

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: BE/58/19/RES

LOCATION: The Cottage
Shripney Road
Bognor Regis
PO22 9PA

PROPOSAL: Application for approval of reserved matters following outline permission BE/63/17/OUT & variation of condition BE/131/18/PL for replacement dwelling at the southern end of site (Phase 1)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Reserved Matters application pursuant to BE/63/17/OUT. Approval of Layout, Landscaping, Scale and Appearance are sought. The drawings detail a single 1.5 storey house to be built in broadly the same position as was shown on the indicative drawings provided with BE/63/17/OUT. The house will comprise three bedrooms and has a covered roof terrace at the rear and an open balcony at the front. There will be car barn parking for two cars and two additional spaces to the front plus space for turning and a bin collection point. The layout also shows large front and rear gardens, space for bin to be stored on the southern side of the dwelling, new 1.8m high fencing to the footpath to screen the rear garden and the retention of all existing trees. Materials are shown on the plans and include cream render to walls and grey tiles to the roof.
SITE AREA	0.15 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	7 dwellings per hectare.
TOPOGRAPHY	Predominantly flat but at a slightly lower level than the site to the north of the footpath.
TREES	The site is subject to TPO/BE/2/17 which refers to three Sycamore Trees (T1-3) located on or immediately adjacent to the footpath which borders the northern boundary and a Beech Tree (T4) located in the rear garden of Royce Cottage to the south. This TPO was confirmed on the 29th November 2017. Trees were considered on the Outline application BE/63/17/OUT and there are conditions to enforce the agreed Arboricultural Method Statement Report and to require a pre-commencement site visit with the Tree Officer. The submitted landscape plan shows that all existing trees are to be retained.

BOUNDARY TREATMENT	Mixed. Close boarded fencing to the road. Post & wire fencing on the northern boundary (to the footpath). Hedging to the southern boundary with Royce Cottage. Hedge or otherwise open to the eastern boundary.
SITE CHARACTERISTICS	A rectangular grassed site devoid of structures and with its own access from Shripney Road. There is a dry ditch and bund to the eastern boundary. A footpath runs adjacent to the northern boundary. This connects Shripney Road on its western side to a further footpath crossing the field on the eastern side and enabling access to Sack Lane to the north east.
CHARACTER OF LOCALITY	The area is considered to be semi-rural in character but with detached dwellings on both sides of Shripney Road. To the north lies a residential house set in large grounds with old horticultural building. This benefits from an outline planning permission for 20 dwellings. To the south lies Royce Cottage, a two storey detached dwelling with a large bedroom window on the side facing the site. However, this is partially screened by existing planting. To the east, lies open arable fields. On the western side is Shripney Road with houses beyond.

RELEVANT SITE HISTORY

BE/69/19/OUT	Outline planning application with all matters reserved except access for 31 No. houses and flats with car parking, landscaping and associated infrastructure & access off Shripney Road (A29), all following the demolition of the existing dwelling & outbuildings - This application is a Departure from the Development Plan
BE/131/18/PL	Variation of conditions following the grant of BE/63/17/OUT relating to conditions 3-approved plans, 6- distinguish between the two phases of development so protective fencing for whole site is not required for just Phase 1 & any fencing is commensurate with phase of development being constructed, 7-Phase 1 can commence prior to construction of new vehicular access, 8-Phase 1 can commence prior to submission of plans & details incorporating the recommendations of the Road Safety Audit, 9-winter groundwater monitoring is only required for development on Phase 2, 10-refer to development on Phase 2 only as development on Phase 1 will not result in the discharge of any flows to watercourses or culverting, diversion, infilling or obstruction of any watercourse on site, 11-level of detail required regarding maintenance & management of SuDS system is commensurate with the relevant phase of development, 12-only refer to development on Phase 2, App Cond with S106 29-04-19

14-SuDS management manual is submitted to local planning authority prior to construction of Phase 2 only, 15-Phase 1 can be occupied prior to construction of pedestrian access footways/crossing points, 16-Phase 1 development can be occupied prior to provision of visibility splays at proposed site vehicular access, 17-Phase 1 dwelling can be occupied prior to required installation of electric vehicle charging points & 18-allow development on Phase 1 to be occupied prior to implementation of SuDS scheme for the whole development (Phase 1 & 2) & prior to provision of as-built drawings & completion report.

BE/63/17/OUT Outline planning application with some matters reserved App Cond with S106 (Access only) for 20No. houses & flats, 1No. replacement dwelling (21No. units in total) with car parking, landscaping & associated infrastructure & access off Shripney Road (A29) and new footway both along the site frontage and across the A29 traffic island, all following the demolition of the existing dwelling & outbuildings. This application is a Departure from the Development Plan

Planning application BE/63/17/OUT was granted in January 2018 and allows for the development of this site with 20 new homes plus a replacement dwelling on the land to the south of the footpath (the subject of this application). This permission was subsequently varied (BE/131/18/PL) to allow the two halves of the site (including that subject of this application) to be developed independently of each other.

Planning application BE/69/19/OUT is a current application and proposes an increase in the number of dwellings on the site north of the footpath.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

"No objection".

No local resident letters.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Listed Building Officer

Environmental Health
Southern Water Planning
Engineering Services Manager
Engineers (Drainage)
Arboriculturist
Parks and Landscapes
WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

SOUTHERN WATER - No objection. Request that an informative be included.

WSCC HIGHWAYS - Raise no concerns with the application. State that if gates are being installed these should be set back from the highway to allow a vehicle entering the site to wait clear of the highway, while they are being operated. Also no boundary treatment above 600mm should be installed at the access point to obstruct pedestrian visibility and the visibility of a vehicle leaving the site to see pedestrians. Request conditions to secure cycle parking, pedestrian visibility and the car parking spaces. Also ask that a highway works informative be added.

ADC CONSERVATION OFFICER - Do not consider that the proposal will affect the Shripney Conservation Area and will not therefore cause harm to the significance of this heritage asset or its setting. Request that the application be determined in accordance with the relevant policies within the Development Plan and that regard be had to the contents of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

ADC ENVIRONMENTAL HEALTH - Do not wish to make any comments.

ADC DRAINAGE ENGINEERS - State that infiltration testing and groundwater monitoring results have been provided previously and that based on these results, a surface water drainage design is achievable and that the details can be agreed at discharge of conditions stage. State that if a culvert is found along Shripney Road when forming the access way then engineers should be contacted immediately.

ADC LANDSCAPE OFFICER - No response received.

ADC TREE OFFICER - No response received.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and all requested conditions/informatives included.

In respect of the Conservation Officer comments, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Character will be considered in the general sense in the conclusions section of the report. However, as there will be no harm to the significance or setting of the Conservation Area, it is not considered appropriate to assess the proposal from a heritage perspective.

The non-responses of the Landscape and Tree officers are not considered to be significant as this is only one dwelling and the tree considerations were determined on the outline permission.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
 Flood Zone 1;
 Urban land (adjacent to Grade 2 Agricultural Land);
 Class A Road;
 Special Control of Adverts; and
 Tree Preservation Order (TPO/BE/2/17).

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
HWBSP1	HWB SP1 Health and Wellbeing
LANDM1	LAN DM1 Protection of landscape character
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WSP1	W SP1 Water
WDM1	W DM1 Water supply and quality
WMDM1	WM DM1 Waste Management

<u>Bersted Neighbourhood Plan 2014 Policy ES1</u>	Design of new development
Bersted Neighbourhood Plan 2014 Policy ES6	Protection of trees
Bersted Neighbourhood Plan 2014 Policy HDQ5	Design of new housing development
Bersted Neighbourhood Plan 2014 Policy HDQ2	Integration of new housing
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 - 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.

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.

The relevant policies of the Bersted Neighbourhood Plan have been taken into account in this determination.

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, on the health of existing notable trees and 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 a single dwelling on this site has already been established by virtue of the outline planning permission, reference BE/63/17/OUT (as amended by BE/131/18/PL) which also approved the details of access to the site. It is therefore only necessary to consider the outstanding details - those of layout, appearance, landscaping and scale. It should also be noted that the position of the house is broadly the same as per the indicative layout provided with the outline application.

LAYOUT, APPEARANCE AND SCALE:

Policy D DM1 of the Arun Local Plan 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, 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. 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 reflect local character. BNDP policies ES1, ES5, HDQ2 and HDQ5 are all relevant. Policy ES1 states that: "New development which would have an effect on the appearance or character of the surrounding area should be of a high quality design and should contribute to local character by creating a sense of place appropriate to its location". Policy ES5 requires that building design contribute positively to the historic character of Bersted. Policy HDQ2 states that "Proposals for new housing must ensure that the new homes are well connected to the surrounding area and visually integrated with their surroundings." Furthermore, HDQ5 requires that new housing is of a high quality and is designed to reflect the local character.

In respect of residential amenity issues, policy D DM1 requires the Council have regard to the impact of new development on users and occupiers of nearby property & land for example by avoiding significant loss of sunlight, privacy, outlook and unacceptable noise & disturbance." Further, policy QE SP1 states the Council will ensure that development does not have a significantly negative impact upon residential amenity. None of the BNDP policies refer to residential amenity issues.

Paragraph 127 of the NPPF states that "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)." Para 127 also states that developments should provide a high standard of residential amenity for existing and future users and also that development must be visually attractive and sympathetic to local character and history. Para. 122 states that planning decisions should support development that makes efficient use of land but the desirability of maintaining an area's prevailing character and setting should be taken into account.

The site of the new house is broadly the same as was shown on the indicative layout drawings provided with the outline application. In this position, the new house is set back behind the established building line of the two dwellings to the south (Royce Cottage & Haddan House).

However, this is not considered to be harmful to character due to the large set back to the road frontage and the existing tree screening which will result in only very minimal views of the site from the road. The position of the new house will be much clearer from the footpath to the north. Instead, from this vantage point, due to existing tree screening, the house will not be seen in the context of the other dwellings and will be instead be viewed in the same context as the eventual layout of dwellings to the north of the footpath.

The proposed design of the house is considered to be appropriate and features a uncomplicated building form with elements of modern design and the use of traditional materials. The timber car barn is also appropriate in this rural setting. The proposed new section of fencing to the footpath could (if a similar fence were erected on the other side) be harmful to the experience of persons using the footpath but is necessary to ensure the privacy of the rear garden. It will therefore be necessary to carefully consider any proposed fencing on the northern side when the reserved matters for that site is submitted.

There will also be no significant harm to the amenity of Royce Cottage from the layout as the dwelling is to the north of Royce Cottage and there is existing tree and hedge screening to the shared boundary and also a long single storey outbuilding on Royce Cottage's side of the boundary. The new house will have velux windows in the roof plane facing Royce Cottage and there will also be a balcony to the front which could allow views towards Royce Cottage. A condition will be added to require that these two velux windows are obscure glazed. A further condition will enforce the side screen shown on the plans which will prevent views being gained towards and over Royce Cottage's property. Lastly, permitted development rights will be removed for dormer windows in the southern roof plane.

The proposal is therefore considered to be in accordance with the relevant development plan policies.

LANDSCAPING:

Arun Local Plan policy LAN DM1 states that: "Development throughout the plan area should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas." In addition, policy D DM1 requires developments to incorporate new tree planting and to improve upon character through landscaping.

The scheme includes a landscaping scheme which is considered to be appropriate for a single dwelling on a site which benefits from good existing tree screening. The proposal is therefore considered to be in accordance with the relevant development plan policies.

OTHER MATTERS:

Parking Provision

In respect of parking, ALP policy 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". BNDP policy HDQ8 requires a minimum of two spaces per dwelling.

The Council currently uses the West Sussex Parking Demand Calculator which calculates the likely parking demand based on the location of the site, the number of spaces proposed and the size & tenure of the accommodation. This calculator suggests a demand of 5 spaces based on 4 allocated spaces for a three bedroom house. The site layout only shows 4 spaces but there is additional space in the turning area which could be used in emergencies. The proposal also meets BNDP policy HDQ8 in that more than 2 spaces are provided. In addition, cycle storage will be a requirement of a condition on this permission.

The proposal is therefore considered to provide sufficient parking and therefore complies with ALP policy T SP1 in respect of parking.

Road Layout

ALP policy T SP1 states that proposals must explain 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;
- (iv) incorporate facilities for charging electric and plug-in hybrid vehicles (where charging facilities are to be omitted from the development, evidence of market demand and viability must be provided); and
- (v) consider the needs of people with disabilities by all modes of transport.

WSCC Highways have no objections to the application and the scheme is considered to comply with these criteria. It is not known what arrangements there will be for refuse collection but a refuse lorry could either collect from the roadside as is likely for existing properties or back into the site and depart in a forward gear. There is therefore no conflict with policy T SP1 in respect of road layout.

Internal & External Space Standards

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 building is suitable for residential use.

The requirement for a two storey, three bedroom, 6 person house is 102m². The proposed house has a general internal floor area of 150m² and therefore exceeds the required standard.

Policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to replace policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until such time as this Design Guide is published, there is no policy within the Arun Local Plan regarding private gardens sizes. However, paragraph 127 of the NPPF does state that: "Planning policies and decisions should ensure that developments: (f) create places with a high standard of amenity for existing and future users.

The proposed house will have a 30m deep rear garden and also additional semi-private garden to the front. It is therefore considered that the scheme provides a good standard of amenity for future occupiers.

It is considered that the proposal complies with Arun Local Plan policies D DM1 & D DM2 and with the guidance on amenity within the NPPF.

SUMMARY:

This report has demonstrated that subject to some additional conditions, the scheme is in accordance with the policies of the development plan. It is therefore recommended that the planning permission be granted subject to the following additional conditions alongside those conditions already imposed on BE/131/18/PL.

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:

6656 002 Rev D "Location Plan";
 6656-003 Rev C "Block Plan";
 6656 004 Rev E "Proposed Site Plan";
 6656-001 Rev D "Proposed Plans & Elevations New Dwelling"; and
 6656-005 Rev D "Landscape Plan".

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies QE SP1, D DM1, LAN DM1 and T SP1 of the Arun Local Plan.

- 2 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework). Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp proof course (DPC) level. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with policy ECC SP2 of the Arun Local Plan.

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

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

- 4 No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Shripney Road in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety in accordance with policy T SP1 of the Arun Local Plan.

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

Reason: To provide car-parking space for the use in accordance with policy T SP1 of the Arun

Local Plan.

- 6 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan.

- 7 The proposed front balcony hereby approved shall not be used until the 1.8m high obscure glazed glass side screen has been installed in accordance with the drawing "Proposed Plans and Elevations New Dwelling" ref 6656-001 Rev D. The screen shall thereafter be permanently retained in perpetuity.

Reason: To protect the amenities, privacy and enjoyment of Royce Cottage and its rear garden in accordance with policies QE SP1 and D DM1 of the Arun Local Plan.

- 8 The two velux windows on the southern roof plane of the building shall at all times be glazed with obscured glass.

Reason: To protect the amenities and enjoyment of Royce Cottage's rear garden in accordance with policies QE SP1 and D DM1 of the Arun Local Plan.

- 9 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting this Order) no dormer windows shall be added to the southern roof plane of the new dwelling unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and enjoyment of Royce Cottage's rear garden in accordance with policies QE SP1 and D DM1 of the Arun Local Plan.

- 10 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 the New Connections Services Charging Arrangements documents which is available to read on the SW website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

- 11 INFORMATIVE: If a culvert is found along Shripney Road when forming the access way the ADC Drainage Engineers should be contacted immediately.

- 12 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.

- 13 INFORMATIVE: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or->

crossovers-for-driveways-licence/

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>