

PLANNING APPLICATION REPORT

REF NO: AL/135/22/RES

LOCATION: Land West of Hook Lane
Aldingbourne
PO20 3BB

PROPOSAL: Approval of the Reserved Matters; Appearance, Landscaping, Layout and Scale for the construction of 10 No. dwellings following the permission of AL/79/20/OUT. This application is in CIL Zone 3 (CIL Liable) and is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>Approval of reserved matters is sought following the grant of outline planning permission under application Ref. AL/79/20/OUT. The proposed scheme comprises 10 dwellings, vehicular and pedestrian access on to Hook Lane, and the access road, parking and landscaping within the site.</p> <p>The reserved matters for which approval is sought are layout, scale, appearance and landscaping.</p> <p>The proposed dwellings comprise 8 No. detached dwellings and one pair of semi detached dwellings. Units 1 and 2 are of hipped roof chalet bungalow design with roof dormers, the remaining dwellings are two storey with a mix of hipped and gabled roofs. Facing materials are brick, render and flintwork, with clay tiled and artificial slate roofs. The two chalet bungalow units are 2 bedroom, the remaining dwellings comprise 2 No. 3 bedroom houses and 6 No. 4 bedroom houses.</p> <p>Parking is provided by detached garages, driveways, allocated spaces and visitor spaces.</p> <p>The houses are arranged so that Units 1 - 4 front on to Hook Lane, with Units 5 - 10 facing on to the internal site access road. All dwellings have lawned rear garden areas and an area of public open space / landscaping is proposed to the southern side of the site.</p>
SITE AREA	0.4 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	25 dwellings per hectare.
TOPOGRAPHY	The land drops by circa 0.2-0.3m from the northern boundary before generally flattening and then rising slightly by circa 0.1m.

TREES	Four young trees in the site including a Sycamore in the north eastern part and three Silver Birch in a small part of the southern boundary. The Sycamore is to be felled, the others retained. There is hedging to the eastern, western and part southern boundaries.
BOUNDARY TREATMENT	1.8m high timber fence to the northern boundary. 1.5m barbed wire fencing and hedging to the western and eastern boundaries. Currently open to the southern boundary.
SITE CHARACTERISTICS	Part of the land associated with the adjacent Fleurie Nurseries (Omnia Site) horticultural site. Currently grassed. There is a small area of concrete (above a septic tank), a telegraph pole and an electric meter box within the site. The septic tank is linked by pipe to the toilet building on the nursery site and would need to be relocated if the development is implemented.
CHARACTER OF LOCALITY	Semi-rural area. The site is opposite a ribbon of housing development along Hook Lane which consists of a mix of detached bungalows, chalet bungalows & two storey houses of varying architectural styles and designs. There is a housing site (Metis Homes) of 14 dwellings adjacent to the north which is mixed between single and two storey. Four two storey dwellings have bedroom/bathroom windows overlooking the site. To the west of the site is a reservoir associated with the nursery site. The nursery to the south and includes various horticultural and ancillary buildings.

RELEVANT SITE HISTORY

AL/79/20/OUT	Outline planning application with some matters reserved (Layout, Scale, Appearance and Landscaping are to be determined as reserved matters) for the construction of 10 No. dwellings & the creation of a new vehicular & pedestrian access on to Hook Lane. This application is a Departure from the Development Plan.	ApproveConditionally 04-03-21
AL/33/19/RES	Approval of reserved matters following the consent of AL/8/16/OUT (APP/C3810/W/16/3155330) for the erection of 14 No. dwellings with associated access, parking, landscape & open space.	ApproveConditionally 15-07-19
AL/8/16/OUT	Outline application with all matters reserved for a residential development of up to 14 No. dwellings & associated works including access, landscaping & open space. This application is a Departure from the Development Plan.	Refused 16-05-16
		Appeal: Allowed+Conditions 03-05-18

The adjacent site to the north (Land at Barnside) has recently been partially redeveloped by Metis Homes with 14 residential dwellings alongside the retained dwelling (Refs. AL/33/19/RES and AL/8/16/OUT).

REPRESENTATIONS

Aldingbourne Parish Council object to the application on the following grounds:

- Some trees and hedgerows would be removed (Aldingbourne Neighbourhood Development Plan (ANDP) Policy EH6)
- Light pollution (ANDP Policy EH10)
- Outside of the Built Up Area Boundary (ANDP Policy EH1)
- The management of surface water has not been resolved (ANDP Policy EH5)
- Impact on bats (ANDP Policy EH12)
- Renewable energy not considered (ANDP Policy EH7)
- The development is out of keeping with the area
- Affordable Housing not addressed (ANDP Policy H4)

5 resident objections raising the following concerns:

- Increased overlooking.
- Hook Lane does not need any more new build properties.
- Construction will cause noise and mess.
- Plots 1 and 2 should be chalet style bungalows.
- Hedgerow wildlife should be protected during construction.
- More houses affect the traffic, community, flooding and nature.
- The drainage system, local doctors and local schools are already overloaded.

COMMENTS ON REPRESENTATIONS RECEIVED:

The comments of the Parish Council and objectors are noted, and the majority of the objections are considered in the conclusions section with the exception of the following:

- The principle of the proposed development was approved at outline stage.
- The Local Plan threshold for affordable housing provision is developments of 11 dwellings or more, this was the most recent document at the time of the outline application and therefore affordable housing was not required.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS: The total number of parking spaces is one space below the SPD requirement (25 vs 26). Four dwellings are 0.5 spaces below guideline provision as garages are counted as 0.5 spaces. The proposed parking provision should therefore be reconsidered. The proposed layout is acceptable provided that the space in front of plot 10 is kept clear as a turning space.

ECOLOGICAL CONSULTANT: The submitted details build upon those submitted at outline stage and are acceptable, in accordance with the outline conditions. An external lighting scheme is required by outline condition 17. An additional condition relating to newts is recommended.

DRAINAGE ENGINEER: No objections. The full detailed drainage scheme will be assessed under a discharge of condition application.

LEISURE AND LANDSCAPE: The proposed landscaping / planting scheme is acceptable.

ENVIRONMENTAL HEALTH: No air quality impact assessment has been submitted. No details of external lighting have been submitted. Comment on the Construction and Transport Management Plan, noise element. Comment on contamination. Comment on potential noise from ventilation systems.

NATURAL ENGLAND: No comments.

ARCHAEOLOGY: Comment. The submitted scheme of written investigation is acceptable.

WSCC LEAD FLOOD AUTHORITY: No comments.

SOUTH DOWNS NATIONAL PARK AUTHORITY: No comments.

SUSSEX POLICE: Secured By Design measures are recommended to the applicant.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and will be addressed in conclusions section except as discussed below:

WSCC HIGHWAYS: A condition is recommended to secure a mechanism to retain the turning space in front of Unit 10.

ECOLOGICAL CONSULTANT: Details required by the outline permission conditions will be assessed under a separate discharge of condition application.

ENVIRONMENTAL HEALTH: Air quality was addressed at outline stage. External lighting, Construction Management Plan, contamination and noise impacts are covered by outline conditions and will be addressed under a discharge of condition application.

SOUTHERN WATER: Foul water drainage details required by the outline permission will be assessed under a separate discharge of condition application.

POLICY CONTEXT

Designation applicable to site:

- CIL Zone 3;
- Outside the Built Up Area Boundary;
- Special Control of Adverts;
- Archaeological Notification Area;
- Within 12km of Singleton & Cocking Tunnels Special Area of Conservation (SAC);
- Lidsey Treatment Catchment Area;
- Current & Future Flood Risk Zone 1;
- Grade 2 Agricultural Land; and
- ANDP Biodiversity Corridor to the west of the site.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ENVDM4	ENV DM4 Protection of trees
HDM1	H DM1 Housing mix
LANDM1	LAN DM1 Protection of landscape character
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WMDM1	WM DM1 Waste Management

[Aldingbourne Neighbourhood Plan 2019-31 Policy EH6](#) Protection of trees and hedgerows

Aldingbourne Neighbourhood Plan 2019-31 Policy GA3 Parking and new developments

Aldingbourne Neighbourhood Plan 2019-31 Policy H2 Housing Mix

Aldingbourne Neighbourhood Plan 2019-31 Policy H3 Housing Density

Aldingbourne Neighbourhood Plan 2019-31 Policy H8 Outdoor space

Aldingbourne Neighbourhood Plan 2019-31 Policy H9 Attention to detail

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
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 Aldingbourne Neighbourhood Plan was originally made on 09/11/2016, with an updated plan, the Aldingbourne Neighbourhood Development Plan 2019-2031, made on 14/07/2021. The policies of the updated plan are referred to in this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with relevant Development Plan policies in that the proposed development layout, housing mix, dwelling designs, parking, and landscaping accord with the relevant local plan policies, guidance and relevant neighbourhood plan policies.

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:

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.

The principle of development was established at appeal by AL/79/20/OUT for the erection of 10 No. dwellings. The outline permission established the principle of development including traffic generation, highway safety, impact on wildlife, loss of agricultural land, countryside location, and foul drainage (the principle of 10 new dwellings connecting to the network).

COMPLIANCE WITH THE OUTLINE:

Conditions imposed by the outline set parameters for the nature and form of the Reserved Matters submission and these are analysed below.

Condition 1 requires that the reserved matters application be submitted within three years of the date of the outline permission, the application complies with this time limit.

Condition 3 required compliance with two drawings considered at the outline stage relating to site location and the approved site access (Site Location Plan 0001 Rev. P03, Access Visibility 5399/001 Rev. B). The proposed development complies with these two drawings.

Conditions 6, 7, 8, 9 require the submission of full details of surface and foul water drainage, therefore whilst details of a drainage strategy have been submitted, these details will be agreed through a separate discharge of condition application and will not be assessed under the current reserved matters application.

Condition 10 requires that at least 10% of the energy supply of the development shall be secure from decentralised and renewable or low carbon energy sources. The application submission states that PV panels will be provided for each dwelling, however full details of this provision compliance with the 10% requirement will be assessed under a separate discharge of condition application.

The details required by conditions 11 (Construction & Environmental Management Plan, 12 (land

contamination), 13 (noise impacts), 14 (hedgerow mitigation statement), 15 (soil resource plan), 16 (levels survey), 17 (external lighting), 20 (broadband) will be assessed under a separate discharge of condition application.

Conditions 22, 23 and 24 require the submission of particular details at reserved matters as part of landscaping scheme and that the development be carried out in accordance with these details. These details have been submitted.

Condition 25 requires that electric vehicle charging points be submitted under the reserved matters, therefore this issue will be considered under the current application.

As the principle of development is established through the grant of outline permission, and a number of detailed considerations must be assessed under separate discharge of condition applications, the issues of consideration for this reserved matters application are the proposed development layout, the scale and appearance of the proposed dwellings, landscaping and trees, housing mix, residential amenity, internal and external space standards, parking and internal access routes.

LAYOUT, APPEARANCE AND SCALE:

ALP policies D DM1, D SP1 and LAN DM1 are all relevant in respect of design and character.

ANDP policy H3 states the density should be appropriate to the location. Policy H9 requires the design of dwellings include cycle stores, meter boxes, bin stores, flues/ducts, gutters, and communications connections. The drawings indicate the position of cycle & bin storage spaces, conditions are recommended to secure full details of cycle storage and bin stores, and the provision of broadband is secured by condition 20 of the outline permission.

The Arun Design Guide (ADG) was adopted as a formal supplementary planning document in January 2021. Sections G, H & J are relevant. The density of the scheme has been agreed by the outline which approved 10 dwellings on a site of 0.4 hectares (25 DPH), the application proposal complies with this. The ADG requires buildings and spaces be carefully arranged and take priority over roads and car parking so that highways do not dominate. New development should respond to the surrounding pattern of buildings in terms of block sizes and patterns of plot division in order to create a natural extension to existing development. Open spaces should be clearly integrated in the scheme and be safe & accessible for all users. New development must ensure the existing character and sense of place of an area is respected and enhanced.

The proposed layout is similar to that which was submitted as an indicative scheme at outline stage. Units 5, 6 and 7 have altered slightly in arrangement and design, and garages have been amended. The proposed layout presents four dwellings on to the Hook Lane frontage with an appropriate arrangement and building line. The remaining six dwellings front on to the internal sit access road in an appropriate arrangement. Some landscaping is proposed in front of each dwelling, all of the dwellings benefit from usable rear garden areas and a small area of open landscaping is proposed to the southern side of the site alongside the access road. The road layout provides a turning head for larger vehicles. Overall, the proposed site layout is acceptable.

The proposed dwellings are of an appropriate scale. Units 1 and 2 fronting on to Hook Lane are chalet style with tiled barn hip roofs and roof dormers, a scale and form which is in keeping with the properties opposite this part of the site on the eastern side of Hook Lane. To the front elevations of these dwellings the facing materials are contrasting brick and flintwork, with plain clay tiles roofs. Unit 3 is a two-storey design with gabled roof and contrasting brick and render facing materials. To the north of the proposed access, Unit 4 is a two-storey brick faced design, hipped to the southern side of the artificial slate roof

and gabled to the northern side, with a two-storey front projection and ground floor bay window. These four dwellings and the proposed access would make an attractive contribution to the Hook Lane street scene.

Within the site, Unit 7 (detached) replicates the design of Unit 3. Units 5 and 6 are semi-detached pair with hipped artificial slate roof, first floor tile hanging and a brick-faced ground floor with single storey front projection. Plots 8, 9 and 10 are three detached dwellings of similar design, with hipped roofs and front gables. Units 8 and 10 are of matching materials with artificial slate roofs, tile hung first floors and render and brick ground floors, whereas Unit 9 has a tiled roof, tile hung first floor and a brick faced ground floor. Garages are proposed of an appropriate style and form in keeping with the proposed dwellings.

Full details of the proposed materials are provided in the 'Materials Schedule sheet, drawing No. WLD-034-21-17.

Overall, subject to compliance with the submitted drawings and materials schedule being secured by planning condition, the proposal represents an appropriate layout, appearance and scale of development in accordance with ALP policies D DM1, D SP1 and LAN DM1, and ANDP policies H3 and H9.

LANDSCAPING & TREES:

ALP policy D DM1 states development is expected to incorporate existing and new tree planting as an integral part of proposals. Policy LAN DM1 requires development respects the characteristics & natural features of the relevant landscape character areas and aim to reinforce or repair the character of those areas. Policy D SP1 requires development proposals reflect the characteristics of the site and local area in their landscaping.

ALP policy ENV DM4 requires that trees that contribute to local amenity are not damaged or felled unless the development meets the following criteria:

- a. tree loss is in the interests of good arboricultural practice.
- b. tree loss would enhance the survival & growth prospects of other protected trees; and
- c. the benefits outweigh the loss of trees or woodland, especially ancient woodland.

ANDP Policy EH6 requires that trees of arboricultural and amenity value be protected and retained wherever possible.

Outline permission conditions 22 (details of trees to be removed and retained), 23 (boundary treatments) and 24 (ecological enhancement measures) require specific details to be submitted at reserved matters stage and that development be carried out in accordance with the submitted details.

The Leisure and Landscape Officer has commented on the proposed landscaping scheme and advises that the proposals are appropriate. The proposed planting strategy has been provided in full detail and is considered to be appropriate, allowing for all year interest, containing a mix of native and ornamental species which are suitable for the location and setting. The proposed landscaping largely comprises planting to the front curtilages and the private rear gardens of the proposed dwelling. To the southern side of the site alongside the proposed access road and two parking spaces, a small area of public open space is proposed, with wildflower grassland planting and ornamental tree planting. Hard landscaping proposals (confirmed in the 'Detailed Hard Landscaping Schedule and Specification), comprising block paving, flag paving and asphalt surfacing, are of a good standard and would result in an attractive appearance. Boundary treatments are primarily closed board fence and post and rail fence, with some brick walls to the side boundary of gardens where they front on to the access road (Units 3 and 4). The proposed landscaping is of a high standard and makes good use of the limited space available across

the development site.

With regard to trees, an Arboricultural Impacts Assessment and Method Statement, and a tree protection drawing have been submitted. It is detailed that two trees, T07 (Norway Maple) in the location of proposed Unit 4, and T08 (Hawthorn) to the north west corner of the site.

A crown reduction is proposed to T10 (Willow). Two groups of young trees, TG05 and TG06, and the hedgerow to the front of the site comprises Bramble and scatter Birch saplings (SC15) to the eastern boundary of the site will be partially retained, partially removed.

To compensate for the loss of the hedgerow sections to the front of the site, a new native species hedgerow is proposed along the southern boundary of the site. Replacement tree planting is also proposed to the eastern boundary to enhance the retained hedgerows.

Full details of protection measures during construction works for the trees and hedgerows which are to be retained are provided and compliance is secured by outline permission condition 22. The ADC Tree Officer's comments are awaited and will be reported to committee.

Overall, subject to the ADC Tree Officer's comments, the proposed landscaping scheme and proposals relating to tree are acceptable and in compliance with the outline permission and the conditions which were attached, in compliance with ALP policies D DM1, LAN DM1, Policy D SP1 and ENV DM4, and ANDP Policy EH6.

OTHER MATTERS:

(A) Residential Amenity

Policy D DM1 of the ALP states that development should have minimal impact upon the users and occupiers of nearby property and land by avoiding significant loss of sunlight, privacy and outlook, and unacceptable noise and disturbance. The Arun Design Guide (ADG) sets out guidance on minimum garden sizes and distances between properties. The ADG also requires that all new dwellings meet the minimum sizes set out in Government's Technical Housing Standards (TSH).

The Arun Design Guide advises a minimum rear garden depth of 10.5m, a back-to-back separation of 21m, a front-to-front separation distance of 16m, and a back/front to side separation of 14m.

The rear gardens of units 3, 7, 8, 9 and 10 comply with the 10.5 minimum guideline. The rear gardens of units 1 and 2 are shallower than this at 6.7m and 8.5m however these gardens are wide and there is no overlooking issue to the rear. The rear garden of unit 4 is 10.5m at its maximum depth, this reduces to the northern side of the garden however the garden is a good width, and the overall space is appropriate. The gardens of units 5 and 6 are 9.5m which is close to the guideline standard, and some additional space is provided behind the driveways of the dwellings. Overall, the proposed rear gardens are acceptable and would provide usable amenity spaces.

In terms of interfaces, the rear to side distance between units 4 and 5 is 16.5m, and the front to side distance between units 9 and 7 is 12.2m, whilst the latter is slightly below the 14m standard, the resultant relationships are not harmful. On Hook Lane, the proposed units all comply with the minimum front to front distance of 16m from the existing dwellings on the eastern side of the road. To the north, units 7 and 8 both comply with the minimum back to side distance of 14m, with distances of 27m, and 15.5 / 16m respectively. The proposed dwellings would therefore result in appropriate relationships which all existing and proposed neighbouring dwellings, in accordance with ALP D DM1 and the ADG.

(B) Internal & External Space Standards

The dwellings proposed range from the proposed 2-bedroom chalet bungalows up to 4-bedroom houses, with unit sizes ranging from 95 sqm to 145 sqm. All the unit types are in excess of Government's Technical Housing Standards (TSH) minimum sizes. The proposed interior layouts would provide adequate circulation space and space for furniture. All rooms would benefit from a good standard of natural light and outlook. As detailed above, whilst not all of the proposed rear gardens would meet the minimum depth guidance of 10.5m, they are all considered acceptable and would provide usable private outdoor amenity spaces for each dwelling.

(C) Parking, Roads, and Public Footpaths

ALP policy T SP1 seeks to ensure development accommodates the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements and create safe and secure layouts for traffic, cyclists, and pedestrians. ANDP Policy GA1 requires that developments promote the use of sustainable transport modes. ALP Policy T SP1 and ANDP Policy GA3 requires developments to incorporate appropriate levels of parking in line with current parking standards. The Arun District Council Parking Standards SPD (January 2020) sets out the parking requirements for residential developments.

The traffic impacts of the proposed development were considered by the Inspector at outline stage and were considered to be acceptable with regard to the 10 dwellings proposed at this stage. The access from Hook Lane was approved and associated visibility splays were secured by conditions 3, 18 and 19 at outline stage. A Construction Management Plan is secured by outline condition 11 of the outline permission to be assessed under a separate discharge of condition application. Outline condition 25 requires that details electric vehicle charging facilities be provided at reserved matters stage, these details have been submitted and are acceptable. Implementation of the charging facilities is recommended to be secured by condition.

The considerations at reserved matters stage therefore relate to the internal layout of the site, vehicle and pedestrian routes, vehicle parking provision and cycle parking provision.

WSCC Highways have commented on the application and advise that the proposed internal layout is acceptable, with an adequate turning space for large vehicles provided that the space in front of Unit 10 is kept clear and the vehicles do not park here. A condition is recommended to secure this mechanism.

Based upon the proposed housing mix, the ADC Parking Standards SPD requires a total of 26 allocated parking spaces in total and 2 visitor spaces. In addition to this, the SPD states that provision of wheelchair accessible spaces should be consistent with the guidance in the Manual for Streets which advises that 5% of residential car parking spaces are designated for use by disabled people.

The proposed parking provision comprises 23 allocated spaces and 4 garages (equating to 25 spaces in total as each garage is counted as 0.5 spaces), 2 visitor spaces, and a wheelchair accessible space in front of Unit 8. The proposed garages meet the minimum size requirements in the SPD of 6m x 3m internally.

The total number parking spaces proposed is 28 which does comply with the SPD total requirement. However, Units 3, 4, 7 and 9 are assessed as having 2.5 spaces as the garages proposed are counted as half a space, and Unit 8 is assessed as having 2 spaces as the wheelchair space should remain unallocated. The SPD requires that all of these units should have 3 spaces, therefore each unit is under provided by 0.5 or 1 space. Units 5 and 6 require 2 spaces but have 3 driveway spaces each and are therefore over provided by 1 space each.

Notwithstanding these minor issues, WSCC Highways have not objected to the application and on balance the proposed parking provision is acceptable.

Whilst details of cycle storage arrangements have not been provided, these can be accommodated within the proposed layout, and it is recommended that details and implementation of this be secured by planning condition.

(D) Surface Water Drainage & Levels

ALP policy W DM3 seeks to ensure SUDS discharge water from developments to be at a lesser rate, as prior to construction. To achieve this, criteria (f) requires that developments follow the hierarchy of preference for several types of surface water drainage disposal systems. ANDP Policy EH5 requires that surface water management measures be incorporated to ensure that risk of flooding is not increased and that sustainable urban drainage systems be considered where appropriate.

Outline conditions 6, 7, 8 and 9 require the submission of full details of surface and foul water drainage, therefore whilst full details of the proposed drainage strategy have been provided, these details will be agreed through a separate discharge of condition application and will not be assessed under the current reserved matters application. The Drainage Engineer has commented on the application and has engaged in further correspondence with the applicant, indicating that the proposed drainage strategy is acceptable in principle subject to the agreement of detailed matters. The comments of Southern Water are awaited.

SUMMARY:

The proposed development complies with the outline planning permission, and the detailed design now proposed would result in an appropriate layout. The proposed dwellings are of acceptable designs and would result in an appropriate appearance. The proposed hard and soft landscaping scheme is of high standard. The proposed overall housing mix is appropriate, and the dwellings comply with minimum size standards. The parking provision proposed is acceptable, and the access route within the site complies with access and safety guidelines subject to a mechanism to retain turning space.

The comments of the ADC Tree Officer are awaited. Subject to these comments, approval is recommended, subject to the following additional conditions alongside those imposed on AL/79/20/OUT.

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 is a CIL Liable development. It is in Zone 3 and a CIL amount of £192,786.30 is payable unless the applicant applies for exemption subject to the requirements of the CIL Regulations 2010 (as amended).

As there is a Neighbourhood Plan, the Parish Council will receive 25% of this money (£48,196.58) subject to whether any relief is claimed.

RECOMMENDATION

APPROVE CONDITIONALLY

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

- Site Location Plan ref 001 Rev. P03
- Block Plan ref WLD-034-21-16 Rev. A
- Wide Area Block Plan ref WLD-034-21-19
- Site Plan ref WLD-034-21-04 Rev. J
- Site Layout - Levels ref 201
- Site Layout - Surface Finishes ref 203 Rev. B
- Proposed Site Plan ref WLD-034-21-13 Rev. A
- Proposed floor plans, elevations and sections ref WLD-034-21-05 Rev. E
- Proposed floor plans, elevations and sections ref WLD-034-21-06 Rev. D
- Proposed floor plans, elevations and sections ref WLD-034-21-07 Rev. C
- Proposed floor plans, elevations and sections ref WLD-034-21-08 Rev. E
- Proposed floor plans, elevations and sections ref WLD-034-21-09 Rev. D
- Proposed floor plans, elevations and sections ref WLD-034-21-10 Rev. D
- Proposed floor plans, elevations and sections ref WLD-034-21-11 Rev. C
- Proposed EV Parking ref WLD-034-21-15 Rev A
- EV Charging Specification ref EWA-07S-S
- Proposed Garages ref WLD-034-21-15 Rev A
- Material Schedule ref WLD-034-21-17
- Proposed Street Scenes ref WLD-034-21-12 Rev. A
- Proposed Tree Plan ref WLD-034-21-18
- General Arrangement ref LLD2524-LAN-DWG-100 REV 03
- Detailed Planting Plan ref LLD2524-LAN-DWG-200
- Detailed Planting Plan ref LLD2524-LAN-DWG-201 REV 01
- Detailed Planting Plan ref LLD2524-LAN-DWG-202
- Detailed Planting Plan ref LLD2524-LAN-DWG-203 REV 01
- Detailed Planting Plan ref LLD2524-LAN-DWG-204 REV 01
- Soft Landscape Specification ref LLD2524-LAN-SPE-001
- Detailed Hard Landscape Schedule and Specification ref LLD2524-LAN-SCH-002
- Arboricultural Impact Assessment and Method Statement

Existing Tree Schedule ref ARB-SCH-001-01

Tree Constraints Plan ref LLD2524-ARB-DWG-001 Rev. 01

Tree Retention and Protection Plan ref LLD2524-ARB-DWG-020 Rev. 03

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

- 2 Landscaping shall be carried out in accordance with the approved landscaping drawings and details. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the first occupation of the dwellings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan.

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

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

- 4 No part of the development shall be first occupied until details of a mechanism to ensure that the space in front of Unit 10 is kept clear to allow for the turning of large vehicles and that private vehicles do not park in this space, has been submitted to and approved by the Local Planning Authority. The mechanism shall be in place prior to first occupation of the development and shall be retained as such thereafter.

Rason: To ensure that larger vehicles would have adequate turning space and to comply with policy T SP1 of the Arun Local Plan.

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

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

- 6 Prior to the occupation of the dwellings, the electric vehicle charging facilities shown on Drawing No. WLD-034-21-15 Rev_A shall be implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, 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 National Planning Policy Framework.

- 7 No dwelling shall be first occupied until refuse and recycling storage serving the respective dwelling have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To ensure that each dwelling has satisfactory refuse and recycling storage in accordance with policy WM DM1 of the Arun Local Plan.

8 Any works which will impact the breeding / resting place of Great Crested Newt, shall not in in any circumstances commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or

b) a method statement relating to a registered site supplied by an individual registered to use a Great Crested Newt Low Impact Class Licence; or

c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence."

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

9 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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)

AL/135/22/RES - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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