

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: BE/38/18/RES

LOCATION: Land to the rear of
17, 19, 21 & 23 Greencourt Drive
Bersted
PO21 5EU

PROPOSAL: Approval of reserved matters following outline consent BE/138/16/OUT for 2 No. dwellings

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Two detached singles dwellings with off street parking and access.
SITE AREA	Approximately 0.08 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	38 dwellings per hectare.
TOPOGRAPHY	Predominantly flat
BOUNDARY TREATMENT	1.8m fence to all sides, no boundary treatment to front.
SITE CHARACTERISTICS	Partly empty site, between two residential properties, currently used as parking for the owner's vans. The two side sections of the site are the rear sections of the back garden of no 17-23 Greencourt Drive.
CHARACTER OF LOCALITY	Suburban residential area formed of two storey detached and semi-detached properties set back from the road with gardens to rear.

Outline permission granted for the middle section of the site (between 21 and 19) for one detached dwelling in 2016.

Outline permission granted BE/138/16/OUT.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

Bersted Parish Council

Raise no objection. They do raise comment that the site should have 4 parking spaces.

Four objections were raised by neighbouring occupiers their comments are as follows:

- the agreed dwelling should be prevented from extending further
- concern over the proposal drainage solution to serve the new dwellings
- dwellings being built in such close proximity will increase noise and would be very over crowded -

blocking out natural light

- encroach on surrounding amenity space
- current application no longer mentions single storey dwellings therefore two storey is considered unacceptable.
- causing overlooking and lack of privacy
- local flooding has been overlooked
- dwellings at Norbren Av will be overlooked & overcrowded
- parking issues to Greencourt Drive

COMMENTS ON REPRESENTATIONS RECEIVED:

The proposal is to be on existing residential land within the built up area boundary and as such the principle of development is considered acceptable.

CONSULTATIONS

WSCC Strategic Planning

Engineering Services Manager

Engineers (Drainage)

Parks and Landscapes

CONSULTATION RESPONSES RECEIVED:

Engineers (Drainage) - ENGD2A applied to BE/138/16/OUT still stands. It is noted that the soakaway depth is 400mm, the maximum calculated water depth exceeds this, please revise before submitting DOC.

Highways

Were consulted previously on Highway Matters for this location under planning application BE/138/16 (outline with all matters reserved for 2 x dwellings) to which no highways objections were raised. The LPA refused the application and it was allowed on appeal.

Under BE/138/16 the LHA requested clarification on proposed access, boundary treatment and parking at reserved matters stage.

The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application the following conditions should be secured:

Car parking space

No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan 2017/26/01. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use

Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan 2018/08.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Natural England - No Objection subject to appropriate mitigation being secured.

The site is within 5km of the Pagham SPA and Ramsar site. Without appropriate mitigation the application would have a significant effect through recreational disturbance on Pagham Harbour SPA and Ramsar site in combination with other proposals in the area. An appropriate contribution should be made to the Pagham Harbour strategic access and monitoring project (SAMB) for wardening, dog project, signage and interpretation, and monitoring.

If the development is carried out in strict accordance with the details of the application, it will not damage the interest features for which the Pagham harbour SSSI has been notified.

Further advice on protected species and natural environment issues is provided.

Greenspace /Parks & Landscape.

No Objection - no comments raised.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built up Area Boundary

Within 5km of the Pagham SPA

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM5	ENV DM5 Development and biodiversity
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems

Bersted Neighbourhood Plan 2014 Policy HDQ5	Design of new housing development
Bersted Neighbourhood Plan 2014 Policy ES1	Design of new development
Bersted Neighbourhood Plan 2014 Policy HDQ6	Outdoor space
Bersted Neighbourhood Plan 2014 Policy HDQ7	Attention to detail
Bersted Neighbourhood Plan 2014 Policy HDQ8	Car parking

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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. 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; Walbarton; Yapton.

Whilst an NDP is under preparation it will be afforded limited 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).

Policies contained in the Bersted 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 the development of this site has been established in the decision for the planning inspector to allow outline consent under BE/138/16/OUT at appeal (outline with all matters reserved for 2 dwellings). There can therefore be no objection in terms of the location of the site within the BUA and the principle of two single storey dwellings. The key issues to be considered are ones of detail and relate to the layout, design, appearance and landscaping on the site.

LAYOUT, DESIGN, APPEARANCE & SCALE:

Arun Local Plan Policy D DM1 states that new developments respond positively to the identified characteristics of a particular site to create developments which respect local characteristics. Furthermore the Policy indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property.

Furthermore, policy D SP1 "Design" states that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Berstead Neighbourhood Plan Policy ES1, suggests new development must respond to the specific character of the site and its local surroundings. This is important as the different parts of the Parish give rise to differing styles.

It is also necessary to consider the guidance within the National Planning Policy Framework. Section 12 states that good design is a key aspect of sustainable development (paragraph 124), 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 127). Paragraph 127 (d) new development should aim to maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live. Paragraph 130, confirms that planning permission should be refused for poor design that fails to improve the character or quality of an area.

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 acceptable space standards for the internal layout. The officers consider the modest single storey scale of the proposed dwellings would sit well within the context of the area as agreed by the inspector at appeal. This is back land development and the subservience of dwellings allow for the dominating character of two storey dwellings to continue to form the prevailing character of the area.

DWELLING SPACE STANDARDS:

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	2	4	70	74.5
House 2	2	4	70	71

Both of the dwellings more than comply with required standards and are therefore appropriately scaled.

In terms of the external space standards, the inspector in his decision stated that the layout demonstrated sufficient amenity space and the space surrounding the properties would provide for the outdoor amenity needs of any future residents.

AMENITY IMPACT

The layout is in line with that submitted under the outline application agreed by the inspector at appeal. The plans clearly show two single storey dwellings therefore the comments of neighbouring occupiers are noted but unfounded. The bungalows are designed to an eaves and fence boundary height of 1.8m, therefore to a height level that is unobtrusive. The level of harm to the amenity of neighbouring occupiers at numbers 17 - 23 Greencourt Drive and although the separation distances to the dwellings abutting the site to the north (Norbren Avenue) are less than 20m, by virtue of the nature of single storey dwellings the amenity impact is acceptable. In addition objections to the increased noise level, when considering the nature of built up area would be nothing out of the ordinary.

The site itself for the most part enjoys an adequate separation from surrounding development and good screening from nearby residential development to limited its impact onto neighbouring occupiers and therefore accords with Policy D DM1 of the Arun Local Plan.

PARKING AND HIGHWAY ISSUES

No highways objections were raised for the approved outline application as access and turning was seen as acceptable.

On the basis that the four spaces are unallocated the WSCC Car Parking Demand Calculator (PDC) anticipates a demand for four spaces for the development. With unallocated spaces being provided PDC anticipates a demand for five spaces in total for the development, a shortfall in one space. The LHA and Officers do not consider that this shortfall in one space would cause a reason to resist the application as an on-street parking space from a road surrounding the development would be achievable.

LANDSCAPING

There are no development plan policies relating specifically to landscaping. However, paragraph 127 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 not submitted detailed landscaping scheme, therefore this can be requested via condition.

DRAINAGE

In relation to foul drainage, ENGD2A was applied to BE/138/16/OUT and has been subsequently discharged.

CONCLUSION

It is considered that the development of the site would result in a good quality scheme which seeks as far as possible to integrate itself with the settlement of Bersted and reflects the local vernacular. It is therefore recommended that this application for reserved matters is approved. The proposed layout, design, and appearance is acceptable and is in accordance with BNDP policies ES1, HDQ3, HDQ4, HDQ5, HDQ6, HGQ7, HDQ8 , and policies D DM1, D SP1 & W DM3 of the Arun Local Plan and the guidance within the NPPF.

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 & Block Plan (2017/26/04)
 - Cycle storage/garden shed detail - Plan (2018/08)
 - plot 1 floor plans and elevations - (2017/26/02)
 - plot 2 floor plans and elevations - (2017/26/03)
 - layout plan (1787/SK1)
 all dated 27/03/17

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun 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 by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 3 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England)

Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun Local Plan.

- 4 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

- 5 No development shall be first occupied until the car parking has been constructed in accordance with the approved site plan (2017/26/01). These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide adequate car-parking provision, in accordance with policies T SP1 & T DM1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until covered cycle parking spaces have been provided in accordance with the approved plan 2018/08.

Reason: To provide alternation travel options to the use of the car in accordance with policies T SP1 & T DM1 of the Arun Local Plan.

- 7 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

- 8 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.