity space to the rear and there is a 5m deep planted buffer along the east boundary. Trees along the boundaries and in the POS are retained. The landscaping scheme shows the

planting of 19 new trees. Timber fencing is shown with a mix of 1.8m, 1m and 0.4m depending on site situation.

At the point of submission, this scheme was identical to BE/137/19/RES, but the following changes have since been agreed:

- The ground floor flats (2 flats) have been slightly amended in order to be M4(2) compliant.
- 2 of the visitor parking spaces to the south-east of the site by plots 19-19 and 16 have been slightly extended in order to be disabled suitable.
- The footway between plot 20 and the site access has been amended and no longer terminates into car parking; and
- The internal roads have been identified as block paving and gravel to represent a shared surface arrangement.

SITE AREA	0.72 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	28 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	<p>There are 72 surveyed trees or groups of trees on or near the site. Two Tree Preservation Orders (TPO) have been made in respect of the site.</p> <p>TPO/BE/1/17 refers to T1 - a Common Ash Tree west of the existing dwelling/close to the existing site access; T2 - a Pedunculate Oak Tree on the eastern boundary; and G1 - a group of two Lebanon Cedars to the south of the existing dwelling. This TPO was confirmed on the 20th of September 2017.</p> <p>TPO/BE/2/17 refers to T1-T3 - three Sycamore Trees located on or immediately adjacent to the footpath which crosses the site; and T4 - a Beech Tree located in the rear garden of Royce Cottage to the south. This TPO was confirmed on the 29th of November 2017.</p>
BOUNDARY TREATMENT	Mixed. Part wall, part close boarded fencing to the Hotel. Close boarded fencing to the road. Post & wire fencing on the southern boundary (along the line of the footpath). Hedge or otherwise open to the eastern boundary.
SITE CHARACTERISTICS	The site borders the hotel to the north and comprises a one and a half storey dwelling surrounded by land formerly used as gardens, for horticulture and personal sheep grazing. There are ancillary buildings on site including disused greenhouses, stables, a detached garage, and sheds. There is a half-built two storey building in the southeast corner. There is a dry ditch and bund to the east boundary and the remains of a dry pond. There is gated access from Shripney Road. A footpath runs adjacent to the south boundary connecting Shripney Road on its west side to a footpath crossing the field on the

CHARACTER OF LOCALITY east side enabling access to Sack Lane to the northeast.

Semi-rural character with detached dwellings on both sides of Shripney Road. To the north lies the Robin Hood Pub & Hotel. Car parking is between the hotel and the shared boundary. To the south lies the site of a new dwelling. To the east is open arable fields. On the western side is Shripney Road with houses beyond. Surrounding built form is mixed between one and two storey buildings.

RELEVANT SITE HISTORY

BE/17/23/DOC	Approval of details reserved by condition imposed under reference BE/176/21/PL, relating to condition nos: 4 - Arboriculture method statement, 7 - Arboriculture standards inspection, 9 - Hedgerow management, 10 - Surface water drainage scheme, 11 - Discharge flows to watercourses, 12 - Surface water drainage scheme maintenance & management, 15 - Landscaping scheme, 16 - Pedestrian access improvements and 17 - Schedule of materials and finishes.	DOC Part Approved 31-03-23
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BE/176/21/PL	Demolition of existing dwelling and ancillary outbuildings and erection of a 66 bedroom care home with associated access, parking and landscaping. This site is in CIL Zone 3 (Zero Rated) as other development & is a Departure from the Development Plan.	App Cond with S106 21-10-22
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BE/79/20/RES	Approval of reserved matters following BE/63/17/OUT & variation of condition BE/131/18/PL for replacement dwelling at the southern end of site (Phase 1) to reposition driveway & car port (resubmission following BE/58/19/RES).	ApproveConditionally 01-10-20
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BE/137/19/RES	Application for approval of phase 2 reserved matters following outline permission BE/63/17/OUT (as amended by BE/131/18/PL) for 20 No. dwellings.	ApproveConditionally 25-06-20
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BE/69/19/OUT	Outline planning application with all matters reserved except access for up to 31 No. houses and flats with car parking, landscaping and associated infrastructure & access off Shripney Road (A29), all following the demolition of the existing dwelling & outbuildings - This application is a Departure from the Development Plan	Refused 10-10-19
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Appeal: Allowed+Conditions

BE/58/19/RES	Application for approval of reserved matters following outline permission BE/63/17/OUT & variation of condition BE/131/18/PL for replacement dwelling at the southern end of site (Phase 1)	ApproveConditionally 04-10-19
BE/131/18/PL	Variation of conditions following the grant of BE/63/17/OUT relating to conditions 3-approved plans, 6-distinguish between the two phases of development so protective fencing for whole site is not required for just Phase 1 & any fencing is commensurate with phase of development being constructed, 7-Phase 1 can commence prior to construction of new vehicular access, 8-Phase 1 can commence prior to submission of plans & details incorporating the recommendations of the Road Safety Audit, 9-winter groundwater monitoring is only required for development on Phase 2, 10-refer to development on Phase 2 only as development on Phase 1 will not result in the discharge of any flows to watercourses or culverting, diversion, infilling or obstruction of any watercourse on site, 11-level of detail required regarding maintenance & management of SuDS system is commensurate with the relevant phase of development, 12-only refer to development on Phase 2, 14-SuDS management manual is submitted to local planning authority prior to construction of Phase 2 only, 15-Phase 1 can be occupied prior to construction of pedestrian access footways/crossing points, 16-Phase 1 development can be occupied prior to provision of visibility splays at proposed site vehicular access, 17-Phase 1 dwelling can be occupied prior to required installation of electric vehicle charging points & 18-allow development on Phase 1 to be occupied prior to implementation of SuDS scheme for the whole development (Phase 1 & 2) & prior to provision of as-built drawings & completion report.	App Cond with S106 29-04-19
BE/63/17/OUT	Outline planning application with some matters reserved (Access only) for 20No. houses & flats, 1No. replacement dwelling (21No. units in total) with car parking, landscaping & associated infrastructure & access off Shripney Road (A29) and new footway both along the site frontage and across the A29 traffic island, all following the demolition of the existing dwelling & outbuildings. This application is a Departure from the Development Plan.	App Cond with S106 18-01-18

BE/63/17/OUT was granted in January 2018 for 20 new homes plus a replacement dwelling on the land to the south of the footpath. This permission was amended by BE/131/18/PL so the replacement dwelling could be developed separately to the 20 dwellings. BE/58/19/RES was an approval of reserved matters for the replacement dwelling on the other side of the footpath. This was then amended by BE/79/20/RES and that dwelling has been built.

BE/69/19/OUT for up to 31 dwellings was refused in October 2019 due to concerns regarding overdevelopment, insufficient amenity space and car parking but was then allowed on appeal in May 2020. It requires a reserved matters submission by May 2023. BE/137/19/RES was submitted in accordance with BE/63/17/OUT and was approved in June 2020 but has not been implemented and expired on the 25th of June 2022.

In October 2022, planning permission was granted (BE/176/21/PL) for a 66-bedroom care home with associated access, parking and landscaping. The applicant for this scheme has started to discharge the pre-commencement conditions. It is understood that this application has been submitted to preserve the applicants position (in case the Care Home does not proceed) but it is likely that it will be the care home that is ultimately built on the site.

REPRESENTATIONS

Bersted Parish Council object for the following reasons:

- The transport survey is based on 2017 figures and should be updated; and
- The ground water survey is based on 2018/2019 figures and is out of date and not in accordance with the updated NPPF plus County and District policies.

Aldingbourne Parish Council object supporting the concerns raised by Bersted Parish Council.

No other objections.

COMMENTS ON REPRESENTATIONS RECEIVED:

The associated outline application agreed details of the access and the principle of up to 31 dwellings entering/using the highway network (whereas this application seeks consent for only 20). As such, it is not necessary for an up-to-date Transport Survey to be provided. Surface water drainage is discussed in the report's conclusions.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND - no objection.

NATURAL ENGLAND - make no comment.

SUSSEX POLICE - make a number of recommendations to improve the security of the scheme.

WSCC HIGHWAYS - requested some minor amendments concerning the shared surface and footway adjacent to plot 20. The applicant amended the scheme in response and WSCC Highways advise the changes address their previous comments and so no objection is raised. Recommend conditions relating to car parking and cycle storage.

WSCC FIRE & RESCUE - request a condition to secure a fire hydrant on the site.

WSCC DRAINAGE - object as the FRA & Drainage Strategy are not in accordance with the NPPF, Planning Practice Guidance (Aug 2022 version) or with local policies. Require further information to be able to lift the objection. Further comments received 04/05 (in response to a submission by the applicant) maintain the objection.

ADC ENVIRONMENTAL HEALTH - no response but previously advised no comment.

ADC DRAINAGE ENGINEERS - object due to insufficient information. The submitted drainage scheme should not be approved through the reserved matters.

ADC HOUSING STRATEGY & ENABLING MANAGER - objects as the affordable housing is clustered in one area (all flats).

ADC LANDSCAPE OFFICER - no objection to the landscape scheme.

ADC TREE OFFICER - no response but previously advised of concerns with the lack of an approved surface water strategy, the impact of foul water drains on RPA's of retained trees and the impact of the new frontage footway on the off-site T35 Sycamore. On a 'without prejudice' basis, the Tree Officer previously set out two conditions which need to be included should the application be approved.

COUNCIL'S ECOLOGIST - objects due to the age of the bat survey (2018) that is being relied upon to inform the mitigation measures. Request that an updated survey and mitigation measures are submitted for determination.

COMMENTS ON CONSULTATION RESPONSES:

All comments noted and either discussed in the report's conclusions or dealt with by conditions.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
Class A Road;
Adjacent to Footpath ref BET/151/2;
Special Control of Adverts;
Tree Preservation Orders (TPO/BE/2/17 & TPO/BE/2/17);
Current Flood Zone 1; and
Future Flood Zone 3a by 2111.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation

ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HDM1	H DM1 Housing mix
OSRDM1	Protection of open space, outdoor sport, comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

Bersted Neighbourhood Plan 2014 Policy ES1	Design of new development
Bersted Neighbourhood Plan 2014 Policy ES2	Surface water management
Bersted Neighbourhood Plan 2014 Policy ES5	Building design
Bersted Neighbourhood Plan 2014 Policy ES6	Protection of trees
Bersted Neighbourhood Plan 2014 Policy HDQ2	Integration of new housing
Bersted Neighbourhood Plan 2014 Policy HDQ4	Housing mix
Bersted Neighbourhood Plan 2014 Policy HDQ5	Design of new housing development
Bersted Neighbourhood Plan 2014 Policy HDQ6	Outdoor space
Bersted Neighbourhood Plan 2014 Policy HDQ7	Attention to detail
Bersted Neighbourhood Plan 2014 Policy HDQ8	Car parking

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NPPDG	National Design Guide

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD12	Open Space, Playing Pitches & Indoor & Built Sports Facilities
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031 (ALP), West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The relevant policies of the Bersted Neighbourhood Development Plan (BNDP) are referred to within this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal complies with relevant Development Plan policies in that it would result in a development of an appropriate scale, layout and appearance which is not harmful to the character & appearance of the area, the existing trees of amenity value or the amenities of existing residents.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are other material considerations to be weighed in the balance with the Development Plan and these are set out in the Conclusions section below.

CONCLUSIONS

PRINCIPLE:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Section 38(5) states: "If to any extent a policy contained in a development plan for an area conflict with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document". Therefore, the ALP takes precedence over the BNDP should there be any conflict between the two.

The principle of new dwellings with a new access from Shripney Road has been established by BE/69/19/OUT, approved on appeal in May 2020 and it is only necessary to consider the outstanding details - layout, appearance, landscaping, and scale. It is only appropriate to consider development plan policy and material considerations in respect of these reserved matters. Matters relating to flood risk, countryside location, highway safety, sustainable transport measures, foul drainage (the principle of 20 new dwellings connecting to the network), children's play and infrastructure were all determined at the outline stage and covered by the relevant conditions.

COMPLIANCE WITH THE OUTLINE:

It has been established by case law that applications for the approval of reserved matters must be in the ambit of the outline planning permission and must be in accordance with the conditions annexed to the outline planning permission. Certain conditions imposed by the outline set parameters for the nature and form of the Reserved Matters submission and these are analysed below. When determining whether reserved matters fall within the ambit of an outline planning permission the courts have allowed a little

freedom of interpretation with the usual test being whether any changes make a material difference to the essence of what was approved.

Condition 4 states that development shall be carried out in accordance with the approved plans which govern the access arrangements but also reference the previous illustrative layout drawing. As this is a reserved matters permission for 20 dwellings and has been submitted in association with the outline for up to 31 dwellings, the illustrative layouts do not precisely match. However, both layouts are very similar in form with the same road layout, access details, block structure and open space arrangements. The proposed layout is not materially different to the previous indicative layout.

Condition 27 requires that the reserved matters include a housing mix which sets out a range of range of house types and tenures that is specific to Bersted and provides a proportion of homes to meet Lifetime Home standards (or the equivalent current standard). The application advises that neither the Arun Local Plan 2018 nor the Bersted Neighbourhood Plan (2014) prescribe a specific housing mix for market housing but instead seek to ensure balanced mix. For this reason, the following mix has been proposed:

- 2 no. one bedroom flats.
- 4 no. two bedroom flats.
- 2 no. two bedroom houses.
- 10 no. three bedroom houses; and
- 2 no. four bedroom houses.

The scheme includes 2 M4(2) homes. These aspects are discussed elsewhere in this report.

Conditions 28, 29 and 30 set out requirements for the submission of the landscaping elements of this reserved matters application and include boundary treatments and a landscape management plan. These requirements have been met.

LAYOUT, APPEARANCE AND SCALE:

ALP policies D DM1 and D SP1 are relevant in respect of design and character. Policy AH SP2 seeks to ensure that affordable housing is visually indistinguishable from market housing and that layouts avoid large clusters. BNDP policies ES1, ES5, HDQ2 and HDQ5 are relevant seeking high-quality design and development in character with its surroundings. The National Design Guide (NDG) is a material consideration in the determination of this application, as well as the Arun Design Guide (ADG).

The layout is essentially the same as the approved (but expired) submission, BE/137/19/RES. The only differences are very minor (as set out in the description section above) and represents improvements on the previous scheme. The former layout remains appropriate to the site and its surroundings. It is material that the ADG was at an advanced stage at the time the report for BE/137/19/RES was drafted (having been through initial formal public consultation in Jan/Feb 2020). There have been no other changes in planning policy in respect of design since that time.

According to the Councils "Open Space, Playing Pitches & Indoor & Built Sports Facilities" SPD, the Public Open Space (POS) requirement is 1,408m². The layout provides POS in two areas either side of the access road. The provision is 1333m² which is 75m² short. The Landscape Officer advises that this is acceptable as the flats have additional communal amenity space which is around 80m².

There were previously some concerns with visitor parking in that spaces adjacent to plot 20 may be more appealing to owners of plots 17-20 than the car ports at the rear of their gardens. The applicant amended the plans to show secure rear doors in the car ports to enable easy access between the house and car. Residents will prefer to park in the car ports where their cars will be protected from the elements and

from accidental damage.

The flatted building is 2.5 storeys high, and it is true that there are no other instances of homes in the vicinity with accommodation in the roof. This building is tucked away in one corner of the site and it will not be particularly visible in the Shripney Road streetscene and so any visual harm will be minimal. There are no levels changes indicated by the proposal.

It is accepted that views of the site will be altered from the footpath (PRoW 151) that runs adjacent to the southern boundary. Such a change is inevitable given the existing outline permission but the scheme ensures there are no buildings higher than two storeys adjacent to the footpath and the hedging is retained and supplemented where gaps exist.

The street scenes are mixed with assorted designs, heights, building lines and materials. All houses have shallow front gardens or buffer strip areas, and the layout is open plan with no front boundaries. The materials palette is based around slate roof tiles, red and grey brick, and timber weatherboarding. This is appropriate and it is not necessary to impose a materials condition.

The applicant provided a written response to the National Design Guide and emerging Arun Design Guide in Part 2 of the Design & Access Statement (pages 28 & 48). The applicant states the proposal is reflective of the guidance and this is agreed.

Matters of layout, appearance and scale are appropriate for the characteristics of the site and the character/appearance of the surrounding area. The proposal accords with ALP policies D DM1 & D SP1, BNDP policies ES1, ES5, HDQ2 & HDQ5, the ADG and NPPF guidance.

LANDSCAPING & TREES:

ALP policy LAN DM1 requires that development respect the particular characteristics and natural features of the relevant landscape character areas. In addition, policy D DM1 requires developments to incorporate new tree planting and to improve upon character through landscaping. ALP policy ENV DM4 states TPO protected trees, Ancient Woodland, those in a Conservation Area or trees that contribute to local amenity shall not be damaged or felled unless the development meets the certain criteria including that the benefits outweigh the loss of trees or woodland. BNDP policy ES6 also seeks to protect important trees.

The application is accompanied by a soft landscaping plan, hard & soft landscaping plan and planting plans which provide a comprehensive and varied planting scheme. The application is also accompanied by an Arboricultural Impact Assessment & Method Statement which sets out measures to protect existing trees. It is proposed to plant 19 trees and new hedgerows particularly bordering the POS, between plots 13 & 14, between plot 10 & the adjacent car ports and to a gap in the southern boundary to the footpath. The scheme proposes the planting of new shrubs, wildflower meadow and flowers. The submission also details hard landscape treatments.

The submission has not attracted comments from the Tree Officer, but it is material that the only concerns raised previously (on BE/137/19/RES) were in respect of surface and foul drainage - and that conditions were proposed to support an approval. Members previously granted permission to effectively the same scheme at the meeting in June 2020.

One other aspect of the scheme that potentially affects trees is a footpath along the site frontage that will link the new site access with the existing PRoW footpath to enable connectivity between the two and then beyond to the Robin Hood Public House. The only way to not affect trees would be to remove the footpath, however, this would not be positive in respect of site connectivity/sustainability. The footpath in

question was shown on the access plans approved by the Outline (which granted matters of access) and so is not being determined by this reserved matters application.

The scheme accords with ALP policies LAN DM1 & D DM1 and with BNDP policy ES6. There is some conflict with ALP policy ENV DM4 as trees of high amenity value may be adversely affected by the proposals.

OTHER MATTERS:

The reserved matters of scale, layout, appearance and landscaping have been assessed above. There are other issues to consider which relate to the detail of the scheme, but which do not neatly fall under the above headings.

(A) Housing Mix:

ALP policy H DM1 provides for a mix of housing to meet local needs and requires all housing development to provide a mix of dwelling types and sizes to address this need and demand. The policy acknowledges that the final mix will be negotiated on a site-by-site basis, having regard to the most up to date Strategic Housing Market Assessment (SHMA).

Paragraph 63 of the "Updated Housing Needs Evidence" (September 2016) stated the evidence highlights a direction towards the provision of 2 and 3 bed units for market units and smaller affordable units. Table 29 identifies a suggested broad mix of market housing by size for the District:

- 1-bed dwellings: 5-10% of all dwellings.
- 2-bed dwellings: 40-45% of all dwelling.
- 3-bed dwellings: 35-40% of all dwellings; and
- 4+ bed dwellings: 10-15% of all dwellings.

Separate ratios are given for affordable rented and intermediate/starter homes however this element of the mix is governed by the s106 legal agreement. BNDP policy HDQ4 requests a mix based on Bersted's specific needs to address the needs of current and future households. The following mix is proposed for the market dwellings on the site:

- 2 x 1-bed dwellings (10%).
- 6 x 2-bed dwellings (30%).
- 10 x 3-bed dwellings (50%); and
- 2 x 4-bed dwellings (10%).

The range is broadly acceptable with reference to the advice in the SHMA and ALP policy H DM1. Whilst there is no response to the BNDP policy, it is material that the mix is the same as was approved previously and that the BNDP policy was in force at that time. In addition, any conflict between the two policies would, due to age, be resolved in favour of compliance with the ALP.

Whilst the objection from the Housing Strategy & Enabling Manager that the affordable housing is clustered in one area (all flats) is duly noted, the scheme provides a total of only twenty new dwellings and it would be unnecessary and impracticable for the affordable units to be pepper-potted throughout the development for this small a number of dwellings.

(B) Housing for Older People:

BNDP policy HDQ4 requires that a proportion of the housing proposed is required to meet Lifetime

Homes standards. These standards no longer exist and have been replaced by parts M4(2) and M4(3) of the Building Regulations.

Arun has an agreed internal policy on the provision of housing accommodation to provide for an ageing generation ("Accommodation for Older People and People with Disabilities", 2020). This is not adopted policy or a supplementary planning document but has some weight as a material planning consideration and is supported by references in ALP policies D DM1 & D DM2. This sets out a requirement for 7 homes meeting the M4(2) standard. The scheme as previously approved by BE/137/19/RES comprised no M4(2) provision. The applicant has agreed to provide 2 ground floor flats as M4(2) and has supplied amended floorplans. This complies with the BNDP policy as a proportion of homes meet the standard. There is conflict with the ADC guidance, but this would not support a refusal due to the previous approval and the status of the guidance versus the status of the BNDP policy.

(C) Residential Amenity & Space Standards:

ALP policies D DM1, D DM2 and QE SP1 are relevant. The ADG sets out guidance on interface distances between houses:

- Back-to-back: min. 21m between habitable rooms of properties or to existing buildings.
- Back/ front to side: min. 14m between habitable rooms and side gable of adjacent property; and
- Front to front: min. 16m between habitable rooms and site boundary to existing landscaping.

All plot-to-plot relationships meet the standards except between the fronts of plots 8/9 and the side of 20 where the distance is around 13m. As the SPD is guidance and as the shortfall is not significant this is acceptable. The relationships are also acceptable to existing residential properties. The ADG also includes guidance on garden sizes as follows:

- Private Rear Garden: min. 10.5m depth.
- Private Front Garden: min. 2m depth.
- Private Amenity Space for flats: at least 3sqm of useable space; and
- Communal Shared Spaces for flats: minimum 40sqm plus 10sqm for each unit if not provided as balcony/patio/terrace.

All of the houses have private rear gardens and although not all gardens are the full 10.5m depth (plots 9, 10, 15 only have around 10m), they are all useable private spaces particularly having regard to their widths. The depth requirement is not so important as it is required to ensure a back-to-back distance of 21m and there are no back-to-back relationships on the site or with adjoining land.

The standards require 100m² of communal amenity space for the flatted building and this is met by the grassed space to the rear of the building. Flat 3 has a large balcony on the west elevation (first floor level) looking towards the road. This is 18m from the road at the closest point so no harm to the amenities of those houses on the other side of the A29.

As per ALP policy D DM2, it is necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard or NDSS) to determine if the buildings will be suitable for future residential occupiers. The floorplans of each house have been cross referenced with the NDSS and the minimum gross internal floor areas of the houses (market and affordable) clearly meet the standards.

(D) Parking, Roads, and Public Footpaths:

ALP policy T SP1 and BNDP policy HDQ8 are relevant although the latter has reduced weight due to the

adoption of the Arun Parking Standards SPD.

As part of the outline approval plans, a new section of footway on the site frontage was shown and this links the site access to the entrance to the Robin Hood car park to the north (where there are bus stops), the entrance to the footpath (PRoW 151) to the south and to a new informal crossing point on the A29. This proposal makes improvements for pedestrian movements and facilitates safer access to bus stops. The road layout whilst not having designated footpath in places (being shared surface), will be safe to use due to low anticipated traffic speeds and plenty of visibility. WSCC Highways have advised no objections in terms of the movement of vehicles or safety of pedestrians.

The parking requirement according to the Arun Parking Standards SPD is 46 including 4 visitor spaces. The scheme shows 47 spaces including 9 visitor spaces meaning a shortfall in allocation for the flats, but this is acceptable as (a) the SPD allows for flexibility with flats as not all 1-bedroom flats will be occupied by two car owning people and (b) the overall provision exceeds the requirements. The proposal accords with ALP policies T SP1 & T DM1, BNDP policy HDQ8 and with the Parking Standards SPD.

(E) Waste Management:

ALP policy WM DM1 is relevant but, in this case, there are no issues with refuse vehicles accessing the site from Shripney Road, and the application is supported by refuse vehicle tracking (to which WSCC raise no concerns) as well as details of individual bin storage and communal bin stores. The layout enables refuse vehicles and fire appliances to enter and exit the site in a forward gear. The application achieves sufficient provision for the storage of waste and kerbside collection is possible for all of the dwellings. The development accords with policy WM DM1 of the ALP.

(F) Surface Water Drainage:

Members should note that detailed drainage matters are already covered by conditions 12, 13, 14 and 23 on the outline planning permission and will be agreed through the discharge of such conditions. ALP Policy W DM3 and BNDP policy ES2 are both relevant. The applicant indicates the drainage scheme will include the use of permeable paving, underground attenuation tanks and a small infiltration basin on the site frontage. It is proposed to fit water butts to downpipes.

The application attracted objections from the council's drainage engineer and WSCC Drainage. Should there be a situation where the drainage conditions cannot be agreed in the future due to the layout not providing sufficient space then a new reserved matters application would need to be submitted to account for the necessary drainage changes. It is material that the layout was previously found to be acceptable, and that County have not objected on any previous schemes at the site. On this basis, this reserved matter application can be determined without the support of drainage engineers and therefore it is not necessary to demonstrate compliance with the relevant policies at this time.

The applicant is aware that if this layout is approved and it becomes clear that the drainage condition cannot be agreed due to the layout not providing sufficient space, they will need to submit a new Reserved Matters application. An informative has been included. On this basis, there is no conflict with ALP policy W DM3 or BNDP policy ES2.

(G) Climate Change:

Condition 8 on the outline requires the approval of measures to provide 10% of the energy supply of the development from decentralised and renewable or low carbon energy sources. With the condition in place and subject to the proposed plans the proposal would accord with ALP policy ECC SP2. In addition, condition 21 requires the separate approval of details of electric vehicle charge points, and this

satisfies the requirements of ALP policy QE DM3(c).

(H) Biodiversity Net Gain:

ALP policy ENV DM5 states development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. In addition, condition 5 of the outline permission requires that the development be in accordance with the recommendations and mitigation measures as set out within the Preliminary Ecological Appraisal (September 2018) and the Bat Activity Surveys Report (June 2017). Biodiversity was assessed at outline stage and the council's ecologist raised no objections at that time.

The ecologist has raised objection due to the age of the supporting surveys. The ecologist does not advise how long such surveys are valid for and neither do the survey reports themselves. Planning Practice Guidance provides advice on making decisions where bats are concerned and provides a link to a Chartered Institute of Ecology and Environmental Management (CIEEM) advice note "On the Lifespan of Ecological Reports and Surveys". This states that reports older than 3 years are unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated (subject to an assessment by a professional ecologist).

Notwithstanding, it is material that condition 5 of BE/69/19/OUT was clearly worded by the Planning Inspector that the development must be carried out in accordance with the two reports referred to (however, at the time of the appeal decision, the Preliminary Ecological Appraisal was 20 months old whilst the Bat Activity Survey Report was just shy of 3 years old). As the outline permission remains valid and the applicant is complying with the condition that was imposed, it would be difficult to sustain an objection at appeal based on the validity of the survey reports.

It is clear that the ecologist has misinterpreted the final sentence of the condition in their comments. This states: "The enhancements and mitigation measures shall be retained and thereafter maintained as fit for purpose". This is clearly in place to ensure that the physical measures to be implemented at the site (e.g., nesting boxes) are maintained such that they (e.g.) continue to provide nesting habitat. The ecologist advises that as the surveys are six years old, they are no longer "fit for purpose". This is not the intention of the condition.

As the application clearly demonstrates biodiversity enhancements as per the previous condition, there is no conflict with ALP policy ENV DM5.

SUMMARY:

There are no materially harmful concerns with the reserved matters scheme and the application accords with development plan policies. Therefore, it is recommended permission be granted subject to the following additional conditions alongside the conditions imposed on BE/69/19/OUT.

However, the application description was amended on 10/05/23 to clarify which outline permission the reserved matters had been submitted against. It had initially referred to BE/63/17/OUT which was no longer valid. Due to this change, the Parish Council were re-consulted and new site notices posted. This re-consultation period does not expire until the 9th June which is after the date of the committee. The recommendation is therefore, that the Committee give the Group Head of Planning, in consultation with the Chairman of the Planning Committee, delegated authority to issue a decision once the consultation period ends.

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 approved shall be carried out in accordance with the following approved plans & documents:

- 001 Rev P1 Site Location Plan.
- 003 Rev P8 Site Plan.
- 004 Rev P3 Detailed Plan.
- 010 Rev P2 Proposed Plans Plots 1-6.
- 011 Rev P3 Proposed Plans 7-10.
- 012 Rev P3 Proposed Plans 11-13.
- 013 Rev P3 Proposed Plans 14-16.
- 014 Rev P5 Proposed Plans Plots 17-20.
- 020 Rev P2 Proposed Plans and Elevations Plots 1-6.
- 021 Rev P3 Proposed Plans and Elevations 7 and 10.
- 022 Rev P3 Proposed Plans and Elevations Plots 8 and 9.
- 023 Rev P2 Proposed Plans and Elevations Plots 11 and 16.
- 024 Rev P3 Proposed Plans and Elevations Plots 12-15.
- 025 Rev P5 Proposed Plans and Elevations Plots 17-20.
- 030 Rev P3 Proposed Street Scenes 1 2 3.
- 031 Rev P3 Proposed Street Scenes 4 5.
- 040 Rev P2 Proposed Site Section AA.
- Hard and Soft Landscape General Arrangement Dwg 100 Rev 04.
- Soft Landscape Layout Dwg 200 Rev 02.
- Detail Planting Plan 1 of 7 Dwg 201 Rev 02.
- Detail Planting Plan 2 of 7 Dwg 202 Rev 02.
- Detail Planting Plan 3 of 7 Dwg 203 Rev 02.

Detail Planting Plan 4 of 7 Dwg 204 Rev 02.
Detail Planting Plan 5 of 7 Dwg 205 Rev 02.
Detail Planting Plan 6 of 7 Dwg 206 Rev 02.
Detail Planting Plan 7 of 7 Dwg 207 Rev 02.
Hard and Soft Landscape Specification Dwg. 001 Rev 01; and
Landscape Management Plan Dwg 001 Rev 01.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, D SP1, QE SP1 and T SP1 of the Arun Local Plan.

- 2 All activity at the site is to be carried out in strict accordance with: - Arboricultural & Planning Integration Report, Arbortrack Systems Ltd, ref. jwmb/rpt7/thecottage/PI, 5th June 2020.

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 the installation of these, 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 Utility Service Route connections are implemented on the site.

Reason: To comply with BS5837 and Arun Local Plan policy ENV DM4 and 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.

- 3 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) - at this meeting all protective fencing and ground protection measures will be inspected to verify 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, Appendix: A, Rev H. June 2020.

A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the site meeting to the satisfaction of the Planning Authority's Tree Officer.

Reasons: To comply with BS5837 and Arun Local Plan policy ENV DM4 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 because it is necessary to ensure that trees are fully protected before the ground is disturbed and works commence.

- 4 No development above damp-proof course (DPC) level shall take place unless and until a scheme has been submitted to and approved by the local planning authority to show how the needs of hedgehogs will be accommodated in the development. This shall include the placement of hedgehog nesting boxes and the creation of gaps in boundary treatments to ensure that hedgehogs are able to move into/out of and around the development. The approved measures shall thereafter be implemented prior to occupation of any part of the development and permanently retained thereafter.

Reason: Hedgehogs were not considered by the mitigation/enhancement measures in the Preliminary Ecological Appraisal approved by BE/63/17/OUT and in accordance with the

NPPF and policy ENV DM5 of the Arun Local Plan.

- 5 No development above damp-proof course (DPC) level shall take place until details of cycle stores/internal storage racks for plots 7-20 have been submitted to and approved by the Local Planning Authority and none of the houses and flats shall be occupied until the approved cycle storage sheds/storage racks/internal stores associated with them have been implemented. The cycle racks shall be maintained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policies T SP1 and T DM1.

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality in accordance with policies D SP1 and D DM1 of the Arun Local Plan.

- 7 No dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with policy T SP1 of the Arun Local Plan.

- 8 Plots 17-20 shall not be occupied unless and until secure pedestrian gates have been installed in accordance with drawing 6656 PL-031 Rev P3 "Proposed Street Scenes 4, 5"). These gates shall thereafter be permanently retained and maintained in good working condition.

Reason: To ensure there is access from the car ports to the respective residential properties in the interests of good design and connectivity in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

- 9 Prior to the occupation of any dwelling, details of a fire hydrant, its connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting together with its maintenance, or a suitable, alternative arrangement, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, and the hydrant, or the alternative arrangement, shall be retained thereafter.

Reason: In order to provide adequate infrastructure for emergency services, in accordance with Policy INF SP1 of the Arun Local Plan.

- 10 All bathroom and toilet windows hereby approved shall be glazed with obscured glass and permanently retained as such thereafter.

Reason: To protect the amenities and privacy of existing and future occupiers in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 11 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) there shall be no rear extensions or outbuildings constructed in the curtilages of plots 7-14 & 16 and there shall be no alterations to any of the approved car ports within the site (plots 7-20) unless permission is granted by the Local Planning Authority on an

application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun 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: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information, please contact the Environmental Health Department on 01903 737555.
- 14 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A statutory nuisance may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.
- 15 INFORMATIVE: The applicant should note that this layout has been approved without agreement by Drainage Engineers to the scheme layout and therefore if it subsequently becomes clear that the drainage conditions cannot be agreed due to the layout not providing sufficient space for drainage then a new Reserved Matters application (and potentially also a new outline or full application) will need to be submitted as the Local Planning Authority will not be able to agree such changes through the Non Material Amendment process.
- 16 INFORMATIVE: This permission does not in any way discharge condition 21 (electric car charge points) on the outline planning permission and as such you will need to apply separately to discharge this condition. Please ensure that the submission of details complies with the guidance in the SPD which sets out that:

- 100% of parking spaces of houses with a driveway or garage require an active charge point.
- At the current rate until 2028, 30% of all other parking spaces require an active point; and
- Ducting is provided at all remaining spaces where appropriate to provide 'passive' provision for these spaces to be upgraded in future.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

BE/21/23/RES - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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PLANNING APPLICATION REPORT

REF NO: AB/24/23/PL

LOCATION: 23 Torton Hill Road
Arundel
BN18 9HF

PROPOSAL: Demolition of existing detached dwelling and garage and erection of 1 No detached dwelling with rear annexe (resubmission following AB/150/22/PL. This site is in CIL Zone 2 and is CIL Liable as a new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks full permission for the demolition of an existing detached dwelling and garage and erection of a replacement detached dwelling with an integrated rear annexe. The proposed replacement dwelling is larger in scale than the existing dwelling, coming forward to meet the prevailing front building line. It is to feature white render walls with red brick quoins and decorative window headers. It is two storeys and also features a single storey, rear annexe that is connected to the dwelling, an integrated front garage and a half-hipped roof with a flat top in the centre. Since the previous refusal, it has been reduced to a height that is more reflective of the topography and the heights of the two immediate neighbour dwellings. The ridge height of the proposed dwelling is approx. 0.8m lower than that of the neighbour to the West, but some 2.1m taller than the neighbour to the East.
SITE AREA	1050 sqm.
RESIDENTIAL DEVELOPMENT DENSITY	15 dwellings per hectare.
TOPOGRAPHY	The site gently slopes from the front to the rear, and land levels rise slightly from east to west.
TREES	2 no. mature and prominent trees to the front of the site. 1 no. mature tree to the North-West (front) corner of the curtilage.
BOUNDARY TREATMENT	Low-level wooden fence to front, dense and overgrown hedging to sides and rear.
SITE CHARACTERISTICS	The site is currently occupied by a large, detached, two-storey dwelling with facing brickwork, tile hanging, and brown roof tiling. It also features a detached single storey garage to the rear/side of the dwelling and a curved driveway that runs alongside an area of front garden between the dwelling and the road. The existing dwelling is set back from the established front building line and features generous separation distances from its immediate neighbours.
CHARACTER OF LOCALITY	The locality is residential in nature and benefits from an open

spatial quality with detached and semi detached, predominantly red bricked, dwellings set back from the road with generous garden areas. Dwellings are two storey with a roof line that gently rises upwards towards the west along with the raising topography.

RELEVANT SITE HISTORY

AB/150/22/PL	Demolition of existing detached dwelling and garage and erection of detached dwelling and rear annexe. This application is in CIL Zone 2 and is CIL Liable as new dwelling.	Refused 03-02-23
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This application is a resubmission following a previously refused application (AB/150/22/PL). The main changes are the removal of a rear roof terrace above the annexe, the reduction in depth of the annexe extension, and an approx. 1.2m reduction in ridge height.

REPRESENTATIONS

Arundel Town Council - Objection:

- Due to the proposals design and position, it would cause visual harm to the character of the street scene and fails to respect the pattern of built form in the locality contrary to Arun Local Plan policies D DM1 & D SP1, the Arun Design Guide, and the NPPF.

1 No. objection from nearby occupier:

- The proposed development is much larger than the existing and is overbearing.
- A door is shown above the annexe roof, concerns about the potential for this area to be used in the future as a habitable area overlooking rear and adjacent properties.
- Concerns over increased flood risk.
- Trees on the site will not be affected.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. All representations relevant to planning are discussed within the conclusions section below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Environmental Health:

Conditions and informatives requested relating to the provision of a Construction Management Plan (CMP), construction hours and code of practice for small developments.

Southern Water - No objection subject to conditions and informatives.

- The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

WSCC Highways - No objection subject to conditions and informatives relating to provision/retention of

parking area, cycle parking and works within the public highway.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions regarding cycle storage & construction hours have been added along with informatives regarding relevant Highway Authority consents, construction of small developments, and locating public sewers during development. The request for a condition requiring the submission of a Construction Management Plan is noted, but does not meet the NPPF tests of necessity or reasonableness.

A condition requiring the applicant to advise the Local Planning Authority of how they plan to divert the public sewer adequately is not relevant to planning. An informative has been attached to this decision to notify the applicant of the likelihood that such works will be necessary and that they should be undertaken in correspondence with Southern Water.

A condition regarding the provision of parking spaces is covered by the plans condition, which includes the block plan and the parking provision associated with the front hardstanding.

POLICY CONTEXT

Designation applicable to site:

Built-up Area Boundary.

2km Buffer for Site of Special Scientific Interest.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
QESP1	QE SP1 Quality of the Environment
WDM3	W DM3 Sustainable Urban Drainage Systems
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
TSP1	T SP1 Transport and Development

[Arundel Neighbourhood Plan 2018-2031 AR1](#)

Arundel Built Up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

All relevant Development Plan policies from the Arundel Neighbourhood Development Plan have also been considered.

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 complies with relevant Development Plan policies in that it would not result in a development that would be out of character for the area or result in any significantly adverse impacts to the built or natural environment, or residential amenities.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The site benefits from being within the Built-Up Area Boundary where the principle of residential redevelopment is acceptable subject to consideration of other relevant policies of the within the Arun Local Plan. Being sited within the Built-Up Area Boundary means that the proposal also complies with Policy AR1 of the Arundel Neighbourhood Development Plan. Furthermore, it is of relevance that this application is for a replacement dwelling.

The key development plan policy considerations for this proposal are D SP1 (Design), D DM1 (Aspects of Form and Design Quality), D DM2 (Internal Space Standards), T SP1 (Transport and Development), ECC SP2 (Energy and Climate Change mitigation), W DM3 (Sustainable Urban Drainage Systems), QE SP1 (Quality of the environment), ENV DM4 (Protection of trees), and ENV DM5 (Development and Biodiversity) of the Arun Local Plan.

Additionally, Sections H & J of the Arun Design Guide are pertinent to this proposal.

CHARACTER & DESIGN

Whilst the proposed dwelling would be taller than that of the neighbour to the East, the half-hipped roof form and approx. 4.9m separation distance results in the dwelling maintaining an acceptable visual relationship to this dwelling when viewed from the street. This roof form and height is in accordance with Section J.02 of the Arun Design Guide which states that the scale and form of new buildings should reflect that of surrounding buildings but also add small variations in scale to give visual interest to the street. The area is populated by large, detached dwellings predominantly of two/three storeys. These dwellings have large footprints, some being wider and more rectangular with others being squarer in shape. The scale of the proposed dwelling and the density of the plot are therefore, not out of character for the area.

Within the locality the roof forms are predominantly hipped or gable-ended pitched roofs. The half-hipped roof design is not a significant or unacceptable detractor from this style. There are numerous examples of symmetrical front gable ended features, red brick window heads, integrated garages, tall chimneys, and variously designed front porches within the area and as such, the proposed features are reflective of the area. The proposed roof form also includes a central flat section, this allows for a larger depth to the dwelling whilst presenting a ridge height and roof pitch that appears typical for the locality when viewed from the street. Although this flat area is not typical for the locality, it would not be readily visible within the street scene or visually discordant with the character of the street and it is in accordance with the general principles of Section J.01 & J.02 of the Arun Design Guide.

This dwelling is proposed to feature white smooth render with red brick quoins to the walls, plain roof tiles (colour undetermined), white uPVC windows and black uPVC rainwater goods. The latter two are common within the locality and appropriate. The use of white render to the walls is not common within the locality, though is not entirely absent. Five doors down to the East, on the junction of Torton Hill Road and Kirdford Road, is a two-storey corner dwelling with white render walls (No.13). Additionally, whilst further afield, along Bernard Road, which adjoins Torton Hill Road, there are numerous examples of white render to the external walls. Whilst it is not a material choice that is dominant within the locality, it would not appear incongruous. Furthermore, in remaining set back from the street, the visual prominence of the dwelling would be limited. The use of plain roof tiles is appropriate to the area. Details regarding a schedule of materials to be submitted to the Local Planning Authority is to be attached to this decision so as to control the final finish of the property. It is noted, that the use of a red/brown colouration of tiles would be expected owed to the prominence of this material choice within the locality and how it would complement the redbrick features proposed.

The dwelling would feature a rear projection to provide an integrated annexe. This component would extend beyond the rear building line by approx. 6m. The area that this extension would occupy is currently occupied by a detached single storey garage. It would be approx. 3.2m in height, with a flat roof. It would not be of an unacceptable depth and would remain a subservient and sympathetic design feature owed to its scale and material choice. Whilst it does not appear fully visually integrated, it is located to the rear of the dwelling where it would not be readily visible from public viewpoints and is of an acceptable design.

This proposal also includes a raised rear patio just above ground level that is sited between the rear annexe and the rear wall. This is of an acceptable scale and design and would not be visible from the street. There is currently a raised rear patio area, and this would predominantly replace what's already there.

The proposal is in accordance with policies D SP1 & D DM1 of the Arun Local Plan.

QUALITY & INTERNAL/EXTERNAL SPACE STANDARDS

The proposed dwelling has four bedrooms with 8 bed spaces. The gross internal floor space is far greater than that of the 124sqm minimum for a two-storey dwelling with this capacity and the proposed section drawing identifies substantially greater floor to ceiling heights than 2.3m throughout the property. The dwelling also features an extensive rear and front garden in excess of the standards identified by Section H of the Arun Design Guide.

The proposed dwelling is therefore, compliant with policy D DM2 and Section H of the Arun Design Guide.

RESIDENTIAL AMENITY

Owing to the topography and two storey design of dwellings along Torton Hill Road, it is not uncommon for the 70-degree rule (regarding the spatial relationship of the dwelling to its side boundaries) to be breached. In this instance, the proposed dwelling would breach this rule, but given the approx. 4.9m separation from the neighbour dwelling to the East, this remains acceptable. There would also be no breaches of neighbouring rear or front 45-degree light accessibility lines or sightlines.

There are a number of front and rear windows proposed at both ground and first-floor level, including a Juliette balcony to the rear. These viewpoints would provide views of the rear amenity space and the front garden. It is noted that the first-floor rear windows would potentially provide some oblique, long views of the neighbouring rear gardens, but this would not be to a materially harmful extent.

Three windows are proposed to the first-floor side elevations. The two first-floor openings to the North-East elevation are intended to serve bathrooms and accordingly, are to be conditioned to be obscure glazed and fixed shut up to 1.7m from finished floor level. The first-floor window to the South-West elevation serves a bedroom and would be this room's only source of natural light. As such, it would be unreasonable to condition this window to be obscure glazed and fixed shut. Being a first-floor side window, this gives rise to the potential impacts of overlooking toward the neighbouring property however, there are no first-floor side windows to the North-East elevation of the immediate neighbour (No. 25) and as such, there would be no significantly harmful impacts by way of overlooking from this window.

The Juliette balcony to the rear of the property could potentially be converted to provide access onto the roof of the annexe and serve as a roof terrace. Given the height of this roof, the topography of the land, and lack of any mitigation measures, this would give rise to significantly adverse impacts by way of overlooking on the rear amenity space of No. 21. As such, a condition has been attached to prevent this roof area from being used for any other purpose than maintenance or as a means of escape in an emergency.

It is noted that Environmental Health have requested a condition regarding construction hours and the submission of a Construction Management Plan (CMP) to reduce impacts of noise and disturbance of neighbours during the construction process. A CMP is not necessary for a development of this limited scale, and it would not be reasonable to condition this. However, a condition regarding construction hours is recommended. Once completed, the dwelling is not expected to give rise to any additional or significantly adverse impacts by way of noise production as this is the replacement of an existing dwelling.

The new dwelling would benefit from a substantial curtilage and large private amenity space and would afford future occupiers with a high standard of amenity. The residential amenity of neighbouring properties would also be preserved due to the separation distances from nearby properties and appropriately located windows and mitigation measures. In these regards, the proposal complies with Policy QE SP1 & D DM1 of the Arun Local Plan.

ACCESS, TRANSPORT & PARKING

The front access to the site is proposed to be widened to 3.9m as noted within the Design and Access Statement, however, it is not clear if this is illustrated on the plans. As noted by WSCC Highways, any expansion of the vehicle crossover to the road will require a separate application for a license with WSCC Highways. This has been included as an informative to this decision notice.

The access will remain virtually the same and not give rise to any unacceptable impact on highway safety. The hardstanding to the front will allow for the parking of 5 No. vehicles which is compliant with the Arun Parking Standards for this scale of property and this area.

The Arun Parking Standards and policy T SP1 also require the provision of Electric Vehicle charging points. A condition has been attached to this decision to require the provision of charging points in accordance with the Arun Parking Standards SPD.

Subject to the relevant condition, the proposal is in compliant with Policy T SP1 of the Arun Local Plan.

ENERGY EFFICIENCY & CLIMATE CHANGE

Policy ECC SP2 requires all new residential and commercial development to be energy efficient and to demonstrate how they will achieve energy efficiency measures that reflect the current standards, use design and layout to promote energy efficiency, and incorporate decentralised, renewable, and low carbon energy supply systems such as solar panels. The inclusion of energy efficient materials such as double glazing is expected. To ensure that adequate decentralised, renewable, and low carbon energy supply systems are provided, a condition has been attached to this decision requiring details of such systems to be provided.

Subject to the relevant condition, the proposal is in accordance with relevant Development Plan policy ECC SP2 of the Arun Local Plan.

DRAINAGE

As noted by the Drainage Engineers, the proposal does not require additional surface water drainage control through planning and would be addressed sufficiently through the Building Regulations. The laying down of an extensive hardstanding to the front garden, however, may not be covered by Building Regulations and should be served by a SUDS scheme as noted in the Design & Access Statement. To ensure this area of hardstanding features adequate drainage compensation, a condition has been attached to this decision to require it to be of permeable or porous materials and/or served by its own proposed drainage system.

The proposal is, therefore, compliant with policy W DM3 & W SP1 of the Arun Local Plan

TREES, ECOLOGY & QUALITY OF NATURAL ENVIRONMENT

No works are proposed to any trees within or adjacent to this site. There are 2 No. mature and prominent trees to the front of the site just outside the curtilage, and 1 No. mature tree to the North-West corner of the site, in the front garden. These trees are not under the protection of a Tree Preservation Order. There is to be an extensive area of hardstanding within the front garden to allow for the provision of 5 No. parking spaces and turning space. This hardstanding would not require significant excavations and could likely be undertaken without planning permission. Additional protection of these trees from the proposed works is not necessary. The proposal complies with Policy ENV DM4 of the ALP.

Policy ENV DM5 requires development seek to achieve a net gain in biodiversity and protect existing habitats on site. The perimeter of the garden currently benefits from substantial shrubbery and vegetation. The plans and statement do not indicate the proposed removal of any of this vegetation, but it is noted that this would not likely require permission. Whilst the planting of new shrubs around the garden as noted within the Design & Access Statement is positive, the introduction of additional elements to contribute to net gain of biodiversity would be necessary to demonstrate that the application would achieve and biodiversity net gain. These enhancements are to be secured by way of a planning condition.

The proposal is for a replacement dwelling and will, therefore, have little adverse impact on the natural environment of the site. There would be some loss of lawn and a central hedge within the front garden however, these are not significant. As a condition has been attached to require the provision of biological enhancements and the submitted statement includes the planting of additional shrubs on the site, there will be no significantly negative impacts on the natural environment in accordance with Policy QE SP1 of the Arun Local Plan.

Subject to the relevant conditions, the proposal is in accordance with policies QE SP1, ENV DM4 & ENV DM5 of the Arun Local Plan.

SUMMARY

For the reasons set out above, the proposal is compliant with the relevant Development Plan policies and as such, it is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

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:

- Proposed Elevations (Dwg No. 1550/P011)(Dated 20/04/23).
- Proposed Block Plan (Dwg No. 1550/P01 D).
- Proposed Floor Plans (Dwg No. 1550/P02 H).
- Proposed Street Scene (Dwg No. 1550/P08 A).
- Proposed Roof Plan (Dwg No. 1550/P05 D).
- Proposed Section (Dwg No. 1550/P04 C).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and character of the area by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

4 The rear annexe hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 23 Torton Hill Road as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policies D DM1 of the Arun 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 dwellings.

5 The bathroom and en-suite windows on the first-floor of the north-eastern elevation of the dwelling hereby permitted shall at all times be glazed with obscured glass and fixed to be permanently non-opening to a minimum height of 1.7m from the finished floor level of the room that they serve.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 of the Arun Local Plan.

6 The flat roof of the rear annexe hereby approved shall not be used for any purpose other than as a means of escape in an emergency or for the maintenance of the building, and shall remain as such in perpetuity.

Reason: In order to safeguard the residential amenities of the adjoining premises in

accordance with policy D DM1 of the Arun Local Plan.

- 7 The hardstanding to the front garden hereby permitted shall be made of permeable or porous materials and/or provision shall be made to direct run-off water from the hard surface to a permeable or porous area within the curtilage of the dwellinghouse.

Reason: To ensure adequate consideration of surface water runoff in accordance with Policy W SP1 of the Arun Local Plan.

- 8 No part of the development shall be first occupied until covered and secure cycle parking provision has 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 policies T SP1 of the Arun Local Plan.

- 9 Prior to occupation of the approved dwelling, the applicant or developer shall provide the dwelling with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires all dwellings with a garage or driveway to have EV charging points in 100% of parking spaces with electric ducting provided to all other spaces where appropriate to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the NPPF.

- 10 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works on Sunday or Bank/Public Holidays.

Reason: to protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 - 2031.

- 11 No development above damp proof course (DPC) level shall take place until a Biodiversity Enhancement Strategy has been submitted to and approved in writing by the Local Planning Authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

Reason: To enhance biodiversity on the site and within the vicinity in accordance with Policy ENV DM5 of the Arun Local Pla

- 12 The dwelling shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems including full details of solar

panels or air source pumps. The approved scheme shall thereafter be implemented prior to occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun

- 13 INFORMATIVE: To prevent impacts to the amenities of future occupiers of the proposed dwelling and occupiers of neighbouring dwellings, the development should be carried out in accordance with the 'Arun District Council Construction Code of Practice: For small developments in Arun', as available from:
<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n12193.pdf&ver=12201>.
- 14 INFORMATIVE: It is likely that an existing on site public foul sewer will need to be relocated as part of this development. The relocation of this public foul sewer will need to be undertaken in correspondence with, and to the satisfaction of, Southern Water, and at the expense of the applicant.
- 15 INFORMATIVE: It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
- 16 INFORMATIVE: Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.
To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements
- 17 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact the Area Highway Manager (01243 642105) 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.
- 18 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

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PLANNING APPLICATION REPORT

REF NO: A/71/23/PL

LOCATION: Land adjacent to Crete House
The Beeches
Dappers Lane
Angmering
BN16 4EN

PROPOSAL: Erection of detached dwelling, together with access, car parking and landscaping.
This application is in CIL Zone 2 and is CIL liable as new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above. The proposed 2.5 storey detached dwelling features 5 No. bedrooms and is approx. 15.6m in width and 15.6m in depth. It features a single storey projection to the North, but is predominantly a two storey structure that reaches 8.1m in height and has habitable accommodation within the roof space. This dwelling is to feature light grey weatherboard cladding and slate tiling.

SITE AREA Approx. 760sqm.

RESIDENTIAL DEVELOPMENT DENSITY 22 dwellings per hectare.

TOPOGRAPHY Predominantly flat.

TREES 1 no. TPO Oak Tree to the North of the site. A row of youthful trees in a hedgerow along the West, bordering the highway.

BOUNDARY TREATMENT 1.8m tall boundary fence along the North and East that borders the neighbouring dwellings. Mature approx. 6m tall hedgerow along the South side. A row of youthful trees and tall hedging along the West boundary.

SITE CHARACTERISTICS The site is an irregular 'L' shaped plot and forms part of the rear amenity space of Crete House. Crete House is a two storey red-brick dwelling with clay tiles and features a substantial side and rear amenity space which previously formed part of the Crete Nurseries site. The site is a grassland area enclosed by natural boundary treatment and boundary fencing.

CHARACTER OF LOCALITY Predominantly residential in a rural setting. The recently completed development to the north at The Beeches comprises 2 storey dwellings with pitched slate roofs and cement board clad elevations. There are 3 no. large 2-storey detached dwellings to the South which feature loft conversions and facing brickwork.

RELEVANT SITE HISTORY

A/216/22/PL	Extension of existing dwelling (Crete House) and erection of two detached dwellings on vacant plot to the south, together with new shared access, car parking and landscaping.(Resubmission of A/266/21/PL). This application is in CIL Zone 2 and is CIL liable as new dwellings.	Refused 18-11-22
A/266/21/PL	2 No. 2 storey extensions, replace existing bay window with bi-fold doors on the existing dwelling and the construction of 2 No. 5 bed new dwellings. This application is in CIL Zone 2 and is CIL liable as new dwellings.	Refused 28-03-22

This application has been submitted following two refused applications that sought to construct two detached dwellings on this plot. The reasons for refusal related to an inappropriate position, site coverage, height, number of units, relationship to existing dwellings, unacceptable overbearing and overlooking impacts of proposed occupiers, insufficient parking, and insufficient consideration of surface water flooding. This revised scheme has sought to address these concerns.

REPRESENTATIONS

Angmering Parish Council - Objection:

- Concerns that the scale and size is inappropriate for the plot.
- The proposal contradicts with the NPPF 'Not building in gardens'.
- Negative impacts on the natural environment, living conditions and safety of local residents.
- Concerns of road and pedestrian safety.
- Noting a lack of information regarding a tree protection and drainage details.
- Concerns the building is overdevelopment and taller than neighbouring dwellings.
- The proposal does not in accord with polices HD4 & HD5 of the Angmering Neighbourhood Development Plan (ANP).

34 no. objections:

- Noting the dwelling is an inappropriate scale.
- Concerns regarding impacts on the natural environment.
- Concerns of highway safety.
- Concerns regarding the TPO tree and vegetation of site.
- Concerns regarding air pollution.
- Concerns regarding drainage and flooding.
- Concerns regarding new sewer connections.
- Concerns of overlooking.
- Noting the design is out of character.
- Concerns as to where construction vehicles would park.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. Whilst it is acknowledged that gardens in built-up areas are excluded from the definition of 'Previously Developed Land' in the NPPF, the site is, nevertheless, located within the Built Up Area Boundary where the principle of residential development is accepted, subject to compliance with the Development Plan. The requirement for a Construction Management Plan is not generally necessary or reasonable for a development of this limited scale. All other relevant planning comments are discussed within the conclusions section below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSSC Highways (LHA):

- Vehicle crossovers (VCO) under 4.5m or over 6.4m are generally not accepted at licensing stage.
- There is sufficient parking provision.
- Does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. Conditions and informatives regarding access, parking, cycle storage and vehicle crossover licenses.

Drainage Engineers - Advice:

- The proposal is for a single dwelling rather than the two proposed on A/216/22/PL and A/266/21/PL.
- The single dwelling is outside of the Lidsey Treatment Catchment and is below the threshold to request surface water drainage conditions.
- Surface water drainage must be designed and constructed in accordance with Building Regulations.
- Please consult the LLFA regarding surface water and groundwater flood risk on the site.

Ecology Advisor - No response.

Tree Officer - No response.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions regarding access and parking provision are not necessary as they are covered by the plans condition. A condition regarding cycle storage has been attached.

This application and does not meet the threshold for necessitating consultation with the Lead Local Flood Authority.

POLICY CONTEXT

Designation applicable to site:

Within the Built-Up Area Boundary (BUAB).

Tree Preservation Order (TPO) on site.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
ECCSP2	ECC SP2 Energy and climate change mitigation

ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
LANDM1	LAN DM1 Protection of landscape character
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk

[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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

All relevant Angmering Neighbourhood Development Plan policies have been considered.

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 complies with relevant Development Plan policies in that it would not result in any significantly adverse impacts of neighbouring residential amenity and would not significantly harm the visual amenity or character of the area.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (a) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

The proposal would contribute, albeit to a limited degree, to the housing stock in the District. 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 the Built-Up Area Boundary where the principle of residential redevelopment is acceptable. Policy SD SP2 of the Arun Local Plan states that development should be focused in the Built-Up Area Boundaries and will be permitted, subject to consideration of relevant policies of the in the Local Plan.

The key Development Plan policies considerations are D SP1 (Design), D DM1 (Aspects of Form and Design Quality), D DM2 (Internal Space Standards), T SP1 (Transport and Development), ECC SP2 (Energy and Climate Change mitigation), QE SP1 (Quality of the environment), ENV DM4 (Protection of trees), ENV DM5 (Development and Biodiversity), and LAN DM1 (Protection of landscape character) of the Arun Local Plan together with HD4 (Materials), HD5 (Built form), HD6 (Housing Layout & Design), HD7 (Housing Density), and HD8 (Parking for New Developments) of the Angmering Neighbour Development Plan (ANP) are also relevant to this application.

Part P (Infill Development) of the Arun Design Guide is seeks to ensure that development:

- Reflects or improves the character of the site and the surrounding area.
- Minimises the impact on neighbouring land/residents.
- Provides appropriately sized internal space standards.
- Provides safe access on to the highway network and incorporates appropriate levels of parking in line with WSCC guidance on parking provision.

CHARACTER & DESIGN

The design of the dwelling does not conform to the predominantly rural character of Dappers Lane but it is reflective of the design of the dwellings in the development to the North (The Beeches). The dwelling would feature grey cladding and slate tiling, a tall front gable end, hipped and gable ended roof forms. These features are all reflected in The Beeches, and the dwelling would be sited in close proximity to these dwellings. The character of the dwelling would contrast other dwellings in the area that do have a more rural character, but The Beeches has established itself as a prominent development along Dappers Lane with its own distinct character and this dwelling would be appear as an extension of this development. The materials accord with Section L of the Arun Design Guide and policy HD4 of the ANP as they are not inharmonious with other dwellings in the vicinity.

Dwellings in the area are generally large and detached, set within substantial curtilages. This dwelling would have a footprint of approx. 162 sqm within an approx. 760 sqm plot that provides a substantial rear and front/side amenity space. This dwelling would be read as 2.5 storeys, owed to its habitable roof space, but would be lower in height than Woolven House to the South and of a comparable height to the other dwellings in The Beeches. Section J of the Arun Design Guide establishes that small variations in ridge height can add interest to the street scene. The dwelling remains of 2.5 storeys and is in character with the dwellings in The Beeches. The dwelling would have no additional adverse visual impact on the character of the area. It accord with policy HD5 of the ANP.

This is a low-density plot and is reflective of the density of detached dwellings in the area. To the West

side of Dappers Lane there is an extensive row of smaller detached bungalows that have much lower densities. The site would be read more as part of the East side of Dappers Lane and so benefits from being reflective of these dwellings.

There is a single storey component to the North of the dwelling that has a tall, hipped roof form. This results in a wider front elevation than most dwellings in the area. As this component is set back from the front elevation, features a roof that retracts from the front elevation, is predominantly obscured from view by the vegetation at the front and, furthermore, is set back by 13m from the road, the prominence of this component would be limited. The South and West boundaries benefit from mature, established hedgerows and trees. With the exception of the vehicular access through the West site boundary, this vegetation would be retained and would work to buffer the visual prominence of the dwelling in the street scene. The visual impact of this dwelling on the wider locality would be acceptable.

The dwelling is set back by approx. 13m from the street which is greater than the distance of No. 1 The Beeches from the street. This dwelling would be read as having a front building line comparable to that of No. 1 The Beeches. The dwellings to the South (Woolven House and beyond), are set back from the street by approx. 26m. It is evident that the siting of this dwelling would be further forward than that of these dwellings. Woolven House and The Laurels feature substantial detached 1/1.5 storey outbuildings to the front that are set back by approx. 10m from the street. These outbuildings partially disrupt what would otherwise be a significantly set back building line. To the South of the site is an access road that separates the dwellings by approx. 6.5m and acts as a visual break between the site and the neighbours to the South. With consideration of these factors and the screening to the front and side of the dwelling, the siting of the dwelling would not give rise to any unacceptably harmful visual impact on the street scene.

The Beeches has established itself as part of the character of the area. The design is not out of character with the local area in terms of scale, materials and architectural features or massing. The character of the dwelling would generally be contrary to the rural character of the area, but would not form part of the views in or out of the South Downs National Park (SDNP) to the North. The introduction of this dwelling would not have any additional adverse impact on the setting of the SDNP and would preserve its setting in accordance with policy LAN DM1.

Whilst the proposal would be set forward of the predominant front building line to the South and have a wide front elevation, the mitigating factors noted above reduce the harm of the dwelling's visual prominence to an acceptable level.

In terms of visual amenity, the proposed dwelling is acceptable and in accordance with policies D DM1 & D SP1 of the Arun Local Plan, and policies HD4, HD5, HD6 & HD7 of the ANP.

QUALITY & SPACE STANDARDS

Policy D DM2 of the Arun Local Plan requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs. Section J.08 of the ADC Design Guide SPD reiterates the need to comply with the Nationally Described Space Standards (NDSS).

The proposal is for a 5-bedroom 2.5 storey dwelling. The overall site area, gross internal floor space (GIA), and amenity space are adequate, with the GIA exceeding the minimum area set out in the NDSS. Each bedroom is of an appropriate width and internal floor area. The floor to ceiling heights are consistently or predominantly at a minimum of 2.3m, resulting in an overall 75% 2.3m floor to ceiling height per the NDSS.

The garden features a minimum depth of 12.5m from the rear wall to the East side site boundary. The

width of this garden area ranges from is approx. 12m, which is appropriate. There is external space to the North/North-West of the dwelling which appears as a functional amenity space. The external amenity space is of a sufficient depth and area to be considered a functional and usable private amenity space in accordance with Section H.04 of the Arun Design Guide.

The proposal accords with policy D DM2 of the ALP as it is compliant with the NDSS, and Section H.04 of the Arun Design Guide.

RESIDENTIAL AMENITY

Policy D DM1 requires that there be minimal impact to neighbours in terms of loss of privacy or outlook, or unacceptable disturbance. The dwelling is 2.5 storeys and backs onto the rear amenity spaces of Crete House, and Nos. 5 & 6 The Beeches. In splitting the plot of Crete House, the rear amenity space of Crete House would retain a depth of 11m which is greater than the recommended 10.5m minimum set out by Section H.04 of the Arun Design Guide. Crete House would retain a substantial side amenity space and so the amenity space of this property remains acceptable. Section H.04 of the Arun Design Guide gives guidance as to the minimum separation distances between properties including a back to front/side separation of 14m. The side of the dwelling would be separated from the rear of Crete House by 13m. Whilst this is lower than 14m, the relationship between the two elevations is indirect, limiting the harm this proximity would have on the amenity of its residents. The rear of the dwelling would have an indirect relationship to the side elevation of No. 5 The Beeches and remain separated by approx. 18m which is acceptable.

The siting of the dwelling would result in a minor intersection of the 45-degree sightlines from the front of Woolven House at first-floor level. This would occur at approx. 17m from the closest first-floor window and would not result in any significantly adverse impact by way of overbearing on this dwelling.

As a result of the siting and scale of the dwelling, there would be numerous new windows/openings at first and second-floor level that would lookout toward nearby dwellings and amenity spaces. The rear first-floor windows would be separated from the rear amenity spaces of No. 5 The Beeches by 12.5m. This is an acceptable separation distance per Section H.04 of the Arun Design Guide and whilst it is accepted there would be some overlooking impacts, this distance sufficiently mitigates the adverse impacts by way of overlooking in accordance with Section H.04 of the Arun Design Guide. The second floor rear rooflight is conditioned to be obscure glazed and fixed shut up to a height of 1.7m from finished floor level to prevent any views from second-floor level.

To the North elevation of the dwelling there are two new first-floor windows and one second floor rooflight. The first-floor windows serve a bathroom master bedroom. These two windows at first-floor are conditioned to be obscure glazed and fixed shut up to 1.7m from finished floor level owed to the close and direct views they would have of the private amenity space that serves Crete House, and that there would not be sufficient separation from the rear first-floor windows of Crete House. The second floor rooflight is noted on the plans as frosted at base and fixed shut, though it is noted the views from this window would not give rise to any significantly adverse impacts by way of overlooking on neighbouring properties due to the substantial separation distances and the mature tree to the North.

To the South elevation, there is 1 no. first-floor window that serves the landing and 1 no. second floor rooflight that serves a hobby/bedroom. Both of these windows would look out toward the front of Woolven House which is not private amenity space. The views from the first-floor window toward front windows of Woolven House are oblique but only separated by 12m and as such, this window is also to be conditioned to be obscure glazed and fixed shut up to 1.7m from finished floor level. Views from the second floor rooflight toward Woolven House would be oblique and would not have any significantly adverse impacts by way of overlooking.

The front facing windows would all look out to the street and the separation distances between these windows and the rear amenity spaces of dwellings along Beech View are such that there would not be any significant adverse impacts by way of overlooking on these properties.

Subject to conditions the dwelling would afford future and neighbouring occupiers with a suitable standard of amenity in compliance with Policy D DM1 & QE SP1 of the Arun Local Plan, and the Arun Design Guide.

ACCESS & PARKING

WSCC Highways confirm that the access and parking provision would not give rise to any unacceptable impact on highway safety. The proposal includes the provision of cycle storage which is to be secured by way of condition on this decision.

Off road parking is provided for by four parking spaces, which is appropriate and accords with the Arun Parking Standards Supplementary Planning Document and policy T SP1 of the Arun Local Plan.

Policy T SP1 of the Arun Local Plan requires the incorporation of facilities for charging electric and plug-in hybrid vehicles. This is shown on the plans and is to be secured by way of condition.

The proposal is in accordance with policies T SP1 of the ALP and policy HD8 of the ANP.

FLOOD RISK

The site is in Flood Zone 1 but is in an area that is prone to groundwater flooding (low risk). This requires the submission of a Flood Risk Assessment (FRA). Due to the scale of the development, a consultation with the Lead Local Flooding Authority is not required. The FRA shows appropriate consideration of flood risk and includes mitigation measures that are to be expected. Subject to a condition requiring the development to be constructed in accordance with the FRA the proposal accords with policy W DM2 of the ALP.

TREES & ECOLOGY

There is a protected Oak tree to the North of the site with a Root Protection Area (RPA) that extends into the North of the site. The Tree Officer was consulted on this application but no response has been received.

From review of the proposed site plan, the tree survey submitted within the previous application (Dated: September 2022), and cross referencing with an assessment of the Oak tree undertaken by the Local Planning Authorities Tree Officer (Dated: January 2021), it is clear that a the tree would have a Root Protection Radius of less than 10m. The ecological survey corroborates this and suggests the use of a 10m construction exclusion zone around the Oak, which has been conditioned to be provided in accordance with the plans in the ecological survey prior to the commencement of the development.

A small hardstanding is proposed to the North of the dwelling which will have a minor intersection of this Root Protection Area (RPA). The intersection of this RPA is minor, and foundations for a hardstanding do not require substantial excavation. This would, therefore, not likely have any significantly harmful impact on the Oak. There is to be an approx. 4 sqm section of ground lowering that would intersect this RPA. This is required to ensure there is adequate consideration of flood risk on the site. This too would not have any significantly harmful impact on the RPA. The hardstanding and section of ground lowering are exceptions to the Construction Exclusion Zone, and a condition has been attached to ensure this area of

hardstanding is to be of porous or permeable materials, to allow surrounding roots to retain access to percolating water. A condition has been attached to ensure that any digging necessary within the Construction Exclusion Zones will be undertaken with hand tools only. Adequate consideration and protection of the TPO tree have been ensured in accordance with policy ENV DM4 of the Arun Local Plan

Policy ENV DM5 requires development seeks to achieve a net gain in biodiversity and protect habitats on site. Planting is proposed to the rear of the site and there would be substantial retention of the trees and hedging surrounding the site perimeter. There would be the removal of grass to the footprint of the dwelling and the removal of part of the hedgerow and trees to the West side of the site to enable vehicular access.

The introduction of additional elements to contribute to net gain of biodiversity would be necessary to demonstrate that the application would achieve and biodiversity net gain. The applicant submitted an extensive ecological survey, identifying that there is little to no harm nor risk of harm to species on site. It has recommended the use of Construction Exclusion Zones to protect hedgerows and the TPO Oak, and suggested mitigation measures during construction and suitable biological enhancements to achieve biodiversity net gain on site. The Ecologist has been consulted but has not been able to respond. The mitigation measures and enhancements are appropriate and are to be secured by way of condition that is attached to this decision.

Subject to conditions the proposal accords with policies QE SP1, ENV DM4 & ENV DM5 of the Arun Local Plan and policy HD6 of the ANP.

ENERGY EFFICIENCY & CLIMATE CHANGE

Policy ECC SP2 requires all new residential and commercial development to be energy efficient and to demonstrate how they will achieve energy efficiency measures that reflect the current standards, use design and layout to promote energy efficiency, and incorporate decentralised, renewable, and low carbon energy supply systems such as solar panels. The inclusion of energy efficient materials such as double glazing is expected and there are solar panels proposed along the South roof slope.

To ensure that adequate decentralised, renewable, and low carbon energy supply systems are provided, a condition has been attached to this decision requiring details of such systems to be provided.

Subject to conditions the proposal accords with relevant policy ECC SP2 of the Arun Local Plan.

SUMMARY

For the reasons outlined above, the proposal is in accordance with the relevant Development Plan policies and is recommended for approval subject to the following conditions and informatives.

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.

CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

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 & documents:

- Site Plans Proposed (Dwg No. 21182-02 E).
- Proposed Dwelling (Dwg No. 21182-003 C).
- Flood Risk Assessment (Dated: May 2023).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of character and appearance by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 4 The first-floor window to the South elevation, 2 no. first-floor windows to the North elevation, and second-floor rooflight to the East elevation of the building, shall at all times be glazed with obscured glass and fixed to be permanently non-opening to a minimum height of 1.7m from the finished floor level of the rooms that they serve. These openings shall remain as such in

perpetuity.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 of the Arun Local Plan.

- 5 Prior to occupation of the dwelling the applicant or developer shall provide the dwelling with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires all dwellings with a garage or driveway to have EV charging points in 100% of parking spaces with electric ducting provided to all other spaces where appropriate to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the NPPF.

- 6 No part of the development shall be first occupied until details of covered and secure cycle parking provision have been submitted to and approved in writing by the Local Planning Authority. The cycle parking provision so approved shall be retained thereafter.

Reason: To provide alternative travel options to the use of the car in accordance with policies T SP1 of the Arun Local Plan.

- 7 Ecological impact mitigation and enhancement measures must be implemented in accordance with the provided Ecological Survey (Dated: 05/05/23).

Reason: To ensure adequate protection of protected species throughout and following the development process in accordance with Policy ENV DM5 of the Arun Local Plan.

- 8 Prior to the commencement of the development, Construction Exclusion Zones will be erected and adhered throughout the development of the dwelling in accordance with the site plan on page 33 of the submitted Ecological Survey (Dated: 05/05/23). Works necessary for the section of hardstanding to the North of the dwelling and the section of land lowering illustrated in the submitted Flood Risk Assessment that intersect these Construction Exclusion Zones are exceptions to these Construction Exclusion Zones.

Reason: To ensure adequate protection of trees in accordance with Policy ENV DM4 of the Arun Local Plan.

- 9 Any digging necessary within Construction Exclusion Zones will be undertaken with hand tools, with no use of powered machinery.

Reason: To ensure adequate protection of trees in accordance with Policy ENV DM4 of the Arun Local Plan.

- 10 The area of hardstanding to the North of the dwelling shall be constructed of porous and/or permeable materials.

Reason: To aid in ensuring adequate protection of trees in accordance with Policy ENV DM4 of the Arun Local Plan.

- 11 The dwelling shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems including full details of solar panels or air source pumps. The approved scheme shall thereafter be implemented prior to

occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun.

- 12 Notwithstanding the provisions of Part 1 of Schedule 2 Class B of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions or alterations to the roof (including dormers) of the dwellinghouse shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers of the development in accordance with policy D DM1 of the Arun Local Plan.

- 13 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.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

A/71/23/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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APPEALS RECEIVED AGAINST PLANNING DECISIONS & ENFORCEMENTS

Appeals Awaiting a Decision

AL/179/22/OUT

Original Decision = Refused

Received: 03-05-23

Land to South of Dukes Road Fontwell

Decision Level = Delegated

Outline application with some matters reserved, except access and layout, for the erection of 9 No dwellings (resubmission following AL/39/22/OUT). This application is a Departure from the Development Plan.

Written

Representations

PINS Ref: APP/C3810/W/23/3319189

BN/102/22/RAI

Original Decision = Objection

Received: 16-03-23

Birch Level Crossing Barnham

Decision Level = Delegated

Prior approval under Part 18 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the erection of a stepped footbridge.

Written

Representations

PINS Ref: APP/C3810/W/23/3318039

BN/110/22/PL

Original Decision = Refused

Received: 18-05-23

1 Como Barnham Road Eastergate

Decision Level = Delegated

Erection of 1 No 2 bedroom bungalow with associated parking, bin and bike stores and landscaping (resubmission following BN/142/21/PL). This site is in CIL Zone 2 and is CIL Liable as a new dwelling.

Written

Representations

PINS Ref: APP/C3810/W/22/3312886

BN/130/22/T

Original Decision = Refused

Received: 21-03-23

133 Farnhurst Road Barnham

Decision Level = Delegated

(A) 1 x Oak Tree to fell as leaning towards property of 131 - an application was submitted and granted but has expired
(B) 1 x Oak Tree to reduce all limbs by 2 meters height 14m to leave 12m and laterals 4m to leave 2m

Written

Representations

PINS Ref: APP/TPO/C3810/9444

BN/99/22/OUT

Original Decision = Refused

Received: 24-03-23

Eastmere Stables Eastergate Lane Eastergate

Decision Level = Delegated

Outline permission with all matters reserved, other than access, for 9 No residential dwellings. This application is a Departure from the Development Plan.

Written

Representations

PINS Ref: APP/C3810/W/22/3312864

BR/180/21/T

Original Decision = Refused

Received: 02-08-22

4 The Orchard Close Bognor Regis

Decision Level = Delegated

Fell 1 No. Sycamore tree in rear back garden 3m from house and replace with either Willow or Silver Birch as directed.

Written

Representations

PINS Ref: APP/TPO/C3810/8754

BR/294/21/PL

Original Decision = Refused

Received: 18-04-23

2-10 The Hatters Inn Queensway Bognor Regis

Decision Level = Delegated

3 storey upward extension and redevelopment of the existing 1st and 2nd floor delivering 43 no flats. This application may affect the setting of listed buildings, affects the character and appearance of The Steyne Conservation Area and is in CIL Zone 4 (Zero Rated) as flats.

Written

Representations

PINS Ref: APP/C3810/W/22/3308857

BR/4/22/PL

Original Decision = Refused

Received: 22-09-22

83 Aldwick Road Bognor Regis

Decision Level = Committee

Enlargement of existing HMO (Sui Generis). Single storey rear extension, rear roof dormer, front and rear rooflights (resubmission following BR/79/21/PL).

Written

Representations

PINS Ref: APP/C3810/W/22/3296267

EP/101/22/PL

Original Decision = Refused

Received: 31-03-23

4 Beechlands Close and East of 18 Beechlands Court East Preston

Decision Level = Delegated

1 No dwelling house (resubmission following EP/157/21/PL). This application is in CIL Zone 4 and is CIL Liable as new dwelling.

Written

Representations

PINS Ref: APP/C3810/W/22/3311814

EP/3/22/PL

Original Decision = Refused

Received: 10-10-22

2 The Street East Preston

Decision Level = Delegated

Change of use of temporary outside seating area to the rear of the restaurant to be a permanent seating area for the consumption of food and beverages for our customers to use all year round. This application is in CIL Zone 4 (Zero Rated) as other development.

Written

Representations

PINS Ref: APP/C3810/X/22/3307441

<p>FG/134/22/PL <i>Original Decision</i> = Refused <i>Received:</i> 09-05-23</p>	<p>Land to Rear of 1 Sea Drive Ferring <i>Decision Level</i> = Delegated 1 No. dwelling. This application is in CIL Zone 4 and is CIL liable as new dwelling.(Resubmission of FG/54/22/PL) <i>Written Representations</i> PINS Ref: APP/C3810/W/23/3319865</p>
<p>FG/54/22/PL <i>Original Decision</i> = Refused <i>Received:</i> 30-03-23</p>	<p>Land rear of 1 Sea Drive Ferring <i>Decision Level</i> = Delegated 1 No new dwelling. This application is in CIL Zone 4 and is CIL Liable as new dwelling. <i>Written Representations</i> PINS Ref: APP/C3810/W/22/3311078</p>
<p>LU/257/20/HH <i>Original Decision</i> = Refused <i>Received:</i> 14-01-21</p>	<p>2 Meadow Way Littlehampton <i>Decision Level</i> = Delegated Two storey brick side extension under tiled roof <i>Written Representations</i> PINS Ref: APP/C3810/D/20/3264683</p>
<p>WA/80/21/OUT <i>Original Decision</i> = Refused <i>Received:</i> 07-10-22</p>	<p>Land East of Yapton Lane Walberton <i>Decision Level</i> = Delegated Outline application with all matters reserved (except access) for up to 75 No. dwellings. This application affects the setting of a listed building, affects the character & appearance of the Walberton Village Conservation Area & is a Departure from the Development Plan. <i>Written Representations</i> PINS Ref: APP/C3810/W/22/3299514</p>
<p>Y/176/21/PL <i>Original Decision</i> = Refused <i>Received:</i> 11-01-23</p>	<p>Bonhams Field Main Road Yapton <i>Decision Level</i> = Delegated Variation of condition following grant of Y/63/19/RES relating to Condition 1 - approved plans (replacement of a proposed brick wall with Iron Parkland boundary railings to match the existing railings along the site boundary). This application may affect the character & appearance of the Yapton (Main Rd) Conservation Area & may affect the setting of Listed Buildings. <i>Written Representations</i> PINS Ref: APP/C3810/W/22/3305678</p>
<p>Y/60/22/PL <i>Original Decision</i> = Refused</p>	<p>Longacre Maypole Lane Yapton <i>Decision Level</i> = Delegated</p>

Received: 07-12-22

Erection of 1 No detached dwelling and garage with shared access from Maypole Lane. This application is a Departure from the Development Plan and this site is in CIL Zone 3 and is CIL Liable as a new dwelling.

***Written
Representations***

PINS Ref: APP/C3810/W/22/3308587

ENF/258/22

Ridgeway Park Road Barnham West Sussex

Received:

Written Representations

PINS Ref: APP/C3810/C/23/3316696

REPORT TO:	Planning Committee - 7 June 2023
SUBJECT:	Council Vision 2022-2023 Annual Report
LEAD OFFICER:	Jackie Follis, Group Head of Organisational Excellence
LEAD MEMBER:	Chair of Planning Committee
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
<p>The Council Vision 2022-2026 was agreed by Full Council in 2022 and sets out the Council's priorities divided into four key themes against which to measure progress. That is:</p> <ul style="list-style-type: none"> a) Improving the wellbeing of Arun District Council b) Delivering the right homes in the right places c) Supporting our environment to support us d) Fulfilling Arun's economic potential 	
DIRECTORATE POLICY CONTEXT:	
<p>This report updates the council on progress towards key objectives within each theme for the year 2022-2023. The full report will be presented to committees as an important overview of council performance and sits alongside the key performance indicators (KPIs) for 2022-2023 which form the Corporate Plan. The relevant KPIs are presented in separate reports to committees.</p>	
FINANCIAL SUMMARY:	
Not required	

1. PURPOSE OF REPORT

- 1.1. This report is to update the committee on the end of year performance of the Vision indicators for the period 1 April 2022 to 31 March 2023. The full report will go to the committees that normally receive reports on corporate plan indicators so that members have a comprehensive overview of performance across the council. The Policy and Finance Committee has overall responsibility for performance.
- 1.2. However, it will not be possible for officers representing all areas of the council to attend each committee meeting, so members are asked to limit questions at the meetings to those areas that each committee is responsible for. Any other questions should be addressed directly to the relevant manager or to the Group Head of Organisational Excellence who will pass these on to those able to best provide the answer.

2. RECOMMENDATIONS

- 2.1. As this report is an information paper there are no recommendations for the committee to consider.

3. EXECUTIVE SUMMARY

- 3.1. The Council Vision 2022-2026 was approved at Full Council in March 2022. To support the Vision, we have a comprehensive set of measurable performance indicators which allow us to identify how well we are delivering across a full range of services. Two kinds of indicators were agreed at the Policy and Finance Committee on 17 March 2022. The first of these are the subject of this report, the 'Vision Indicators' and this is the first annual report on them. These annual indicators primarily update the progress against strategic milestones.
- 3.2. Covered in a separate report are the Key Performance Indicators which are primarily numeric and measured and reported quarterly to committees.

4. DETAIL

- 4.1. The Vision was developed with elected members at a series of workshops and agreed by Full Council. It is an important and living document in that it sets out our goals and will guide our decision making for the period 2022- 2026. This builds on the good things that we already do and aims to make improvements where this could be better.
- 4.2. The Vision sets out four key themes with overall aims for each and more information on how we will achieve them. The Vision is attached at appendix 1. The key themes are:
- a) Improving the wellbeing of Arun District Council
 - b) Delivering the right homes in the right places
 - c) Supporting our environment to support us
 - d) Fulfilling Arun's economic potential
- 4.3. This report looks back at performance over the last year and informs members about progress towards the Vision. It is also part of a complex web of information which will help to inform work on priorities and future service decisions.
- 4.4. The committee meetings that will receive the Annual Vision Report are as follows:

Committee meeting	2023/24 date
Planning Committee	7 June 2023
Planning Policy Committee	8 June 2023
Economy Committee	13 June 2023
Environment Committee	15 June 2023
Housing & Wellbeing Committee	20 June 2023
Licensing Committee	23 June 2023
Corporate Support Committee	27 June 2023
Policy & Finance Committee	11 July 2023

- 4.5. Appendix 2 is the detail of progress against Vision indicators that were agreed by Council. The appendix shows each indicator, which Vision theme it sits under, the service area primarily responsible for its achievement, the responsible director, detailed specific targets if applicable, the end of year outturn and commentary explaining the background to the outturn.
- 4.6. There are 41 Council Vision indicators which have been set for the four-year period of the Council Vision, primarily because these are strategic in nature and will not normally be achieved in one year. In some instances, they will not be achieved within the four years, but the Council should be able to demonstrate progress towards important longer-term objectives.
- 4.7. There are also indicators on targets where work is still to be started, where this will happen within the four years, but not necessarily the first year.
- 4.8. In other instances, for example CV8, particular initiatives which relate to the indicator will emerge throughout the period. These will generally have been reported to individual committees during the year, but the annual report is a useful summary for all councillors.
- 4.9. Councillors are invited to ask questions but are reminded that these should be limited to the area of responsibility of the committee to which the report is being made.

5. CONSULTATION

- 5.1. No consultation has taken place.

6. OPTIONS / ALTERNATIVES CONSIDERED

- a. To review the report
- b. To request further information and/or action

7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

None required.

8. RISK ASSESSMENT CONSIDERATIONS

None required.

9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

None required.

10. HUMAN RESOURCES IMPACT

Not applicable

11. HEALTH & SAFETY IMPACT

Not applicable

12. PROPERTY & ESTATES IMPACT

Not applicable

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

Not applicable

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

Not applicable

15. CRIME AND DISORDER REDUCTION IMPACT

Not applicable

16. HUMAN RIGHTS IMPACT

Not applicable

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

Not applicable

CONTACT OFFICER:

Name: Jackie Follis

Job Title: Group Head of Organisational Excellence

Contact Number: 01903 737580

BACKGROUND DOCUMENTS: None

Our vision: A better future

2022 - 2026

A wide-angle, high-angle photograph of a rural landscape. The foreground is dominated by a golden field of tall grasses or wildflowers. Beyond this, there are rolling green hills and valleys, with scattered trees and small buildings. The sky is a clear, vibrant blue with a few wispy white clouds. The overall scene is bright and sunny, conveying a sense of a peaceful, natural environment.

ARUN



Introduction

As Leader of the council I am delighted to share our new Council Vision 2022-2026 with you.

As a district council our role is to make Arun a better place to live, work and visit as well as delivering public services. The Vision sets out how we are going to do this.

It is divided into four key themes covering wellbeing, housing, the environment and the economy, each of which has a number of aims and statements about how we will achieve them.

It won't all happen on day one, but the important thing is that the Vision sets out our goals and will guide our decision making for the next four years. This will build on the good things that we already do and make improvements where things could be better. We not only want Arun to be a great place to live, but want to attract new businesses and job opportunities and create a great tourist destination that makes the most of our natural environment.

We'll tell you what progress we're making and continue to listen to our community and businesses.

Cllr Shaun Gunner
Leader of Arun District Council

Improving the wellbeing of Arun

Overall aims



Promote and support a multi-agency response to tackle the causes of health inequality in Arun's areas of greatest deprivation.



Champion leisure, culture and the Arts in Arun and encourage our community to embrace healthy and active lifestyles.



Work with partners to provide advice, support and activities that promote community wellbeing where it will have the greatest impact.

How will we achieve this?

- 1** Develop and implement a Wellbeing Strategy to plan services, resources, amenities, activities, and places to help our community thrive
- 2** Prepare an annual community engagement plan to promote healthy and active lifestyles and encourage participation in a wide ranged of wellbeing activities
- 3** Work with key partners to ensure that we deliver council wellbeing services that are complementary to their own, rather than duplicate effort
- 4** Support the NHS Clinical Commissioners to provide primary care medical and dental facilities to meet the growing needs of our community
- 5** Support the voluntary and community sector to provide services that help the most vulnerable in our community
- 6** Provide infrastructure that supports wellbeing, e.g. more opportunities for cycling and walking and easily accessible and safe greenspace
- 7** Support those who are homeless, street homeless or at risk of homelessness in emergency or temporary accommodation to improve health outcomes

Delivering the right homes in the right places

Overall aims



Provide a mixed housing economy within the district for all, regardless of age or circumstances, where different types of homes are available, and people can choose to rent or buy.



Maximise opportunities to improve the energy efficiency of homes in the District.



Support those in our community that need help, providing a safety net where necessary and working with people and organisations to meet different needs.

How will we achieve this?

- 1** Support households with complex needs to secure suitable accommodation
- 2** Maximise the delivery of affordable housing including utilising the council's own resources and commercial expertise to ensure that our social housing is energy efficient
- 3** Improve the energy efficiency of homes across all tenures
- 4** Use our expertise to influence the local housing market, working with the right partners from all sectors, to develop the housing and infrastructure that we need
- 5** Use the planning system to create great new places and improve our existing places, where new homes meet the needs of current and future generations
- 6** Ensure the existing housing stock in the district (private sector and council owned) is maintained to a high standard
- 7** Continue to bring empty homes back into use for the benefit of the community

Supporting our environment to support us

Overall aims



To consider climate change, sustainability, biodiversity and the environment in everything the council is responsible for and encourage its community and local businesses to do the same.



Protect and enhance our natural environment.



Regularly review progress toward Arun's Carbon Neutral Strategy (2022-30) as set out in the annual Climate Action and Biodiversity Work Plan.



Make low carbon transport including walking, cycling, travel by public transport and electric vehicle easy, convenient and pleasant and a fundamental part of our placemaking.

How will we achieve this?

- 1** Develop and implement the Carbon Neutral Strategy and Climate Change and Biodiversity Strategies for the council and for the wider district through Planning Policy
- 2** Review the council's estate and seek to maximise the use of renewable or alternative energy generation, including the installation of Electric Vehicle (EV) chargepoints
- 3** Engage and incentivise business to commit to working practices which minimise their impact on the environment
- 4** Support information campaigns that promote carbon reduction and funding opportunities
- 5** Working with our community improve waste reduction and recycling to meet future targets of 55% recycling by 2025 and 60% by 2030
- 6** Ensure that climate change and sustainability is at the heart of all council services
- 7** Support the Sussex Bay Project to restore marine, coastal and intertidal habitats to improve the biodiversity and carbon footprints of the district

Fulfilling Arun's economic potential

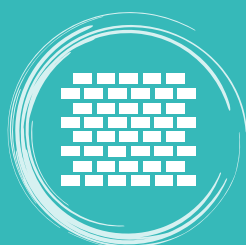
Overall aims



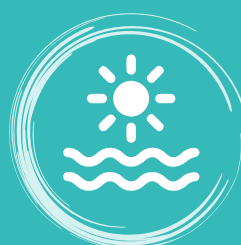
Increase opportunities for more high-quality, well-paid employment, encouraging more people to live, work, study and visit Arun.



Encourage the development of the district as a key tourist destination, supporting and enabling improvements and activities to increase visitor spend.



Use regeneration opportunities to attract new and relocating businesses to the district.



Make best use of our natural assets to help drive the economy.

How will we achieve this?

- 1** Create the conditions that will support high tech businesses including the creative digital sector and green businesses, reducing the need for the workforce to commute out of the district.
- 2** Use the planning system to set aside sites for larger business growth and support and create employment space for smaller start-ups, using Arun-owned land to stimulate the market
- 3** Encourage a digital infrastructure that will support businesses and changing ways of working, as well as the needs of local people
- 4** Work with partners to support a district-wide skills audit, to understand what businesses need and what skills we have in the community. Work with local colleges and the University of Chichester to assist them to run courses that will match local skill needs for those at all stages in their working life
- 5** Work closely with our towns and other organisations on strategies which support vibrant and attractive town centres
- 6** Positive and focused promotion of Arun's tourist destinations as more than a 'day trip'
- 7** Support the delivery of more accommodation for visitors to the district

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Maltravers Road
Littlehampton
West Sussex
BN17 5LF



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No.	Indicator	Council Vision Theme	Service Area	CMT Member	Target 2022-2026	April 22 - March 23 Outturn	April 22 - March 23 Commentary
CV1	Wellbeing clients satisfaction rating	Improving wellbeing of Arun	Wellbeing & Communities	Philippa Dart	90%	98%	Google forms survey conducted. 94 responses received. Questions asked were How satisfied were you with the advice and information given to you to improve your health and Wellbeing? Average score: 4.93/5 How satisfied were you with your experience of the Arun Wellbeing team? Average score: 4.92/5 (1 being not at all satisfactory, 5 being very satisfactory)
CV2	Wellbeing clients reporting that one or more of their lifestyle goals has been achieved (3 months after the conclusion of the intervention)	Improving wellbeing of Arun	Wellbeing & Communities	Philippa Dart	80%	73.90%	17 people have achieved all or part of their goals out of the 23 people successfully contacted (73.9%)
CV3	Upgrade to BR Leisure Centre wetside	Improving wellbeing of Arun	Wellbeing & Communities	Philippa Dart	Key 2022/23 Milestones		Project underway at Arun Leisure Centre and due for completion Summer 23, currently project running on time and within budget
CV4	Upgrade to Alexandra theatre	Improving wellbeing of Arun	Regeneration	Karl Roberts	Key 2022/23 Milestones	Ongoing	The project has progressed with agreement reached with Whitbreads regarding the release of the existing lease and the creation of a new hotel. Work is now progressing on the submission of a planning application and demolition of those parts which are to be replaced with new works.
CV5	Adopt public art strategy	Improving wellbeing of Arun	Wellbeing & Communities	Philippa Dart	Key 2022/23 Milestones		Not a priority within current budget and staff resources
CV6	Develop and adopt a Wellbeing Strategy and Action Plan	Improving wellbeing of Arun	Wellbeing & Communities	Philippa Dart	Key 2022/23 Milestones		Onhold pending arrival of Community and Wellbeing Manager, work will then progress in due course
CV7	Agree a statement on the future provision of medical and dental services across the District	Improving wellbeing of Arun	Wellbeing & Communities	Philippa Dart	Key 2022/23 Milestones		This is not a District Council function and we have little ability to influence. Suggest that members consider removing this when indicators are reviewed
CV8	Specific initiatives with partners (Age UK, CAB, Safer Arun Partnership, Artwork, Freedom Leisure etc)?	Improving wellbeing of Arun	Wellbeing & Communities	Philippa Dart	Key 2022/23 Milestones		A significant initiative with local partners was the cost of living responses, supported by the Council, a report went to the Nov Housing and Wellbeing committee meeting. Secured the Littlehampton Community Warden project and expansion to include an Run West scheme within parish communities. Implementation of a new project between ADC, and local domestic abuse support service My Sisters House to provide support for victim/survivors in Council provided temporary accommodation. Implementation of the Arun Community Engagement Project at Bersted Hub and Chilgrove House, local numbers accessing both centres is high with wide range of wellbeing activities on offer.
CV9	Number of council housing fraud cases prevented or properties recovered	Improving wellbeing of Arun	Housing	Philippa Dart	15 cases/properties	recovered 10 properties; prevented 4 fraudulent mutual exchanges	Total savings for the council equated to £1,302,000
CV10	Average length of stay in temporary accommodation – 15 months/64 weeks	Improving wellbeing of Arun	Housing	Philippa Dart	15 months/64 weeks	39 weeks	Based on 49 households in Temporary accommodation on 31 March 2023
CV11	Average length of stay in emergency accommodation – 3 months/12 weeks	Improving wellbeing of Arun	Housing	Philippa Dart	3 months/12 weeks	19 weeks	Based on 117 households in EA as at 31 March 2023. The number of household in EA far outstrip the supply of HRA owned temporary accommodation units (over double) with the Private rented sector becoming increasingly unaffordable and out of reach for applicants

CV12	% of council homes that are SAP C rating and above	Improving wellbeing of Arun	Housing	Philippa Dart	For social housing aim is to achieve SAP C rating by 2030. We will measure progress year on year. Start with a baseline of the number of properties that are SAP C and above and every year over the course of the corporate plan report the revised number. Milestones will be incremental increase year on year until we meet 2030 target	49.85%	129 properties have a Band B rating 1566 properties have a Band C rating 646 properties have a Band D rating 135 properties have a Band E or lower rating 924 properties have not been assessed
CV13	Complete Annual Community Engagement Plan and implement Work Plan to encourage participation completed	Improving wellbeing of Arun	Wellbing & Communities	Philippa Dart	Annual Community Engagement Plan completed and Work Plan implemented		Currently being reviewed due to staff changes
CV14	Improve our green spaces	Improving wellbeing of Arun	Environment & Climate Change	Philippa Dart	Number of green spaces improved	Improvements to 27 parks and greenspaces	the following projects have been delivered to improve 27 parks and greenspaces - Full details in separate document as too much detail to fit here.
CV15	Number of new affordable homes built or purchased per year (this will include the number of homes delivered through the Housing Revenue Account)	Delivering right homes in the right places	Housing	Philippa Dart	Number of new homes built	22	The 22 are new affordable homes built these were the last 5 on the Cinders development at Yapton and the first 17 houses at Yapton.
CV16	Number of new homes that are suitable for wheelchair users	Delivering right homes in the right places	Planning	Karl Roberts	Number of new homes that are suitable		33 wheelchair friendly homes have been secured via a planning permission over the last 2 years. Nearly 800 homes have been secured as accessible homes during the same period. Not all will be delivered because not all permissions will be implemented.
CV17	Commission reports on 5 year housing supply and Market Absorption and implement recommendations	Delivering right homes in the right places	Planning	Karl Roberts	Reports commissioned		Presented to Planning Policy Committee - Feb 23. Will be used to inform future Local Plan work
CV18	Satisfaction survey of residents in completed developments (at least 12 months)	Delivering right homes in the right places	Planning	Karl Roberts	Undertake survey of residents on selected sites		A lack of resources has meant that priority has had to be given to other matters. This will carry over as an action for 23/24.
CV19	Number of households supported with complex needs	Delivering right homes in the right places	Planning	Karl Roberts	Number of households supported		155 Disabled Facilities Grant adaptations delivered by ADC plus a number of minor adaptations and deep cleans delivered by our contractors.

CV20	Number of empty homes bought back into use	Delivering right homes in the right places	Technical Services	Karl Roberts	Number of empty homes bought back into use		Annual target of 50 has been exceeded, the recruitment of a part time Admin resource specifically for Empty Homes work in June 2022 has provided significant support to the Empty Homes Officer.
CV21	Number of Council homes that meet the current statutory minimum standard for housing	Delivering right homes in the right places	Housing	Philippa Dart	Number of Council homes that meet the required standard	3372	Based on stock total of 3400 less: 7 units at 29 New Road 21 units at Flaxmean House
CV22	Annual reduction in CO2e	Supporting our Environment to support us	Environment & Climate Change	Philippa Dart	Year Annual Reduction CO2E (T) 2022-2023 1,961.9 2023-2024 1,765.7 2024-2025 2,383.7 TOTAL 7,143.8		Confirmation of the 2022-2023 (financial year) carbon emissions will be available once the annual audit review has taken place in Autumn/Winter 2023. At this stage it is predicted that the KPI will not be met due to difficulty with reducing procurement related emissions. To rectify this there will be a focus going forward on engagement with suppliers around their emissions and what can be done to reduce these, as well as undertaking a deep dive on the council's procurement emissions to highlight next steps around projects that will allow for a more significant reduction in emissions. This will take place during the 22-23 emission audit.
CV23	Achieve Green Flag awards for Council parks	Supporting our Environment to support us	Environment & Climate Change	Philippa Dart	8	6	6 Green Flags retained for the period of 2022-23. Hotham, Old Rectory, Marine Park Gardens, Mewsbrook, Brookfield and Norfolk Gardens. The agreed performance target is 8 for 2024/25 and 10 for 2026/27.
CV24	3000 trees to be planted per year	Supporting our Environment to support us	Environment & Climate Change	Philippa Dart	3000	6062	We have continued the success of year one of the Council's adopted Tree Planting Strategy with another successful planting season in year two. We have planted 62 standards, with a focus on broad leaved, native species, across 16 sites. This includes Wild Cherry, Hornbeam, Wild Service, Oak, Lime, Field Maple, Beech, Bird Cherry and Crab Apple We will have planted over 6000 whips this planting season 2022/2023 over 11 different sites. This includes Hawthorne, Blackthorne, Oak, Alder, Hazel, Field Maple, Whitebeam, Crab Apple, Dog Rose, Privet, Guelder Rose, Buckthorn, Spindle, Wayfarer, Goat Willow. All trees are locally sourced.
CV25	Inspection of all Arun District Council coastal defence assets	Supporting our Environment to support us	Environment & Climate Change	Philippa Dart	Completion of an inspection programme at frequency determined by risk, reported annually		Inspections all complete and recorded, undertaken annually
CV26	Removed as a duplicate of CV12						

CV27	Climate Action and Biodiversity Work Plan	Supporting our Environment to support us	Environment & Climate Change	Philippa Dart	Including any key milestones for 2022/23		The second iteration of this report has now been adopted by the council. Key milestones include: undertaking audits for a number of the council's estate (Civic Centre (including Phoenix house), Littlehampton Wave, Arun Leisure Centre, Bognor Regis Town Hall being completed). Continued support and project development has also taken place with with a consultant (Anthesis) in their Area based insetting (ABI) project. The main aim of this is looking at emission reduction opportunities within the boundary of the District. The development of a e-learning module around climate change has also taken place. Additionally the council became bronze carbon literate as Carbon Literacy training was undertaken by a number of senior officers, more training of this type has also taken place and will continue to take place throughout the year. Work has also started on hiring an additional officer to support the Climate Change and Sustainability Manager.
CV28	Recruit ecologist to support implementation of Biodiversity Net Gain and create and implement workplan	Supporting our Environment to support us	Environment & Climate Change	Karl Roberts	Successful recruitment, creation of workplan	Ongoing	In the process of preparing advertisement for an Ecology Officer post.
CV29	Other climate related strategies and milestones for 2022/23 including: <ul style="list-style-type: none"> • Engaging and incentivising businesses to commit to working practices which minimise their impact on the environment • Supporting information campaigns that promote carbon reduction and funding opportunities • Supporting the Sussex Bay Project to restore marine, coastal and intertidal habitats to improve the biodiversity and carbon footprints of the district. 	Supporting our Environment to support us	Environment & Climate Change	Philippa Dart	Number of strategies created and milestones achieved		Several public events were attended, including: Angmering school career fair, Littlehampton AGM and the Arundel climate change launch. Work also continued around supporting the Sussex Bay/Sussex Kelp restoration project. Numerous comms (internal and external) around climate change and the council's activity was also shared when relevant.
CV30	Change committee report template to consider climate change and sustainability	Supporting our Environment to support us	Law & Governance	Dan Bainbridge	Reports changed and adhered to	Completed	Standard report template now includes section on Climate change and environment impact/social value

CV31	Number of Electric Vehicle Charging points installed	Supporting our Environment to support us	Technical Services	Karl Roberts	Number of sockets installed as part of county network within Arun		<p>Phase 1 car parks: No chargepoints were installed in car parks, primarily due to amendments made to the lease template which needed to be agreed by all partners and their legal teams. This delayed the installation by approximately 3 months. Installation of chargepoints started in Arun DC Car Parks, in March 2023 in Hothampton Car Park, but these are not yet commissioned as they still require the grid connection and a new meter to be installed. Regis Centre car park was taken out of scope of the project until master planning has established where future development may take place. In the first quarter of 23/24 EV chargepoints will be installed in Manor House, River Road and Surrey Street car parks in Littlehampton and Arundel & Downland Leisure Trust have been offered the opportunity to have chargepoints installed at the Lido car park.</p> <p>Phase 1 on-street: Five sites were selected for Phase 1 of the on-street chargepoint rollout in Arun, each with six chargepoints, aiming to provide an additional 30 chargepoints in Arun. Following the TRO (Traffic Regulation Order) consultation with residents and local stakeholders in November 2022, two sites received over 20 objections, and were withdrawn from the delivery plan. Three sites were approved following the TRO process, due to the low number of objections received. However, when the contractors were on-site to start the installation of the chargepoints, a significant number of residents objected and Connected Kerb decided to withdraw this site. As a result, we are only installing 12 chargepoints across two sites in Arun in the first phase of the rollout. The installation of the chargepoints at the two sites was completed in Q4 of 22/23 and both sites now await meter installations before they can be commissioned. It is anticipated that these 12 chargepoints will be commissioned by the end of April 2023.</p> <p>Phase 2 proposals (subject to further engagement with stakeholders): Up to 12 Seeking information from West Sussex County Council.</p>
CV32	Number of metres of new cycleway	Supporting our Environment to support us	Planning	Karl Roberts	Number of metres of cycleway delivered		
CV33	Amount (HA) of employment land developed for employment uses	Fulfilling Arun's economic potential	Planning	Karl Roberts	2	There has been an increase in site area (ha) of employment land developed (completed and occupied) for employment uses (Use Class B2, B8, E (g) - Formerly B1)	Checked the WSCC CILLA (Commercial, Industrial and Leisure Land Availability Survey) Commercial Land Availability Commitments and Completions data for 2020/21 and 2021/22. There has been an increase in site area (ha) of completed and occupied employment land (Use Class B2, B8, E(g) (Formerly Revoked Class B1) developed for employment uses over the last monitoring year from 0.19 ha in 2020-21 to 0.42ha in 2021-22.
CV34	Number of jobs created	Fulfilling Arun's economic potential	Business and Economy	Karl Roberts	Number of jobs created	1000	As at 2021 there were 48000 employees recorded, this is a 1000 increase since 2020. This is from Business Register and Employment Survey - publicly available on Nomis
CV35	Increase to average wages and household income	Fulfilling Arun's economic potential	Business and Economy	Karl Roberts	Improvement on previous year	£546.5 gross weekly pay	ASHE (Annual Survey for Hours and Earnings) 2022 data of FT workers by residence. This is the lowest in West Sussex. 2021 data shows Arun at £574.5 gross per week. Publicly available in Nomis
CV36	Increase in number of economically active population	Fulfilling Arun's economic potential	Business and Economy	Karl Roberts	Improvement on previous year	83,000 or 86.7%	Oct-Sept 2022 publicly available on Nomis. This is an increase from 80,300 recorded in Jul 2021 to Jun 2022. This has been increasing year on year since Oct 2020-Sept 2021 data
CV37	Commission and carry out tourism marketing campaign	Fulfilling Arun's economic potential	Business and Economy	Karl Roberts	Campaign completed	in progress	1 year Campaign commissioned - will complete June 2023. Impact / results will be evaluated and reported to Economy Committee June 2023.

CV38	Increase in number of visitors, length of stay and visitor spend	Fulfilling Arun's economic potential	Business and Economy	Karl Roberts	Improvement on previous year	As in the rest of the UK, the pandemic had a negative effect on Arun's visitor economy; impacting spend and visitor numbers by approximately a third in Arun in 2021. Jobs remained slightly more robust, falling by a quarter. There is evidence that the visitor economy has been building back up with indications that 2022 looks to have delivered growth on 2021 – though still far short of where it was in 2019. Brexit and the rising cost of living are also having an impact on consumer confidence and	<p>Headline figures: 2021 vs 2019 (pre pandemic) - data is available annually in retrospect with 2022 figures available in the Autumn of 2023</p> <p>Economic Impact 2021: £247m v 2019 £380m (-35%)</p> <p>Visitors 2021: 2.8m v 2019: 4.4m (-35%)</p> <p>Average length stay (nights x trip) 2021: 3.37 v 2019: 3.61 (-6.7%)</p> <p>Source: Economic Impact Study (2021) plus the recently commissioned Hotel Study (2022) and soon to be published Visitor Strategy (2023)</p>
CV39	Number of new hotel and new holiday accommodation beds provided	Fulfilling Arun's economic potential	Business and Economy	Karl Roberts	Improvement on previous year	No new hotel or holiday accommodation beds provided (C1 Use Class)	<p>Hotel / Accommodation study completed. One new hotel Premier Inn Bognor Regis (102 beds) planning permission expected spring 2023.</p> <p>239 accommodation establishments offering over 16,000 bedspaces, and 344 other visitor economy linked businesses. Source: the recent (2022) Tourism Hospitality & Visitor Economy Study and associated reports to PPC & Economy Committees</p> <p>Checked the WSCC CILLA Commercial Land Availability Commitments and Completions data for 2020/21 and 2021/22. No new hotel or new holiday accommodation beds (C1 Use) provided according to data.</p>
CV40	Develop business support programme to move to digital and modern ways of working	Fulfilling Arun's economic potential	Organisational Excellence	James Hassett	Workplan achieved		This programme would be supported through the business rates pooling game - research is being undertaken to identify the priorities to be supported in partnership with other local authorities in the County
CV41	Review town centre masterplans and support high streets	Fulfilling Arun's economic potential	Business and Economy	Karl Roberts	Spend of allocations in annual budget	ongoing	work has been delayed by other priorities

REPORT TO:	Planning Committee, 7 June 2023
SUBJECT:	Key Performance Indicators 2022-2026 – Quarter 4 End of year performance report for the period 1 April 2022 to 31 March 2023.
LEAD OFFICER:	Jackie Follis, Group Head of Organisational Excellence
LEAD MEMBER:	Chair of Planning Committee
WARDS:	N/A
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
The Key Performance Indictors support the Council’s Vision and allows the Council to identify how well we are delivering across a full range of services.	
DIRECTORATE POLICY CONTEXT:	
This report is produced by the Group Head of Organisational Excellence to give an update on the Q4 and end of year Performance outturn of the Key Performance Indicators.	
FINANCIAL SUMMARY:	
Not required.	

1. PURPOSE OF REPORT

- 1.1. This report is to update the Committee on the Q4 and end of year Performance Outturn for the Key Performance Indicators (KPIs) which make up the Corporate Plan, for the period 1 April 2022 to 31 March 2023. The process is described in section 4. of this report.

2. RECOMMENDATIONS

- 2.1. As this report is an information paper, there are no recommendations for the Committee to consider. This report is to be taken as read only with Members having the opportunity to ask questions at the meeting on service performance. Members can also submit questions or comments on the indicators relevant to their Committee and these will be considered by the Policy and Finance Committee on 11 July 2023.

3. EXECUTIVE SUMMARY

- 3.1. This report sets out the performance of the Key Performance indicators at Quarter 4 and end of year for the period 1 April 2022 to 31 March 2023.

4. DETAIL

- 4.1. The Council Vision 2022-2026 was approved at Full Council in March 2022. To support the Vision we need a comprehensive and meaningful set of performance measures which allow us to identify how well we are delivering across a full

range of services. Two kinds of indicators were agreed at the Policy and Finance Committee on 17 March 2022. The first of these are annual indicators and will primarily update the progress against strategic milestones. In addition to this 'key performance indicators' (KPIs) will be reported to committees every quarter. These KPIs are known as our Corporate Plan.

- 4.2. A short report and appendix will go to each of the other Committees in the cycle of meetings after each quarter has ended. This appendix will only contain the indicators which are relevant to each Committee.
- 4.3. A full report showing quarterly performance against all indicators (which are measured at that quarter) will go to the relevant Policy and Finance Committee meeting at the end of the cycle of the other Committee meetings. Members of the other Committees will be able to give comments or ask questions of officers about the KPI indicators that are relevant to their Committee and these can be referred to the Policy and Finance Committee for consideration if deemed necessary.
- 4.4. The Committee meetings that will receive Q4 KPI reports are as follows.

Committee meeting	2023/24 date	Indicators to receive report on
Planning Committee	7 June 2023	10 (CP26, CP27, CP28, CP29, CP30, CP31, CP32, CP33, CP34, CP35)
Planning Policy Committee	8 June 2023	1 (CP36)
Economy Committee	13 June 2023	2 (CP41, CP42)
Environment Committee	15 June 2023	10 (CP12, CP13, CP37, CP38, CP39, CP40, CP22, CP23, CP24, CP25)
Housing & Wellbeing Committee	20 June 2023	8 (CP11, CP15, CP16, CP17, CP18, CP19, CP20, CP21)
Licensing Committee	23 June 2023	1 (CP14)
Corporate Support Committee	27 June 2023	10 (CP1, CP2, CP3, CP4, CP5, CP6, CP7, CP8, CP9, CP10)
Policy & Finance Committee	11 July 2023	All 42 indicators

- 4.5. This is the last quarterly report for 2022/23 covering performance from 1 April 2022 to 31 March 2023.
- 4.6. Thresholds are used to establish which category of performance each indicator is within.

	Achieved target	100% or above target figure
	Didn't achieve target but within 15% range	85%-99.9% below target figure
	Didn't achieve target by more than 15%	85% or less target figure

- 4.7. There are 42 Key Performance indicators. 10 of these indicators are reportable to the Planning Committee.

- 4.8. This report gives the status of all indicators at Q4. Appendix A gives full commentary for each indicator. This appendix shows the figures for Q1, Q2 and Q3 and the figures and commentary for Q4 and end of year.

Status	Number of Key Performance indicators in this category at the end of 2022/23
Achieved target	3
Didn't achieve but within 15% range	2
Didn't achieve target by more than 15%	5
No target set to measure	0
No data available	0
TOTAL	10

- 4.9. During the coming year, the individual Directors, and collective Corporate Management Team, will monitor the performance of the indicators which didn't achieve their target by more than 15% or didn't achieve their target but were within a 15% range and they will ensure that any remedial action is taking during the year, as required.

5. CONSULTATION

- 5.1. No consultation has taken place.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1. To review the report
6.2. To request further information and/or remedial actions be undertaken

7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

- 7.1. None required.

8. RISK ASSESSMENT CONSIDERATIONS

- 8.1. None required

9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

- 9.1. None required

10. HUMAN RESOURCES IMPACT

- 10.1. Not applicable.

11. HEALTH & SAFETY IMPACT

- 11.1. Not applicable.

12.PROPERTY & ESTATES IMPACT

12.1. Not applicable.

13.EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1. Not applicable.

14.CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1. Not applicable.

15.CRIME AND DISORDER REDUCTION IMPACT

15.1. Not applicable.

16.HUMAN RIGHTS IMPACT

16.1. Not applicable.

17.FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1. Not applicable.

CONTACT OFFICER:

Name: Jackie Follis

Job Title: Group Head of Organisational Excellence

Contact Number: 01903 737580

BACKGROUND DOCUMENTS: *None*

No.	Indicator	Service Committee to consider this	CMT Member	Assess by	Target 2022-2026	Q4/end of year Outturn	Q4/end of year Commentary	Q1 status	Q2 status	Q3 status	Q4 or End of Year status (depending on which is applicable for each indicator)	2021/22 Q4 Performance
CP26	Major applications determined in 13 weeks or agreed extension of time	Planning	Karl Roberts	Higher is better	80%	Q4: 35% (60%) End of year: 21% (60%)	Note: Numbers in brackets show the figure within an agreed extension of time. We report our performance to the Government based on our performance with Extension's of Time so these figures are used to determine the status. 7 out of 20 major apps were determined in time. A large proportion of the others were either items for Planning Committee or need a s106 agreement. End of Year - 21% (60%) 14 out of 68 applications were determined within time. GH Planning has spent a lot of time securing resources to carry out work at Principal Planning Officer level where there are three vacant posts. This will provide a much needed resource at this level.	Not achieving but within 15% range Outturn for Q1 71%	Not achieving Outturn for Q2 59%	Not achieving Outturn for Q3 53%	Didn't achieve Outturn for Q4 60%	91%
CP27	Minor applications determined in 8 weeks or agreed extension of time	Planning	Karl Roberts	Higher is better	90%	Q4: 59% (75%) End of year: 55% (72%)	Note: Numbers in brackets show the figure within an agreed extension of time. We report our performance to the Government based on our performance with Extension's of Time so these figures are used to determine the status. Performance has remained constant but it is still below the target. End of Year - 55% (72%). This is a 5% improvement on 21/12. An additional post was created in 22/23 to deal with this kind of work. However, (unfortunately) this is has been off-set with long term sickness issues with another post.	Not achieving Outturn for Q1 64%	Not achieving Outturn for Q2 70%	Not achieving Outturn for Q3 76%	Didn't achieve Outturn for Q4 75%	80%
CP28	% of other applications determined in 8 weeks or agreed extension of time	Planning	Karl Roberts	Higher is better	90%	Q4: 93% (95%) End of year: 89% (92%)	Note: Numbers in brackets show the figure within an agreed extension of time. We report our performance to the Government based on our performance with Extension's of Time so these figures are used to determine the status. Performance in this area remains very good. End of Year - 89% (92%). Performance over the year has been good missing the target by only 1%.	Achieving Outturn for Q1 91%	Not achieving but within 15% range Outturn for Q2 89%	Achieving Outturn for Q3 91%	Achieved Outturn for Q4 95%	91%
CP29	Average number of days to determine householder application	Planning	Karl Roberts	Lower is better	55 days	Q4: 55 days End of Year: 55 days	Target achieved. End of Year - 55 days	Achieving Outturn for Q1 55 days	Achieving Outturn for Q2 55 days	Achieving Outturn for Q3 55 days	Achieved Outturn for Q4 55 days	This was not a KPI in 2018-2022
CP30	Average number of days to determine other applications	Planning	Karl Roberts	Lower is better	55 days	Q4: 63 days End of year: 64 days	Consistent performance from Q3 but target not achieved. End of Year - 64 days. We continue to have a number of very old applications that adversely affect performance in this area.	Not achieving but within 15% range Outturn for Q1 57 days	Not achieving Outturn for Q2 67 days	Not achieving but within 15% range Outturn for Q3 63 days	Didn't achieve but within 15% range Outturn for Q4 63 days	This was not a KPI in 2018-2022
CP31	Average number of days to determine applications - Trees	Planning	Karl Roberts	Lower is better	40 days	Q4: 48 days End of year: 44 days	A review of what consultations are generated is needed so that performance can concentrate on those applications that are most relevant and of most benefit. End of Year - 44 days. Performance in 22/23 is much better and this target was only missed by 4 days over the year.	Not achieving but within 15% range Outturn for Q1 45 days	Not achieving but within 15% range Outturn for Q2 42 days	Not achieving but within 15% range Outturn for Q3 44 days	Didn't achieve but within 15% range Outturn for Q4 48 days	This was not a KPI in 2018-2022

CP32	Average number of days to determine application - Discharge of Condition	Planning	Karl Roberts	Lower is better	40 days	Q4: 73 days End of year: 61 days	Progress is tackling the backlog that built up 12 months ago has been very slow. The use of consultants was the only option but this has not worked as well as it should have and some have performance issues. End of Year - 61 days. Performance has been affected by the ability of internal consultees to provide timely comments and discussions continue with those consultees on how to address this.	Not achieving Outturn for Q1 52 days	Not achieving Outturn for Q2 53 days	Not achieving Outturn for Q3 65 days	Didn't achieve Outturn for Q4 73 days	This was not a KPI in 2018-2022
CP33	Average number of days to determine major planning applications	Planning	Karl Roberts	Lower is better	120 days	Q4: 172 days End of year: 195 days	No additional commentary. End of Year - 195 days. No additional commentary over CP26.	Not achieving Outturn for Q1 196 days	Not achieving Outturn for Q2 239 days	Not achieving Outturn for Q3 161 days	Didn't achieve Outturn for Q4 172 days	This was not a KPI in 2018-2022
CP34	Average number of days to determine minor planning applications	Planning	Karl Roberts	Lower is better	55 days	Q4: 78 days End of year: 78 days	No additional commentary. End of Year - 78 days. No additional commentary to that in CP27.	Not achieving Outturn for Q1 76 days	Not achieving Outturn for Q2 77 days	Not achieving Outturn for Q3 85 days	Didn't achieve Outturn for Q4 78 days	This was not a KPI in 2018-2022
CP35	% of planning applications registered within 5 days	Planning	Karl Roberts	Higher is better	70%	Q4: 89% End of year: 69%	Above target. End of Year - 69%. This figure has been affected by staff sickness as well as new staff who need training. When the team is at full capacity, performance remains excellent (as in Q1 & Q4).	Achieving Outturn for Q1 92%	Not achieving Outturn for Q2 55%	Not achieving Outturn for Q3 59%	Achieved Outturn for Q4 89%	This was not a KPI in 2018-2022

REPORT TO:	Planning Committee 7 June 2023
SUBJECT:	To Consult on a Local Development Order for the Butlins Complex, Bognor Regis
LEAD OFFICER:	Kevin Owen (Planning Policy Manager)
LEAD MEMBER:	Chair of Planning Committee
WARDS:	Hotham Ward
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
<p>The recommendations supports:</p> <ul style="list-style-type: none"> • Improve the Wellbeing of Arun; • Supporting our environment to support us; • Fulfilling Arun’s economic potential. 	
DIRECTORATE POLICY CONTEXT.	
<p>The adoption of a new Local Development Order (LDO) for the Butlins Complex will help to promote active healthy lifestyles through leisure, arts and culture, while promoting economic growth and the quality of the built and natural environments in a sustainable manner.</p>	
FINANCIAL SUMMARY:	
<p>The designation of the LDO would enable small changes to be made without the need to apply for planning permission. The consequence of this is a loss of planning application fees.</p>	

1. PURPOSE OF REPORT

- 1.1 The report seeks the Committee’s agreement to carry out consultations and advertise the making of a new Local Development Order for the Butlins Complex, Bognor Regis with a view to a further report to Full Council to approve the adoption of the LDO following the consultation.

2. RECOMMENDATIONS

- 2.1 That the Planning Committee agree the principle of a Local Development Order for an initial period of three years for the Butlins Complex, Bognor Regis subject to the following;

The Group Head of Planning be granted delegated authority to;

- a. Carry out formal public consultation on the draft LDO,
- b. Consider the representations to the draft LDO and draft modifications, if necessary,
- c. Obtain a resolution from Full Council to adopt the LDO.

- d. Notify the Secretary of State that the order has been made as soon as reasonably practicable and no later than 28 days after the Local Planning Authority has adopted the LDO.

3. EXECUTIVE SUMMARY

- 3.1. The objective for the Local Development Order is to assist in reducing the number of applications which are received for small scale developments within the Butlins Complex which are not visible from outside the site.
- 3.2. Further, ADC believes that the LDO would assist with the regeneration of Bognor Regis Town Centre, by helping to facilitate development on this site.
- 3.3. The proposed revised LDO will allow small changes to buildings without requiring a planning application to be made each time. Permissions provided by the LDO do not allow large changes or ones outside the site.
- 3.4. An LDO is a useful tool for saving time and money for all parties.

4. DETAIL

- 4.1 A Local Planning Authority (LPA) may make an LDO under ss 61A -61D of the Town and Country Planning Act 1990 as amended.
- 4.2 The LDO process gives Local Planning Authorities (LPA's) the opportunity to establish permissions for specific classes, types, or individual developments within a specific area. LDOs can define parameters for development and to set out exceptions, or specific rules that must be followed before development commences (such as the provision of information to the LPA). As such, they are a flexible tool consistent with the improving the planning system, which encourage the use of a broad range of policy and implementation instruments to secure spatial plan objectives and to improve planning services.
- 4.3 The LDO covers development that potentially still requires planning permission but does not cover permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015. They are not a withdrawal of planning control, on the basis that impacts from development types specified in an LDO, should be insignificant and it can be shown that they can be effectively controlled within an LDO framework of decision making. This, therefore, involves a strategic consideration of the types of development and their potential impacts that should be appropriately, specified and included in an LDO to support the achievement of a policy objective. These must be acceptable in planning terms following consideration of relevant policy objectives and material planning considerations.
- 4.4 Paragraph 51 of the National Planning Policy Framework (NPPF) states;

“Local planning authorities are encouraged to use Local Development Orders to set the planning framework for particular areas or categories of development where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area.”

- 4.5 The Local Development Order removes the need for planning permission. It, therefore, forms part of the statutory Planning Register and will also be highlighted in land charges searches. The adoption process for the Order must be consistent with the relevant legislation.
- 4.6 The Butlins's complex is a strategic development site within the Arun District, with a total site area of 21.16ha.
- 4.7 At its meeting of 31st July 2013, Arun District Council's Development Control Committee approved a Local Development Order relating to Butlins, in Bognor Regis, following an eight-week period of consultation. Following referral to the Secretary of State, the Council adopted the Local Development Order with it coming into effect on 1 September 2014.
- 4.8 The existing LDO for Butlins expired in 2017. It was taken to Planning Committee and Full Council for renewal in 2019 although the process was never completed with the impact of the advent of the Covid-19 pandemic.
- 4.9 The proposed LDO allows Butlins permission to undertake the following development without planning permission subject to several restrictions on the size, height, and location of development within the site.
- The construction of a single storey extension to any existing building, structure or enclosure
 - The erection of solar panels on buildings
 - The construction of a new building, structure or enclosure not over 4 metres tall
 - Development of sports facilities and funfair plant and machinery.
- 4.10 These developments will be allowed within the site that is identified by a red edge on the map that accompanies the draft Local Development Order.

5 CONCLUSION

- 5.1 If the Committee approves the principle of the draft Butlins LDO, the draft LDO and accompanying documents would be made available for public consultation which would last for 28 days.
- 5.2 Following completion of the public consultation period, the representations received on the draft LDO would be considered and minor amendments made to the LDO arising from these representations, if necessary. The LDO will then be reported back to Planning Committee to obtain a resolution of Full Council.
- 5.3 If approved by committee, the Council would be required to refer the final LDO to the Secretary of State.

6 CONSULTATION

- 6.1 No consultation has taken place externally.

7 OPTIONS / ALTERNATIVES CONSIDERED

- 7.1 The Council can choose to not renew the Local Development Order. This would mean that proposals for the development listed within the LDO would be required to make a planning application in the normal way.

8 COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

- 8.1 The implementation of the recommendations can be accommodated within existing budget and resources.

9 RISK ASSESSMENT CONSIDERATIONS

- 9.1 Implementing the recommendation will assist in reducing the number of applications which are received for small scale developments within the Butlins Complex.

10 COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

- 10.1 LPAs can grant planning permission for development specified in an LDO. The legislative which must be followed are set out in sections 61A-D and Schedule 4A of the Town and Country Planning Act 1990 and articles 38 and 41 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As the previous LDO has expired, the Council should make a new LDO.

11 HUMAN RESOURCES IMPACT

- 11.1 There are no implications arising from the proposals.

12 HEALTH & SAFETY IMPACT

- 12.1 There are no direct health and safety impacts from the proposals. However, Environmental Health will be consulted on the draft renewal Local Development Order, which will afford an opportunity to consider and comment on any health and safety impacts resulting from the proposed Order.

13 PROPERTY & ESTATES IMPACT

- 13.1 Arun District Council holds the freehold interest of this site, which is leased to Butlins Limited for a term of 125 years commencing 2008. The proposed LDO will not directly affect the management of this site in the Councils capacity as landlord, and the terms of the lease will be unaffected.

14 EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

- 14.1 There are no implications arising from the proposals.

15 CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

15.1 There are no implications arising from the proposals. The addition of Photovoltaic panels onto buildings will support the reduction of emissions related to electricity, help safeguard occupants against increasing energy bills and also help reduce grid dependency.

16 CRIME AND DISORDER REDUCTION IMPACT

16.1 There are no implications arising from the proposals.

17 HUMAN RIGHTS IMPACT

17.1 There are no implications arising from the proposals.

18 FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

18.1 There are no implications.

CONTACT OFFICER:

Name: Amber Willard
Job Title: Senior Planning Officer (Policy & Conservation)
Contact Number: 01903 737942

BACKGROUND DOCUMENTS:


Background Paper 1: Existing Butlins Local Development Order [Butlins Bognor Regis Local Development Order \(arun.gov.uk\)](https://www.arun.gov.uk/butlins-bognor-regis-local-development-order)

Background Paper 2: Existing Butlins, Bognor Regis Local Development Order Map [download.cfm \(arun.gov.uk\)](https://www.arun.gov.uk/download.cfm)

Background Paper 3: Existing Statement of Reasons Butlins (2023) [Butlins Bognor Regis Local Development Order \(arun.gov.uk\)](https://www.arun.gov.uk/butlins-bognor-regis-local-development-order)

Background Paper 2: University of Chichester, Bognor Regis Campus Draft Local Development Order, Map and Statement of Reasons 2023

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Butlins, Bognor Regis
Local Development Order
June 2023

DRAFT



Arun District Council Local Development Order: Statement of Reasons

Summary

- Arun District Council (ADC) wishes to create a Local Development Order (LDO) to help facilitate development within the Butlins holiday complex, a Strategic Development site within the Arun District. The intention is to take a flexible approach to small scale development proposals, which will be centrally located within the site and as such, not visible from outside the site.
- The LDO would have the effect of providing limited permitted development rights to small scale development.
- This area is located within the defined Built-up Area Boundary for Bognor Regis, within the designated Bognor Regis Town Centre Regeneration Area. Felpham is to the east and Bognor Town Centre to the west. Most of the Butlins site is located within Flood Zones 2 and 3, as identified by the Environment Agency's Flood Risk maps.

- 1.1. Article 34 8 (1) of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015 (DMPO) requires that 'where a local planning authority propose to make a local development order (LDO) they shall first prepare— (a) a draft of the order; and (b) a statement of their reasons for making the order'.
- 1.2 A draft of the LDO is provided in Appendix A of this document.
- 1.3 Article 34 (2) of the DMPO states that 'the statement of reasons shall contain— (a) a description of the development which the order would permit; and (b) a plan or statement identifying the land to which the order would relate'.
- 1.4 The text in this document acts as the statement of reasons for making the LDO. A plan identifying the land to which the LDO relates is attached in Appendix B of this document.
- 1.5 This guidance would apply to any existing or new building, structure, or enclosure within the Butlins Complex which is defined as being within the red edge on the map that accompanies the Local Development Order.
- 1.6 Consequently, anyone who wanted to erect a single storey extension to any existing building, structure, or enclosure within the Butlins Complex or erect a new building, structure, or enclosure, within the site that is identified by a red edge on the map that accompanies the Local Development Order, would be able to do so subject to the criteria outlined below, without the need to apply for planning permission.
- 1.7 This would be on the conditions that these materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing building, structure or enclosure.

2 Justification for creation of LDO

- 2.1 The Butlins complex is a strategic development site within the Arun District, with a total site area of 21.16ha.
- 2.2 The ultimate objective for the LDO is to assist in reducing the number of applications which are received for small scale developments within the Butlins Complex which are not visible from outside the site.

3 Statement of the Policies which the LDO would implement

- 3.1 The LDO would implement Policy D DM1 (Aspects of Form & Quality) of the Arun District Local Plan and Policy 8d of the Bognor Regis Neighbourhood Plan.
- 3.2 Further, ADC believes that the LDO would assist with the regeneration of Bognor Regis Town Centre, by helping to facilitate development on this site.
- 3.3 It would accord with government policy contained within the National Planning Policy Framework.

4 Lifetime of the LDO

- 4.1 It is intended that the LDO is active for a period of three years following the date of its adoption. This is to allow Arun District Council to monitor the effectiveness of the LDO. Following the end of this three-year period, the LDO would cease to apply. The Council would then have the following options:
- Renew the LDO under the same terms/ conditions as previously;
 - Renew the LDO but modify its terms and conditions; or
 - Choose not to have an LDO on the site.
- 4.2 Development which has started under the provision of the LDO will be allowed to be completed in the event that the LDO is revoked or revised.
- 4.3 Development which has started under the provision of the LDO can be completed following the expiry of the LDO after the end of the three-year period. Any development that has taken place under the LDO will be allowed to remain, but no new development will be allowed under the terms of the LDO following its expiry without planning permission.

5 Monitoring the LDO

- 5.1 It is intended that the LDO will be subject to continuous monitoring to assess its effectiveness. This will be carried out by annual site visits to assess what development has taken place and how many planning applications have been avoided. Regular liaison between ADC and the LDO sites will also be carried out to enable the Local Planning Authority to keep up to date with any development that is taking place on site.
- 5.2 It will also be the subject of a section in the Annual Monitoring Report, which will discuss further the impact of the LDO on the Butlins Complex and on the reduction in planning applications received, if any.

6 Residential Amenity issues

- 6.1 The Butlins complex is self-contained, with no residential properties within the immediate vicinity.
- 6.2 Butlins is bordered by the sea to the south side, Gloucester Road to the west and Upper Bognor Road to the north side. There is a row of 6 No. detached dwellings to the north-east side of the site, as well as some residential properties immediately to the east of the application site. To prevent any adverse impact upon any of these residential properties, no development will be allowed within 5 metres of the boundary

of the Butlins complex. The site boundary is clearly identified by a red edge on the map that accompanies this Local Development Order.

7 Environmental Impact Assessment (EIA) screening

- 7.1 The proposed LDO has been considered against the relevant tests set out under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 and the Local Planning Authority has formally adopted an opinion that an EIA is not required.
- 7.2 It is considered that, subject to the appropriate conditions, the proposed Local Development Order is not likely to result in significant effect on the environment.

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Appendix A: Butlins Complex, Bognor Regis Local Development Order

Section 61 A-D and Schedule 4A of The Town and Country Planning Act 1990 and

Article 38 and 41 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

Arun District Council

Local Development Order Butlins Bognor Regis

1. This Local Development Order (“LDO”) is made by Arun District Council (“the Council”) under Section 61A D of the Town and Country Planning Act 1990 (as amended).
2. Within the areas of Butlins, Bognor Regis (set out and shown edged with a bold red line on the attached map at Appendix A), planning permission is hereby granted for the development listed below.
3. This LDO takes effect on the date it is adopted by the Council and is limited to a three-year period following which the LDO shall lapse.

PERMITTED DEVELOPMENT TYPE I

The enlargement, improvement or other alteration of a building, structure, or enclosure within the Butlins Complex.

Development not permitted

Development is not permitted if –

- A. The height of the part of the building, structure or enclosure enlarged, improved, or altered would exceed the height of the highest part of the roof of the existing building, structure, or enclosure;
- B. The enlarged part of the building, structure or enclosure would:
 - i. extend beyond any elevation of the building, structure, or enclosure by more than 10 metres, or
 - ii. exceed 10 metres in height;
- C. It would consist of or include –
 - iii. the construction or provision of a veranda, balcony or raised platform except those accessed from the ground floor of any building.
 - iv. an alteration to any part of the roof of the building, structure, or enclosure.
- D. The enlarged part of the building, structure or enclosure is within 5 metres of the boundary of the site.
- E. The proposal will lead to noise arising from or due to the development being audible beyond the boundary of the site at any time. Noise would be considered inaudible when it is at a sufficiently low level that it is not recognisable as emanating from the source in question and does not alter the perception of the ambient noise environment that would prevail in the absence of the source in question.
- F. If the proposal will be used for the provision of guest or staff accommodation.

Development is permitted by Type I subject to the following conditions

- (a) The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing building, structure, or enclosure.

PERMITTED DEVELOPMENT TYPE II

The addition of Solar Panels, including Photovoltaic Panels to the roof of any existing building, structure, or enclosure within the Butlins Complex.

Development not permitted

Development is not permitted if –

- A. The alteration would protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;
- B. It would result in the highest part of the alteration being higher than the highest part of the original roof.

PERMITTED DEVELOPMENT TYPE III

The provision within the curtilage of the Butlins complex of a building, structure or enclosure required for purposes incidental to the enjoyment of residents and staff of the complex, or the maintenance, improvement, or other alteration of such a building, structure, or enclosure.

Development not permitted

Development is not permitted if –

- A. The building, structure or enclosure would have more than one storey;
- B. The height of the building, structure or enclosure would exceed –
 - i. 4 metres in the case of a building, structure, or enclosure with a dual-pitched roof,
 - ii. 3 metres in any other case.
- C. It would include the construction or provision of a veranda, balcony or raised platform.
- D. No part of any building, structure or enclosure shall be within 25 metres of the boundary of the site.
- E. The proposal will lead to noise arising from or due to the development being audible beyond the boundary of the site at any time. Noise would be considered inaudible when it is at a sufficiently low level that it is not recognisable as emanating from the source in question and does not alter the perception of the ambient noise environment that would prevail in the absence of the source in question.

PERMITTED DEVELOPMENT TYPE IV

Development of sports facilities and funfair consisting of the installation of plant, machinery, or structures to be used for or in connection with the entertainment of the clientele within the area.

Development Not Permitted

Development is not permitted if the plant or machinery would:

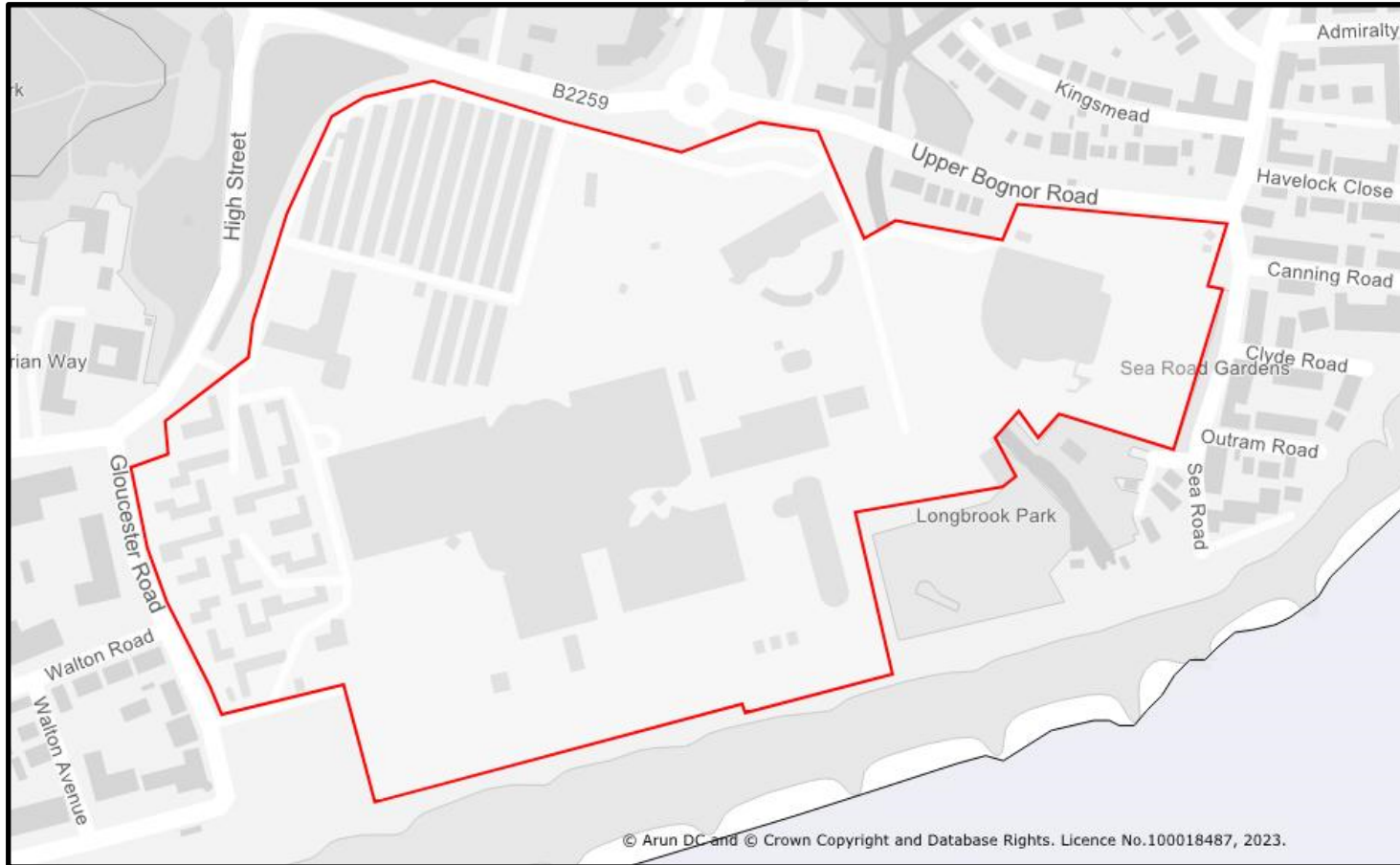
- A. Exceed a height of 12 metres from ground level;
- B. Be located within 100 metres of the boundary of the property;
- C. Cause noise audible from outside the property to reach a level whereby it becomes a statutory nuisance.

INFORMATIVES

1. This LDO does not remove the requirement for advertisement consent where appropriate.
2. This LDO does not remove the requirement for consents required under other legislations, such as licensing regulations.
3. This LDO is confined to the parts of Butlins Bognor Regis shown edged with a bold red line on the map attached as Appendix B
4. Should you require confirmation that the proposed use falls within the use classes permitted by the LDO it is recommended that a certificate of lawfulness be applied for from the Council.

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Appendix B: Butlins Complex, Bognor Regis Local Development Order Map



REPORT TO:	Planning Committee 7 June 2023
SUBJECT:	To Consult on a Local Development Order for the University of Chichester Bognor Campus
LEAD OFFICER:	Kevin Owen (Planning Policy Manager)
LEAD MEMBER:	Chair of Planning Committee
WARDS:	Hotham Ward
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
<p>The recommendations supports:</p> <ul style="list-style-type: none"> • Improve the Wellbeing of Arun; • Supporting our environment to support us; • Fulfilling Arun’s economic potential. 	
DIRECTORATE POLICY CONTEXT:	
<p>The adoption of a Local Development Order (LDO) for Chichester University Bognor Campus will help to promote opportunities for more high-quality, well-paid employment, encouraging more people to live, work, study and visit Arun, including regeneration and opportunities to attract new and relocating businesses to the district through making best use of our natural assets to help drive the economy in a sustainable manner.</p>	
FINANCIAL SUMMARY:	
<p>The LDO would enable small changes to be made without the need to apply for planning permission. The consequence of this is a loss of planning application fees.</p>	

1. PURPOSE OF REPORT

- 1.1. The report seeks the Committee’s agreement to carry out consultations and advertise the making of an Local Development Order (Background Paper 1) for the University of Chichester, Bognor Regis Campus, with a view to a further report to Full Council to approve the adoption of the LDO following the consultation.

2. RECOMMENDATION

- 2.1 That the Committee agree the principle of a Local Development Order for an initial period of three years for the University of Chichester, Bognor Campus subject to the following:

That the Group Head of Planning be granted delegated authority to;

- a. Carry out formal public consultation on the draft of the Local Development Order,
- b. Consider the representations to the draft Local Development Order and draft modifications, if necessary,
- c. Obtain a resolution from Full Council to adopt the order.
- d. Notify the Secretary of State that the order has been made as soon as reasonably practicable and no later than 28 days after the Local Planning Authority has adopted the order.

3 EXECUTIVE SUMMARY

- 3.1 The objective for the LDO is to assist in reducing the number of applications which are received for small scale developments within the Chichester University Bognor Campus which are not visible from outside the site.
- 3.2 Further, ADC believes that the LDO would assist with the regeneration of Bognor Regis Town Centre, by helping to facilitate development on this site.
- 3.3 The proposed LDO allows small changes to buildings without requiring a planning application to be made each time. Permissions provided by the LDO do not allow large changes or ones outside the site.
- 3.4 An LDO is a useful tool for saving time and money for all parties.

4 DETAIL

- 4.1 A Local Planning Authority ('LPA') may make an LDO under ss61A -61D of the Town and Country Planning Act 1990 as amended.
- 4.2 The LDO process gives Local Planning Authorities the opportunity to establish permissions for specific classes, types, or individual developments within a specific area. LDOs can define parameters for development and to set out exceptions, or specific rules that must be followed before development commences (such as the provision of information to the LPA). As such, they are a flexible tool consistent with the Government's aims to improve the planning system, for example, by encouraging the use of a broad range of policy and implementation responses to secure spatial plan objectives and improve planning services.
- 4.3 The LDO covers development that potentially still requires planning permission but does not cover permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015. They are not a withdrawal of planning control, on the basis that impacts from development types specified in an LDO, should be insignificant and it can be shown that they can be effectively controlled within an LDO framework of decision making. This, therefore, involves a strategic consideration of the types of development and their potential impacts that should be appropriately, specified and included in an LDO to support the achievement of a policy objective. These must be acceptable in planning terms following consideration of relevant policy objectives and material planning considerations.

4.4 Paragraph 51 of the National Planning Policy Framework (NPPF) states:-

“Local planning authorities are encouraged to use Local Development Orders to set the planning framework for particular areas or categories of development where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area.”

4.5 An LDO removes the need for planning permission. It therefore forms part of the statutory Planning Register and will also be highlighted in land charges searches. The adoption process for the Order must be consistent with the relevant legislation.

4.6 The University of Chichester, Bognor Regis campus is within Arun District with a total site area of approximately 10.8ha.

4.7 The site occupies its flagship Tech Park which is home to its Engineering and Design and Create Digital Technologies Department. There is also some student accommodation on site and a car park.

4.8 The draft LDO (Background Paper 1) would allow the University of Chichester permission to undertake the following development without planning permission subject to several restrictions on the size, height, and location of development within the site.

- The construction of a single storey extension to any existing building, structure or enclosure; (excluding listed buildings).
- The erection of solar panels on buildings; (excluding listed buildings).
- The construction of a new building, structure or enclosure not over 4 metres tall;

4.9 These developments will be allowed within the site that is identified by a red edge on the map that accompanies the Local Development Order.

5.1 If the committee approves the principle of the draft University of Chichester LDO, the LDO and accompanying documents would be made available for public consultation which would last for 28 days.

5.2 Following completion of the public consultation period, the representations received on the draft LDO would be considered and minor amendments made to the LDO arising from these representations, if necessary. The LDO will then be reported back to Planning Committee to obtain a resolution of full council.

5.3 If approved by committee, the Council would be required to refer the final LDO to the Secretary of State.

6. CONSULTATIONS

4.10 No external consultation has taken place.

5 OPTIONS / ALTERNATIVES CONSIDERED

- 5.1 The Council can choose to not adopt the Local Development Order. This would mean that proposals for the development listed within the LDO would be required to make a planning application in the normal way.

6 COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

- 6.1 The implementation of the recommendations can be accommodated within existing budget and resources.

7 RISK ASSESSMENT CONSIDERATIONS

- 7.1 Implementing the recommendation will assist in reducing the number of applications which are received for small scale developments within the University of Chichester, Bognor Regis Campus.

8 COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

- 8.1 LPAs can grant planning permission for development specified in an LDO. The legislative which must be followed are set out in sections 61A-D and Schedule 4A of the Town and Country Planning Act 1990 and articles 38 and 41 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

9 HUMAN RESOURCES IMPACT

- 9.1 There are no implications arising from the proposals.

10 HEALTH & SAFETY IMPACT

- 10.1 There are no direct health and safety impacts from the proposals. However, Environmental Health will be consulted on the draft Local Development Order, which will afford an opportunity to consider and comment on any health and safety impacts resulting from the proposed Order.

11 PROPERTY & ESTATES IMPACT

- 11.1 There are no implications arising from the proposals.

12 EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

- 12.1 There are no implications arising from the proposals.

13 CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

- 13.1 There are no direct adverse implications for Climate Change. The addition of Photovoltaic Panels onto buildings will support the reduction of emissions related to electricity, help safeguard occupants against increasing energy bills and also help reduce grid dependency.

14 CRIME AND DISORDER REDUCTION IMPACT

14.1 There are no implications arising from the proposals.

15 HUMAN RIGHTS IMPACT

15.1 There are no implications arising from the proposals.

16 FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

16.1 There are no implications.


CONTACT OFFICER:

Name: Amber Willard
Job Title: Senior Planning Officer (Policy & Conservation)
Contact Number: 01903 737942

BACKGROUND DOCUMENTS:

Background Paper 1: University of Chichester, Bognor Regis Campus Draft Local Development Order, Map and Statement of Reasons.

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University of Chichester
Local Development Order
June 2023

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Arun District Council Local Development Order: Statement of Reasons



1. **Summary**

- Arun District Council (ADC) wishes to create a Local Development Order (LDO) to help facilitate development within The University of Chichester, Bognor Regis campus. The intention is to take a flexible approach to small scale development proposals, which will be centrally located within the sites and as such, not visible from outside the site.
- The LDO would have the effect of providing limited permitted development rights to small scale development.
- This area is located within the defined Built-up Area Boundary for Bognor Regis, within the designated Bognor Regis Town Centre Regeneration Area. Felpham is to the east and Bognor Town Centre to the west. The southeast of the site is located within Flood Zones 2 and 3, as identified by the Environment Agency's Flood Risk maps. The site is also located within the Upper Bognor Road and Mead Lane Conservation Area.

- 1.1 Article 34 8 (1) of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015 (DMPO) requires that 'where a local planning authority propose to make a local development order (LDO) they shall first prepare— (a) a draft of the order; and (b) a statement of their reasons for making the order'.
- 1.2 A draft of the LDO is provided in Appendix A of this document.
- 1.3 Article 34 (2) of the DMPO states that 'the statement of reasons shall contain— (a) a description of the development which the order would permit; and (b) a plan or statement identifying the land to which the order would relate'.
- 1.4 The text in this document acts as the statement of reasons for making the LDO. A plan identifying the land to which the LDO relates is attached at Appendix B.
- 1.5 This guidance would apply to any existing or new building, structure, or enclosure within the University of Chichester, Bognor Regis Campus which is defined as being within the red edge on the map that accompanies the Local Development Order.
- 1.6 Consequently, anyone who wanted to erect a single storey extension to any existing building, structure, or enclosure within the campus or erect a new building, structure, or enclosure, within the site that is identified by a red edge on the map that accompanies the Local Development Order, would be able to do so subject to the criteria outlined below, without the need to apply for planning permission.
- 1.7 This would be on the conditions that these materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing building, structure or enclosure.

2. **Justification for creation of LDO**

- 2.1 The University of Chichester, Bognor Regis Campus is located within the Arun District, with a total site area of approximately 10.8ha.
- 2.2 The ultimate objective for the LDO is to assist in reducing the number of applications which are received for small scale developments within the University Campus which are not visible from outside the site.

3. **Statement of the Policies which the LDO would implement**

- 3.1 The LDO would implement Policy D DM1 (Aspects of Form & Quality) of the Arun District Local Plan and Policy 8d of the Bognor Regis Neighbourhood Plan.
- 3.2 Further, ADC believes that the LDO would assist with the regeneration of Bognor Regis Town Centre, by helping to facilitate development on this site.
- 3.3 It would accord with government policy contained within the National Planning Policy Framework.

4. Lifetime of the LDO

- 4.1 It is intended that the LDO is active for a period of three years following the date of its adoption. This is to allow Arun District Council to monitor the effectiveness of the LDO. Following the end of this five-year period, the LDO would cease to apply. The Council would then have the following options:-
 - Renew the LDO under the same terms/ conditions as previously;
 - Renew the LDO but modify its terms and conditions; or
 - Choose not to have an LDO on the site.
- 4.2 Development which has started under the provision of the LDO will be allowed to be completed in the event that the LDO is revoked or revised.
- 4.3 Development which has started under the provision of the LDO can be completed following the expiry of the LDO after the end of the three-year period. Any development that has taken place under the LDO will be allowed to remain, but no new development will be allowed under the terms of the LDO following its expiry without planning permission.

5. Monitoring the LDO

- 5.1 It is intended that the LDO will be subject to continuous monitoring to assess its effectiveness. This will be carried out by annual site visits to assess what development has taken place and how many planning applications have been avoided. Regular liaison between ADC and the LDO sites will also be carried out to enable the Local Planning Authority to keep up to date with any development that is taking place on site.
- 5.2 It will also be the subject of a section in the Annual Monitoring Report, which will discuss further the impact of the LDO on The University of Chichester and on the reduction in planning applications received, if any.

6. Residential Amenity issues

- 6.1 The University of Chichester campus contains buildings which are used for student accommodation.
- 6.2 The University campus is bordered by Upper Bognor Road to the south and east of the site. Residential properties are located to the north of the site at Hook Lane. To prevent any adverse impact upon any of these residential properties, no development will be allowed within 5 metres of the boundary of the site. The site boundary is clearly identified by a red edge on the map that accompanies this Local Development Order.

7 Environmental Impact Assessment (EIA) screening

- 7.1 The proposed LDO has been considered against the relevant tests set out under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 and the Local Planning Authority has formally adopted an opinion that an EIA is not required.
- 7.2 It is considered that, subject to the appropriate conditions, the proposed Local Development Order is not likely to result in significant effect on the environment.

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Appendix A: The University of Chichester, Bognor Campus, Local Development Order

Section 61 A-D and Schedule 4A of The Town and Country Planning Act 1990 and Articles 38 and 41 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

Arun District Council

Local Development Order University of Chichester, Bognor Regis

1. This Local Development Order (“LDO”) is made by Arun District Council (“the Council”) under Section 61A (D) of the Town and Country Planning Act 1990 (as amended).
2. Within the areas of the University of Chichester, Bognor Regis (set out and shown edged with a bold red line on the attached map at Appendix A), planning permission is hereby granted for the development listed below.
3. This LDO takes effect on the date it is adopted by the Council and is limited to a three-year period following which the LDO shall lapse.

PERMITTED DEVELOPMENT TYPE I

The enlargement, improvement or other alteration of a building, structure, or enclosure within the University of Chichester, Bognor Regis complex.

Development not permitted

Development is not permitted if –

- A. The height of the part of the building, structure or enclosure enlarged, improved, or altered would exceed the height of the highest part of the roof of the existing building, structure, or enclosure;
- B. The enlarged part of the building, structure or enclosure would:
 - (i) extend beyond any elevation of the building, structure, or enclosure by more than 10 metres, or
 - (ii) exceed 10 metres in height;
- C. It would consist of or include –
 - (i) the construction or provision of a veranda, balcony or raised platform except those accessed from the ground floor of any building.
 - (ii) an alteration to any part of the roof of the building, structure, or enclosure.
- D. The enlarged part of the building, structure or enclosure is within 5 metres of the boundary of the site.
- E. The building or structure is a designated listed building.
- F. The enlarged part of the building, structure or enclosure is within 10m of the boundary of a listed building.
- G. The proposal will lead to noise arising from or due to the development being audible beyond the boundary of the site at any time. Noise would be considered inaudible when it is at a sufficiently low level that it is not recognisable as emanating from the source in question and does not alter the perception of the ambient noise environment that would prevail in the absence of the source in question.

H. If the proposal will be used for the provision of student or staff accommodation.

Development is permitted by Type I subject to the following conditions

- (a) The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing building, structure, or enclosure.

PERMITTED DEVELOPMENT TYPE II

The addition of Solar Panels, including Photovoltaic Panels to the roof of any existing building, structure or enclosure within the University of Chichester, Bognor Regis campus.

Development not permitted

Development is not permitted if –

- A. The alteration would protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;
- B. It would result in the highest part of the alteration being higher than the highest part of the original roof.
- C. The building on which the solar panels are to be located is a listed building.

PERMITTED DEVELOPMENT TYPE III

The provision within the curtilage of the University of Chichester, Bognor Regis campus of a building, structure or enclosure required for purposes incidental to the enjoyment of residents and staff of the complex, or the maintenance, improvement, or other alteration of such a building, structure, or enclosure.

Development not permitted

Development is not permitted if –

- A. The building, structure or enclosure would have more than one storey;
- B. The height of the building, structure or enclosure would exceed –
- (i) metres in the case of a building, structure, or enclosure with a dual-pitched roof,
 - (ii) 3 metres in any other case.
- C. It would include the construction or provision of a veranda, balcony or raised platform.
- D. No part of any building, structure or enclosure shall be within 25 metres of the boundary of the site.
- E. The proposal will lead to noise arising from or due to the development being audible beyond the boundary of the site at any time. Noise would be considered inaudible when it is at a sufficiently low level that it is not recognisable as emanating from the source in question and does not alter the perception of the ambient noise environment that would prevail in the absence of the source in question.
- F. The building, structure or enclosure is within 10m of the boundary of a listed building.

INFORMATIVES

1. This LDO does not remove the requirement for advertisement consent where appropriate.
2. This LDO does not remove the requirement for consents required under other legislations, such as licensing regulations.
3. This LDO is confined to the parts of the University of Chichester, Bognor Regis Campus shown edged with a bold red line on the map attached as Appendix B
4. Should you require confirmation that the proposed use falls within the use classes permitted by the LDO it is recommended that a certificate of lawfulness be applied for from the Council.
5. The site falls within the Upper Bognor Road and Mead Lane Conservation Area.
6. The development proposed should not result in harm upon a listed building or its setting.

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Appendix B: University of Chichester, Bognor Regis Campus, Local Development Order

