

Recommendation Report for Planning Permission

REF NO: AW/246/19/PL

LOCATION: Land Adjacent
to 34 Wakefield Way
Aldwick
PO21 3RS

PROPOSAL: Erection of 1 No. 2 storey end of terrace house.

SITE AND SURROUNDINGS	
DESCRIPTION OF APPLICATION	It is proposed to add a new two storey terraced dwelling onto the side of no. 34. This will be built in the same style and height as the existing but will be 2.05m deeper at first floor level. It will have 3 bedrooms (2 doubles, 1 single) and will have use of the existing rear garage plus the space in front of it within the garage compound. The supporting documentation suggests that the garage will also provide space for the storage of 2 cycles and 3 no. 250 litre bins. The proposal also results in a loss of the parking to the existing dwelling.
SITE AREA	0.0223 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	45 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	There is a Common Ash tree in the north eastern corner (front) of the site and an off-site Oak tree partially overhanging the rear of the site including the garage. Both are to be retained. An on-site leylandii hedge to the front is to be removed.
BOUNDARY TREATMENT	Hedge to the very front boundary. Brick wall between the existing house and then side boundary (also a brick wall). The rear boundary is formed by the rear walls of garages in the adjacent compound.
SITE CHARACTERISTICS	Existing garden to the side of 34 Wakefield Way. Part grassed, part hard surfaced. Access from the garden into a single garage (measuring approximately 2.4m by 5.5m) at the rear which connects to the adjacent garage compound. The front of the dwelling is accessed by a footpath. To the east of the site is an approximately 6m wide gap comprising a ditch & verge planted with trees & hedging with the Lower Bognor Road beyond. There is only very limited visibility between the site and this road. No. 34 has a flat roofed rear extension but no windows in its flank.
CHARACTER OF LOCALITY	High density residential area characterised by two storey terraced and semi-detached dwellings some side onto the road with access by footpath. Parking is either in on-street

layby's, on street or in shared garage compounds.

None.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldwick Parish Council

Aldwick Parish Council did not object to application but have concerns about the loss of parking & garage for the existing building and the need for cars from the existing building to park outside the garage precinct in an already congested area. They also consider the parking provision to be inadequate.

In addition, 29 letters of objection raising the following material planning concerns:

- (1) Insufficient proposed parking consisting of undersized garage and a space within a shared area not owned by the applicant;
- (2) Loss of parking for the existing dwelling;
- (3) The area has insufficient parking for current demands and this results in unsafe parking on roads/pavements;
- (4) Inadequate bin storage as it is stated that this will be provided in the garage; and
- (5) How will the dwelling be constructed with no vehicle access other than through the garage compound.

COMMENTS ON REPRESENTATIONS RECEIVED:

The concerns raised by the Parish Council and by the local residents will all be considered in the report's conclusions under "ACCESS & PARKING". However, regarding ownership of the parking space in the garage compound, the local authority have had sight of a land registry title plan which shows that this space is within the title to 34 Wakefield Way.

CONSULTATIONS

Natural England

Engineering Services Manager

Engineers (Drainage)

WSCC Strategic Planning

Arboriculturist

CONSULTATION RESPONSES RECEIVED:

NATURAL ENGLAND - no objection subject to a contribution being secured towards mitigation measures at Pagham Harbour. Also state that they have not assessed this application for impacts on protected species and that instead the Natural England Standing Advice should be consulted.

WSCC HIGHWAYS - no objection. State that:

- No concerns with the access arrangements and no recorded injury accidents in the last 5 years within the vicinity of the site;
- No material intensification of use at existing road junctions;
- The garage though undersized is an existing situation and is accepted as providing 1 space for a small

car;

- The use of the space in front of the garage would be restricted if a person did likewise in front of the garage opposite;
- The parking shortfall may result in amenity impacts which the local planning authority may wish to separately consider;
- The site is in a sustainable location within 3 minutes walk of a bus stop; and
- Request a condition to secure the provision of cycle parking as the garage will not be able to accommodate both a car and cycles.

ADC DRAINAGE ENGINEER - no objection and state that drainage can be agreed through the building regulations process.

ADC TREE OFFICER - OBJECTION with the following comments:

- Considers that the T05 Oak tree should have been classified as category B not C and that its long term retention is highly desirable as it could be viable for in excess of 100years. It, along with other nearby trees, are major landscape components defining the verdant character of the area and having amenity value in the local landscape;
- The root protection area shown for the Oak does not reflect the likely area which contains sufficient roots and rooting volume to maintain the tree's viability;
- On this basis, the proposed tree protection measures propose extensive intrusion into the root protection area;
- The proposed change in intensity of land-use around the new dwelling will eventually lead to damaging compaction over the rooting area of T05 and due to the canopy overhang dominating the rear garden, there will inevitably be a 'future residential pressure to prune' further spoiling the visual amenity currently provided by this tree;
- Cellular soakaways will be required to provide drainage and it is not clear where these will be sited; and
- The likely extent of RPA intrusion is problematic and the associated high risk of short and long-term damage to T05 is unlikely to be adequately mitigated by engineering solutions at this site.

COMMENTS ON CONSULTATION RESPONSES:

It should be noted that the Tree Officer has provided two further responses in order to defend the objection following comments by the applicant. These are on the website dated 14/01/20 and 12/02/20.

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary;
Flood Zone 1;
Pagham Harbour Zone B;
Within 2km of Bognor Reef SSSI; and
Tree Preservation Order ref AW/1/20.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM2	ENV DM2 Pagham Harbour
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NPPDG	National Design Guide

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
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POLICY COMMENTARY

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

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

There is no Neighbourhood Plan for Aldwick.

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 conflict with relevant Development Plan policies in that the proposed development will result in damaging compaction over the rooting area of the TPO Oak tree and also future residential pressure to prune this tree. Furthermore, there is a shortfall in the required parking provision. However, the proposal is in accordance with the development plan in respects to the principle of development, highway safety, residential amenity and design/character.

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 site lies within the built up area boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan (ALP) and provided it is in accordance with other policies of the Local Plan covering such issues as character/design, residential amenity, space standards, trees and highway safety/parking.

Policy SD SP1 of the ALP states: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF)."

NPPF para 118(d) states "Planning policies and decisions should: promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing". Furthermore, para 123 states where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. Higher densities will be encouraged for city/town centres and other locations that are well served by public transport.

The site is located within the built-up area and is therefore in a sustainable location with potential for trips to be made on foot, by cycle or by bus (so other than by private car). There is also a railway station in the town centre of Bognor Regis. The new home would also result in minor benefits to the local community & economy by providing a new house to help meet future needs, create/maintain construction jobs and result in additional spending in the local area by future residents.

According to the most recent Authority Monitoring Report (December 2019), the Council can currently only demonstrate a 3.7 year housing land supply and in addition, an Inspector concluded on a recent appeal decision (ref APP/C3810/W/19/3236911 dated 13/02/20) that the Council's stated housing land supply position is currently only approximately 2.9 years. Following the Government's recent Housing Delivery Test results, the Council is required to identify an additional 20% buffer to provide more land for housing than is currently allocated. This proposal provides 1 new house in a sustainable location in the built-up area boundary making a small contribution to the current housing land supply shortfall.

The proposal is considered to accord with policies SD SP1 and SD SP2 of the Arun Local Plan.

CHARACTER & DESIGN:

ALP policy D DM1 requires that the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area.

In terms of density, D DM1 requires that housing makes efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more

appropriate in the most accessible locations. The policy requires the scale of development keep within the general confines of the overall character of a locality. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

Policy D DM4 requires that extensions/alterations: sympathetically relate to and are visually integrated with the existing building in siting, massing, design, form, scale & materials; are visually subservient to the main building & provide a high standard of amenity and do not compromise the established spatial character & pattern of the place.

The National Design Guide (September 2019) forms part of the Government's collection of planning practice guidance. Paragraphs 20-21 of the Design Guide explain how good design should pay regard to place and context and that 'a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. Part 2 of the Guide sets out ten characteristics for good design, namely Context, Identity, Built form, Movement, Nature, Public Spaces, Uses, Homes and Buildings, Resources and Lifespan.

The Aldwick Parish Design Statement is not policy but as adopted guidance has to be considered as a material planning consideration. The following development control criteria are given for the Aldwick Road Character Area 12:

- Open-plan aspects should be retained, avoiding front garden walls; frontage and streetscape materials should be consistent;
- New or replacement buildings or extensions should be visually subservient and relate to the existing building and not vary significantly in height or bulk from those nearby;
- Materials matching the existing building should be used where appropriate;
- When any development is undertaken existing separation of dwellings should be preserved, to prevent unneighbourly cramped or visually intrusive closure of gaps or establishment of ill-conceived linkages between buildings;
- Strict control should be exercised over any roof development likely to be particularly intrusive by virtue of proximity to neighbouring dwellings. Any roof redesign should be sympathetic and in keeping with the character of existing properties;
- Existing green space and amenity trees within the area should be preserved;
- Existing garage compounds should be retained to control the number of cars parked on the roadways of the area; and
- The character of the area should be preserved.

The dwelling will be sited at the end of a terrace of 7 dwellings which is side on to Wakefield Way and behind a 4 dwelling terrace that fronts the same road. The dwelling will be around 62m from Wakefield Way and have only very limited visibility in the streetscene. It will be visible from the pedestrian only access that serves the terrace as well as those opposite but the front elevation has been designed to visually integrate with the existing and so will not have any adverse impact on this 'streetscene'.

The existing foliage along Lower Bognor Road to the east of the site minimises any impact to that streetscene (there is no pavement to this road). The plot size is the same as others in the terrace and the resultant front and rear gardens are the same. As such the dwelling will not have any adverse impact on the character of the area, particularly given the high density nature of surrounding development. The Local Planning Authority would expect materials to match the host building but these could be controlled by condition.

The proposal is appropriate in design, scale and form and complies with ALP policies D DM1 and D SP1. There is some conflict with policy D DM4 as the application proposes a physical extension to the existing end terrace and is not subservient to it in size however this can be waived as the dwelling will be

separately occupied and it is more important to visually integrate than be subservient.

IMPACT ON TREES:

ALP policy ENV DM4 states that:

"Development will be permitted where it can be demonstrated that trees protected by a Tree Preservation Order(s), (TPO) identified as Ancient Woodland, in a Conservation Area or contributing to local amenity, will not be damaged or destroyed now and as they reach maturity unless development:

- a. Would result in the removal of one or more trees in the interests of good arboricultural practice. This shall be demonstrated by the developer following the advice of a suitably qualified person which shall be guided by BS 5837 (2012). Details of any advice received having regard to BS 5837 (2012) shall be submitted, in writing, as part of a planning application; or
- b. Would enhance the survival and growth prospects of other protected trees;
- c. The benefits of the proposed development in a particular location outweigh the loss of trees or woodland, especially ancient woodland."

In addition, ALP policy D DM1 states that all new development will be expected to incorporate existing and new tree planting as an integral part of development proposals.

The Aldwick Parish Design Statement is not policy but as adopted guidance has to be considered as a material planning consideration. In respect of the Aldwick Road Character Area 12, the document states that existing amenity trees within the area should be preserved.

The application proposes the removal of a short section of non-native hedge located to the front (beyond) the existing front/side boundary of no. 34 at the end of the shared access pathway. This is required to facilitate footpath access to the new dwelling and there are no objections to its removal.

The new dwelling will be located in the root protection area (RPA) of the existing off-site high value TPO Oak tree. In order to mitigate this impact, the applicant proposes a pile & beam construction method for the new dwelling, the use of no-dig for the new hard surfaced areas of the new rear garden and ground protection in the other areas of the rear garden. There is further RPA intrusion into a further (albeit unprotected) Common Ash tree where the new footpath comes into the site. The protection measures are considered to be extensive and the development would need to be monitored extensively to ensure compliance with and therefore, no harm to the retained trees.

The Tree Officer has extensively assessed the application proposals and has severe concerns regarding the impact of the dwelling on the TPO Oak tree. It is not considered that the RPA has been drawn correctly and therefore, the impact is likely to be greater. The tree protection measures will result in extensive intrusion into the RPA. The change in the intensity of the land-use around the new dwelling will lead to damaging compaction over the rooting area of the tree and also result in future pressure to prune (due to tree overhang/shading/tree litter). The Tree Officer is concerned as to where drainage soakaways will be sited.

The following is a response to ALP policy ENV DM4:

- (a) the potential for harm to the existing high value Oak tree is not considered be justified on the grounds of good arboricultural practice;
- (b) the potential for harm to the existing high value Oak tree would not enhance the survival and growth prospects of other trees; and
- (c) it is accepted that the proposal will contribute 1 new dwelling in a sustainable location to the Council's

current housing land supply shortfall, however this benefit is only very minor and is not considered to outweigh the potential for future harm to the high value Oak tree which along with the other trees on the western side of Lower Bognor Road, forms a high amenity group in the local landscape.

The arguments made by the Tree Officer are persuasive and that the identified level of harm to the high value Oak tree is such that the proposal is clearly in conflict with ALP policy ENV DM4 and also with the relevant part of D DM1. There is also conflict with the Aldwick Parish Design Statement.

ACCESS & PARKING:

ALP policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promote sustainable transport. In respect of highway safety, it states: "The Council will support transport and development which: explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, T SP1 states: "The Council will support transport and development which: Incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking". In addition, policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes, contribute to the improvement of such routes & facilities and contribute towards the provision of a joined-up cycle network and Public Rights of Way network.

Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

As set out elsewhere in this report, the Highway Authority have assessed the application and raise no objections. They have no concerns with the access arrangements (noting that there is no direct vehicle access to the front of the site and that there are no changes to the rear access). They consider the location is sustainable such that occupiers will not need a car to access facilities and services. The proposal accords with policies T SP1 & T SP1 of the ALP (insofar as they relate to highway safety & sustainability) and with guidance on highway safety in the NPPF.

In terms of parking, the Highways Authority advise that the existing garage, whilst undersized can still be counted as 1 parking space but that the space to the front of the garage would be restricted if someone parked in front of the opposite garage. They consider the parking arrangements may result in amenity impacts to other residents but are not considered to represent a safety concern.

The parking proposal is for the existing dwelling to lose its undersized garage/adjacent restricted space and for the new dwelling to have these instead. The existing dwelling would have no spaces whilst the new dwelling would have two imperfect spaces. The Local Authority indicated to the applicant (22/10/19) that the parking provision could be supported. However, it is material that the Council has adopted a Parking Standards Supplementary Planning Document (15/01/20).

This SPD sets out a requirement for 2 spaces for each dwelling and states that garages be considered as half a space if they are at least 3m by 6m (measured internally). The parking requirement for the 2 dwellings would be 4 spaces whilst the provision would only be 1 space (and this space is restricted).

The site is close to bus stops and certain trips can be made on foot or by cycle, however, it more than likely that residential occupiers will want to own a car or cars and therefore the parking shortfall will lead to increased pressure for parking on local roads such as Wakefield Way.

It is material to note that the Council refused BR/315/18/PL for conversion of a single large dwelling to 6 flats in a sustainable location due to there being a 3 space shortfall in the parking requirements and thus increased pressure for on-street parking to the detriment of the amenities of existing residents. This refusal was subsequently supported on appeal.

In this case it is clear that from evidence of local residents that there is an existing under provision of parking in the area and that this leads to increased on-street parking with cars parked in locations away from their respective homes. Whilst this may not have any safety concerns (according to WSCC), it may harm the amenities of residents who cannot park in locations near to their homes.

The under provision of parking spaces for the dwelling might have been acceptable on the grounds of sustainability and that together, the two imperfect spaces could be accepted a single space. However, the complete loss of spaces for the existing dwelling cannot be supported and the proposal conflicts with the Arun Parking Standards SPD and with policy T SP1 as it relates to parking provision.

RESIDENTIAL AMENITY:

ALP policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. Regard should be had to para 127 of the NPPF which states that developments should provide a high standard of residential amenity for existing and future users. ALP policy QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity".

In addition, the Council has an emerging Design Guide which has completed its consultation stage (09/01/20 to 21/02/20) and which sets out guidance on interface distances between houses. These are: 21m for back to back, 16m for front to side and 14m for back/front to side.

The dwelling is not considered to result in any privacy impacts to existing dwellings due to it being flank onto the existing dwelling and having its front elevation 22m from the front of no. 36 opposite. There is no harm from overshadowing as the plot is already shaded by the trees to the east and the 2m first floor rear projection of the new dwelling will not have any significant impact on the rear windows of no. 34 particularly as this elevation faces south.

The proposal complies with ALP policies D DM1 and QE SP1 as well as with the guidance on amenity within the NPPF (para. 127) and the emerging Design Guide.

INTERNAL & EXTERNAL SPACE STANDARDS:

ALP policy D DM2 states: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". It is therefore necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the buildings will be suitable for residential use. The requirement for a two storey, 3 bedroom, 5 person dwelling is 93m² and the dwelling exceeds this standard (at 110.9m²).

There are no policies in the ALP relating to garden sizes, however, the emerging Arun Design Guide sets out standards for garden sizes as follows:

- Private Rear Garden: min. 10.5m depth, 50sqm area for two-bedroom homes and 60sqm area for three or more bedroom homes;
- Private Front Garden: min. 2m depth;
- Balconies: max. 2m beyond the building frontage, subject to minimum balcony to balcony distances of 17m. At least 3sqm of useable space; and
- Communal Shared Spaces for flats: minimum 40sqm plus 10sqm for each unit if not provided as balcony space.

The rear garden is to be 8.88m deep and 62.2m² in area. It falls short of the depth requirements. However, this is an existing rear garden and existing residents have the same sized gardens. The rear garden is not required as part of an interface distance between houses in a back-to-back arrangement the requirement can be relaxed in this case.

The proposal complies with Arun Local Plan policies D DM1 & D DM2 and the guidance on amenity in the NPPF.

IMPACT ON THE PAGHAM HARBOUR SPECIAL PROTECTION AREA:

ALP policy ENV DM2 requires that new residential developments within a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. A contribution of £1,275 per new residential unit was agreed by the Councils Cabinet on 20 July 2015. The Councils Cabinet subsequently approved a reduction in the tariff from £1,275 to £871 as of the 10th April 2017.

The site lies in the designated Zone B and accordingly it was necessary to apply this requirement. The net increase in 1 dwelling results in a contribution of £871 at the current rate. This is secured by a signed legal agreement and as such there is no conflict with the policy.

SUMMARY:

The development proposes the efficient use of an existing garden in a sustainable urban location. The dwelling will not have any adverse impact on the character of the area and there are no concerns with highway safety or residential amenity. The dwelling makes a very minor contribution to the Council's housing land supply shortfall. However, the benefits of this contribution alongside any social & economic benefits to the local area are outweighed by the level of harm to the high value TPO Oak tree.

The parking provision is insufficient and will place additional demands upon existing parking areas in the local area to the detriment of the amenity of existing residential occupiers. It is recommended the application be refused for the following reasons.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the

rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report. s

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.

SECTION 106 DETAILS

Any approval of this application would need to be granted with a legal agreement relating to a contribution of £871 towards the provision of accessible natural open green spaces to offset the impact of the development on the Pagham Harbour Special Protection Area.

RECOMMENDATION

REFUSE

- 1 The proposed change in intensity of land use around the new dwelling results in harm to a high amenity tree, the subject of TPO/AW/1/20, leading to damaging compaction over the rooting area and future residential pressure to prune the tree to the detriment of the local landscape, the verdant character of the area and the visual amenity provided by this tree. The proposal conflicts with policies D DM1 & ENV DM4 of the Arun Local Plan.
- 2 The development does not include sufficient parking to meet the needs of existing & future occupiers in accordance with the residential parking standards and the proposal is therefore an overdevelopment of the site and will also result in an increase in pressure for on-street spaces in the area which will be harmful to the amenity of local residents by way of increased conflict/competition for existing spaces and the need for residents to park further from their homes contrary to policy T SP1 of the Arun Local Plan and the Arun Parking Standards SPD.
- 3 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 with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.
- 4 INFORMATIVE: This application would be liable for CIL in accordance with the Councils CIL Charging Schedule available to view at: <https://www.arun.gov.uk/cil>.