

Recommendation Report for Planning Permission

REF NO: BN/5/18/PL

LOCATION: Barnham Community Hall
Yapton Road
Barnham
PO22 0AY

PROPOSAL: Resurfacing of existing car park.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to replace the gravel surface of the existing car park with a more stable surfacing material. The existing gravel surface will be excavated to lay coarse aggregate (Type 3 stone) to a depth of 350 mm on top of, and covered by, a non-woven geotextile. Above this will be a thin layer of crushed stone (35-50 mm thick) covered by a permeable surface - either concrete block paving to match the existing access road or permeable tarmac to match the existing paths round the car park or a mixture of the two surfaces in different areas of the car park. There is a difference of level between the main car park and the overflow car park so a concrete dam will be inserted to stop water stored in the coarse aggregate soaking away.
SITE AREA	The site area is 1.015 sq metres
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The car park has a 0.5 metre high barrier around the edges comprising horizontal wooden beams on wooden uprights. There are mature trees on the boundaries of the community hall.
SITE CHARACTERISTICS	The hall is set back to the south from the main road and approached by a concrete block paved access road between a row of residential properties. The access road leads directly into the car park which is in front of the hall. To the west there is open space and play areas and beyond a row of large houses set in substantial gardens. To the south and east of the hall is open space.
CHARACTER OF LOCALITY	This part of the village is mainly residential.

RELEVANT SITE HISTORY

BN/25/13/DOC	Application for the discharge of condition 6 (surface and foul water drainage) following a grant of planning	DOC Approved 11-10-13
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permission BN/3/09/

BN/3/09/	Replacement village hall together with the erection of a terrace of 4 no. 2 bed houses and 4 no. 3 bed houses on former village hall site, relocation of vehicular access. (Departure from the Development Plan)	ApproveConditionally 13-07-09
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

No objection from Barnham Parish Concil

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Southern Water have requested a condition regarding the proposed SUDS which requires details of the scheme and its future maintenance.

Arun Drainage Engineer requests a condition relating to the detailed design of the surface water drainage

COMMENTS ON CONSULTATION RESPONSES:

Consultees comments have been noted and conditions imposed accordingly.

POLICY CONTEXT

The site is within the built up area boundary.

DEVELOPMENT PLAN POLICES

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

GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
W DM3	Sustainable Urban Drainage Systems

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES1

Applications for new development must meet the local drainage requirements

Barnham & Eastergate Neighbourhood Plan 2014
 POLICY ES5

Quality of design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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)..

The Barnham and Eastergate Neighbourhood Development Plan has been made and the relevant policies have been considered in the determination of this application..

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. Measures are proposed to mitigate any risk of flooding from surface water run-off and implementation can be secured by conditions

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

The proposed materials match those of the existing access road and paths and will result in less noise and disturbance for neighbouring properties and will also improve the access for those with impaired mobility. As such the proposal complies with policy GEN 7 of the Arun District Local Plan policy DDM1 of the emerging Arun Local Plan 2011-2031 and policy ES5 of the Barnham and Eastgate Neighbourhood Plan. The villages of Barnham and Eastgate are prone to flooding because of the high water table and therefore although the Environment Agency has confirmed the site is in Flood Zone 1 where there is a low probability of flooding the applicant has taken advice to increase the absorption rate of the underlying hard core which is three times more resilient than required for a 1 in a 100 year flood. Subject to conditions to require details and implementation of the surface water drainage and SUDS management the proposal complies with policy GEN9 of the Arun District Local Plan, policy WDM3 of the emerging Arun Local Plan 2011-2031 and policy ES1 of the Barnham and Eastgate Neighbourhood Development Plan.

HUMAN RIGHTS ACT

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 permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:
Location Plans 1:2500, 1:1250 and 1:500 and the specifications set out on pages 5 and 6 of the Design and Access Statement dated 23.02.18.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies GEN7 and GEN9 of the Arun District Local Plan.

- 3 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner of management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policy GEN9 of the Arun District Council Local Plan. It is considered necessary for this to be a pre-commencement condition because the surface water drainage system is an integral part of the proposal.

- 4 The applicant is advised to view the comments of Southern Water relating to the development which can be seen on the Council's web site, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk.
- 5 **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.