

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: AL/5/18/RES

LOCATION: Woodgate Farm
Westergate Street
Westergate
PO20 3SS

PROPOSAL: Approval of reserved matters following outline consent AL/75/14/OUT for 2 No. dwellings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application details the construction of two, 2 storey demi-detached dwellings with a shared access and parking/turning area from Hook Lane. Each house will have two designated parking spaces and there will then be a fifth visitor parking space. Each house has further accommodation in the roof facilitated by velux roof lights on the rear elevations. Plot 1 has three bedrooms and a further small office/study. Plot 2 has four bedrooms and also a further small office/study. The plans also detail the placement of bins, cycle stores and landscaping. A brick wall with piers to a height of 1.2m is proposed along the frontage.
SITE AREA	0.063 Hectares
RESIDENTIAL DEVELOPMENT DENSITY	31.7 dwellings per hectare.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The boundary to Hook Lane is currently open but secured with temporary Heras metal fencing. To Fleetwood, there is a 1.8m high part wall, part fence. To Springfield, there is a mix of 1.8m high flint wall and a 3m hedge. The boundary to Woodgate Farm is part flint wall and part open with temporary Heras fencing.
SITE CHARACTERISTICS	Land previously owned by Woodgate Farm which formerly comprised of various sheds, garages, workshops and car ports together with areas of hardstanding and grass. The site has recently been cleared by the applicant in preparation for construction of the dwellings.
CHARACTER OF LOCALITY	This is a predominantly residential area. However, on the opposite side of Hook Lane lies a convenience store whilst to the south beyond the level crossing there is a public house. In terms of neighbouring properties; Fleetwood has ground & first floor front facing principal windows as well as a first floor flank bedroom window overlooking the site. Springfield on the other

hand is a bungalow with no windows facing the site.

Woodgate Farm house is a corner plot with garden on all sides but has its private garden to the west adjacent to Springfield. The house has west facing ground floor lounge & dining room windows but no west facing first floor windows.

RELEVANT SITE HISTORY

AL/51/17/PL	1 No. dwelling	ApproveConditionally 13-07-17
AL/20/17/HH	New vehicular access	ApproveConditionally 27-04-17
AL/75/14/OUT	Outline application with some matters reserved for a residential development to the west of the site comprising 2 residential houses with improved access to Hook Lane.	ApproveConditionally 21-01-15

AL/20/17/HH allowed for the creation of a new access to the existing dwelling from the A29 Westergate Street thus enabling the subdivision of the plot to allow the application site to be developed separately. The site benefits from an extant outline permission for two dwellings (AL/75/14/OUT) and a further permission for a single dwelling which is not being proceeded with.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldingbourne Parish Council

"No objection. The Parish Council wishes to comment on this application. The Council would support a condition requiring additional planting of mature trees and hedging at the front of the development to lessen impact"

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. It is not considered that there is sufficient space to the front to plant any trees. Furthermore, the proposal itself represents a visual improvement to the street scene given that there was previously single storey outbuildings built right up to the edge of the road.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

WSCC Strategic Planning
 Parks and Landscapes
 WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

SOUTHERN WATER - Make no comments in respect of the reserved matters submission. However, advise that the construction of permeable paving over public or adoptable sewers will not be acceptable and that the design of drainage should ensure that no land drainage or groundwater is to enter public sewers network. Also advise that no new soakaways or any other surface water retaining/conveying features should be located within 5 metres of a public sewer.

WSCC HIGHWAYS - No objections. Consider that 5 parking spaces is acceptable. Recommend conditions to require that the cycle stores and vehicle parking/turning areas are provided in accordance with the approved drawings.

ADC DRAINAGE ENGINEERS - Recommend that Southern Water is consulted in respect to the foul sewer diversion. Await detailed proposals, including winter groundwater monitoring/percolation testing, in accordance with condition no.4 of AL/75/14/OUT.

ADC LANDSCAPE - Consider that the landscaping scheme is sufficient in detail, contains species choice and planting density and is suitable for the location. Therefore raise no objections.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The requested Highways conditions will not be applied as they would replicate conditions 06 & 07 on the outline permission (and these conditions are still to be discharged). The Southern Water comments will be incorporated into an informative.

POLICY CONTEXT

Designations applicable to site:

Within Built Up Area Boundary;
 Class A Road;
 Class C Road; and
 Public Sewer on Site.

DEVELOPMENT PLAN POLICES

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

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
GEN12	Parking in New Development
GEN29	Nature and Conservation Across the District

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

D DM1	Aspects of Form and Design Quality
D DM2	Internal Space Standards
D SP1	Design

ECC SP2 Energy and climate change mitigation
 ENV DM5 Development and Biodiversity
 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 EH1](#)

Aldingbourne Neighbourhood Plan 2016 POLICY EH5

Aldingbourne Neighbourhood Plan 2016 POLICY GA3

Aldingbourne Neighbourhood Plan 2016 POLICY H1

Aldingbourne Neighbourhood Plan 2016 POLICY H2

Aldingbourne Neighbourhood Plan 2016 POLICY H3

Aldingbourne Neighbourhood Plan 2016 POLICY H6

Aldingbourne Neighbourhood Plan 2016 POLICY H8

Aldingbourne Neighbourhood Plan 2016 POLICY H9

Resist development outside

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

Surface Water Management

Parking and new development

New housing or altering dwellings

Quality of Design

Range of house types

Housing Mix

Housing density

Within built up area boundary

Windfall sites

Dwellings must have adequate private or shared amenity.

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 then subject to public consultation. The hearing sessions into the examination of the Arun Local Plan ended on Thursday 28 September 2017 and the Inspector then wrote to the Council to set out his 'Interim Views following the Hearings'. The plan was then modified further in January 2018 (Modified - Arun Local Plan - January 2018 Consultation) and these were subject to public consultation between 12 January 2018 and 23 February 2018.

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 within the Aldingbourne Neighbourhood Development Plan have been considered in the preparation of this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it 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 warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The principle of development has already been established by virtue of the outline planning permission, reference AL/75/14 which also approved the access to the development. It is therefore only necessary to consider the outstanding details - those of layout, appearance, landscaping and scale.

LAYOUT, APPEARANCE & SCALE:

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. Furthermore, GEN7 (iv) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property.

Aldingbourne Neighbourhood Development Plan (ANDP) policies H1, H3, H6, H9 are all relevant. H1 requires that new housing should be of a high quality design that reflects the local character and reinforces local distinctiveness. Policy H3 states that the density of new development should be appropriate to its location by virtue of size, siting and relationship to existing properties. Policy H6 of the ANDP states that residential development on infill/redevelopment sites is acceptable but must be appropriate in scale & density to the size and character of the settlement, must be used efficiently, be accessible via a range of transport modes and must conserve/enhance wildlife. Policy H9 requires that certain 'add-on' items (e.g. gutters, satellite dishes, meter boxes) be included in the design of new houses.

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. In addition, paragraph 17 states that development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The previous outline application initially detailed a layout of 3 dwellings but it was not considered that this would comply with the Council external space standards within the emerging Local Plan (policy D DM3) and the applicant agreed to amend the description to 2 dwellings. The principle of two dwellings on the plot has therefore been accepted.

The layout does not reflect the building line of nearby dwellings but this is as a result of the irregular shape of the site and the need to ensure a good size of rear garden. Also, there is not considered to be a rigid building line along this part of Hook Lane and indeed, plot 1 reflects the staggered building line of Springfield and Fleetwood to the west. Furthermore, the applicant has taken account of the principal windows on the front of Springfield and has ensured that no part of plot 1 impinges on a 45 degree angle drawn from the centre of the neighbours north facing principal window. This will ensure that there is no adverse loss of light to the front of the neighbouring property.

Plot 2 is partially adjoining plot 1 but is set slightly further to the south and as such has a building line

closer to that of Woodgate farm house. There is an existing west facing principal dining room window on Woodgate Farm which would face onto the flank elevation of plot 2 at a distance of only 5.2m. This would result in a loss of day light to this window. It is also noted that plot 2's cycle storage shed is proposed in a position opposite an existing secondary window on the side of Woodgate Farm.

However, the occupier of Woodgatge Farm was the applicant for the outline planning application and the drawing supplied at the outline stage suggested the siting off a dwelling in closer proximity to this window. It is therefore considered that the occupiers of Woodgate Farm will not be inconvenienced by the proposed development. Furthermore, Woodgate Farm has windows on all three other elevations which will be unhindered from obstructions.

The cycle store to plot 1 is to be located in a position adjacent to the flank of Springfield and potentially facing an existing secondary window. However, its impact will be acceptable having regard to the height of boundary (2m) which could be erected without planning permission between the two properties.

Other properties along Hook Lane also have front hardstanding parking areas and so this is in character. Although the dwellings to the west of the site have tree/hedge planting along their frontages, it is considered acceptable to not insist on this for this site as (a) there is not sufficient space to the front to plant any trees; and (b) the proposal itself represents a visual improvement to the street scene given that there was previously single storey outbuildings built right up to the edge of the road.

The proposed scale of the dwellings is considered to be acceptable and broadly similar to adjacent dwellings as illustrated by the submitted 3D views. The scheme has also been designed without any windows/dormers within the front roof. This was negotiated at pre-application stage as it was not considered that any other dwellings in the streetscene had an obvious attic level floor. The use of velux windows on the rear is acceptable as these will not be visible from Hook Lane. It is also considered that the design of the dwellings generally are traditional and respect the character of the surroundings.

In respect of the vehicle parking aspect of the layout, policy GA3 of the Aldingbourne Neighbourhood Development Plan states that: "Proposals must provide adequate parking in accordance with the standards adopted at the time". West Sussex Highways have assessed the scheme on the basis of current parking standards and find it acceptable. Therefore, the proposal complies with policy GA3.

Internal space standards are considered to relate to the matter of scale and regard must therefore be had to policy D DM2 of the emerging Local Plan which refers to the Governments Technical Housing Standards (Nationally Described Space Standard). The following is a breakdown of the proposal versus the standards:

Plot No. -	No. of beds - No. of People - Required Floor Space - Actual Floor Space			
House 1	4	5	103m ²	128m ²
House 2	5	8	134m ²	133m ²

Both of the houses have offices on the 2nd floor and for the purposes of this assessment, they are treated as single bedrooms. However, even with these included, both of the dwellings more than comply with required standards and are therefore appropriately scaled.

External space standards are considered to relate to the matter of layout. 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". Furthermore, paragraph 17 of the NPPF which states that "Planning should always seek to secure a good standard of amenity for all future occupants of land and buildings". However, the current modified version of the emerging Arun Local

Plan proposes to delete policy D DM3 in favour of inclusion within a future design guide which has not yet been prepared. It is not therefore considered appropriate to now refer to this policy and as a result the Council has no current guidance on what size of garden would be appropriate.

The proposed gardens are to be smaller and much shallower than those of neighbouring properties. However, it is not important in this case to ensure a decent interface distance to the rear as the dwelling behind is a bungalow with a flank elevation facing the site. Furthermore, the garden areas at 94m² for plot 1 and 103m² for plot 2 are considered to be a good size.

The applicant has not specified what the materials will be for the new houses and therefore, it is appropriate to impose a condition requiring approval of these prior to any development above damp proof course level.

It is therefore considered that the proposal is in accordance with ANDP policies H1, H3, H6, H8, H9 & GA3, policy GEN7 of the Arun Local Plan and the guidance within the NPPF.

LANDSCAPING:

There are no development plan policies relating specifically to landscaping. However, paragraph 58 of the NPPF states that: "Planning policies and decisions should aim to ensure that developments are visually attractive as a result of good architecture and appropriate landscaping

The applicant has supplied a Landscaping plan detailing the planting of new trees and shrubs. This is considered to offer an acceptable solution to the need to soften the development but taking account of the constraints of the site's shape. The scheme is therefore considered to comply with the requirements of the reserved matters application.

CONCLUSION:

There are no concerns raised with the reserved matters submission and it is recommended that the planning permission be granted subject to the following additional conditions alongside those conditions already imposed on AL/75/14//OUT.

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:

Location Plan Rev P1;
 Site Block Plan with Visibility Splay ref (01) 102 Rev P3;
 Ground Floor Plan ref (02) 201 Rev P3;
 1st Floor Plan ref (02) 202 Rev P3;
 2nd Floor Plan ref (02) 203 Rev P2;
 Roof Plan ref (02) 204 Rev P2;
 North & South Elevations ref (03) 301 Rev P3;
 West & East Elevations ref (03) 302 Rev P3;
 3D Views ref (00) 500 Rev P2;
 Site Plan with Landscape ref (01) 101 Rev P5; and
 Proposed Drainage Diversion ref 171123_02 Rev P3.

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.

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 3 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 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 of the Arun District Local Plan and the National Planning Policy Framework.

- 4 In accordance with the approved drawings, the following windows shall be obscure glazed and shall be permanently retained as such:

Plot 1 - front ground floor WC window;
Plot 1 - rear first floor bathroom window;
Plot 1 - rear first floor en-suite window;
Plot 2 - front ground floor WC window;
Plot 2 - rear first floor bathroom window; and
Plot 2 - rear first floor en-suite window.

Reason: To protect the amenities and privacy of adjacent existing and proposed properties in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

- 5 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting this Order) no extensions or alterations to the roof (including 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 and the National Planning Policy Framework.

- 6 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 7 INFORMATIVE: Please note the following Southern Water guidance:

* The construction of permeable paving over public or adoptable sewers will not be acceptable. The design of drainage should ensure that no land drainage or groundwater is to enter public sewers network; and

* No new soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewers.