

Recommendation Report for Planning Permission

REF NO: AB/81/20/PL

LOCATION: Arundel Church Of England Primary School
Jarvis Road
Arundel
BN18 9HT

PROPOSAL: Siting of a modular building to use as a pre-school nursery. This application is in CIL Zone 3 (Zero Rated) as 'other development'.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/a.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	2 metre wire mesh fence around school premises.
SITE CHARACTERISTICS	A primary school in Arundel
CHARACTER OF LOCALITY	A pre-dominantly residential area.

REPRESENTATIONS

Arundel Town Council - No objection advise a turning circle to help facilitate parking is included.

COMMENTS ON REPRESENTATIONS RECEIVED:

WSCC Highways have not made any recommendations regarding providing a turning circle at the premises.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

WSCC Fire and Rescue - No objection subject to a condition relating to provision of a fire hydrant.

WSCC Highways - No objection.

South Downs National Park - No objection.

ADC Drainage - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

TREE PRES ORDER

RIGHT OF WAY

SPEC CONT ADVTS

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans 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.

No policies in the Arundel Neighbourhood Plan are considered relevant to 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 considered to comply with relevant Development Plan policies in that the design of the building is considered acceptable and it would have no adverse impact on residential amenity.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are D DM1 and D SP1 of the Arun Local Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

D SP1 - Design requires that development proposals should reflect the characteristics of the local area by amongst other things in terms of its character and design.

DESIGN AND VISUAL AMENITY

The new building would have a limited impact on the street scene being set back within the school site in line with other school buildings at the front of the school. It would have an acceptable impact due to its size and scale.

Its materials of construction, composite steel grey panels would be commensurate with its location within the school setting.

The building would be in character with its local environment.

RESIDENTIAL AMENITY

The building would not be located near any residential properties and therefore would not have any adverse impacts on residential amenity.

HIGHWAYS AND PARKING

The proposals do not involve an increase in student numbers or staff and as such no further requirement for parking is required and arrangements for drop off /pick up of children are considered to be adequate. No objection has been raised from West Sussex County Council Highways Department.

SUMMARY

The new building is considered to accord with the Local Development Plan and is recommended for approval subject to the following conditions:

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the

following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

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

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:
Floor plans, elevations dwg.no. 9346175-008 dated 09/06/2020
Block Plan received 24/07/2020

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.

- 4 INFORMATIVE:1)Prior to the commencement of the development details showing the proposed location of one fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

These approvals shall not be unreasonably withheld or delayed.

2) Prior to the first occupation of any dwelling/unit forming part of the proposed development that they will at their own expense install the fire hydrant (or in a phased programme if a large development) in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner /occupier if the installation is retained as a private network.

As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly in very large developments. (BS5588 Part B 5) for further information please contact the Fire and Rescue Service

If a requirement for additional water supply is identified by the Fire and Rescue Service and is subsequently not supplied, there is an increased risk for the Service to control a potential fire.

It is therefore recommended that the hydrant condition is implemented

Reason: In the interests of amenity and in accordance with policy INF SP1 and TSP1 of the Arun Local Plan 2011-2031 and in accordance with The Fire & Rescue Service Act 2004.