

Recommendation Report for Outline Consent

REF NO: AW/353/20/OUT

LOCATION: Land adjacent to 1 Cambridge Walk
Aldwick
PO21 5RL

PROPOSAL: Outline application with some matters reserved for 1 No. new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This outline application with some matters reserved is for the erection of a 2-bedroom bungalow. The site is located on Cambridge Walk, an E-classified pedestrian route. Details of Access, Appearance, Landscaping and Scale are reserved, as such only details pertaining to Layout are considered within this application. The applicant has submitted two location/block plans demonstrating the proposed site, however these contradict each other with regards to the proposed parking provision, one stating off-road parking and the other stating on-street parking.
SITE AREA	170 square metres.
RESIDENTIAL DEVELOPMENT DENSITY	59 dwellings/hectare
TOPOGRAPHY	Predominantly flat
TREES	A large silver birch tree would be affected by the proposed development.
BOUNDARY TREATMENT	Hedgerow.
SITE CHARACTERISTICS	Grassy area between the side of No1 Cambridge Walk and a footpath along Cambridge Drive surrounded by a row of hedges with a narrow spaces in the between.
CHARACTER OF LOCALITY	Predominantly residential characterised by detached and semidetached bungalows of a similar design within large open plan gardens, wide pavements, grass verges and trees. The strong feel of openness and spaciousness is dominating the whole area. The site is part of West Meads Estate within Aldwick Neighbourhood area. The estate was purposefully built with greenspaces and an open plan design connected by the network of footways.

There is no relevant history.

REPRESENTATIONS

ALDWICK PARISH COUNCIL: an objection with the comments as follows:

- This is an open plan area and the application therefore does not reflect the characteristics of the site and local area in its layout, landscaping or character.
- The fence that is shown on the application and to the fact that the proposed building protrudes beyond the building line and onto the open area on Cambridge Drive.
- Further confusion by the reference to a total of 4 residential units on the application.
- The application is in direct conflict with Policy DSP1 of the Arun Local Plan 2011-31 and with the Parish Design Statement P 71.

Councillor Dixon objects this application as ward member for Aldwick East:

- West Meads is an open plan estate designed to have a feeling of open space.
- The character of the estate was established in the 1960s and recently in the Aldwick Parish Council Design Statement of 2015 - large open plan gardens, wide pavements, grass verges, trees.
- The proposed dwelling, along with a 6ft fence, would protrude beyond the current building line and therefore be intrusive to the open plan street scene of Cambridge Drive, detrimental to visual amenity and would compromise the overall open plan character of the West Meads estate.

West Meads Residents Association:

- It is against the Open Plan Garden of the West Meads Estate and would stick out like a sore thumb to all of the surrounding properties and street scene.
- All residents' deeds state that no enclosure or structure should be built in front of the building line which would include the side of a corner plot.

9 letters of objection:

- There is a large sub station on the site which needs access and a large tree, both of which do not seem to feature in the submitted design.
- The open spaces of this estate must be protected at all costs.
- It would be contrary to the requirements and conditions of the planning permission granted in the 1960's.
- This dwelling would completely stick out not only beyond the building line but onto the open space in Cambridge drive.
- The whole philosophy being one of Large Open Plan Gardens, Wide Pavements, Grass Verges, Trees, summarised as a 'Feeling Of Open Space'.
- The attention is drawn to photograph of Cambridge Drive shown in The Aldwick Parish Council Design Statement of June 2015 - pg 69.
- A large silver birch tree will have to be removed.
- If the land leading to the substation is to be incorporated with the property, how will this be accessed?
- A six foot wooden fence around the boundary of the property is not in keeping with the estate.

COMMENTS ON REPRESENTATIONS RECEIVED:

The majority of the above objections are planning issue. Objections raised will mainly be covered in the Conclusions section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ENGINEERS Comments Regarding Surface Water Drainage: Due to the scale, location and type of application we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with building regulations.

WSCC, The Highways: The applicant is requested to clarify the proposed parking arrangements as these details would be considered to fall within the 'Layout' of an Outline planning application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary
2km Buffer for Site of Special Scientific Interest
Pagham Harbour Zone B

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ENVDM2	ENV DM2 Pagham Harbour
ENVDM5	ENV DM5 Development and biodiversity
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
SPD11	Arun Parking Standards 2020

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 currently no Aldwick Neighbourhood Development Plan.

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 development is considered to conflict with relevant Development Plan policies in that it would have a detrimental and adverse impact upon the established character of the surrounding area failing to respond to the local character and not reflecting the identity of the local surroundings.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES

The key issues are principle, the effect of the proposal on the character and appearance of the area.

PRINCIPLE

The development is in the built up area boundary in a sustainable location where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are SD SP2, D SP1, D DM1, D DM2, TSP1, QE SP1 of the Arun Local Plan and relevant paragraphs of NPPF.

Policy D SP1 requires all development to make efficient use of land reflecting the characteristics of the site and local area and policy D DM1 states that a high standard of architectural principles should be demonstrated and new development should have a minimal impact to users and occupiers of nearby properties and land. Policy D DM2 expects internal spaces to meet the requirements of Nationally Described Space Standard.

The NPPF (Feb 2019) is an important material consideration in determining planning applications. NPPF in paragraph 122 (d) states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting (including residential gardens).

Paragraph 11 of the Framework confirms the presumption in favour of sustainable development and advocates in section d) that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites) granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

The Council can demonstrate a 3.3 year supply of housing land. Irrespective of the housing land supply position, it is necessary to consider whether the proposal would be sustainable development for which

there is a presumption in favour.

The proposal delivers one dwelling in a sustainable location. One dwelling would make a minimal contribution to the shortfall in housing supply and the associated social and economic benefits would be very limited.

The proposal results in significant harm to the character of the area and residential amenities. The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. The failure of the proposal to do this is in direct contradiction of paragraph 124 of the NPPF and consequently the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when considered against the policies in the Framework as a whole.

DESIGN AND VISUAL AMENITY:

Policy D SP1 of the Arun Local Plan stresses that successful development should respond to local distinctive pattern of development. Paragraph 13.2.9 of the Local Plan (Design) stresses that new development should ensure that height and massing does not interrupt or debase the rhythm of existing building/roof line or detract from the local and wider area's character.

The Arun Design Guide Supplementary Planning Document (SPD) adopted 25th January 2021 is a material consideration in the determination of applications. Part P.O1 deals with infill development and requires development to respond positively to the character, appearance and layout of surrounding buildings to provide high quality development which enhances amenity for surrounding and new residents.

Paragraph 127 of NPPF highlights that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and do not undermine the quality of life or community cohesion and resilience.

The National Design Guide was published in 1 October 2019. Part C1 maintains that well-designed places are:

- based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- integrated into their surroundings so they relate well to them;
- influenced by and influence their context positively; and
- responsive to local history, culture and heritage.

The proposal site is part of West Meads Estate; Cambridge Drive is one of main street of the area. The estate is described in Aldwick Parish Design Statement as an unusual in concept being one of only five garden estates in the country. Open-plan with wide pavements, grass verges and trees is the main characteristics of the area. As the Statement stresses: 'The amenity spaces and access ways should be retained and enhanced, boundary treatment should not compromise open character of the area and the character of area should be preserved.'

The proposed development includes subdivision of No1 Cambridge Walk plot. Submitted Location and Block Plan shows a footprint of the proposed detached dwelling within a distance of 2m from No 1 which is on the provided plan indicated as a detached property, however all the dwellings within Cambridge Walk are semidetached properties and No 1 is a counterpart of a pair of semidetached dwellings. An 1.83m high close boarded fence is proposed for an enclosure of the proposal site. There are no

illustrative details provided of the two-bedroom dwelling sought. However, whatever configuration of dwelling, garden and access might be achieved, the scheme removes an area of originally open green space that contributes to the spacious, open plan character of this area. Compared to the prevailing layout of the surrounding semidetached housing, a new building on this site would inevitably appear both cramped and incongruous. It was noted that the site is already enclosed by hedgerow which detract from the establish character of the area, compromising its open character.

For the above reasons, this proposal would conflict with policies D SP1, D DM1 and QE SP1 of the Arun Local Plan, Arun Design Guide, Aldwick Parish Design Statement, the National Design Guide and paragraph 127 of the National Planning policy Framework(NPPF).

RESIDENTIAL AMENITY

It is not possible to properly assess the residential amenity implications of the proposed layout due to the lack of elevation or floor plan drawings. However, it would appear that the dwelling on the illustrative layout would be approximately 2m from the existing dwelling No1 Cambridge Walk and within 2m from pathway alongside of Cambridge Drive sitting disrespectfully within area which is kept open and undisturbed and would result in an overbearing structure regardless of its size.

HIGHWAY SAFETY AND PARKING

Arun Local Plan policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. Policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes.

Arun District Council's Parking Standards Supplementary Planning Document (January 2020) outlines the approach to parking at new developments. The requirement for 2 bed dwelling in Parking Behaviour Zone 2: 2 parking spaces per dwelling.

The applicant has submitted two location/block plans demonstrating the proposed site, however these contradict each other with regards to the proposed parking provision, one stating off-road parking and the other stating on-street parking. The applicant is requested to confirm the proposed parking arrangements as these details would be considered to fall within the 'Layout' of an Outline planning application.

As such proposed development would fail to comply with policy T SP1 of the Arun Local Plan.

ECOLOGY

This is a grass area with mature tree borders with an existing counterpart of semis to the south-west and a pathway to the north-east. It is considered there is some limited potential for wildlife species to be residing within the site.

INTERNAL & EXTERNAL SPACE STANDARDS:

It is not considered possible to assess the internal space standards at the current time. This is because the application is not accompanied by any floor plans.

In respect of external standards, given that this layout plan is illustrative only, the layout has not been checked in detail. However, the plot is not big enough, therefore it is considered unlikely that the scheme as supplied will comply with these standards.

TREES

It is not clear from the submitted Block Plan if the mature tree within proposal site would be affected by this development since it is not shown on the plan. Although not protected by the order, the trees are of significance in terms of visual amenity, especially within West Meads Estate.

CONCLUSION

Paragraph 122(d) of the Framework refers to the desirability of maintaining an area's prevailing character and setting when achieving appropriate residential densities and making efficient use of land. The proposal's conflict with this aim, and the adverse environmental impact found in respect to character and appearance, would significantly and demonstrably outweigh the very small socio-economic benefits identified.

The development is considered to conflict with policies D SP1, D DM1 and QE SP1 of the Arun Local Plan, Arun Design Guide, Aldwick Parish Design Statement, the National Design Guide and relevant paragraphs of NPPF and therefore is recommended for refusal.

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.

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

A draft of Section 106 agreement towards providing a financial contribution of £871.00 towards offsetting recreational impacts upon the Pagham Harbour SPA has been provided.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION

REFUSE

- 1 The site by virtue of its size, shape and position, is considered unsuitable to accommodate a dwelling and private amenity space satisfactorily without damaging the character of this established residential area. The proposal would therefore result in an unduly cramped form of development which would be detrimental to the character and amenities of the surrounding residential area, contrary to policies D SP1, D DM1 and QE SP1 of the Arun Local Plan, Arun Design Guide, Aldwick Parish Design Statement, the National Design guide and paragraph 122(d) of NPPF.
- 2 **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 determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.