

Recommendation Report for Planning Permission

REF NO:	AL/58/17/PL
LOCATION:	Sack Lane Dairy Sack Lane ALDINGBOURNE PO22 9PD
PROPOSAL:	Demolition of existing buildings, construction of 5No. live/work units & creation of new pastureland. This application is a Departure from the Development Plan

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed live work units will be contained within a 1.5 storey "C" shaped terraced building measuring 35.1m long by 6.8m wide with 11.7m by 7m projecting elements on either side. The building will be a total height of 6.3m to the ridge. Each unit comprises of two bedrooms, bathroom, kitchen/living space and a workspace. Bin stores are located at each end of the forward projections, courtyard parking spaces to the front (2 per unit) and a small rear garden each with a small shed/cycle store. The remaining land to the rear will be returned to agriculture as pasture land. The proposal also includes an electric vehicle charging point.
SITE AREA	0.26 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	19.2 dwellings per hectare.
TOPOGRAPHY	Predominantly flat but undulating.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Previously formed either by the existing buildings or metalled 5 bar gates. However, the site has now been cleared such that these boundaries no longer exist. The boundary to Hope Cottage is a low timber fence atop an earthen bund approx. 2m total height. There is also a 1.8-2m high fence surrounding the rear gardens of Winters Barn.
SITE CHARACTERISTICS	The site has now been cleared and the buildings all demolished. However, it was previously occupied by the following buildings: (1) a one to two storey cattle shed with part concrete, part timber and part asbestos sheet walls with an asbestos sheet roof - measuring 31.1m by 25.8m by 9.2m high (at the highest point); (2) a single storey, pitched roof, asbestos sheet clad milking parlour measuring 19.5m by 24.3m by 4.2m; (3) a 3m high tank.

CHARACTER OF LOCALITY

There was an office contained within the western side of the main building. There was also a slurry pit.

Rural. Located at the end of a rural lane with few dwellings. The site forms part of Lidsey Farm which is a 95 hectare site currently farming arable produce including wheat, rape & potatoes. As such, there is farm land to the south and west. An adjacent barn (Winters Barn) was converted under AL/66/14/PD into two dwellings with shallow gardens to the rear. This conversion has principal bedroom windows in the first floor southern and eastern elevations which will have oblique views of the site. Hope Cottage to the east has 2 bedroom and 2 bathroom windows at first floor which will face the proposed eastern flank elevation.

RELEVANT SITE HISTORY

AL/120/15/PL	Demolition of existing barns & structures, removal of concrete & hard standing, construction of 3No. live/work units and associated gardens, parking & creation of a new area of pasture land. Departure from the Development Plan. Resubmission following AL/83/15/PL.	Refused 01-03-16 Appeal: Allowed+Conditions 08-08-16
AL/83/15/PL	Demolition of existing barns & structures, removal of concrete hardstanding, 3 No. three live/work units, gardens, parking & new pasture land. This application is a Departure from the Development Plan.	Refused 05-11-15

Subsequent to the refusal of planning application AL/83/15/PL, application AL/120/15/PL was lodged and this was refused for the same two reasons as before, namely:

(1) The proposed development is located outside of the defined built up area boundary and in an unsustainable location having regard to the distance of the site from bus stops, local shops, the lack of a viable footpath access to such & the poor state of the road surface which would not be attractive to cyclists and therefore, the occupiers of the site would be reliant on the private car. The proposal is therefore considered to be contrary to policies GEN2, GEN3 & GEN7 of the Arun District Local Plan, policies C SP1, T DM1 & SD SP2 of the Arun Local Plan 2011-2031 (Publication Version) and paragraphs 17 & 34 of the National Planning Policy Framework.

(2) The proposed development makes no contribution towards affordable housing provision and is thereby contrary to the aims and objectives of policy H SP2 of the Arun Local Plan 2011-2031 (Publication Version) and the Council's Interim Affordable Housing Policy (as adopted on the 18th August 2010).

An appeal was lodged and this was allowed on the 9th August 2016. Following the Court of Appeal judgement (Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council EWCA Civ 441), and the reinstatement of the Planning Practice

Guidance on affordable housing, the Council did not seek to defend refusal reason 02.

In respect of refusal reason 01, the Inspector considered that although the site is not particularly well located to promote methods of travel other than by private motor car, regard must also be had to the other parts of the National Planning Policy Framework (NPPF) such as paragraphs 17, 28 and 34 which support economic growth in rural areas and allow consideration of other factors alongside accessibility concerns. The Inspector noted that the applicants Agriculture Assessment supported the need for the new units to support the farm enterprise. The Inspector was satisfied that the proposed development would promote and make a significant contribution to the viability of the farm enterprise, which in turn would have benefits the local rural economy.

The Inspector also had regard to the lack of a 5 year housing land supply, the good design of the proposal and its positive impact on the character & appearance of the site. The Inspector weighed up these factors against the accessibility of the site and concluded that the proposed development would amount to sustainable development and that there would be no conflict with paragraphs 17, 28 & 34 of the Framework or policies GEN3, GEN2 of the adopted Local Plan.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldingbourne Parish Council

Aldingbourne Parish Council - "The Parish Council objects to this application. The site is considered unsustainable. It is contrary to the APC NP policy EH1. and GEN 2 and 3 of the Local Plan. Should the application be permitted a condition regarding drainage as per the Drainage Officers recommendation."

One letter from a resident of Sack Lane raising the following concerns:

- (1) Material increase in traffic movements above that permitted by the three live/work units and exceeding those connected to the previous dairy use;
- (2) Poor road visibility at the junction of Sack Lane and the A29;
- (3) The Inspector accepted that three live/work units would support the farm but no case has been made for five;
- (4) The agricultural assessment is made in relation to Lidsey Farm in isolation but the applicant also has several other farms from which an income is derived;
- (5) Contrary to the Aldingbourne Neighbourhood Plan and the adopted & emerging Local Plans;
- (6) Broadband speeds in Sack Lane are notoriously slow and will affect the viability of home working; and
- (7) There are several errors in the application such as a stated connection to mains drainage and the fact that the Design & Access Statement has not been updated to reflect 5 dwellings.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The points raised will be discussed in the conclusions section. However, in respect of point (7), although these errors are acknowledged, it should be noted that Southern Water clearly state that there is no opportunity for mains drainage. Furthermore, the application did not require a Design & Access Statement to be valid and so this can be disregarded.

CONSULTATIONS

WSCC Strategic Planning

Engineering Services Manager

Engineers (Drainage)
 Ecology Advisor
 Environment Agency
 Southern Water Planning
 Ecology Advisor

CONSULTATION RESPONSES RECEIVED:

SOUTHERN WATER - No objection. Request an informative regarding foul sewer access and a condition to protect any unrecorded sewers crossing the site.

WSCC HIGHWAYS - Note that this part of Sack Lane is not a publically maintained highway and therefore comments are for advice only. State that the previous dairy use would have had the potential to generate a significant number of vehicular movements and therefore on balance, the replacement of these movements to those associated with the proposed would not be considered to have a 'severe' impact on the operation of the highway network, therefore not contrary to the NPPF (paragraph 32). Consider the parking provision & cycle parking is acceptable and that there is sufficient space to allow large vehicles to turn on site.

ADC DRAINAGE ENGINEERS - No objection. Request a surface water drainage condition.

COUNCIL ECOLOGIST - No objection. Request conditions relating to external lighting (to protect bats) and to ensure birds nests are protected from any tree/vegetation clearance.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Outside Built Up Boundary; and
 No Public Sewer.

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN3	Protection of the Countryside
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
GEN12	Parking in New Development
GEN29	Nature and Conservation Across the District
GEN32	Noise Pollution
GEN33	Light Pollution
GEN34	Air Pollution

[Publication Version of the Local Plan \(October 2014\):](#)

C SP1 Countryside

D DM1 Aspects of Form and Design Quality
 D DM2 Internal Space Standards
 D DM3 External Space Standards
 D SP1 Design
 ECC SP2 Energy and climate change mitigation
 EMP DM1 Employment land:Development Management
 ENV DM5 Development and Biodiversity
 H DM1 Housing Mix
 QE DM1 Noise Pollution
 QE DM2 Light Pollution
 QE DM3 Air Pollution
 QE DM4 Contaminated Land
 SD SP1 Sustainable Development
 SD SP2 Built -Up Area Boundary
 T SP1 Transport and Development
 W DM3 Sustainable Urban Drainage Systems

[Aldingbourne Neighbourhood Plan 2016 POLICY](#)
[EE3](#)

Support for new commercial uses

Aldingbourne Neighbourhood Plan 2016 POLICY
EH1

Resist development outside

Aldingbourne Neighbourhood Plan 2016 POLICY
EH5

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

Surface Water Management

Aldingbourne Neighbourhood Plan 2016 POLICY
EH10

Unlit village status

Aldingbourne Neighbourhood Plan 2016 POLICY
GA1

Promoting Sustainable movement

Aldingbourne Neighbourhood Plan 2016 POLICY
GA3

Parking and new development

Aldingbourne Neighbourhood Plan 2016 POLICY
H1

New housing or altering dwellings

Quality of Design

Aldingbourne Neighbourhood Plan 2016 POLICY
H3

Housing density

Aldingbourne Neighbourhood Plan 2016 POLICY
H6

Within built up area boundary

Windfall sites

Aldingbourne Neighbourhood Plan 2016 POLICY
H7

No support development near noisy business

Development in the vicinity of business

Aldingbourne Neighbourhood Plan 2016 POLICY
H8

Dwellings must have adequate private or shared amenity.

Aldingbourne Neighbourhood Plan 2016 POLICY
H9

Outdoor space

Items to consider e.g. - bin stores

Attention to detail

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

The relevant policies of the Aldingbourne Neighbouring Plan are considered within 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."

The residential part of the proposal is not considered to comply with relevant Development Plan policies in that it is located in an unsustainable countryside location and is therefore contrary to policy GEN3 of the Arun Local Plan and policies EH1, H6 & GA1 of the Aldingbourne Neighbourhood Development Plan (ANDP). The business uses would however accord in principle with Arun Local Plan policy GEN3 in respect of being "for the diversification of the rural economy" and EE3 of the Neighbourhood Development Plan.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as detailed in the Conclusion section. These include the appeal decision of application AL/120/15/PL (APP/C3810/W/16/3148035), the National Planning Policy Framework (NPPF) and associated Guidance and the lack of a 5 year housing land supply provision for Arun.

CONCLUSIONS

PRINCIPLE:

In this section, both the 'live' (residential) and the 'work' (business) sides of the proposal are considered separately.

The Development Plan

The development plan for Arun District currently comprises the Arun District Local Plan (2003) (saved policies) and the Aldingbourne Neighbourhood Development Plan or ANDP (October 2016).

Arun District Local Plan 2003

The policies of most relevance are saved policies GEN2 and GEN3 of the Arun District Local Plan (ADLP). Policy GEN2 states that outside of the built up area boundary (BUAB), development will not be permitted unless it is consistent with other ADLP policies.

ADLP Policy GEN3 "Protection of the Countryside" states that except for various categories of development (of which diversification of the rural economy could apply to the business use but none of the criteria apply to residential development), development within the countryside will not be permitted. As this site lies outside the nearest BUAB, it is categorised as being within the countryside and the residential part of the scheme would therefore conflict with ADLP Policies GEN 2 and GEN 3.

Aldingbourne Neighbourhood Development Plan

The Aldingbourne Neighbourhood Development Plan (ANDP) was made (adopted) in October 2016 on the basis of the saved policies in the ADLP and the draft policies in the 2014 publication version of the emerging Arun Local Plan (eALP).

Map E of the ANDP includes a BUAB drawn around the settlement of Westergate. The site lies some distance outside of this BUAB and the application site is therefore classified as countryside. ANDP policy EH1 states that development will not be allowed on sites outside of the built up area boundary except where it is in accordance with development plan policies in respect of the countryside (such as diversification of the rural economy). Policy H6 (residential windfall sites) only applies to sites within the built up area boundary. Furthermore, policy GA1 states that proposals that increase travel demand are to be located in places accessible to public and community transport. Policy EE3 is also relevant and states that new B class commercial uses will be supported subject to compliance with other policies in the ANDP.

As set out above, the residential side of the proposal would conflict with the ADLP policies GEN2 and GEN3 and therefore also conflicts with policies EH1, H6 & GA1 of the ANDP as this part of the proposal would fail to protect countryside in accordance with those policies. The business side of the proposal may gain support from policy EE3 subject to other considerations.

Emerging Development Plans

This includes the emerging Arun Local Plan 2011-2031 Publication Version October 2014 (eALP) as modified March 2017 ('the modified eALP').

The eALP was submitted for examination in January 2015. However, following a material increase in the Objectively Assessed Need (OAN) for housing, the eALP examination was suspended to allow ADC to review potential additional locations for housing development. The proposed Modifications were approved by Full Council and consultation took place on the new document ("Arun Local Plan 2011-2031 Publication Version showing Modifications") between 10 April and 30 May 2017.

The hearing sessions into the examination of the Arun Local Plan ended on Thursday 28 September 2017 and the Inspector has since written to the Council to set out his 'Interim Views following the Hearings'. The Council is currently preparing a composite Schedule of Proposed Main Modifications (MMs) to be provided to the Inspector.

Policy H SP1 "Housing Allocation" of the modified eALP sets out the overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes a reference to additional allocations for small sites being made across the District through emerging Neighbourhood Plans or reviews of made Neighbourhood Plans.

Policy H SP2 "Strategic Site Allocations" is split into 3 sections covering different areas of the District. An allocation is proposed by Policy H SP2a on land west of Bersted for 2,500 dwellings but the application is actually closer to the allocation concerning the settlements of Barnham, Eastergate and Westergate under policy HP2c for 2,300 dwellings. The application does not form part of either of these two allocations.

Policy SD SP2 "Built up Area Boundary" states that outside the BUAB, apart from Strategic, Site Specific and Broad Allocations, development will not be permitted unless consistent with other plan policies. In addition, Policy C SP1 "Countryside" states that residential development in the countryside outside of the BUAB will not be permitted unless in accordance with policies in the Plan which refer to a specific use or type of development. As the proposed site does not form part of a proposed allocation and is not in

accordance with another policy within the eALP, the exception would not apply and the proposal would be contrary to eALP policies SD SP2 and C SP1.

The proposed development is not located in a strategic, site specific or broad allocation in the eALP, so the application will need to be considered alongside other plan policies.

Regard should also be had to policy EMP DM1, specifically part 10 "Sustainable Farm Diversification". It was previously considered that the proposal would not be in accordance with this policy as it was not part of a comprehensive farm diversification scheme (i.e. that the proposal concerns only a part of the farm) and that it was not clear from the supporting information as to how the proposal would benefit the local area. However, the modified version of the policy within the Arun Local Plan 2011-2031 Publication Version showing Modifications does not have the requirement to be part of a comprehensive farm diversification scheme so this concern is no longer relevant.

The previous appeal decision (ref APP/C3810/W/16/3148035), as discussed below under "Assessment of Sustainable Development" is clear that the principle of live/work units would promote and make a significant contribution to the viability of the farm enterprise and, in turn, would have benefits to the local rural economy. The Inspector attached considerable weight to these benefits.

Planning Balance

For reasons given above, the residential side of the proposal is not in accordance with ADLP Policies GEN2 & GEN3 or policies EH1, H6 & GA1 of the ANDP. The business side of the proposal would benefit from the support of policy EE3 of the ANDP albeit subject to other considerations.

The following sets out whether there are any material considerations which indicate that the residential side of the proposal should be determined other than in accordance with the development plan.

There has been an almost doubling of the objectively assessed need (OAN) for the Arun District to 919 dwellings per annum (dpa) and the current reported housing land supply figure for Arun District is only around 2.07 years (as at 31/03/17). This demonstrates that there is a pressing need to identify and bring forward deliverable sites for housing and that ADC cannot demonstrate a 3 or 5 year supply of deliverable housing sites.

In recognition of this, the Local Plan Sub-Committee resolved in December 2016 to invite planning applications for the first phases of sites being investigated at potential strategic allocations. It was also resolved to invite planning applications on sites identified as being 'deliverable' within the Housing and Employment Land and Availability Assessment (HELAA) where they are considered sustainable and will not prejudice the emerging local plan and/or infrastructure delivery.

Given the absence of a 5 year housing land supply, paragraph 14 of the NPPF is engaged and planning permission should be granted unless (a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole or (b) specific policies in the Framework indicate development should be restricted. As the Council cannot demonstrate a 3 year supply of deliverable housing sites, the Written Ministerial Statement on Neighbourhood Planning (12 December 2016) does not apply. Paragraph 49 of the NPPF is also engaged, which states that the relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a 5-year housing land supply.

Given the significant shortfall in housing supply, only limited weight can be given to the conflict with out-of-date ADLP Policies GEN2 & GEN3 and policies EH1, H6 & GA1 of the BNDP. Policy GEN2 is clear that the boundaries of the built-up area were defined 'for the purposes of the West Sussex Structure Plan

and this District Local Plan'. The built-up areas were drawn for the purposes of defining the extent of the built-up areas and countryside. This was done with the background of the required number of dwellings for the plan making period being provided within the built-up areas or on allocated sites (up to 2011).

The Arun District Council Publication Version of the Local Plan February 2014 (on which the ANDP was partially based) was prepared to address the OAN at the time and has been subject to major change to meet the requirements of the significantly increased OAN and therefore should be given very limited, if any, weight.

The ANDP was produced based on both the adopted Local Plan (Summer 2013) and the Publication Version of the Local Plan (October 2014). This version of the eLP was tested at Examination and subsequently revised into the modified version. Although, the context within which the ANDP was prepared has significantly changed (with the modified version of the eLP), it was at least based in part on the version of the eLP that was tested at Examination and so weight can be attributed to it.

Presumption in favour of Sustainable Development

Regard should also be had to the policies contained in the National Planning Policy Framework (NPPF) which are a material consideration in the determination of this proposal. In the event of conflicts between policies in the development plans or with Government policy, it is the most recent policy which takes precedence. With this in mind, the NPPF, which was issued in March 2012, is materially relevant and should be afforded significant weight.

As set out above, the policies for the protection of the countryside within the development plan are out of date and can be afforded limited weight and this means that the presumption in favour of sustainable development set out in paragraph 14 of the National Planning Policy Framework (NPPF) applies. The following considers the proposals against the presumption in favour of sustainable development. It should be noted that paragraph 7 of the NPPF states that in order to achieve sustainable development; economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

(1) Environmental Role

The Institute of Highway and Transportation (IHT) publication 'Guidelines for Providing Journeys on Foot (2000)' sets out recommended guidelines for walking distances and provide desirable, acceptable & preferred maximum distances. For town centres these range between 200 to 800 metres, for commuting/school 500 to 2000 metres and elsewhere 400 to 1200 metres. As this is not a town centre location the relevant distances would be 400m-1200m for day to day journeys and in respect of school/work commuting, 500m-2000m.

The site is some distance from the nearest built up area boundaries (BUAB) of Bognor Regis to the south, Westergate to the north and Barnham to the northeast. The site is located towards the end of a long rural lane with no separate footpath/pavement, several potholes and with the nearest bus stops being a walk of around 1km away. Furthermore, these bus stops are located on the A29 which is a main road route with national speed limits and no defined footways between the end of Sack Lane and the closest bus stop. These bus stops are served by service 66, which operates a circular route between Bognor Regis, Barnham, Yapton and Bognor Regis every 1-2 hours on Mondays to Saturdays.

The following are walking/cycling distances to nearby facilities using roads.

- * To the shop at Lidsey Caravan Park (assuming open to general public) - 1km;
- * To Barnham Railway Station - 6.3km;

- * To Bognor Regis Railway Station - 4.9km;
- * To Sainsbury's Bognor Regis - 1.9km;
- * To Lidl, Bognor Regis - 2.65km;
- * To the Robin Hood Public House - 1.3km;
- * To the Prince of Wales Public House - 2.45km;
- * To Woodgate Post Office/Shop - 1.6km;
- * To Bersted Green Surgery - 4km;
- * To The Croft Practice Surgery - 4.53km;
- * To Aldingbourne Primary School - 2.8km;
- * To Ormiston Six Villages Academy - 4.13km;
- * To Bersted Green Primary School - 3.85km; and
- * To Bartons Primary School - 4km.

In close proximity to the Lidl, there is in addition, a McDonalds, KFC, Home Bargains shop and a B&M Home Store.

It should be noted that these distances all involve the A29 road route and that there is no footway or lighting along certain parts of this road (between Sack Lane and Shripney to the south & between Sack Lane and Westergate to the north. It is considered that the use of local footpaths could reduce the distances to some of these but that these footpaths would not be suitable in hours of darkness or inclement weather.

The occupiers of the units will not necessarily need to travel for work as there will be business floor space within their homes. However, it may be the case that other household members need to travel elsewhere for employment such as to Bognor Regis.

The applicant has included a electric car charging point within the scheme and this will have a wider environmental benefit. However, this alone does not overcome the concerns that the site occupiers will be reliant on the private car to reach nearby facilities and services.

(2) Social Role

It is considered that the proposal could support the local community by five new 2 bedroom dwellings with integrated work space thus allowing people to work from home. This factor weighs in the scheme's favour.

(3) Economic Role

This proposal seeks to provide a form of residential accommodation that also includes home office space and that this could therefore either result in the creation of new businesses & accompanying jobs in the local area or simply allow people to work from home. However, the applicant has not provided any information as to the likely end users of the units or as to how the proposal will benefit the local economy either through new jobs or direct/indirect spending in the economy.

It is noted that the 'work' part of the units is simply a room within what would otherwise be a residential unit which is labelled as a workspace. Although the rooms are fairly large, it is not considered that it would be appropriate for a B1 business use other than as an office, studio or laboratory (noting that the B1 use class also includes light industry) due to its presence within a residential home.

Furthermore, given its situation within a dwelling, it is not clear whether the employment of staff would be compatible in that ancillary office facilities (kitchen/toilet) would be shared with those of the occupier and potentially their family. It is considered likely therefore that the units will be occupied by persons working

largely from home and if this is the case, then the benefits to the economy may be considerably less as potentially, no new jobs would be created and the associated economic spend would simply relocate from elsewhere.

Notwithstanding the above, it is considered the proposal could result in economic benefits to the local area in the form of the following:

- * An increase in Council Tax receipts;
- * An increase in Business Rates;
- * Job creation;
- * Potential 'New Homes Bonus' payments from the Government;
- * Creating/Maintaining Construction Jobs; and
- * Additional spending by new residents on local goods & services.

Assessment of Sustainable Development

It is not considered that the site is located in a sustainable location and that therefore the occupiers would be reliant on the private car to access nearby facilities and services. Furthermore, there are question marks over the scope of the economic benefits.

However, regard should be had to the appeal decision concerning the previous application (ref APP/C3810/W/16/3148035) which concerned three live/work units. Although, the Inspector recognised that the appeal site is not particularly well located to promote methods of travel other than by private motor car, he considered that regard should be had to paragraph 6 of the NPPF which states that the policies in the NPPF must be taken as a whole in order to ascertain what sustainable development means in practice. He therefore considered it necessary to take account of paragraphs 17, 28 and 34 of the NPPF.

Paragraph 17 (bullet point 5) of the NPPF requires that account be taken of the different roles of different areas and to promote the vitality and support thriving rural communities. Similarly, paragraph 34 stipulates that provisions for other policies set out elsewhere in the Framework must be considered alongside minimising travel, particularly those relating to rural areas. Paragraph 28 meanwhile states that planning policies should support economic growth in rural areas. It goes on to state that local plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings; and promote the development and diversification of agricultural and other land-based rural businesses.

The Inspector considered therefore that regard should be had to the submitted Agricultural Assessment (AA) of Lidsey Farm and this showed that the proposed development is needed to support the viability of the farm enterprise. The AA stated that for 2016, crop sales (of which commodity prices are unlikely to increase in the foreseeable future) factored against labour & machinery costs would result in the farm enterprise making a small net loss. However, income generated from the rental of three existing properties within the farm site will compensate for this, and will allow the farm enterprise to generate a small overall profit. The Inspector noted that as reliance on income generated from other sources will become increasingly important for farm businesses, the proposed development would provide additional and much needed income for the farm enterprise, and allow the holding to reinvest for its future.

The Inspector therefore found that the case for the need for the proposed development had been pertinently made and although the details of the end user of the work space elements of the scheme were somewhat vague, there was no sufficient evidence to suggest that its size would be impractical, unusable or undesirable. The Inspector was therefore satisfied that the proposed development would promote and make a significant contribution to the viability of the farm enterprise, which in turn would

have benefits to the local rural economy. The Inspector attached considerable weight to these benefits.

The Inspector also noted that the Council was unable to demonstrate a five-year supply of housing land, and as such he found that the proposed development would make small but welcome contribution to meeting that need. The Inspector also considered that the scheme was well designed and would have a marked improvement upon the character and appearance of the area over the previous dairy buildings.

As noted elsewhere the Councils Housing Land supply situation is similar to what it was when the previous appeal was decided. Furthermore, the current application is supported by the same Agricultural Assessment. The applicant states that the addition of two further live/work units will make a better use of the site and a greater contribution to the viability and sustainability of the existing farming business. It is noted that the local objector considers that the applicant also has other farms from which an income is derived. This was not considered by the previous appeal Inspector. However, it is not considered to be economically sustainable to rely on other separate (albeit joint owned) businesses to support an individual farm enterprise.

It is therefore considered, having regard to the previous appeal decision, the housing land supply situation and the continued need for the farm to support its own viability & sustainability, that the proposal would benefit from the NPPF presumption in favour of sustainable development.

Conclusion on Matters of Principle:

Overall, the principle of residential development on this site is contrary to the development plan, however, as Arun District Local Plan policies GEN2 and GEN3 and the intention of the ANDP to protect countryside (policies EH1, GA1, H6) are out of date, in accordance with paragraph 49 of the NPPF they carry reduced weight. The principle of business development however would, subject to other considerations, be acceptable in principle having regard to ANDP policy EE3 and eLP policy EMP DM1.

However, the material considerations set out above are considered to weigh in favour of granting permission. The proposed development would provide for five new small homes with integral business floorspace, both of which is required in the Arun District. Furthermore, having regard to the previous appeal decision and the Inspectors view that the development represented sustainable development, it is considered that the principle of residential development on this site would, in current policy circumstances and as set out in the NPPF, be acceptable. The assessment will now consider other policy considerations and whether this gives rise to any adverse impacts.

VISUAL AMENITY & CHARACTER:

Arun Local Plan Policy GEN7 (ii) requires that new developments respond positively to the identified characteristics of a particular site to create developments which respect local characteristics.

Aldingbourne Neighbourhood Plan policies H1 and H3 are both relevant. H1 requires that new housing should be of a high quality design that reflects the local character and reinforces local distinctiveness. Meanwhile, H3 states that the density of new development should be appropriate to its location by virtue of size, siting and relationship to existing properties.

It is also necessary to consider the guidance within the National Planning Policy Framework. Section 7 states that good design is a key aspect of sustainable development (paragraph 56), and that developments should respond to local character & history, reflect the identity of local surroundings & materials, establish a strong sense of place and be visually attractive as a result of good architecture (paragraph 58). Paragraph 60 advises that local planning authorities should promote or reinforce local distinctiveness. Paragraph 64 then confirms that planning permission should be refused for poor design

that fails to improve the character or quality of an area.

The site has now been cleared but was previously occupied by a collection of functional but relatively unattractive agricultural barn buildings as associated with the former milking use. Although these were in character with the rural location, they were underused and had become a bit of an eyesore especially having regard to the prominence of residential properties along this part of Sack Lane.

The sum of the new buildings will be far less than what has been removed. In addition, there will be a return to pasture land of some of the land at the rear of the new buildings. As such, the density of new buildings is considered to be appropriate and it is considered that the introduction of a new part brick, part oak cladding, part tiled building would result in a positive change to the visual amenities and character of the area. It is further considered that the residential curtilages are not excessive in area.

Although the new building is to be oriented so as to face the road at an angle (unlike the previous three unit scheme which had a building line parallel to the road), this building line is the same as Winters Barn to the west and in any case is not considered to be so harmful to the character of Sack Lane as to sustain a refusal. Regard is had to the low density informal character of Sack Lane

It is also noted that in the previous appeal decision, the Inspector considered that the three live/work unit scheme was well designed and would have a marked improvement upon the character and appearance of the area over the previous dairy buildings.

It is therefore considered that the proposal would be in accordance with policy GEN7 of the ADLP, policies H1 and H3 of the ANDP and the guidance on design in the National Planning Policy Framework.

RESIDENTIAL AMENITY:

Arun District Local Plan Policy GEN7 (iv) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. None of the ANDP policies specifically refer to residential amenity issues. However, one of the 'core planning principles' of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).

The proposed building will have ground floor windows and first floor velux roof lights in all elevations (save for the two north west facing roofs). As noted above, there are dwellings to the west (Winters Barn) and to the east (Hope Cottage). However, windows on the ground floor east/west elevations will be screened by existing boundary treatments to these neighbouring properties. Furthermore, the new building will be at least 23m from Hope Cottage and this is considered to be an appropriate interface distance to minimise any overlooking at first floor level. The interface to Winters Cottage is much closer but there are no roof lights proposed facing Winters Barn.

The existing rear first floor bedroom window in the southern elevation of Winters Barn will overlook the proposed garden to unit 5. However, this is not considered to be materially worse than the situation on the previously appeal allowed scheme in respect of unit 3's garden.

In respect of sunlight, it is considered that the situation is better with the current application in respect of potential loss of light to Winters Barn due to the current building being further away. It is also considered that the removal of the existing high buildings which cover most of the site and replacement with a much smaller building will likely increase the amount of light available to nearby properties and this will result in an improvement to local residential amenity.

It is therefore considered that the proposal would be in accordance with policy GEN7 of the ADLP and

the guidance on residential amenity within the National Planning Policy Framework.

INTERNAL & EXTERNAL SPACE STANDARDS:

It is also necessary to assess the proposal against the internal space standards as set out in the Government's new Technical Housing Standards (Nationally Described Space Standard). The requirement for two storey, 2 bed, 4 person dwellings is 79m² and all of the proposed dwellings would exceed this (providing 116-120m² worth of internal space or 83-97m² excluding the work space).

Policy H8 of the ANDP 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."

Policy D DM3 of the modified eALP sets out the Council's external space standards and despite not being an adopted policy is currently being used for development management purposes and has been subject to testing at appeal.

There are two requirements to the policy. Firstly, a minimum rear garden depth of 10m. The rear garden depth serves to (a) ensure that rear gardens are usable spaces and (b) to provide for a 20m back to back distance between dwellings. This depth standard may be relaxed if both of the following situations are in existence: (a) there is no back to back arrangement (and no realistic possibility of a future back to back arrangement); and (b) where the garden is sufficiently wide so as to exceed the area requirement. The second requirement concerns the area of the private rear garden and in this case should be at least 50m² for 2 bedroom terraced houses.

Although the rear gardens are all only around 8m deep, four of them are wider than they are deep and all exceed the required area (ranging from 80m² to 116m²). There is also no real likelihood of further dwellings being built on the land to the rear.

It is therefore considered that the proposal complies with policies D DM2, D DM3 of the eLP, the Nationally Described Space Standard and policy H8 of the ANDP.

HIGHWAYS & PARKING:

The local resident objector is concerned that the proposal will result in a material increase in traffic movements above that permitted by the three live/work units and exceeding those connected to the previous dairy use. The objector also has concerns regarding poor road visibility at the junction of Sack Lane and the A29.

Policy GA3 of the ANDP states that: "Proposals must provide adequate parking in accordance with the standards adopted at the time."

Arun Local Plan policy GEN12 refers to the need to provide sufficient off-street parking. However, the standards within the appendices to the Local Plan which it refers to have been superseded by the West Sussex (Residential) Parking Demand Calculator. This indicates a total demand for the development of 11 spaces. The layout only shows 10 spaces. However, it is noted that WSCC Highways consider the parking provision to be acceptable. Sack Lane is a lightly trafficked road and it is not considered that the 1 space shortfall would cause any obstruction, safety or amenity concerns.

There are no adopted development plan policies which cover highway safety. Instead regard should be had to paragraph 32 of the National Planning Policy Framework which states that: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

West Sussex Highways have assessed the proposal and they consider that the previous dairy use would have had the potential to generate a significant number of vehicular movements. Therefore, on balance, the replacement of these movements to those associated with the proposed would not be considered to have a 'severe' impact on the operation of the highway network.

It is therefore considered that the proposal complies with policy GA3 of the ANDP, policy GEN12 of the Arun Local Plan and the guidance with the NPPF.

NOISE/ODOUR/LIGHT POLLUTION:

Policy H7 of the ANDP states that: "Proposals for development in the vicinity of businesses which are inherently noisy will not be supported."

In addition, policy EH10 states that "Development proposals which detract from the unlit environments of the Parish will not be supported. New lighting will be required to conform to the highest standard of light pollution restrictions in force at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly in its use including floodlighting at equine establishments and on sports fields or sports grounds."

In addition, Arun Local Plan policies GEN32-34 cover noise, air and light pollution.

It is not considered that the 'work' likely to be undertaken within the units will be such that machinery or other noisy processes will be involved. The work space is a room within the dwelling and it is considered most likely that it will be used as an office or creative studio space. As such, it is not considered that there will be any air or odour pollution impacts. The new building will require external lighting typical of any normal domestic property. A condition is therefore appropriate to ensure that this lighting is not visually intrusive and does not adversely affect local wildlife.

It is therefore considered that the proposal complies with policies GEN32-34 of the Arun Local Plan and policy EH10 of the ANDP.

NATURAL ENVIRONMENT:

Policy GEN29 of the Arun Local Plan states that: "Development will only be permitted on sites which contain semi-natural habitats, features of nature conservation interest, or within wildlife corridors, where these can be largely retained and sympathetically incorporated into the scheme."

However, this site is considered to be brownfield (previously developed land) as it previously comprised of agricultural buildings and related built features. Paragraph 111 of the NPPF states that "planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value." The site is not considered to hold any environmental value but the proposed return of parts of the site to DATA ERROR!!!

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 2015/15/10 Rev A Location Plan;
Drawing 2015/15/09 Rev B Site/Block Plan;
Drawing 2015/15/15 Ground Floor Plan;
Drawing 2015/15/16 First Floor Plan;
Drawing 2015/15/17 Roof Plan;
Drawing 2015/15/18 North and South Elevations; and
Drawing 2015/15/18 West and East Elevations.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.

Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended and in accordance with policies GEN7 and GEN29 of the Arun District Local Plan.

- 4 Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No 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 GEN7 and GEN9 of the Arun District Council 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.

- 5 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Local Plan policy GEN7. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 6 No development shall take place until there has been submitted to, and approved by, the

Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 7 No development above damp proof course (DPC) level shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 8 No development shall take place until details of new screen walls/fences have been submitted to and approved by the Local Planning Authority and no buildings shall be occupied until such screen walls/fences associated with them have been erected.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 9 None of the live/work units shall be occupied unless and until the parking spaces and turning areas shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

- 10 Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun District Local Plan policy GEN7.

- 11 Secure and covered bicycle stores shall be erected in accordance with details to be submitted to and approved by the Local Planning Authority prior to the occupation of any of the live/work

units. The secure cycle storage so approved shall then be retained in perpetuity unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that adequate and satisfactory provision is made for the parking of bicycles in accordance with policies GEN7 and GEN12 of the Arun District Local Plan.

- 12 Details for the storage of waste & recycling within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the live/work units. The waste/recycling storage so approved shall then be retained in perpetuity unless otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of nearby residents in accordance with Arun District Local Plan policy GEN7.

- 13 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) 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 GEN7 of the Arun District Local Plan.

- 14 The business floor space of the live/work units hereby approved shall be finished ready for occupation before the residential floor space is occupied.

Reason: To control the specific nature of the use and in the interests of the character and amenity of the area in accordance with Policy GEN7 of the Arun District Local Plan.

- 15 The business floor space of the live/work units hereby approved shall not be used for any purpose other than for purposes within Class B1 in the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To control the specific nature of the use and in the interests of the character and amenity of the area in accordance with Policy GEN7 of the Arun District Local Plan.

- 16 Each of the proposed units shall only be occupied by a person or persons solely or mainly employed, or last employed in the business occupying the business floor space of that unit, a widow or widower of such a person, or any resident dependants.

Reason: To control the specific nature of the use and in the interests of the character and amenity of the area in accordance with Policy GEN7 of the Arun District Local Plan.

- 17 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats) and to minimise unnecessary light spillage outside the development site in accordance with Policies GEN7, GEN29 & GEN33 of the Arun District Local Plan.

- 18 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Plan policy GEN7.

- 19 Should any sewer be found during construction works then all development activities shall cease and not recommence until full details of the proposed measures to be undertaken to protect the existing public sewer have been submitted and approved in writing by the local planning authority (in conjunction with Southern Water) and then implemented in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to the existing foul sewer in accordance with policy GEN9 of the Arun District Council Local Plan.

- 20 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.

- 21 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk.

- 22 INFORMATIVE: Drainage Engineers advise that 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 BRE 365, 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 30% 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 are also available on request.