

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: AL/33/19/RES

LOCATION: Barnside
Hook Lane
Aldingbourne
PO20 3TE

PROPOSAL: 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.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed scheme comprises 7no. x 3-bedroom dwellings, 4no. x 4-bedroom dwellings and 3no. x 5-bedroom dwellings. The proposal includes 3 bungalows. A new highways access is gained from Hook Lane in a similar position to that agreed at the outline stage which will act as the main vehicular access to all proposed units. The site will be served by a bellmouth arrangement onto Hook Lane, this would measure 4.8m wide with 6m radii. The access road would have a continuous width of 4.8m, flanked by 1.2m footway on the southern side of the carriageway. The development intends to provide a total of 39 residential parking spaces of which 4 are visitor parking bays. The main spine road measures 4.8m in width. Footways of 1.2m are provided to the western edge of the internal spine road.
SITE AREA	0.97 hectares
RESIDENTIAL DEVELOPMENT DENSITY	14.4 dph
TREES	One tree of significance is affected by the proposal. It is proposed to fell a tree on the eastern boundary to accommodate the proposed access.
BOUNDARY TREATMENT	- A line of 4-5m high Fir Trees to the southern boundary; - Low hedge interspersed with trees to the western and eastern boundaries; - 1.9m high brick wall to Barnside's rear garden (no current side boundary to the dwelling itself) - 1.9m high close boarded fence to the northern boundary with "Banff". There is also a ditch just beyond the hedge at the edge of the

field (western boundary).

SITE CHARACTERISTICS

The site has two separate accesses from Hook Lane (one to the land and one to the dwelling). The site comprises of the dwelling in the north east corner with rear garden and then a mix of open mown grassed areas and 6 no. single storey timber/block work barns. There is a pond in the south western corner of the site.

CHARACTER OF LOCALITY

The site lies to the West of Hook Lane which has some residential development fronting on to it. There is a horticultural nursery with reservoir to the immediate south of the site and the land to the west is agricultural.

Barnside has existing rear first floor windows which face west and south. It also has a 1.5 storey sun room on the back and a side facing first floor narrow window. The next property to the North is called "Banff" and has a first floor rear window but views of it are obscured by Fir Trees along the boundary.

RELEVANT SITE HISTORY

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
AL/32/13/	Construct vehicle access from Hook Lane previously permitted under AL/24/02	ApproveConditionally 04-07-13

Application AL8/16/OUT sought outline planning permission for 14 dwellings with all matters reserved. This was allowed at appeal in May 2018. It should be noted that condition 4 of this permission required the access to be constructed in accordance with the Road Safety Audit and condition 5 listed the tree protection plan as an approved plan.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

None

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A

CONSULTATIONS

WSCC Strategic Planning
Surface Water Drainage Team
Parks and Landscapes
Engineers (Drainage)
Southern Water Planning
Sussex Police-Community Safety
Engineering Services Manager
Arboriculturist
Planning and Housing Strategy
Ecology Advisor

CONSULTATION RESPONSES RECEIVED:

ADC Tree Officer - Objection. Broadly in agreement with the findings of Tree Survey but disagree with the retention category rating assigned to one notable tree (oak -T2). It's removal is unacceptable and unnecessary.

ADC Engineers

- Original objection on the grounds that the drainage statement does not provide evidence that there is sufficient space on site provided for surface water drainage.
- Following receipt of additional information, content there will be adequate space for storage.

ADC Greenspace - Revised Planting Plan Dwg 2518-0102 July 2019. Confirm that the information now submitted is comprehensive and details a landscape scheme which includes species choice, actual quantities, planting densities and size at time of planting. The proposals appear suitable for location having a varied and appropriate mix with a good palate of both evergreen and deciduous trees and shrubs. The proposed scheme has been specified to a size that is sufficient in height to provide instant impact whilst an appropriate size to promote establishment.

WSCC Highways

- Access proposals were agreed as part of the 2016 application, these included a Stage 1 Road Safety Audit (RSA) and will consist of a 4.8 metre wide access with 6 metre kerb radii.
- Accept the proposed parking allocation.
- The applicant has provided swept path diagrams for cars and a refuse collection vehicle can turn within the site.
- Satisfied with the information provided in support of this application and considers that the REM application is acceptable.

Sussex Police - Have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends should be considered.

Southern Water - No objection.

Housing Strategy - No objection

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

DEVELOPMENT PLAN POLICES

Arun Local Plan 2011 - 2031:

DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
LANDM1	LAN DM1 Protection of landscape character
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
HDM1	H DM1 Housing mix
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

Aldingbourne Neighbourhood Plan 2016 POLICY EH10

Unlit village status

Aldingbourne Neighbourhood Plan 2016 POLICY EH5

Development in Flood risk areas will not be supported unless...

Surface Water Management

Aldingbourne Neighbourhood Plan 2016 POLICY EH6

Protection of trees and hedgerows

Aldingbourne Neighbourhood Plan 2016 POLICY H1

New housing or altering dwellings

Quality of Design

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:

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.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Relevant policies from the Arun Local Plan and the Aldingbourne Neighbourhood Plan have been considered in the determination of this application. The emerging policies within the reg 14 Aldingbourne Neighbourhood Plan have also been considered, though they are afforded very limited weight.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with relevant Development Plan policies in that it would result in safe access and a development of an appropriate scale and appearance not out of character in the area.

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

The proposed application relates to all reserved matters to serve the development which benefits from outline permission (with all matters reserved) under reference AL/8/16/OUT. The extant outline approval establishes the principle of the development and as such the key considerations in the determination of this application will concern the appearance of the scheme, landscaping and access.

ACCESS

The outline planning permission AL/8/16/OUT did not include means of access. However, an indicative site layout was included within that application and the indicative means of access was supported by a Road Safety Audit (RSA). The Inspectors decision on AL/8/16/OUT referred to this RSA and he imposed

a condition requiring that the access is implemented in accordance with the submitted RSA. It is considered that sufficient detail was provided at this stage to conclude that the point of access was adequately established.

This submission now includes full details of this proposed access, which is in the location shown at the outline stage. WSCC Highways confirmed that they agreed the access proposals at the outline stage and they are satisfied with the information provided in support of this application and consider that the reserved matters application is acceptable.

It has been demonstrated that a refuse collection vehicle can turn within the site.

Each of the proposed dwellings has 2 or 3 off street parking spaces. None of these are remote from the dwellings. Because of the desire to retain the existing hedgerow onto Hook Lane, parking for plots 1-5 is proposed to the rear. Because vehicles parked on Hook Lane would not be visible from these plots and because of the geometry of Hook Lane and access point opposite, it is considered unlikely that on-street car parking will take place. Within the site, four off street visitor spaces are also proposed.

On this basis, the proposals comply with Policy T DM1 of the Arun Local Plan and policies GA1 and GA3 of the Aldingbourne Neighbourhood Plan.

TREES & LANDSCAPING

The proposed access involves the loss of an oak tree on the Hook Lane frontage. The Tree Officer has objected to the removal of this. This is clearly a good specimen and it would be desirable to retain. The submission of tree information at the outline stage included an assessment of this tree and, whilst no trees were proposed for removal at that stage because no layout was being approved, no preservation order was considered necessary at that time.

Whilst it is regrettable that this specimen will be lost, it is considered that it does facilitate a good layout and appropriate access. Further, the overall proposals will include a high quality landscape scheme and the overall impact will be positive.

The proposals retain a significant hedgerow on the Hook Lane frontage which will retain the character of the highway as well as retaining existing trees and an adequate buffer on the western boundary.

On this basis, the proposals comply with Policies ENV DM4 and D DM1 of the Arun Local Plan and Policy EH6 of the Aldingbourne Neighbourhood Plan.

SCALE, DESIGN & LAYOUT

The proposal provides for 14 detached dwellings. These are arranged to front onto Hook Lane and an internal cul-de-sac layout. There is also an area of open space centrally within the site. This open space will be fronted by a number of dwellings which will provide natural surveillance as well as provided a pleasant green centre to the small scheme. Plots are adequate in size to accommodate parking and amenity spaces. There are no objections to any aspect of the proposed layout. Further, the scale of proposals was established at the outline stage.

There are two existing properties that adjoin the application site to the north. Barnside is sited onto Hook Lane and plot 1 is proposed adjoin it. Due to it's proposed siting, there are no implications for overlooking or over bearing impacts to an unacceptable degree. The application site adjoins the rear most part of the rear garden to Banff. Plot 14 adjoins this boundary. However, there is existing landscaping on this boundary, not affected by the proposals and plot 14 is proposed as a bungalow. There will therefore be

no opportunity for overlooking of any amenity space associated with the existing property.

The individual properties are designed to be brick finish with areas of tile hanging at first floor. Red roof tiles are proposed to be used and brick lintel details are proposed. There are also some decorative cills proposed. The use of porches and bay windows also adds to the quality of design with a variety of house types.

On this basis, the proposals comply with Policy D DM1 of the Arun Local Plan and Policies H1, H2 and H3, H8 of the Aldingbourne Neighbourhood Plan.

OTHER MATTERS

The outline permission AL/8/16/OUT has conditions attached that relate to construction management, tree protection, archaeology, ground conditions, visibility splays, ecology, lighting, surface and foul drainage. All of these details will be required to be discharged through a separate submission.

Further, the planning obligation attached to AL/8/16/OUT also includes mitigation measures towards infrastructure associated with the development.

There are no policies in the Reg 14 version of the Aldingbourne Neighbourhood Plan that add any further consideration over and above the existing development plan policies. Those that relate to this application are repeated from the made version of the Plan.

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:

Site Location Plan;
 D01 Rev A Proposed Site Plan;
 D02 Rev A Plot 1 Floor Plans and Elevations;
 D03 Rev A Plots 3 and 4 Floor Plans and Elevations;
 D04 Rev A Plots 5 and 14 Floor Plans and Elevations;
 D05 Rev B Plots 6-9 Floor Plans;
 D06 Rev A Plots 6-9 Elevations;
 D07 Rev A Plot 10 Floor Plans and Elevations;
 D08 Rev B Plot 11-13 Floor Plans;
 D09 Plot 11-13 Elevations;
 D10 Rev A Garage Plans and Elevations;
 D11 Rev B Plot 2 Floor Plans and Elevations; and
 Planting Plan Dwg 2518-0102 (July 2019).

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

- 2 None of the dwellings hereby approved 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. Such approved cycle storage spaces shall thereafter be retained in good working condition.

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

- 3 None of the dwellings hereby approved shall be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the new houses will incorporate decentralised, renewable and low carbon energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the dwellings and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

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

- 4 Prior to the occupation of any of the dwellings, a strategy for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter 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 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 Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework.

- 5 Before the buildings hereby permitted are occupied bin storage areas or enclosures shall be provided as part of the development in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority. Such drawings to show the siting and design thereof.

Reason: To safeguard the appearance of the development and the amenities of the area in accordance with policies D DM1 and WM DM1 of the Arun Local Plan.

- 6 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 to the dwelling houses within plots 2, 3 or 4 shall be constructed or buildings shall be erected within the curtilages of these plots unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the amenity of adjoining occupiers, maintain adequate private amenity space and safeguard the cohesive appearance of the development in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

- 7 All bathroom and toilet windows in the elevations of any of the buildings hereby approved shall be glazed with obscured glass and permanently retained so thereafter.

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

- 8 No windows (other than those shown on the plans hereby approved) shall be constructed in the flank elevations of any of the dwellings hereby approved without the prior permission of the Local Planning Authority on an application in that behalf.

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

- 9 Notwithstanding the provisions of Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no fences, walls, gates or other means of enclosure (other than those specified on the approved plans) shall be erected on land forward of the primary or side elevations of the dwellings, unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of visual amenity in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

- 10 The garages and car parking spaces hereby approved on this development shall not be used for any purpose other than the parking of vehicles unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of ensuring sufficient vehicle parking and highway safety within the development in accordance with policy T SP1 of the Arun Local Plan.

- 11 Notwithstanding the provisions of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no hardstanding (other than that specified on the approved plans) shall be created on land forward of the principal or side elevations of the dwellings, unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of visual amenity in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

- 12 No demolition or construction activities shall take place, other than between 08.00 to 18.00 hours (Monday to Friday) and 08.00 to 13.00 hours (Saturday) with no noisy working activities on Sunday or Bank Holidays.

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

- 13 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by 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.
- 14 INFORMATIVE: In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police (dated 17/05/19) as available on the Councils website.
- 15 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 16 INFORMATIVE: Should any protected species or evidence of any protected species be found prior to or during the development, all works must stop immediately and an ecological consultant or Chichester District Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of this advice and provided with the contact details of a relevant ecological consultant.
- 17 INFORMATIVE: This planning permission does not in any way provide for the acceptance of the submitted Lighting Assessment and it will be necessary to discharge this condition separately at which time there will be consultation with the Councils Environmental Health Officers and our Ecologist.