

PLANNING APPLICATION REPORT

REF NO: P/141/22/RES

LOCATION: Land north of Hook Lane
Paghham

PROPOSAL: Reserved matters application following P/30/19/OUT (providing details of layout, scale, appearance and landscaping) in relation to the provision of an 80-bed care home.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks approval for reserved matters, comprising appearance, scale, layout and landscaping, under outline application P/30/19/OUT. The proposal is a C2 residential Care Home use with 80 bed capacity, with associated landscaping and parking provision for up to 23 cars.
SITE AREA	The site is approximately 0.55ha in size.
TOPOGRAPHY	The Site is generally flat with a 1:140 cross fall, towards the north-west of the site.
TREES	There are no trees within the application site. There is a large mature hedgerow which partly lines the southern boundary of the site.
CHARACTER OF LOCALITY	The locality of the site is predominantly rural in character but on the edge of the existing built up area. However, development is present to the east of Paghham Road which is characterised predominantly by two storey dwellings and bungalows of various designs and styles which are set back from the highway. A cluster of two storey residential development is situated to the north-west of the application site. There are a number of listed buildings in proximity to the site.

RELEVANT SITE HISTORY

P/132/20/RES	Approval of reserved matters following P/30/19/OUT for 300 No. new homes, internal roads, footpaths & cycleways, car parking & landscaping. This application affects the setting of a listed building & falls within Strategic Site H SP2, CIL Zone 1 (Zero Rated).	ApproveConditionally 10-09-21
P/57/20/DOC	Approval of details reserved by condition imposed under ref P/30/19/OUT relating to Condition No 6 - design code	DOC Approved 09-10-20

masterplan.

P/30/19/OUT Outline application with some matters reserved for the App Cond with S106
 construction of up to 300 No. new homes, a care home of 02-09-19
 up to 80 beds, D1 uses of up to 4,000 sqm including a 2
 form entry primary school, the formation of new means of
 access onto Hook Lane & Pagham Road, new
 pedestrian & cycle links, laying out of open space, new
 strategic landscaping, habitat creation, drainage features
 & associated ground works & infrastructure. This
 application may affect the setting of a listed building
 (resubmission following P/6/17/OUT).

REPRESENTATIONS

Parish Council: Objection received for the following reasons:

- Proposed height of the building of 2.5 storeys is excessive and not in accordance with design code.
- Size and scale of the building is excessive.
- Corner plot on this site is considered as an entry point to the village and characterised by a rural feel, older style low building with countryside views and do not feel the design preserves this.
- Materials feel the finish should be softened to better integrate with surroundings.
- Examples of schemes they would like to see include the care home at Hawthorne Road.

2 no. representations were received, which objected to the application for the following reasons:

- Foul water discharge due to lack of capacity in Southern Water network
- The development should make provision for safe pedestrian and cycling travel on the roads
- Mitigation for health infrastructure and services
- Loss of agricultural land and future food supply
- Size of the building is overbearing
- Design of building out of character of the area
- Increased traffic
- Increased ambulances with blue lights at night due to nature of use
- Light pollution
- Drainage

These matters have been assessed within the conclusion of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

All consultation responses can be viewed in full online.

Drainage Engineers: Further information required to ensure that the below ground storage tanks ensure sufficient capacity, alongside concern over the closeness of one proposed tree. Drainage details are required to be submitted in order to discharge conditions under the outline consent.

Conservation Officer: No objection, and found the proposed development would not harm the setting of the designated heritage assets and therefore would not harm their significance.

Environmental Health: No objection, providing that the EMAQ Control of Odour and Noise from Commercial Kitchen Extract Systems 6/5/22 is adhered to.

Independent Water Network: No objection.

Archaeology: No objection.

Parks and Landscape: No objection. The proposals were seen to provide an attractive and well considered scheme for the proposed use. Requested future management proposals to be secured to ensure longevity.

Ecology: No objection subject to securing adequate Biodiversity Net Gain and mitigation for nutrient neutrality, as required by Natural England. They identified some discrepancy with the Biodiversity Metric submitted, however this did not significantly impact on the end result of providing Biodiversity Net Gain. Suggested a Landscape and Ecological Management Plan is submitted to secure the net gains long term, and this will be done through the existing Section 106 agreement.

WSSC Fire and Rescue - No objection, but suggested conditions to secure a fire hydrant prior to occupation.

Natural England: Advised that previous comments under P/30/19/OUT applied, and only if changes were proposed that would significantly change the impacts on the natural environment, then this would need further investigation. Their previous comment was no objection, subject to securing mitigation, which has already been secured through a Section 106 under the outline consent.

WSSC Highways: No Objection. Access arrangements for the site have already been established under P/132/20/RES, and a pedestrian and vehicular access to the care home has been provided for connectivity. Parking provision was seen to be adequate to satisfy forecasted needs.

National Highway: No Objection. The application would not materially affect the safety, reliability and/or operation of the Strategic Road Network (SRN).

Sussex Police: Advice provided on lighting, CCTV, defensible planting on ground floors and access into buildings.

NHS: Requested funds to be secured via S106 for Health Infrastructure. However, ADC have secured this already through a Section 106 under the Outline consent.

WSSC Adult Social Care: Comments were asked on what type of service the care home will provide. Additionally, comments were received on the principle of a Care Home, however, the principle has already established under the outline consent.

Southern Water: Confirmed that any details will need to be approved prior to commencement. A condition under the outline will require submission of further foul water drainage details, for which the foul water provider will be consulted with.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
HSP2	H SP2 Strategic Site Allocations
HWBSP1	HWB SP1 Health and Wellbeing
SDSP1A	SD SP1a Strategic Approach
TSP1	T SP1 Transport and Development
DSP1	D SP1 Design
ENVSP1	ENV SP1 Natural Environment
HDM2	H DM2 Independent living and care homes
HERDM1	HER DM1 Listed Buildings
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM4	HER DM4 Areas of Character
HERSP1	HER SP1 The Historic Environment
LANDM1	LAN DM1 Protection of landscape character
QESP1	QE SP1 Quality of the Environment

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

PDS	Pagham Parish Council's Village Design Statement by PaghamPC
SPD8	Areas of Special Character
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. On 25th February 2021 Arun District Council received an instruction from Pagham Parish Council to withdraw the Pagham Neighbourhood Plan, and therefore there is no relevant Neighbourhood Plan.

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."

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.

The proposal is located within a strategic housing allocation inside the built-up area boundary in compliance with the Development Plan. The proposal is considered to comply with relevant Development Plan policies.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE OF DEVELOPMENT

The site forms part of the Strategic Allocation reference SD2. The site is subject to an approved outline planning permission (reference P/30/19/OUT) granted consent on 2 September 2019 and this establishes the principle of a care home, providing up to 80 beds.

The outline consent considered matters relating to ecology (Pagham Harbour SPA/RAMSAR), drainage, infrastructure, access and highways, and imposed planning conditions where relevant. This application therefore seeks to agree matters relating to layout, scale, appearance and landscaping only.

The application was presented to the Pagham and Aldwick Advisory Group meeting on 13th December 2022. Concern was raised about loss of views for existing residents and the material choices such as red brick. Discussions predominantly focused on the height of the building being 2.5 storeys and the preference would be for only 2 storeys.

Two conditions imposed on the outline approval were imposed on subsequent Reserved Matters application. Condition (6) required a Design Code for the residential part of the development. The Design Code in relation to the site was approved under reference P/57/20/DOC. This application is therefore not subject to the design code; however, the Care Home has been designed to complement the character areas within the code.

Condition (7) required any Reserved Matters application to be accompanied by details concerning landscaping and layout particulars in relation to trees. The proposed application accords with the requirements with Condition (7) in full and this will be considered in more detail later in the report.

DESIGN

The site is positioned between the newly proposed main spine street to the north, and the proposed secondary street, as described in the residential reserved matters application P/132/20/RES.

The proposed building is designed with three wings stemming from a central point, which would be double gable ended. The form would allow for the development to be easily adapted for varying needs of users, as per Policy H DM2. Parking is located to the east of the entrance of the building.

The amenity space wraps around the site, allowing for the built form to be set back within its plot with defensible space. A larger central amenity space to the west of the building is proposed, which would accommodate orchard trees, garden lawn, and a combination of paths to allow for circular walking.

The developments layout provides good legibility and is appropriate to the residential care home use.

The proposed development is two and half storey. The Design Code for the residential scheme confirms that the character area supports built form of "typically 2 storey." Therefore, a two and a half storey building is considered acceptable given its location and its proposed use.

The developments ridge line at the highest point is approximately 2.5m taller than the proposed residential dwellings to the east, which have been permitted under the remainder of the outline consent. The ridgeline would be approximately 3.3m higher than the proposed dwelling to the north (plot 2), permitted under the residential reserved matters application, which sits north of the primary road through the allocation site. The development would be approximately 3.9m higher than the existing residential property at 18 Hook Lane (two storey dwelling).

However, the ridgeline lowers in parts throughout the building, including at the site boundary. The varied ridge line helps to soften the scale of the proposed care home which has been designed to appear as a cluster of dwellings as opposed to a single building. The care home occupies an important location in the strategic allocation, and a care home of this scale and size is not considered harmful to the character and appearance of the strategic allocation or immediate locality.

Additionally, the proposed building is formed with three prongs or "wings", ensuring that any bulk is set back into the centre of the development and not fronting the site boundary. The wings are also staggered double gable ended, with altering material types, which reduces any massing at the site's boundaries.

The proposals massing is further broken up by its choice of timber cladding and the provision of climbing shrubs, which will help to soften its appearance and scale. An open pergola framed terrace is proposed on the second floor of the west wing, which further reduces the development massing, and helps to positively address the open countryside to the west.

The care home due to its siting and position makes an important contribution to the character of the wider strategic allocation. The care home will be visible within the street scene and by virtue of its size, scale and design would not give rise to any unacceptable harm to the established character or appearance of the locality.

The proposed materials are largely red brick and timber cladding with a grey roof. A condition has been imposed on the outline consent which requires further samples of the proposed materials to be agreed to ensure a high-quality scheme. The indicative timber cladding treatment provides a softer palette and breaks up any large areas of brick to add interest and reduces the massing of the building. Red brick and grey roofs are featured as a design choice within the approved design code for this general area, and therefore its use will be complementary to the proposed and existing surroundings.

The various projections and recesses within the proposed elevations provide interest and mirror that of a residential cluster. Window lintels have been proposed which add further interest to the brick facades. The proposed elevational treatment on the gable ends would include windows, doors and a porch canopy in an arrangement akin to a dwelling, which would allow the development to provide a domestic appearance to positively address existing and proposed residential development around the site.

The gable end roof form is characteristic of the local area, and the palette of materials chosen ensure

that the appearance of the development is complementary to its surroundings. Therefore, owing to its layout, scale and appearance, the design of the development would comply with Arun Local Plan Policy D SP1, LAN DM1, the National Design Guide and the Arun Design Guide.

ACCESS PARKING AND CYCLING

As per Arun District Council's Parking SPD, parking for a C2 class is determined on a case-by-case basis with reference to demand for parking and viability of the site. A car parking appraisal has been submitted showing the level of parking demand for similar uses. The application proposes 23 parking spaces, including 2 no. disabled bays, and an ambulance drop off space. West Sussex County Highways have been consulted and are satisfied that the level of parking provision is sufficient to meet demand.

A travel plan has been submitted as part of the application; however, this will not form the approved documents at this stage as this is required to be assessed and discharged under Condition 25 of the outline consent.

The Arun Parking SPD requires 30% of the total parking provision (i.e. 7.5 spaces) to have active EV charging and the remainder passive EV. The proposed site plan (reference 4670-WRD-XX-ZZ-DR-A-0500 Revision P012) shows that the parking court can accommodate EV charging points to a maximum of 10 spaces using dual charging points. Condition 33 of the outline consent requires further details in relation to the specification and appearance of the units. Therefore, there is capacity within the parking area to accommodate a policy compliant scheme in relation to EV charging. Cycle parking has been provided as 4 Sheffield stands, accommodating up to 8 bikes, which is considered appropriate for the proposed use.

Therefore, the proposals accord with the Arun Design Guide, Arun Parking SPD, and Arun local Plan Policies T SP1.

BINS, STORES AND SUBSTATION

Bin storage would be located within the building to the southern wing, and a maintenance store would be provided as a small additional building to the east of the eastern wing. The proposed building would be timber clad, with a grey pitched roof. The roof form and the materials are the same as the proposed main building, which would allow for the building to be visually integrated.

Details of the substation have not been provided, and so a suitable worded planning condition has been imposed to secure details of this.

Overall, the bins and stores have been designed to be complementary to the proposed main building and accord with Policy D DM1.

SOFT LANDSCAPING

The proposed soft landscaping provides numerous and varied plant species, which contributes to continuous interest throughout the year. The landscaping provides for adequate shading, privacy and allows for a pleasant shared external space. The feature tree to the entrance of the site provides for positive identification of the entrance and general amenity for users. The hedgerow to the south of the site will be retained and extended with native hedges along the southern boundary. All planting is proposed to be planted prior to occupation.

The planting information meets the requirements of Condition 7 of the outline consent, and is considered to accord with Local Plan Policies LAN DM1, the Arun Design Guide.

Pagham Harbour

Policy H SP2a (a) (SD1 and SD2) identifies that proposals will need to ensure no detrimental impact to Pagham Harbour SPA through compliance with policy ENV DM1 and ENV DM2 and its supporting text.

This has been addressed as part of the outline consent. This site will require further drainage details through discharging conditions which will address an impact identified within the Appropriate Assessment.

HARD LANDSCAPING

Proposed hard landscaping details have been submitted, which provide for seating areas, private patios and a number of sensory enhancements for residents such as water features, bird baths, raised timber planters, summer house. These provide valuable interest and amenity for residents and the materials proposed.

Boundary treatments to the outer part of the site and car parking areas are proposed as ornamental black railings and/or with a brick wall. Green weld mesh fencing is proposed to rear of the external space. These are considered complementary in palette to the proposed scheme and would strengthen the developments sense of place on the main spine road.

There is a mixture of proposed surfacing, including herringbone laid permeable block paving for the parking areas; resin bound surfacing for the circular amenity footpath and feature paving for ground floor terrace areas. In combination with several edging types, these provide suitable, accessible surfacing for all visitors and are of a colour and textures suitable in this location.

Therefore, the hard landscaping proposals comply with Arun Local Plan policy D SP1 and D DM1.

HERITAGE

The impact of development on heritage assets was assessed at outline stage, where it was concluded that the proposed development would not result in any harm to the setting or significance of any designated or non-designated heritage assets.

A further heritage statement has been provided with this application. The Conservation Officer has been consulted and confirmed that the proposed development would not impact upon the setting or significance of any designated or non-designated heritage assets. Therefore, the development accords with section 16 of the NPPF, Arun Local Plan policies HER SP1, HER DM1, HER DM2, HER DM4 of the Arun Local Plan and does not result in any harm to the significance of any designated or locally designated heritage assets

EXTERNAL LIGHTING

An external lighting plan has been submitted; however this is required to be agreed through the discharge of condition 15 of the outline consent and so will be secured and considered further during this process. Space for timber lighting bollards have been shown throughout the scheme in the amenity and parking areas, ensuring lighting is facing down in a low level setting so as not to increase light spill. In addition, one upward light is proposed within the base of the proposed entrance feature tree. This light is proposed on a new tree which will not interrupt wildlife using nearby boundary vegetation.

CLIMATE CHANGE

The proposal provides for several climate change adaptation/mitigation measures, including provision for solar panels, water butts, and shading through design and planting features. Details relating to renewable energy will be secured through the discharge of condition 26 imposed on the outline approval.

The layout also lends well to efficient solar gain, and the massing proposed is of a simple block which is more efficient to heat and cool.

Therefore the proposal will accord with Arun Local Plan policies ECC SP1, ECC SP2 and W DM3.

DRAINAGE AND FLOOD RISK

Drainage was considered as part of the outline planning approval and several conditions (Condition 10, 11, 12, 13, 14) were imposed to secure details of surface water, discharging water to a watercourse, maintenance and management, and foul water. These conditions will need to be agreed and discharged in consultation with the Councils drainage engineer, and therefore drainage is not part of.

However, some detail has been submitted, and ADC Engineers are satisfied that the principle of the drainage is acceptable subject to further detail through the discharge of condition process.

RESIDENTIAL AMENITY

Concern has been raised over the overbearing feeling of the care home on dwellings south of the application site. The care homes southern gable end is located approximately 38metres away from the nearest residential dwellings to the south, which is separated by an existing hedgerow and Hook Lane. Given the distance between the dwellings and the proposed development, it would not give rise to any unacceptably adverse overbearing or overshadowing.

Similarly, the east wings gable end is sited approximately 20metres from dwellings to the north, and approximately 18metres from properties to the east. Front to front separation distances are required to be a minimum of 16m, in line with the design guide. The layout of the care home allows for suitable privacy in this regard.

The development proposes a mixture of private patios, seating areas, and open terraces which provide suitable external amenity for residents. A kitchen is located within the building, and Environmental Health have provided guidance on best practice in regards to commercial kitchens and odour/noise.

The proposal secures amenity space for the proposed users, and does not result in unacceptably adverse impacts on the amenity of occupiers for existing dwellings. The development therefore accord with Arun Local Plan Policy D DM1 and the Arun Design Guide.

RECOMMENDATION

It is therefore recommended that the application is approved subject to the below conditions.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

Location Plan 4670-WRD-XX-ZZ-DR-A-0080 Rev P03
Proposed Ground Floor Plan 4670-WRD-XX-00-DR-A-0200 Rev P06
Proposed First Floor Plan 4670-WRD-XX-00-DR-A-0201 Rev P05
Proposed Second Floor Plan 4670-WRD-XX-00-DR-A-0202 Rev P06
Proposed GA Roof Plan 4670-WRD-XX-00-DR-A-0203 Rev P05
Proposed GA Elevations Sheet 1 of 2 4670-WRD-XX-00-DR-A-0300 Rev P06
Proposed GA Elevations Sheet 2 of 2 4670-WRD-XX-00-DR-A-0301 Rev P06
Proposed GA Sections 4670-WRD-XX-00-DR-A-0400 Rev P01
Proposed Site Plan 4670-WRD-XX-00-DR-A-0500 Rev P012
Landscape proposals B22062-102B
External Works Plan B22062-201B
Boundary Treatments B22062-202B
External Lighting B22062-203B
Garden Furniture Plan B22062-204B
Detailed Planting Plan Sheet 1 of 4 B22062-401B
Detailed Planting Plan Sheet 2 of 4 B22062-402B
Detailed Planting Plan Sheet 3 of 4 B22062-403B
Detailed Planting Plan Sheet 4 of 4 B22062-404B

Reason: For the avoidance of doubt and in the interests of proper planning.

- 2 Prior to the commencement of the development, details relating to the proposed substation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to secure the design of the substation in line with policy D DM1.

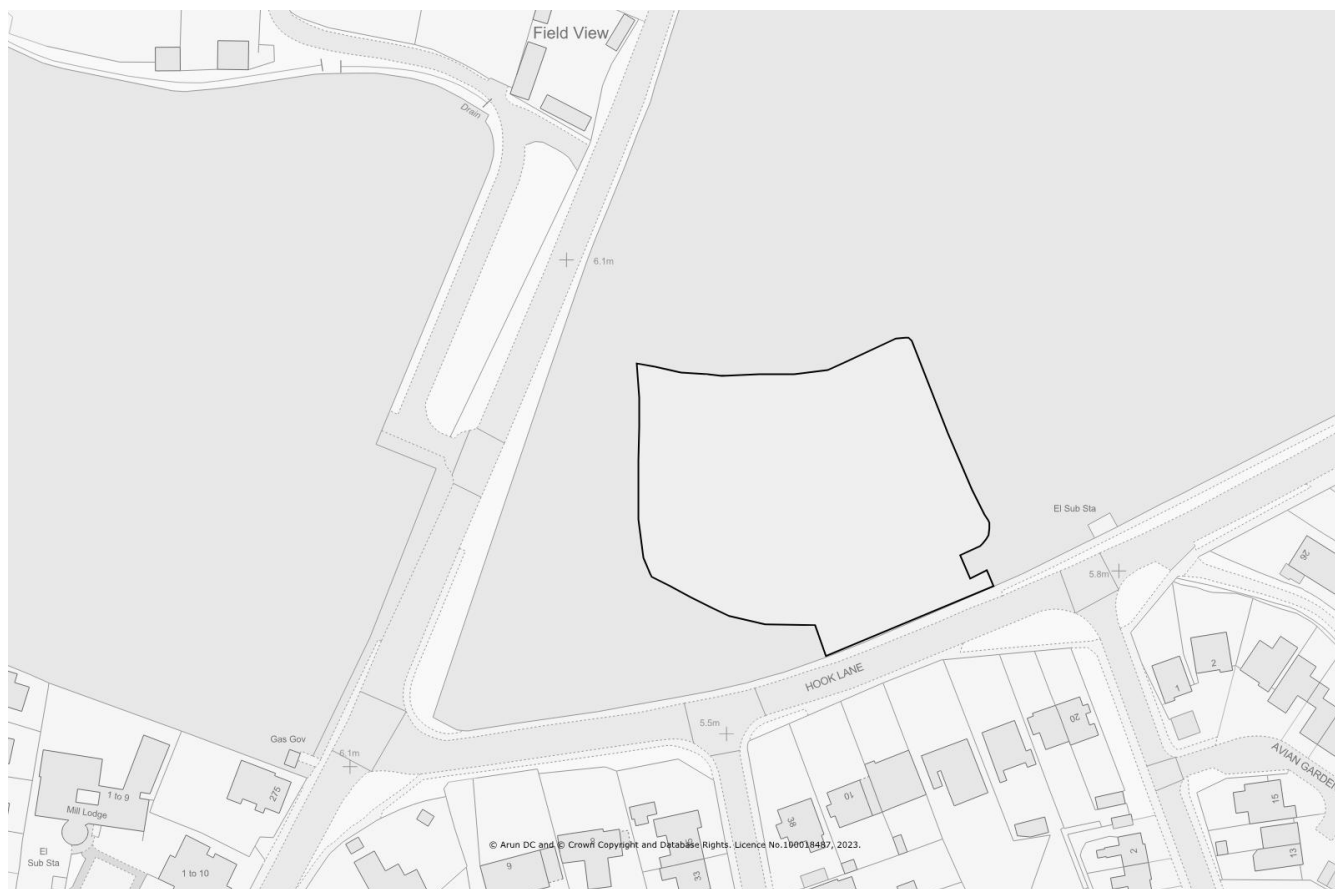
- 3 The development shall provide external lighting strictly in accordance with the lighting shown on plan reference B22062-203B Rev B.

Reason: To control the residential amenities of the local environment in accordance with Policies D DM1 and QE DM2 of the Arun Local Plan and protection of bats.

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](#).

P/141/22/RES - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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