

Recommendation Report for Outline Consent

REF NO: AL/75/14/OUT

LOCATION: Woodgate Farm
Westergate Street
Aldingbourne

PROPOSAL: 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.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. It should be noted that the proposed description has been amended by the applicant to reduce the number of dwellings from 3 to 2. The submitted site layout plan remains the same (i.e. showing 3 dwellings) but this is ok as siting is not being approved at this stage.

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 a mix of a 1.2-1.4m high wall and the exterior walls of buildings. To Fleetwood, there is a 1.8m high part wall, part fence. To Springfield, there is a mix of the exterior walls of buildings, a 1.8m high flint wall and a 3m hedge.

SITE CHARACTERISTICS

Land to the side of Woodgate Farm consisting of various sheds, garages, workshops and car ports together with areas of hardstanding and grass. There is a gated access from Hook Lane. 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 is part brick and part hanging tiles. The house has west facing ground floor lounge & dining room windows but no west facing first floor windows.

CHARACTER OF LOCALITY

This is a predominantly residential area. However, on the opposite side of Hook Lane lies a Costcutter convenience store whilst to

the south beyond the level crossing there is a public house. In terms of neighbouring properties; Fleetwood has a first floor flank bedroom window which overlooks the site. Springfield on the other hand is a bungalow with no windows facing the site.

RELEVANT SITE HISTORY

AL/55/92	Extension	ApproveConditionally 20-11-1992
AL/25/98	First floor bedroom extension	ApproveConditionally 27-05-1998
AL/92/01/	Single storey extension to side of property to form utility room	ApproveConditionally 08-02-2002

None.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

Aldingbourne Parish Council - "Aldingbourne Parish Council Planning Committee: The committee have no objections in principal to this development but have concerns about the density in regard to the access onto Hook Lane, in particular in relation to the shop and parking adjacent to same.

Access would be better served further west on the property"

Comments on Representations received:

Comments noted. The density has been reduced (from 3 dwellings to 2). WSCC Highways have no objections (see below).

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Fluvial Flooding)
WSCC Strategic Planning
Arboriculturist

Consultations responses received:

Southern Water - Note the position off a public sewer crossing the site and request a condition to protect the drainage apparatus. Also request an informative regarding public sewer connections.

WSCC Highways - The following comments are those received after the receipt of an amended plan regarding the access arrangements:

"The applicant has provided a plan which demonstrates 2.4 x 43 metre vehicle visibility splays in

both directions onto Hook Lane. It should be noted that the maximum achievable visibility splays to the east is 2.4 x approximately 20 metres due to the junction with Westergate Street (A29). No object within these splays should be above the height of 0.6 metres in height. The formation of these splays will therefore require significant works to the boundary treatments of the site, the impact of which is a consideration for the LPA. A 43 metre splays would be considered appropriate for 85th percentile road speeds of 30mph. To the east the maximum splay achievable is 20 metres due to the junction with Westergate Street (A29). This would equate to a sight stopping distance for vehicle travelling at 17mph. Having visited the site I would conclude that 85% of vehicle speeds approaching from the east would not likely to be travelling in excess of this speed due to the junction with Westergate Street. The applicant has demonstrated that the splays described are achievable and can be secured via condition. I therefore believe it would be difficult to substantiate a reason for refusal based on visibility at the site access point.

The applicant has demonstrated that 5 car parking spaces will be provided and all will be afforded the ability to turn on site and so that entry and exit to the site can occur in the forward gear. Each of the new dwellings appear to be allocated one space while the existing Woodgate Farm appears to be allocated two spaces. Based on the latest dwellings sizes and parking allocation above I would anticipate a development of this size in this location to attract the demand for 8 vehicles. This shortfall of 3 spaces would have to be provided by on-street car parking, likely on Hook Lane, where on-street car parking does occur with no restrictions. Having visited the site I believe it would be difficult to substantiate that this additional on street car parking would result in a highway safety issue, nevertheless the LPA may be minded to consider the on street car parking amenity of other residents.

The access widening works on the public highway must be conducted under license to a specification obtained from WSCC highways. The internal hard standing parking and turning area should be constructed in a bound surface. In summary I believe this application would be difficult to resist based on highway safety reasons."

Conditions and an informative are requested.

Arun DC Arboricultural Officer - "As there is no trees on site - No objection"

Arun DC Drainage Engineers - "The applicant states that surface water will be discharged to soakaway and SuDS. Please apply standard conditions ENGD2A"

Comments on Consultation responses:

Comments noted. With regard to the WSCC Highways concerns over parking, it should be noted that the proposal has been reduced from 3 to 2 dwellings.

POLICY CONTEXT

Designations applicable to site:

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

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)

Built-up Area Boundary

[GEN7](#)
[GEN9](#)
[GEN12](#)

Publication Version of the Local
Plan (October 2014):

The Form of New Development
Foul and Surface Water Drainage
Parking in New Development
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
SD SP2 Built-Up Area Boundary
T SP1 Transport and Development
W DM3 Sustainable Urban Drainage
Systems

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; and Yapton.

Aldingbourne have just completed the first draft of their Neighbourhood Plan (Neighbourhood Plan Working Draft November 2014).

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

PROPOSAL & PRINCIPLE

This is an outline application with means of access details only. Although a site layout plan has been submitted, siting is not a matter for determination at this time. Therefore, the layout is considered to be indicative only.

This site lies within the built up area boundary where the principle of development is considered to be acceptable in principle subject to normal development control criteria being satisfied such as highway impacts, visual and residential amenity. It is also noted that the NPPF states at paragraph 49 that: "Housing applications should be considered in the context of the presumption in favour of sustainable development."

HIGHWAYS IMPLICATIONS

The application has been assessed by WSCC Highways who initially had concerns over the access arrangements but following receipt of amended details have now ruled that it would be difficult to substantiate a reason for refusal based on visibility at the site access point. WSCC Highways do still have some concerns as to the amount of parking proposed for the development but ultimately consider that it would be difficult to substantiate that the additional on street car parking would result in a highway safety issue.

Notwithstanding, the applicant has further amended the application by agreeing to a reduction in

the number of dwellings from 3 to 2. WSCC were not privy to this amendment when they issued their second comments. It is considered that this reduction will result in there being greater space within the site for parking and so there will be less pressure for visitor parking on Hook Lane.

OTHER MATTERS

As stated above, this is an outline application with means of access details. Therefore, it is not necessary to consider any of the other reserved matters at this time. These being external appearance, layout, scale and landscaping. However, it is important to ensure that there is sufficient space within the site to accommodate the development. For that reason, regard has been had to policies D DM2 and D DM3 of the emerging local plan which seek to ensure that future residential occupants are provided with a satisfactory amount of indoor living and outdoor garden space.

The initial proposal for 3 dwellings was not considered to comply with these policies. This was as a result of the proposed dwellings being too small and the gardens not deep enough. It was suggested to the applicant that a reduction in the number of dwellings from 3 to 2 would be more acceptable and the applicants have agreed to this change. It is therefore considered that the scheme as amended is more likely to be able to comply with the space standards. It should also be noted that whilst the proposal would result in the loss of part of Woodgate Farms' garden, there is sufficient usable and private space on the other sides of this dwelling.

It is considered that there is the potential for 2 dwellings to be developed within this site whilst also protecting the residential amenity of neighbouring properties and maintaining the character and appearance of the streetscene. It is recommended that this application is approved subject to the following 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.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance; and
- (d) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

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

Location & Site Layout Plans Ref DH01 Rev C; and
Visibility Splays, Car and Cycle Parking Ref DH02 Rev A.

And in accordance with the email from Mr M Norrell dated 12 December 2014 which confirms the reduction from 3 to 2 dwellings.

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.

- 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 retained thereafter.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 5 Prior to commencement of the development, the developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewer which is present on the site. The approved details shall then be implemented in full and any remediation works retained thereafter.

Reason: To protect the existing public sewer in accordance with Policy GEN9 of the Arun District Council Local Plan.

- 6 No part of the development shall be first occupied until covered & secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. The cycle spaces shall then be retained thereafter.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and Policy GEN7 of the Arun District Local Plan.

- 7 The buildings shall not be occupied until the parking spaces/garages and turning facilities 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/turning/garaging 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.

- 8 The access to the proposed site shall be 5m in width and shall be laid out to provide visibility splays on each side of the access in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

These splays shall be:-

- (1) 2 metres by 2.4 metres on each side of the proposed access based on the existing highway boundary, together with sight lines defined by:-
- (2) (a) A line 2.4 metres long measured along the centre line of the proposed access from the line of the nearer edge of the carriageway of Hook Lane.
- (b) Lines 43 metres long to the east & the maximum achievable to the east (20m) measured along the nearer edge of the carriageway of Hook Lane, from their intersection with the centre line of the proposed access.

(c) The straight lines joining the termination of the above lines.

No other work shall be carried out on the site until the above-mentioned sight lines and splay lines have been provided and thereafter the said sight lines and splay areas shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

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

- * the loading and unloading of plant, materials and waste;
- * the recycling, removal and disposal of waste materials; and
- * the storage of plant and materials used in construction of the development.

Reason: In the interests of highway safety and the amenities of the area in accordance with Policy GEN7 of the Arun District Local Plan.

- 10 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.
- 11 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.
- 12 INFORMATIVE: Please note that although a Section 106 legal agreement relating to an affordable housing payment of £5,408 has been submitted to and validated by the Council, under new rules published by the Government in December 2014, Council's are no longer allowed to levy an affordable housing contribution on schemes of less than 10 dwellings. Therefore, the deed has no relevance to the determination of this planning application and you are not required to pay the contribution.
- 13 INFORMATIVE: The applicant is advised to contact WSCC Highways (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.
- 14 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 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 enclosed for information.