

Recommendation Report for Planning Permission

REF NO: AL/55/21/PL

LOCATION: Aldingbourne Post Office
Westgate Street
Aldingbourne
PO20 3QL

PROPOSAL: Proposed demolition of existing post office and to replace with new food store. Proposed new food store to be re-built in accordance with previously approved scheme to alter the existing building application ref: AL/53/20/PL. This application is in CIL Zone 2 (zero rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Demolition of an post office and its replacement with a new food store. The new food store to be built in an accordance with previously approved scheme under reference AL/53/20/PL for the alteration to the existing shop to form enlarged food store. The proposal as approved was not achievable given the lack of structural integrity, therefore the eshop would be demolished and replaced to exact and heights of the approved scheme. Proposed materials and layouts as specified in the previous application would retain. This application seeks to demolish and re-built only rather than alter the existing structure. All applications that have been subsequently submitted and approved for the proposal site are to remain pertinent to the scheme and will be installed as per previous shown and approved.
SITE AREA	0.06 Hectares.
TOPOGRAPHY	Slightly sloping up.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Supporting brick wall with a vertical board fencing on the top on the southern boundary, dwarf brick wall to the rear and on the both sides of front parking area.
SITE CHARACTERISTICS	The site is comprised of a single storey building constructed mainly of red brick characterized by a combination of a shallow pitched and flat roof with a large hard surfaced parking area in front of the main entrance and grassed area on the southern side.
CHARACTER OF LOCALITY	The proposal site is located within a dominant corner position on the junction of Westergate Street and Hook Lane within

predominantly residential area with a rail track to the south.

RELEVANT SITE HISTORY

AL/89/20/PL	Installation of plant enclosure to house refrigeration & air conditioning equipment & external freezer & chiller units. This site is in CIL Zone 2 (Zero Rated) as other development.	ApproveConditionally 19-01-21
AL/53/20/PL	Change of use from residential (C3) to shop (A1), new roof & new shop front. This application is in CIL Zone 2 (Zero Rated) as 'all other development'.	ApproveConditionally 10-09-20
AL/4/15/PL	Change of use of ancillary residential accommodation to 1 No. 1 bedroom flat.	ApproveConditionally 14-04-15
AL/123/04/	Revisions to permitted application AL/60/03 to raise roof by 0.6m to allow installation of velux roof windows rather than large dormers	Refused 28-01-05
AL/28/04/	Demolition of existing garage and single garage, rebuilt as single double carport with office over. New pedestrian access door to rear public carparking courtyard.	Refused 14-07-04
AL/60/03/	First floor extension to provide separate living accommodation for relative	ApproveConditionally 04-09-03

Noted.

REPRESENTATIONS

Aldingbourne Parish Council: Gave the support to the development of a new shop in the village.

One letter of support has been received:

- A new small convenience store at the corner of Hook Lane and Westergate Street will please local people.
- It is long overdue since the closure of the Post Office and then closure of the old store.
- The traffic situation in Hook Lane alongside the store just before the T-junction with Westergate Street/A29 where always vehicles queueing is critical. Ideally there should be 2 alongside lanes to allow for this.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. This application is solely for re-building of the shop within the same footprint as such no alterations to the existing access are proposed.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

WSCC HIGHWAYS - Proposal would not have 'severe' impact on operation of Highway network and is not contrary to NPPF (para 109), no transport grounds to resist the proposal subject to suggested conditions.

NATURAL ENGLAND: Has no comments to make to this application.

ADC Drainage Engineers: The application is in the Lidsey Treatment Catchment and is proposing an increase in impermeable area (from existing) with addition of the plant bay and refrigerators /freezers. No objection subject to condition. They were not consulted on previous applications (AL/53/20/PL and AL/89/20/PL specifically) which is why the condition was not requested on the previous proposals.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area;
Lidsey Treatment Catchment;
HRA Buffer, Singleton and Cocking Tunnels SAC 12000m;
Class A Road;
Class C Road.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ENVDM5	ENV DM5 Development and biodiversity
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WMDM1	WM DM1 Waste Management

[Aldingbourne Neighbourhood Plan 2019-31 Policy EE1](#) Supporting existing employment and retail

Aldingbourne Neighbourhood Plan 2019-31 Policy EH1 Built up area boundary

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

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

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Aldingbourne NDP was made at Full Council on 14th July 2021 and replaces one policy (policy H1 quality of design was deleted and replaced with H1 2019), adds two new policies H1 2019 and EH2 2019 and amends three. EH2 2019 sets out policy for the Singleton and Cocking Tunnels SAC.

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 not considered to conflict with the relevant Development Plan policies in that it would not have a materially adverse effect on the visual amenities of the locality and the residential amenities of the adjoining properties, and it would not have an adverse impact upon the established character of the surrounding area.

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:**

The site is in the built up area boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan 2011-2031 and amended policy EH1 of the Aldingbourne Neighbourhood Development Plan2 provided it accords with other policies of the Local Plan covering

such issues as visual/residential amenity, highway safety and parking.

Regard should be had to policy SD SP1 of the Arun Local Plan which states: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework." The site is in a sustainable village and suburban location in easy walking & cycling distance of a range of facilities and services including bus stops.

Para 120 (d) of the National Planning Policy Framework (NPPF 2021) states "Planning policies and decisions should: promote and support the development of under-utilised land and buildings ...". Para 86 states: "Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation."

The proposal accords with policies SD SP1 and SD SP2 of the Arun Local Plan and policy EH1 of the Aldingbourne Neighbourhood Development Plan.

PROPOSAL

The site was used until February 2020 as a part residential and part retail/post office until February 2020 (employing 2 people on full-time bases and 2 people on part time bases) when the shop was closed. Under AL/53/20/PL use of the rear part of the building was changed from residential to a retail use resulting in a total gross retail floor space of 295.3 square metres. The current application, for the reason described above, is for demolition of the structure to be replaced with new food store with the same total gross retail floor space as approved.

Saved policy EE1 of the Aldingbourne Neighbourhood Development Plan 2 is supporting an existing employment and retail. Development proposals to upgrade or extend existing employment sites and retail units will be supported provided that the impact on the amenities of surrounding properties is acceptable and subject to the other policies in this Plan. Criterion EE1.2 states that the village shops in Aldingbourne are an essential part of the fabric of life for many residents with 22% of respondents state that they used them daily.

The proposed re-opening and an enlargement of local shop would bring vitality and vibrancy to these places, adding to the range and accessibility of goods and would create further 2 full-time and 2 part-time employment opportunities with hours of opening from 07:00 to 22:00 Monday-Friday, Saturday/Sunday & Bank Holiday.

It is considered that the proposal complies with policy EE1 of the Aldingbourne Neighbourhood Development Plan.

VISUAL AMENITIES

Policy D DM1 of the Arun Local Plan requires the Council seek to make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. D DM1 requires new housing makes efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires the scale of development keep within the general confines of the overall character of a locality.

ALP policy D SP1 "Design" requires development to make efficient use of land and reflect local character. The Arun Design Guide Supplementary Planning Document (SPD) adopted 25th January 2021 is a material consideration in the determination of applications. Part G.O1 which deals with Neighbourhood, Centres and Local Facilities stresses that the accessibility of facilities and services is fundamental to the proper functioning of a neighbourhood.

The area is predominantly residential in character. The proposal seeks to rebuild the retail area to exact footprint, form and height as approved under AL/53/20/PL. There are no significant changes proposed with regard to the external appearance of the property therefore it is not considered that the proposed replacement would have an adverse effect on the character of the street scene and generally on the character of surrounded area.

The development would not adversely affect the street scene since the proposal property was used previously as a shop/post office with a shopfront facing to Westergate Street with a similar features as proposed. Proposed development complies with ALP policies D DM1 and D SP1 and Arun Design Guide.

RESIDENTIAL AMENITY INCLUDING NOISE POLLUTION:

The Arun Local Plan policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. Policy QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity". Para 130 (f) of the NPPF 2021 which states that developments should provide a high standard of amenity for existing and future users.

The proposed development is siting comfortably within an uphill position maintaining a reasonable distance from the surrounded residential properties. Whilst proposal is for an enlargement of an existing retail area it is not considered that the proposed development would have a larger impact on surrounding residential area than that previous (A1). No new windows are proposed on the northern elevation,

Therefore the development is not considered to have unacceptable impacts on the residential amenity of any neighbouring properties and would comply with policies D DM1 and QE DM1.

HWAYS & PARKING:

Arun Local Plan policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of parking, it states:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

Policy T DM1 requires that development be located within easy access of established non-car transport modes/routes and also seek to contribute to the improvement of such routes & facilities.

Saved policy GA3 of the ANDP 2 advocates that proposals must provide adequate parking in accordance with the standards adopted at the time. Proposals that would result in a loss of parking spaces either on or off street will be resisted.

Para 110 of the NPPF 2021 states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users".

Regard should be had to para 111 which stresses: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Parking Standards Supplementary Planning Document, January 2020 states in Principle 1:

2.12 Parking provision should be sufficient to accommodate demand whilst exploiting the potential for sustainable travel, minimizing adverse effects on road safety and avoiding increased on-street parking demand.

The provided plan indicates that the applicant proposes to formalise the parking arrangements on site to provide 5 parking spaces, including one disabled parking bay. Each space appears to meet minimum specifications of 2.4 x 4.8m as set out in Manual for Streets, plus additional space for the disabled bay. WSCC Highways not considered that the proposed additional floor space would result in a severe intensification of use of the site or result in any capacity issues on the public highway.

It is considered the proposal accords with policy T SP1 of the Arun Local Plan, saved policy GA3 of the ANDP2, Arun Parking Standards (SPD) and NPPF guidance.

BIODIVERSITY:

ALP policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

ANDP policy EH6 states that development proposals must be designed to incorporate biodiversity and enhance ecological networks in order to contribute to the Government's target to halt the decline in biodiversity by aiming for a net gain for nature.

Para 180 (a) of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;"

The site is within 12km of the Singleton and Cocking Tunnels Special Area of Conservation. Policy SD10 of the South Downs National Park Local Plan states that development proposals on greenfield sites or in close proximity to woodlands and hedgerows should ensure that key features (foraging habitat and commuting routes) are retained.

The application is for a replacement of an existing retail premises (alike for alike) with no hedges or trees but grass on the site. Due to the nature of proposal and the character of proposal site a Preliminary Ecological Appraisal Report was not required.

Given the nature and extent of the application and the position of the structure there is a negligible impact on bat species.

SUMMARY:

There is no in principle objection to replacement of an existing retail premises on this site in the built up

area and the proposal complies with development control criteria concerning highway safety, character and residential amenity. It is considered the application is acceptable in all regards and should be approved subject to 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.

CIL DETAILS

This application is not CIL Liable as zero rated, other development.

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:

Dwg No Idc-3639-02 PL B;
Dwg No Idc-3-01 PL.

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 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.
- Reason: In the interests of amenity in accordance with policies D DM1 of the Arun Local Plan.
- 4 The use hereby permitted shall not commence until provision has been made within and in the vicinity of the site for the disposal of litter resulting from the use, and such provision shall be in accordance with details agreed in writing with the Local Planning Authority.
- Reason: In the interests of the amenity of occupiers of nearby properties in accordance with Arun Local Plan policies D DM1 and ENV SP1.
- 5 No part of the development shall be first used until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
- Reason: To provide car parking space for the use in accordance with policy T DM2 of Arun Local Plan
- 6 No construction/demolition 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 works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.
- Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan
- 7 Hours of opening shall only be between 07:00 and 22:00 Monday to Friday/Saturday/Sundays and Bank Holidays and shall not be changed without the prior written consent of the Local Planning Authority.
- Reason: In the interests of amenity in accordance with Arun Local Plan policies QE SP1 and QE DM1.
- 8 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.
- 9 No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall included details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of

construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access in accordance with policies D DM1 and T SP1 of the Arun Local Plan.

- 10 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 here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 11 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.