

REPORT UPDATE

Application No: AL/28/21/PL

Reason for the Update / Changes

TREE PRESERVATION ORDER

It is understood that 3 trees that are proposed to be removed are subject to a Tree Preservation Order (TPO). Policy ENV DM4 of the Local Plan should be addressed.

Officers Comment:

The site has a Tree Preservation Order (TPO/AL/2/16) covering a band of trees that runs along the northern boundary of the site. The TPO also includes 3 trees that are separate from and do not form part of the band of trees along the boundary of the site; and it is these trees which are proposed to be removed to accommodate the development. These 3 trees are not mature trees; nor are they particularly outstanding specimens as they are relatively young. The benefits of the proposed development in this location, set back from the Biodiversity Corridor which runs along the private access lane immediately south of the site and the Biodiversity Corridor in the fields to the north of the site, outweigh the loss of the 3 trees. The benefits of the development of 2 houses and a garage block on the site means that the land with the 3 trees on cannot remain what it is now. In addition, a detailed landscaping scheme is recommended by means of condition, requiring the submission of a detailed planting plan and specification detailing species choice, actual plant and tree quantities, planting densities and size at time of planting, which would compensate for the loss of the 3 trees, in accordance with Policy ENV DM4(c) of the Local Plan.

APPROPRIATE ASSESSMENT

As the site is within 12km of Singleton and Cocking Tunnel the LPA has carried out an Appropriate Assessment which concludes that there will be no likely significant adverse effects upon the Singleton and Cocking Tunnels SAC or the bat species associated with the site and functionally linked habitats. Natural England (NE) has been consulted on the Appropriate Assessment.

Officer's Comment

The LPA has contacted Natural England and been informed that due to workloads NE has not had chance to review the Appropriate Assessment, even though the Assessment was sent to them over 4 weeks ago.

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

Recommendation Report for Planning Permission

REF NO: AL/28/21/PL

LOCATION: The Grange
Westergate Street
Westergate
PO20 3SQ

PROPOSAL: Demolition of 2 No. outbuilding & erection of 2 No 1.5 storey dwellings, detached

garage block & associated scheme of hard & soft landscaping. This site falls within Strategic Site SP2, CIL Zone 1 (Zero Rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This planning application is for the erection of 2 detached chalet style bungalows and a detached 4-bay garage block, following the demolition of 2 existing outbuildings.
SITE AREA	0.22 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	10 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	The site has a Tree Preservation Order (TPO/AL/2/16) covering a band of trees that runs along the northern boundary of the site.
BOUNDARY TREATMENT	All of the site's boundaries are marked by mature vegetation.
SITE CHARACTERISTICS	The application site comprises existing garden land which is L-shaped and includes two outbuildings on land to the eastern side of an existing bungalow (The Grange). There is a cluster of trees along the northern boundary of the site. The site is accessed by a private access road with a junction with the A29 Lidsey Road (Westergate Street) to the west. The site is located within the Barnham/Eastergate/Westergate (BEW) Strategic Allocation.
CHARACTER OF LOCALITY	The site lies on the edge of the settlement of Westergate with open agricultural fields to the east, an access road and a railway line to the south, and an unmanaged field to the north. The closest neighbouring property is L'Apache to the east, which is a bungalow, with planning permission for 2 semi-detached houses on land immediately east of the the existing house.

RELEVANT SITE HISTORY

AL/61/93/CLE	Application for Certificate of Lawfulness for existing use of land for the storage and repair of agricultural contractors machinery, plant and vehicles.	Approve 10-12-93
AL/93/00/CLE	Application for a Certificate of Lawfulness for an existing use - breach of agricultural occupancy condition imposed on planning permission AL/40/74.	Approve 15-01-01

Noted.

REPRESENTATIONS

ALDINGBOURNE PARISH COUNCIL:

Object.

- The proposed development would affect the Biodiversity Corridors shown on Map A (1) and Policy EH2 of the Aldingbourne NP2.
- There is no ecological survey or accompanying mitigation proposals to protect the bats.
- Consequently, the application contravenes the existing and emerging Neighbourhood Plan.

COMMENTS ON REPRESENTATIONS RECEIVED:

All planning related comments are noted and covered in the Conclusions section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

LOCAL HIGHWAY AUTHORITY:

No objection. Conditions are requested ensuring the car and cycle parking are provided in compliance with the approved plans and that provision is made for electric vehicle charging points.

SOUTHERN WATER:

No objection. There is a public foul sewer within the access to the site.

ADC DRAINAGE:

No objection. The application is within the Lidsey Treatment Catchment, therefore infiltration must be fully investigated. Winter groundwater monitoring should be completed. A surface water drainage condition is requested to be imposed.

ADC ENVIRONMENTAL HEALTH:

No objection. Conditions are requested including the submission of a Construction Management Plan, together with a scheme for protecting the proposed dwellings from noise and vibration from the railway line.

ADC GREENSPACE:

No objection. A condition is required for the submission of landscape details to provide ornamental and native improvements and biodiversity net gain.

ADC ECOLOGY:

No objection. The mitigation and enhancements provided in Sections 5 and 6 of the Preliminary Ecological Assessment are generally acceptable and should be conditioned. Following the submission of the Reptile Survey and Mitigation Strategy Report (May 2021) the proposed mitigation would be suitable and should be conditioned.

COMMENTS ON CONSULTATION RESPONSES:

All planning related comments are noted and covered in the Conclusions section of this report.

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary (BUAB) in the Local Plan.

Within the Barnham/Eastergate/Westergate (BEW) Strategic Allocation.

Within 12km of Singleton & Cocking Tunnels Special Area of Conservation (SAC)

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HSP1	HSP1 Housing allocation the housing requirement
HSP2	H SP2 Strategic Site Allocations
HSP2C	H SP2c Inland Arun
INFSP1	INF SP1 Infrastructure provision and implementation
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

Aldingbourne Neighbourhood Plan 2016 POLICY EH1

Resist development outside

Aldingbourne Neighbourhood Plan 2016 POLICY EH10

Unlit village status

Aldingbourne Neighbourhood Plan 2016 POLICY EH2

Support adjacent to biodiversity corridors only if demonstrate no harm.

Aldingbourne Neighbourhood Plan 2016 POLICY EH6

Green infrastructure and Ecosystem services

Protection of trees and hedgerows

Aldingbourne Neighbourhood Plan 2016 POLICY GA1

Promoting Sustainable movement

Aldingbourne Neighbourhood Plan 2016 POLICY H2

Range of house types

Housing Mix

Aldingbourne Neighbourhood Plan 2016 POLICY H3

Housing density

Aldingbourne Neighbourhood Plan 2016 POLICY
H8

Dwellings must have adequate private or shared amenity.

Outdoor space

Aldingbourne Neighbourhood Plan 2016 POLICY
H9

Items to consider e.g. - bin stores

Attention to detail

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
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 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.

Aldingbourne Neighbourhood Plan (NP 2014-2029) was made (adopted) on 9th November 2016. The Aldingbourne NP Review (2019-31) has successfully passed Examination. The Examiner's Report concludes that subject to the modifications in the report, the Plan should be 'made' by Arun District Council. It does not require a referendum. Aldingbourne NP2 will be taken to Full Council on 14th July 2021 to be 'made'. The Aldingbourne NP2 replaces one policy (H1), adds two new policies (EH1 2019 & EH2 2019) and amends a fourth (LC7). In line with paragraph 48 of the National Planning Policy Framework, the Local Planning Authority is giving greater weight to Aldingbourne NP2 due to its stage of preparation and the policies have been taken account of and are addressed in the Conclusions section of this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

Section 70(2) of TCPA 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 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 proposed development is located outside the built up area boundary (BUAB) of Westergate as drawn in the Neighbourhood Plan, but the BUAB boundary has been revised in the adopted Local Plan. The BUAB boundary in the adopted Local Plan prevails and the proposal is considered to be acceptable in accordance with the Local Plan as it is located within the Barnham, Eastergate and Westergate (BEW) strategic allocation.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The development plan for Arun District currently comprises the Arun District Local Plan (2011-2031), which was adopted by the Full Council on 18th July 2018 and the Aldingbourne Neighbourhood Plan (2014-2029).

Arun Local Plan:

The application site, comprising land off Westergate Street which is occupied garden land, part of which is occupied by 2 outbuildings adjacent to a bungalow (The Grange) constitutes part of the BEW strategic allocation in Policy H SP1.

Policy H SP2 of the Local Plan says that "Development proposals within the Strategic Site Allocations must be comprehensively planned". It is considered that it would not be appropriate for a site of this size, in this location, to be included in the wider site masterplan. Consequently, the applicant has not provided any evidence to demonstrate that the proposal accords with the requirement for a comprehensive masterplan required by Policy H SP2. However, the precedent for granting permission for the development of 2 houses on the adjacent site (i.e. L'Apache) provides mitigating reasons for not following the requirement of Policy H SP2 in this instance.

The site is located to the west of a residential scheme on Land East of Westergate (AL/15/17/PL) which was refused on 26th March 2020 and south of a residential scheme on Land East of Orchard Gardens (AL/129/18/OUT) which was refused on 15th May 2019. Due to the private ownership of the access track to The Grange it would not be possible to secure any joined-up vehicular access between the private access track and the wider part of the strategic site to the east, although the layout of this application does not prejudice this option. Any future pedestrian and cycle access between the private access track and the wider part of the strategic site to the east would also not be prejudiced, as the continuation of the track to the east is outside the application boundary and not affected by the proposal.

Policy H SP2c sets out specific requirements for the BEW allocation in terms of key design and infrastructure requirements. Due to the small size and location of the site, the key design aspects set out in the policy are too high level to apply to this proposal.

The applicant is not proposing to make any contributions towards infrastructure and no contributions have been requested by consultees. In addition, the wider Consortium for the larger part of the strategic allocation has not raised any objections on the lack of contributions from this scheme. As the scheme is only proposing two additional bungalows, this would not result in any significant loss of funding towards the overall infrastructure required to be provided in relation to the allocation as a whole. Therefore, whilst not meeting the key design and infrastructure requirements of Policy H SP2c, the small size of the site, combined with its location, means that the scheme is acceptable.

Aldingbourne Neighbourhood Plan:

The Aldingbourne Neighbourhood Plan (NP) was made (adopted) in November 2016 on the basis of the saved policies in the former Arun Local Plan (2003) and the policies in what was the emerging Local Plan in 2014. The policies map for the revised Aldingbourne NP2 which will be made in July 2021 has been amended in line with the Arun Local Plan 2011-31 and the built-up area boundary (BUAB) has been amended and the site now lies within the BUAB.

Housing Land Supply & Sustainable Development:

In December 2020, the Council re-published its Authority Monitoring Report (AMR) for 2019/20. This states the Housing Land Supply has now increased to 3.3 years. The HDT results for 2020 were published on 19 January 2021 and show that Arun achieved 61% thus triggering the application of the presumption in favour of sustainable development (although this is already being applied due to the HLS shortfall).

Conclusion on Principle:

It is considered that the size and scale of the proposed development, comprising of 2 additional chalet style bungalows and a garage block on land within part of the BEW strategic allocation does not justify the need to masterplan the application site. There is no conflict with the Aldingbourne NP2 as the site is located within the amended BUAB. The site would also help to meet the district's 5 year housing land supply. Therefore, the principle of residential development in this location would be acceptable.

TECHNICAL MATTERS

SCALE AND BUILDING HEIGHTS

Policy D DM1(14) of the Local Plan says: "the scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement".

The dwelling types in the vicinity of the application site in Westergate are a mixture of two-storey houses and bungalows. The two proposed chalet style bungalows would fit in with the scale of the buildings in this part of Westergate. The position of the two chalet style bungalows alongside the existing bungalow at The Grange works in visual terms as the impact of the height of the roofs of the chalet style bungalows is mitigated as the pitch of the roofs sweep down on the western elevations towards the bungalow. The scale and heights of the new chalet style bungalows would be in scale with the surrounding area. The proposed development complies with Policy D DM1 and Policy D SP1 of the Local Plan in terms of the scale and building heights.

SITE LAYOUT

Policy D DM1 (10 Layout - legibility) of the Local Plan requires any application for development "deliver or contribute to the ease of navigation within a new or existing development scheme through use of focal points, and/or a variety of detail within the public realm".

There is sufficient space within the site to accommodate the layout of the 2 chalet style bungalows with their associated domestic curtilages including the side and gardens. The garage block is located in close proximity to the bungalow on the eastern side of the plot but the only window in the bungalow that would face onto its end elevation would serve a kitchen/dining area that would also benefit from windows on both of its other elevations, in the form of another window and a set of bifold doors which would open out onto the private rear garden. Consequently, it is considered that the citing of the garage block as proposed, is acceptable.

The proposed siting and layout of the two new chalet bungalows and the garage block would ensure sufficient garden area is provided beyond the root protection areas (RPAs) and the crown of the trees

growing along the northern boundary of the application site, which are the subject of a Tree Preservation Order (TPO).

It is considered that the proposed layout complies with Policy D DM1(10) of the Local Plan.

DESIGN AND APPEARANCE

Policy D SP1 (Design) of the Local Plan says: "all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details". Policy D DM1(2) requires applications to "demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area". Policy H1 of the Aldingbourne NP says: "proposals for new housing should be of a high quality design that reflects the local character and reinforces local distinctiveness".

The Arun District Design Guide, January 2021, requires all types of infill development to respond positively to the character, appearance and layout of surrounding buildings. It is the prevailing character of surrounding buildings and spaces which are expected to inform an appropriate infill design response. Infill developments must strike a balance between the benefits of more efficient and intense use of development land and preserving the character and local amenities of the site's context. (Chapter P 'Infill Development': 2-9 dwellings)

The proposal to construct 2 chalet style bungalows with dormer windows would create a visually attractive development, which would be in keeping with the appearance of the bungalows and houses located along the access lane.

The 2 chalet style bungalows would have a mix of brickwork / render finish at the lower level, with timber weatherboarding on the upper walls, with clay tiled roofs; and the garage block would be constructed using weatherboarding and clay tiles. It is considered appropriate to impose a condition requiring the submission of materials, in the interests of amenity by endeavouring to achieve buildings of high visual quality in accordance with Policy D SP1 and the Arun Design Guide.

It is considered that, subject to a materials condition, that the design and appearance of the 2 chalet style bungalows comply with Policy D SP1 and Policy D DM1 of the Local Plan, Policy H1 of the Aldingbourne NP, the NPPF and the Arun Design Guide.

TRANSPORT

Policy T SP1 of the Local Plan says that "to ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport".

Site Access

The development would be accessed along the existing private access lane leading off of Lidsey Road (Westergate Street). The current access lane, measuring 4.0 metres wide, which serves The Grange and the adjacent house (L'Apache) would remain the same for the proposed development. The existing vehicular visibility at the junction of Lidsey Road (Westergate Street) is considered to be sufficient by both the Local Highway Authority and the LPA, bearing in mind the 30 mph speed limit along Lidsey Road.

The Local Highway Authority has raised no objection to the application site being accessed off the existing access track. The track is accessed on a weekly basis by waste refuse vehicles and by delivery vehicles. The maintenance of the private access track is the responsibility of the owner of the land.

There is a level crossing located immediately south of the junction of the private access lane with Lidsey Road, and consequently, vehicles travelling along Lidsey Road are not anticipated to be exceeding the speed limit in this location. The use of the private access lane and the junction to Lidsey Road is considered to be acceptable in terms of road/junction layout, and is in accordance with Policy T SP1 of the Arun Local Plan.

There is sufficient space for vehicles to turn within the application site and exit in a forward gear, without reversing onto the highway.

The site is accessible to public transport as it is in close proximity to bus stops on Lidsey Road (Westergate Street) and to Barnham railway station. Bus stops provide connections to railway stations at Bognor Regis and Barnham, and to Walberton and retail foodstores on Shripney Road. The frequency of services is limited. The Inspector for appeal APP/C3810/A/13/2196029 on the Woodgate Centre, close to the site (although south of the railway crossing), commented 'the relative infrequency of the bus service would make travel by car a more popular choice'. The infrequent services would mean using bus services to connect to the train services would be problematic. The sustainability of the site will improve when the main part of the Barnham/ Eastergate/ Westergate strategic allocation is brought forward for development; including a new A29 route through the allocation, with a regular bus services. The development accords with Policy T DM1 of the Local Plan and Policy GA1 of the Aldingbourne NP in terms of access to public transport.

There are 1.5 metre wide pavements on both sides of Lidsey Road, and the application site is located within walking distance of a number of services and amenities including the village store, primary school and nursery school in Westergate. The future infrastructure improvements that would be delivered as part of the BEW strategic development would ensure that new services and amenities are provided even closer to the application site than the existing services in Westergate and Eastergate.

Consequently, it is considered the development complies with Policy T SP1 of the Local Plan and Policy GA1 of the Aldingbourne NP.

The development includes the construction of a new garage block comprising 4 parking bays. The ADC Parking Standards SPD recommends the provision of 6 parking spaces to serve a development of this size. There is sufficient space within the proposed parking area to accommodate 2 additional cars; and there is space for on-site turning. Consequently, a total of 8 parking spaces are proposed to be provided, together with 2 visitor parking spaces provided in a lay-by along the driveway.

LANDSCAPING

Policy LAN DM1 of the Local Plan states that: "Development throughout the plan area should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas."

A detailed landscaping scheme is required to be submitted by means of condition. The condition should require the submission of a detailed planting plan and specification detailing species choice, actual plant quantities, planting densities and size at time of planting should be. Screen planting should be provided along the boundaries of the site and for noise mitigation along the southern boundary which faces the railway line.

TREES

Policy ENV DM4 of the Local Plan requires developers to provide land and tree surveys, a tree constraints plan and an Arboricultural Impact Assessment (AIA) and an Arboricultural Method Statement, which will ensure that development does not have a negative impact on existing trees. Policy EH6 of the

Aldingbourne NP says "proposals which affect sites with existing trees or hedgerows should be accompanied by a survey and a management plan to demonstrate how they will be maintained".

An Existing Tree Schedule, a Tree Constraints Plan, a Tree Retention and Protection Plan and an Arboricultural Impact Assessment and Method Statement have been submitted with the application. There are a number of trees along the northern boundary of the site which are the subject of a Tree Preservation Order (TPO), which have been assessed and considered as part of the layout of the development. The applicant is proposing to remove 3 trees, none of which provide a landscape buffer. Whilst the trees are subject to a TPO, it is not considered that their removal would have an unacceptable impact on the purpose of the Order as originally made.

Consequently, the proposed development complies with Policy ENV DM4 and Policy EH6 of the Aldingbourne NP.

BIODIVERSITY

Policy ENV DM5 of the Local Plan says that "development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site". Policy EH2 of the Aldingbourne NP requires new development to demonstrate that biodiversity corridors will not have significant harm.

The site is within 12km of Singleton and Cocking Tunnel. Consequently, the LPA has carried out an Appropriate Assessment which concludes that there will be no likely significant adverse effects upon the Singleton and Cocking Tunnels SAC or the bat species associated with the site and functionally linked habitats. Natural England (NE) has been consulted on the Appropriate Assessment and NE's consultation response will be reported to the Planning Committee.

There is a Biodiversity Corridor which runs along the private access lane immediately south of the site and another Biodiversity Corridor in the fields to the north of the site. The proposed siting of the 2 bungalows on the site would be within 50 metres of the Biodiversity Corridors but the development would not cause any demonstrable or significant harm to the Biodiversity Corridors; and the Examiner's Report (May 2021) into the Aldingbourne NP2 has recommended the deletion of 'within 50 metres' of all Biodiversity Corridors in Policy EH2.

A Preliminary Ecological Survey was undertaken in October 2020 and a Preliminary Ecological Appraisal was submitted with the application to determine the ecological constraints on the site. The Preliminary Ecological Appraisal confirmed the development would result in the loss of amenity grassland and ornamental trees and shrubs. Appropriate mitigation measures in respect of bats are detailed. The Preliminary Ecological Appraisal recommends a number of biodiversity enhancements creating and enhancing new and existing habitats through the provision of bat boxes and bird nesting boxes, the provision of log piles and insect boxes, the use of flowering plants to attract invertebrates, and the creation of a pond for wildlife; all of which should be conditioned. The proposed mitigation measures set out in the Reptile Survey and Mitigation Strategy are considered to be acceptable and should be conditioned.

Subject to the submission of the consultation response from Natural England to the Appropriate Assessment and the imposition of a condition ensuring the development is carried out in accordance with the recommendations and enhancements listed in the Preliminary Ecological Appraisal and the Reptile Mitigation Strategy, the proposed development complies with Policy ENV DM5 of the Local Plan and Policy EH2 of the Aldingbourne NP.

NOISE QUALITY

Policy QE DM1 of the Local Plan and Policy H7 of the Aldingbourne NP emphasise that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating

uses.

The railway line is located approximately 38 metres south of the nearest elevations of the two proposed chalet style bungalows. Environmental Health have requested conditions including the submission of a Construction Management Plan, together with a scheme for protecting the proposed dwellings from noise and vibration from the railway line, including enhanced thermal double glazing and acoustic trickle vents. It is also considered necessary to impose a condition restricting the hours for carrying out construction activities so as to protect neighbouring residential amenity.

Therefore, subject to noise mitigation conditions, the proposed development would be in accordance with Policy QE DM1 of the Local Plan and Policy H7 of the Aldingbourne NP.

RESIDENTIAL AMENITY

Policy D DM1(3) of the Local Plan says "have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance".

There would be oblique views from the bungalow on Plot 1 into the rear garden of The Grange, however it is considered that this would not result in overlooking, or adversely affect the residential amenity of the existing dwelling which would be retained on the application site.

The dormer windows for Plot 1's east roof slope and Plot 2's west roof slope serve bathrooms to mitigate overlooking of one another. No windows are proposed for Plot 1's west roof slope or Plot 2's east roof slope to mitigate the potential for overlooking into adjoining plots.

The Grange is a single storey bungalow with no roof accommodation and its existing ground floor windows are screened out by the existing boundary fencing; therefore, there is no possibility for overlooking from the application site.

The siting of the 2 chalet style bungalows are set well away from the shared boundary such that there is no possibility of loss of light to the neighbours garden or overlooking from proposed first floor windows.

Bearing in mind the built environment in the vicinity of the site and the design and appearance of the proposed chalet style bungalows which is considered to be high quality, it is considered necessary to impose a condition restricting permitted development rights. The removal of the permitted development rights by way of condition would ensure the privacy and amenity of adjoining residents is safeguarded; and safeguard the cohesive appearance of the development, which is visually attractive.

The development is considered to be acceptable in respect of residential amenity, in accordance with Policy D DM1(3) of the Local Plan.

EXTERNAL SPACE STANDARDS

Policy H8 of the Aldingbourne NP states that "All new dwellings must include an outdoor amenity space of adequate size and quality, either as a private garden or shared amenity area."

The submitted layout plan (Drawing No. 101 - Block Plan) shows the 2 chalet style bungalows with rear gardens predominantly orientated to the north and east that would measure a minimum of 10.5 metres in length, in accordance with the Arun Design Guide. The rear garden of the existing dwelling ("The Grange) measures in excess of 20 metres which is also considered to be acceptable. Consequently the proposed development complies with Policy H8 of the Aldingbourne NP which specifies that dwellings must have adequate private or shared amenity space.

INTERNAL SPACE STANDARDS

The floor plans of the 2 chalet style bungalows where it specifies the number of bedrooms and the square metres of floor space have been cross referenced with the Nationally Described Space Standard table (NDSS: Table 1). The minimum gross internal floor areas of the two proposed bungalows comply with Policy D DM2 of the Local Plan and meet the NDSS requirements.

SURFACE WATER FLOODING

The NPPF requires development does not give rise to an unacceptable risk of flooding detrimental to human health or property. Policy W DM2 of the Local Plan requires the submission of a site specific Flood Risk Assessment (FRA) which demonstrates that the development will be safe without increasing flood risk elsewhere and reduce flood risk overall; consider flood flow routing and utilise temporary storage areas.

ADC Drainage has raised no objection to the proposed development, but has requested the imposition of a surface water drainage condition. Subject to a surface water drainage condition, the proposed development is acceptable and it is in accordance with Policy W DM2 of the Local Plan.

FOUL WATER DRAINAGE

Policy W DM1 of the Local Plan deals with foul water drainage: development which will materially increase foul water discharges will be refused unless the LPA is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development.

Southern Water raised no objection but requires an application for a connection to the public sewer to be made by the applicant or developer; and a foul water drainage condition should be imposed. Subject to a foul water drainage condition, the proposed residential development is acceptable and it is in accordance with Policy W DM1 of the Local Plan.

CLIMATE CHANGE

Policy ECC SP1 of the Local Plan says: "the Council will support development which is located and appropriately designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding; water stress; health impacts as a result of extreme temperatures and a decline in the quality of habitats and richness in biodiversity".

In terms of energy generation, the proposed development includes the provision of photovoltaic (PV) panels on the roofs of the 2 chalet style bungalows. It is appropriate that provision is made for electric vehicle (EV) charging points at the bungalows to accord with para 2.8 of the ADC Parking Standards SPD, January 2021. This should be conditioned.

Subject to a compliance condition for the installation of the solar PV panels and a condition requiring the provision of EV charging points, that the development complies with Policy ECC SP1 and Policy ECC SP2 of the Local Plan, in terms of on-site energy generation and mitigating climate change.

SUMMARY

The provision of 2 bungalows on a 0.22 hectare site within BEW constitutes such small scale development that it neither needs to be master-planned or be required to contribute to the infrastructure provision on BEW. The proposed residential development is considered to be acceptable, in accordance with the policies in the Arun Local Plan, the Aldingbourne NP, the NPPF and the Arun Design Guide.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun

District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

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

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

- Drawing No. 100 - Location Plan
- Drawing No. 101 - Block Plan
- Drawing No. 102 - Context Plan
- Drawing No. 103 - Roof / Site Plan
- Drawing No. 104 - Plots 1 & 2 (Handed) - Proposed Ground Floor Plan
- Drawing No. 105 - Plot 1 Elevations
- Drawing No. 106 - Plot 2 Elevations
- Drawing no. 107 - Garage Floor Plan and Elevations

- Drawing No. LLD2168-ARB-DWG-001 - Tree Constraints Plan.
- Drawing No. LLD2168-ARB-DWG-002 - Tree Retention and Protection Plan.

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 houses have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the two houses.

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

- 4 No construction activities shall take place, other than between the hours of 08:00 - 18:00 hours Monday to Friday, 08:00 - 13:00 Saturday and no working activities at any time on Sundays, and bank and public holidays.

Reason: In the interests of amenity in accordance with Policy D DM1 of the Arun Local Plan.

- 5 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and been approved in writing by, the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a) Measures to minimise the noise generated by the construction process, proposed method of piling for foundations, the careful selection of plant and machinery;
- b) The parking of vehicles of site operatives;
- c) Loading and unloading of plant and materials, including permitted times for deliveries;
- d) Storage of plant and materials used in constructing the development;
- e) Measures to control the emission of dust and dirt during construction;
- f) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to mitigate the impact of construction works and deliveries on neighbouring residential amenity.

- 6 The development shall not begin until a scheme for protecting the dwellings from noise and vibration from the railway line has been submitted to and been approved in writing by the Local Planning Authority.

Any works which form part of the scheme approved by the Local Planning Authority shall be completed before any permitted dwelling is occupied and retained in perpetuity.

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

- 7 No dwelling shall be first occupied until the car parking including the garage, serving the 2 chalet style bungalows and the turning spaces have been constructed in accordance with the approved site plan. Once provided these spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide adequate on-site car parking and turning space for the development, in accordance with Policy D DM1 and Policy T SP1 of the Arun Local Plan.

- 8 No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwelling have been provided in accordance with plans to be submitted to and be approved in writing by the Local Planning Authority.

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

- 9 Prior to the commencement of the development a detailed level survey of the site including existing and resulting ground levels and the slab levels of the buildings the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents, and to ensure the appearance and height of the two new dwellings are in keeping with the adjacent housing, in accordance with Policy D DM1 of the Arun Local Plan. This condition is required to be pre-commencement as the levels need to be surveyed prior to any works commencing.

- 10 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 11 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and be approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance) and neither dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To prevent pollution of water bodies and to ensure the satisfactory drainage of the site and to prevent flooding, in accordance with Policy W DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the two dwellings are occupied.

- 12 The solar PV panels on Plots 1 and 2 shall be implemented prior to the occupation of these dwellings and be retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to seek to achieve high levels of energy efficiency in accordance with the aims of the NPPF and Policy ECC SP2 of the Arun Local Plan.

- 13 No development above damp proof course (DPC) level shall take place until details of the landscaping have been submitted for approval in writing by the Local Planning Authority. The approved landscaping details shall be installed prior to occupation of the 2 dwellings and thereafter will be permanently retained and maintained.

- i. The submission of a detailed planting plan and specification detailing species choice, actual plant quantities, planting densities and size at time of planting;
- ii. Details of screen planting along the boundaries of the site and for noise mitigation along the

southern boundary which faces the railway line;

iii. Details of the positions, height, design, materials and type of boundary treatment to be provided.

Reason: In the interests of residential amenity and of the environment of the development in accordance with Policy D DM1 of the Arun Local Plan and Policy EH6 of the Aldingbourne NP.

- 14 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policy D DM1 of the Arun District Local Plan.

- 15 Prior to the commencement of construction works a Landscape and Ecological Management Plan (LEMP) shall be submitted to the LPA for approval in writing and will be based on the recommendations within the submitted Preliminary Ecological Appraisal and the further Reptile Survey and Mitigation Strategy. All the approved details shall then be implemented in full and in accordance with the agreed timings and details.

The LEMP shall include but not be restricted to:

- provision of bat boxes and bird nesting boxes;
- provision of log piles and insect boxes;
- provision of a reptile hibernacula in the north eastern corner of the site;
- use of flowering plants to attract invertebrates;
- the creation of a pond for wildlife.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national guidance and Policy ENV DM4, Policy ENV DM5 and Policy ENV SP1 of the Arun Local Plan and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to protect wildlife and habitats on

- 16 No development above damp proof course (DPC) level shall take place until details of the Electric Vehicle Charging Points serving the 2 dwellings have been submitted for approval in writing by the Local Planning Authority. The approved charging point(s) shall be installed prior to occupation of the 2 dwellings and thereafter will be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with Policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Parking Standards SPD (January 2020) and the National Planning Policy Framework.

- 17 INFORMATIVE:
- The 150 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.
 - No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
 - No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.

- All existing infrastructure should be protected during the course of construction works.
- The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under a NRSWA enquiry in order to protect public apparatus. Please send these enquiries to: Developer.Services@southernwater.co.uk

18 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

19 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.