

PLANNING / DESIGN & ACCESS STATEMENT

APRIL 2021

SITE: LAND REAR OF 73 & 75 ALDWICK ROAD, BOGNOR REGIS, WEST SUSSEX, PO21 2NW

PROJECT: CHANGE OF USE FROM A1 RETAIL / B8 STORAGE TO C3 RESIDENTIAL AND THE CREATION OF THREE DWELLING UNITS THROUGH THE CONVERSION OF THE REAR OF NOS. 73 & 75 AND THE ERECTION OF A PART SINGLE STOREY / PART TWO STOREY REAR EXTENSION WITH ASSOCIATED LANDSCAPING, AMENITY SPACE AND REFUSE/RECYCLING STORES

APPLICANT: MWG PROPERTIES LIMITED

LPA: ARUN DISTRICT COUNCIL

1.0 EXECUTIVE SUMMARY

- 1.1.1 There is common ground between the applicant and the Local Planning Authority in respect of the fact that there is an identified and unaddressed housing shortage within the district at the present time. The applicant has not needed to explain that in any great detail because the latest Annual Monitoring Report (2019/20) shows that there is a substantial need for housing. It states that the Local Planning Authority can only provide sufficient deliverable sites to meet its need over the next 3.3 years. This is considerably shorter than the required 5 years.
- 1.1.2 The Housing Delivery Test for the period 2017 to 2020 shows that the situation is even more critical when looking at how the district has been able to meet a lesser housing requirement over the last three years. The rate of housing completions has steadily dropped against the backdrop of an ever increasing housing requirement. It is therefore evidentially the case that there is a growing shortfall of housing within the district, and this is placing pressure on affordability, and causing increased social and economic stress.
- 1.1.3 Furthermore, it is common ground between the applicant and the Local Planning Authority that there are not enough sites identified in the current plan to address the need and the shortfall that is accumulating on a daily basis whilst need is outstripping completions. It is therefore clear that there needs to be a concerted effort by the Local Planning Authority to increase its housing completions, and in view of the fact that this cannot at present be achieved through strategic housing allocations (as evidenced on the last three years completions), the authority will need to look elsewhere, notably at what can be achieved through the small-scale private sector which drives a large proportion of the windfalls.
- 1.1.4 The site the subject of this application is a perfect windfall site for the Local Planning Authority. It is an undesignated piece of land within the heart of the urban area. It is owned by a single party that can deliver the dwellings within a very short period of time pursuant to permission being granted. The land therefore has the potential to be developed quickly with dwelling units that can be added to the Council's identifiable and immediate supply. The potential of

the site is also significant at a local level, with the provision of 3no new homes into an area where there is generally limited scope for development owing to the built confines and fragmented land ownership of the surrounding area.

- 1.1.5 The proposed scheme comprises of a mix of dwelling units with one and two bed homes for non-family occupation, and a larger three bed home suitable for family occupation. This appraisal demonstrates that the proposed dwellings are all compliant with the required floor space standards and have been provided with a good level of internal and external amenity space having regard to their location within a very urbanised context. They have been laid out on the application site in such a way as to minimise the impact on neighbouring amenity.
- 1.1.6 The applicant has designed an attractive residential environment for the new dwelling houses, and the appearance of the built form and its setting within a landscaped courtyard area is considered to be appropriate for the location of the new homes. A detailed landscaping scheme and management strategy can be conditioned. The site meets its obligations in terms of refuse/recycle stores and sheltered and secure cycle storage. The proposed development will be subservient to the host building and will not be visible from any public vantage point.
- 1.1.7 We ask that the authority recognises the expediency of the need to provide housing in sustainable locations such as this and grants planning permission on the basis of the residential development of the site to provide high quality new homes in the heart of the urban area of Aldwick. For every new home that is built within a sustainable and accessible part of the urban area, this reflects one less home that will need to be built in the countryside. This is a matter of fact derived out of the housing land supply position of Arun District Council.
- 1.1.8 It is therefore imperative that we make the most effective use of the land within sustainable parts of existing settlements and in so doing, protect the countryside from greater encroachment. The proposed scheme would be a modest but highly valuable contribution to the housing stock within Aldwick and the district as a whole. Owing to the housing shortage at the present time, it is a development for which the public benefits should derive substantial weight in the decision process. We hereby request that planning permission be granted.

*James Hutchison BA MA MRTPI
Planning Director
Corbil Estates & Planning Ltd*

21 April 2021

2.0 THE PROPOSAL

- 2.1.1 This is a full planning application seeking permission for the conversion of the existing back-up stores at the rear of the ground floor commercial units of 73 and 75 Aldwick Road, and the change of use of the existing parking area to the rear of the building, to a residential use.
- 2.1.2 Through the conversion and extension of the ground floor of nos. 73 and 75 Aldwick Road, it is proposed to create three new residential dwellings. These new residential dwellings will be formed out of a partial conversion of the existing building, and the erection of a part single storey and part two storey rear extension.
- 2.1.3 The proposed extension at ground floor level will bring the existing building out to the boundary with 71 Aldwick Road, and will join the existing building with a new two storey building that is to be created in the south-eastern corner of the application site.
- 2.1.4 The two storey building have a front elevation on its western side and will measure 7.0m in length by 11.8m in width. It has been designed with a pitch and valley roof form that measures 5.0m to the side eaves and 7.1m to the ridge. The building will sit immediately adjacent to the rear blank wall of the Arun Care Home (south) and the side blank wall of the Kia garage (east).
- 2.1.5 The internal area created by the conversion and extension of 73 & 75 Aldwick Road will provide sufficient space for 3no residential dwellings, which are shown numbered on the proposed floor plans referenced CBL-1020235-PS101 & PS102. A schedule of accommodation is provided for the proposed new dwellings in the table below:

	Unit 1	Unit 2	Unit 3
Tenure	Market	Market	Market
Type	3b (5p)	2b (4p)	1b (2p)
Storeys	2	2	1
Floor Space Provided (m²)	99.81	79.32	52.65
Floor Space Required (m²)	93.0	79.0	50.0
Floor Space Compliance	✓	✓	✓
Amenity Space Provision (m²)	48 (private)	45 (communal)	
Secure / Sheltered Cycle Provision	2 spaces in private curtilage	4 spaces in communal store	
Refuse / Recycling Provision	Each unit has 2 x 240l bins in communal store		

- 2.1.6 The space to be lost from the conversion of replacement of commercial floor space at the rear of 73 & 75 Aldwick Road is 53m² (GEA) or 44m² (GIA).
- 2.1.7 The proposal seeks permission for a car free development with level and step-free pedestrian and cycle access to the new dwellings being provided from the existing access to the site at ground level between units 75 and 77 Aldwick Road.
- 2.1.8 All open space in the application site will be landscaped including areas defined as the defensible space between the footpaths and the front elevation of the new dwellings, the private and communal amenity areas, and along the western boundary of the site. The ethos of the proposed scheme is that the new dwelling units will be designed in a mews form of development that will sit around the edge of a landscaped courtyard setting.

- 2.1.9 The illustration below shows the two principal elevations that will overlook the landscaped courtyard area of the proposed scheme. The materials shown are indicative, and subject to agreement with the LPA, however we recommend rendered or painted walls to harmonise with the existing building, and brown concrete tiles to the pitched roof (perhaps with the addition of tile hanging on the front facing gables):

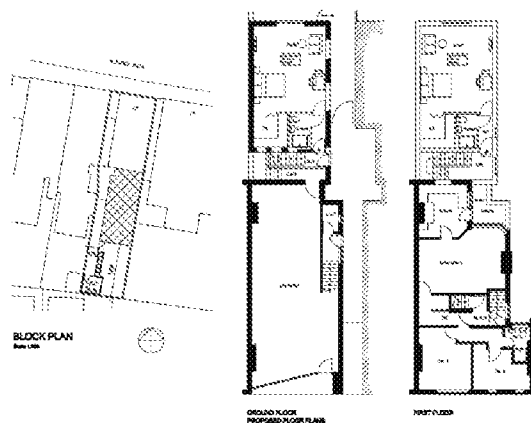


- 2.1.10 The following plans and drawings complete the documents for this planning application:

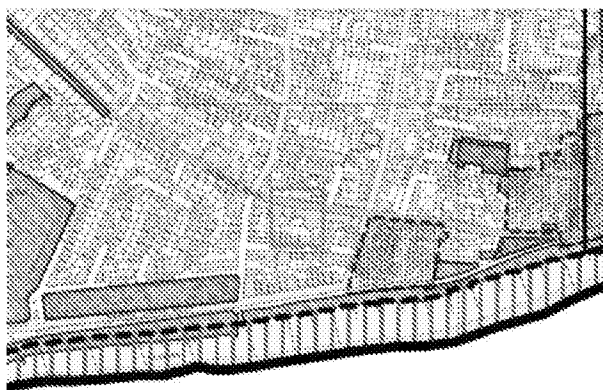
CBL-1020235-L101	Location Plan
CBL-1020235-B101	Proposed Block Plan
CBL-1020235-ES101	Existing Site Plan
CBL-1020235-PS101	Proposed Site Plan (Ground Floor Plan)
CBL-1020235-PS102	Proposed Site Plan (First Floor Plan)
CBL-1020235-E201	Existing Rear Elevation
CBL-1020235-E202	Existing East Side Elevation / Boundary
CBL-1020235-E203	Existing West Side Elevation / Boundary
CBL-1020235-P201	Proposed Rear Elevation
CBL-1020235-P202	Proposed West Elevation
CBL-1020235-P203	Proposed East Elevation
CBL-1020235-P204	Proposed Section / North Elevation
CBL-1020235-P205	Proposed South Elevation
CBL-1020235-P206	Proposed Section / North Elevation

3.0 SITE DESCRIPTION

- 3.1.1 The application site comprises of land positioned to the south of the building of 73 & 75 Aldwick Road and includes the rear of the ground floor commercial units and the pedestrian access between nos. 75 and 77 Aldwick Road.
- 3.1.2 The external area of the site is currently leased to Kia motor group and is used as an overflow parking area for the cars associated with their showroom at 65 Aldwick Road to the east of the application site. The sections of the rear of the building are in a retail use.
- 3.1.3 To the south of the application site is the windowless flank elevation of a single storey extension to Arun Lodge Residential Care Home and the rear garden of 10 Stocker Road. To the west of the site is a long continuous boundary wall that forms the western elevation of the Kia showroom at 65 Aldwick Road. The wall is approximately 3.7m in height and currently has a double width opening to allow vehicular access onto the site.
- 3.1.4 To the east of the application site is 77 Aldwick Road, which has recently been granted planning permission (LPA reference BR/233/19/PL) on appeal for a two storey building including two self-contained residential dwellings. In granting planning permission for this development, the Inspector also allowed a partial costs award against the Local Planning Authority for their unreasonable behaviour in refusing permission.



- 3.1.5 The host building comprises of three storeys with the ground floor in a commercial use (now benefitting from a full range of planning uses under the new class E), and the two upper floors in a C3 residential use and historically being sub-divided into numerable flats. The site is not affected by any policy or statutory designations apart from being within the zone of influence of the Pagham Harbour SPA (see policies map below).



- 3.1.6 The land is not affected by any ground contamination with it only being used for the overflow parking of cars relating to the showroom of Kia. The Kia showroom next door is only used for the sale of cars and there is no maintenance, repairs, servicing or MOTs conducted on or adjacent to the application site. There is no history of potential ground contaminating uses. The site lies within flood zone 1, as shown by the EA flood maps for planning below.



4.0 RELEVANT PLANNING POLICY

4.1 *Statutory Legislation*

4.1.1 The following statutory instruments form the legislative basis for the lawful processing and determination of a planning application made to the Local Planning Authority:

- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Order 2004

4.2 *National Planning Policy Framework (NPPF)*

4.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 establishes that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 1 of the National Planning Policy Framework (NPPF), which was published in February 2019, sets out that the NPPF must be taken into account in the preparation of development plans, and that it represents government policy that is material in planning decisions.

4.2.2 Section 2 of the NPPF establishes the government's policy on achieving sustainable development. Within this section is the definition of sustainable development under paragraph 8, and the presumption in favour of sustainable development under paragraph 11. In instances where a Local Planning Authority's development plan policies are out of date or absent, paragraph 11 (d) of the NPPF is applied in the determination of the application.

For decision-taking this means:

... (d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:*

(i) *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or*

(ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

⁷ *This include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73) or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.*

4.2.3 We have set out within section 6.1 the grounds upon which we allege that the Local Planning Authority's policies relevant to the supply of housing are out of date. Essentially, this relates to the inability of the Local Planning Authority to be able to demonstrate a future five year supply of housing delivery, and also on the basis that the Local Planning Authority's latest results in the Housing Delivery Test (January 2020) showed that only 61% of the required amount of housing was completed within the district between 2017 and 2020.

4.2.4 Section 11 of the NPPF is also highly relevant to an application of this nature, which proposes a more efficient use of land within the urban area. It requires that planning decisions should promote the more effective use of land within the urban area. We would specifically draw

officer's attention to paragraph 123, which seeks to maintain and enhance the density of development in instances where there is an existing shortage of land for meeting identified housing needs. Paragraph 123 (c) states:

- (c) *local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).*

4.3 Arun District Council Local Plan (2018)

- 4.3.1 The development plan for the purposes of decision-making in Arun comprises of the adopted Local Plan in 2018. Those policies considered to be relevant to this application are contained in the table below (please note that this list is not exhaustive).

Arun District Council – Local Plan (2018)	
Policy Ref:	Policy Description:
SD SP1	Sustainable Development
SD SP1A	Strategic Approach
SD SP2	Built-Up Area Boundary
RET SP1	Hierarchy of Town Centres
RET DM1	Retail Development
H SP1	The Housing Requirement
H DM1	Housing Mix
H SP2A	Great Bognor Regis Urban Area
D SP1	Design
D DM1	Aspects of Form and Design Quality
D DM2	Internal Space Standards
D DM4	Extensions and Alterations to Existing Buildings (Residential and Non-Residential)
ECC SP1	Adapting to Climate Change
ECC SP2	Energy and Climate Change Mitigation
HWB SP1	Health and Wellbeing
T SP1	Transport
ENV SP1	Natural Environment
ENV DM1	Designated Sites of biodiversity or geological importance
ENV DM5	Development and Biodiversity
W DM1	Water Supply and Quality
W DM3	Sustainable Urban Drainage Systems
WM DM1	Waste Management

4.4 Arun District Council – Supplementary Planning Documents

- 4.4.1 The Local Planning Authority has published the following guidance documents:

- Arun District Design Guide (adopted January 2021)
- Parking Standard (adopted January 2020)

4.5 *Bognor Regis Neighbourhood Plan*

- 4.5.1 The part of Aldwick in which the application site is located is covered by the Bognor Regis Neighbourhood Plan (BRNP). The application site is not specifically allocated for development within the BRNP, however the site is within a sustainable part of the urban area where development and the more efficient use of land are encouraged. The policies within the BRNP are now very aged owing to the plan being published in 2014, and whilst the general principles of good and sustainable design are equally applicable today, the NP does not take into account the current acute and pressing demand for new housing within the plan area.

5.0 RELEVANT PLANNING HISTORY

5.1 *77 Aldwick Road (to the west)*

- 5.1.1 BR/233/19/PL - Part change of use of ground floor & formation of a first floor rear extension to create 2 No self-contained studio flats with associated refuse/ recycling & cycle store (resubmission following BR/63/18/PL).

Refused by the LPA, allowed on appeal (subject to conditions) by the Secretary of State.

A costs application was also determined in the appellant's favour on the basis that the Local Planning Authority was found to have acted unreasonably in refusing planning permission on a substantive part of their refusal and appeal defence case.

5.2 *69-71 Aldwick Road (to the east)*

- 5.2.1 This neighbouring property has been granted permission under application ref: BR/91/06 dated 15 May 2006 and BR/414/05 dated 11 January 2006 for the conversion of the upper floors of the building into an A3 restaurant use. The applicant understands that these permissions have been implemented and the entirety of the neighbouring property to the east of 73 Aldwick Road is in a restaurant use.

5.3 *New Barn Kia – 65 Aldwick Road (to the east)*

- 5.3.1 There is no recent or relevant planning history for this neighbouring property.

5.4 *Arun Lodge Residential Care Home, 6-8 Stocker Road (to the south)*

- 5.4.1 There is no recent or relevant planning history for this neighbouring property.

5.5 *10 Stocker Road (to the south)*

- 5.5.1 There is no recent or relevant planning history for this neighbouring property.

6.0 PLANNING ASSESSMENT

6.1 *Housing Need*

- 6.1.1 Paragraph 73 of the NPPF requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies. The supply of specific deliverable sites should include a buffer of 5%, 10% or 20% dependent on past housing completions against the housing requirement figure. A 20% buffer should be applied where the Housing Delivery Test has indicated that completions fell to below 85% of the housing requirement, and this reflects a persistent under-delivery.
- 6.1.2 In the case of Arun District Council, policy H SP1 of the Local Plan (2018) sets out a stepped housing requirement figure which increases incrementally throughout the 20 year period, with a drop in the last five years. We have used the latest information in the Local Planning Authority's Annual Monitoring Report (2019/20) dated December 2020 to demonstrate the current housing land supply position for the period 2020-2024. The adopted requirement includes 1 year at 1,120 dpa and 4 years at 1,310 dpa. Added to this figure is the shortfall of 2,039 from previous years under-delivery. The total housing requirement for the five year period 2020-2024 is therefore 8,399 dwellings.
- 6.1.3 In order to calculate the extent of buffer that needs to be added to the above housing requirement figure, we have reverted to the government's Housing Delivery Test results for 2017-2020 (published in January 2021). These are provided below:

	2017-2018	2018-2019	2019-2020	Total	%
Housing Requirement	947	1,120	1,025	3,092	61
Housing Completions	704	660	515	1,879	

- 6.1.4 Paragraph 73(c) footnote ³⁹ states that from November 2018, where a Local Planning Authority fails to achieve 85% or more of its housing completions against the identified housing requirement, the 20% buffer shall be added for under-delivery. This takes the total housing requirement for the five year period 2020-2024 to 10,079 dwellings, which disaggregated down across each year represents a requirement for 2,016 dpa.
- 6.1.5 We have not sought to interrogate the Local Planning Authority's intended housing supply for the five year period 2020-2024 for the simple reason that there is no need to look into this matter any further for the purposes of this application. The AMR 2019-20 shows a housing supply of 6,599 dwellings over the five year period. This equates to 1,320 dpa, a number which is substantially lower than the identified housing requirement, and which represents a 3.3 year supply.
- 6.1.6 It is also worth noting that, from the previous performance as evidenced in the above HDT results, the Local Planning Authority is not getting anywhere close to their anticipated 1,320 dpa for the next five year period with the average annual completions at only 626 dpa. It is inconceivable to think that the substantial deficit of housing that is building up in Arun is likely to be met at anytime in the near future, and there are no further strategic allocations identified by the Local Planning Authority to address the growing shortfall.
- 6.1.7 The latest available evidence within the HDT shows that as the housing requirement is consistently increasing with more dwellings being added to the growing shortfall, housing completions within the district have steadily decreased over the past three years. There is no new Local Plan on the near horizon and no future means by which to show that this Local Planning Authority has got its housing needs under control.

- 6.1.8 Quite clearly, by reason of the disparity between the housing requirement figure in the Local Plan, and the housing land supply deficit, the Local Planning Authority's housing policies are out of date. In addition, with a past delivery of less than 75% of the housing requirement, the HDT has been failed. The consequence of both of these factors is that the presumption in favour of sustainable development is to be applied to the consideration of any development for new housing.
- 6.1.9 In accordance with paragraph 11(d)(ii) of the NPPF, planning permission should therefore be granted *unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*. There are no specific policies in this case whereby a conflict would disengage the presumption, and there is every reason in view of the enormity of the housing deficit within the district and absence of any clear direction out of the current shortage, to grant planning permission.

6.2 Character of the Area

- 6.2.1 The application site is unconstrained in terms of any policy designations. The site is located within the settlement constraints of the urban area, and so therefore falls on land that would be considered to be appropriate for development in principle. Whilst the site is clearly greenfield and does not represent previously developed land, it is not contrary to policy to develop such sites provided that the proposal amounts to sustainable development.

- 6.2.2 In assessing the impact on the townscape and host building arising out of a then proposed two storey flat roof extension to the rear of 77 Aldwick Road (appeal on BR/233/19/PL), the Inspector stated under paragraph 13:

The proposal would be sited away from public views and would not harm the character and appearance of the area. Although it may come within 1m of the neighbouring boundary, there is no substantive evidence that this would result in harm to the street scene, or local development pattern.

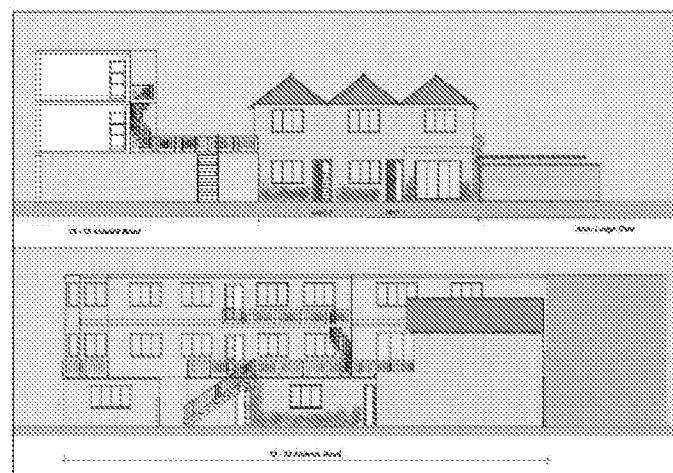
- 6.2.3 The Inspector's opinion also follows a similar appraisal of the scheme at 77 Aldwick Road by planning officers, in which the delegated report stated the following in respect of the impact of the development on the character of the surrounding area:

The extension would be subservient to the host building and would sympathetically relate to/integrate with the host building. The extension being to the rear of the property, with being 5.5m in height, also means that it will not be visible in the streetscene and is not therefore considered to compromise the spatial character of the area.

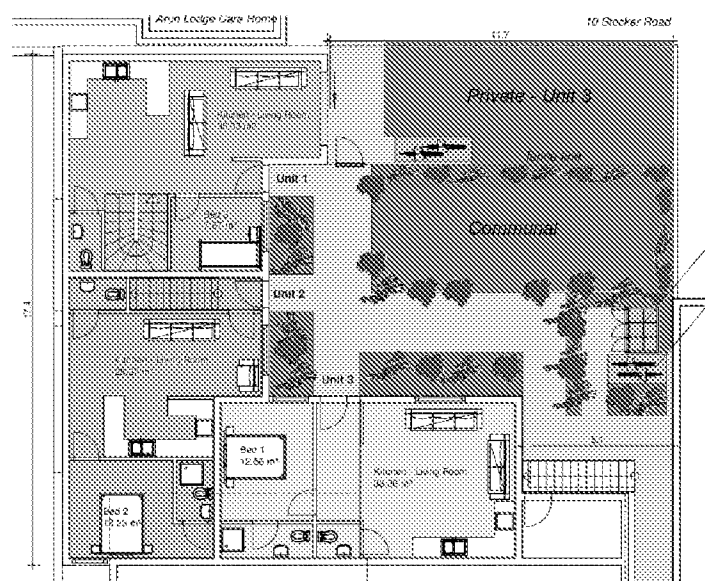
- 6.2.4 In view of the above commentary by both planning officers for the Local Planning Authority and by a Planning Inspector, it is very clear that provided the development is lower in height and subservient to the existing building, that there would be no impact on the street scene or the character of the area. This is only logical, as if the proposed building cannot be seen behind existing development that fronts onto the public realm, then there cannot as a matter of fact be any adverse impact on the character of the area or street scene views.

- 6.2.5 The applicant entrusts officers to come to the same decision on this application as they did in considering the design and character issues affecting the proposed two storey residential development to the rear of 77 Aldwick Road. The same principle applies in respect of the pitched roof of the two storey element being lower than the host building, and there being no breaks in the street facing elevation that would allow public views of the site.

- 6.2.6 The applicant has gone beyond the extent of the appraisal of the development at 77 Aldwick Road (as above), and has also considered how the design of the proposed scheme will work from private views within the development site itself, and from those properties that look south within the host building. These being the only private vantage points from which the character and appearance of the proposed development will be read.
- 6.2.7 In this respect, the proposed scheme has been designed around the ethos of a courtyard or mews type of development pattern, which one would often find to the rear of commercial or mixed use buildings within a central urban area. The proposed dwellings have been articulated and laid out on the plot and so as to present active frontages onto the central area of the development. Units 2 and 3 have been designed to a low two storeys in height and have pitched and valley roofs to present a visually distinct and attractive elevation to the courtyard area, whilst unit 1 which is consumed into the host building, has a more utilitarian flat roof.
- 6.2.8 As one enters the application site from the corridor through the ground floor of nos. 75 and 77 Aldwick Road, a landscaped courtyard area will be presented with mature shrubs and small trees breaking up the hard-form of the boundary walls and fences. The sheltered cycle and bin enclosure will be discretely positioned behind soft landscaping. The front elevations of the new homes have a defensible space to the footpath around the site, and the buildings will therefore be established within a soft landscaped edge. The central space will be a communal lawn laid to grass with planted beds. This will be available for the recreational use of both units 1 and 2, with a fenced off area along the southern side of the site for the use of unit 3.
- 6.2.9 We have provided illustrations below to show (i) the courtyard facing elevations of the development and (ii) the indicative layout of the courtyard arrangement:



(i) the proposed elevations facing the courtyard



(ii) the courtyard layout (including indicative soft-landscaping)

6.3 Amenity of Future Occupiers

- 6.3.1 The proposed development proposes three new homes, all of which have been designed to achieve at least the minimum floor space standards set out within the nationally described space standards (NDSS). We include below an extract taken from section 2 of this statement:

	Unit 1	Unit 2	Unit 3
Tenure	Market	Market	Market
Type	3b (5p)	2b (4p)	1b (2p)
Storeys	2	2	1
Floor Space Provided (m ²)	99.81	79.32	52.65
Floor Space Required (m ²)	93.0	79.0	50.0
Floor Space Compliance	✓	✓	✓
Amenity Space Provision (m ²)	48 (private)	45 (communal)	
Secure / Sheltered Cycle Provision	2 spaces in private curtilage	4 spaces in communal store	
Refuse / Recycling Provision	Each unit has 2 x 240l bins in communal store		

- 6.3.2 The section drawing ref: CBL-1020235-P204 shows the floor to floor heights that allow an internal ceiling height for each unit of no less than 2.3m. There are no issues with the vertical stacking of the units as the development is arranged horizontally. None of the units are north facing only, with unit 3 having the benefit of full sunlight being orientated with windows in the southern elevation, and units 1 and 2 benefitting from afternoon sunlight with a westerly aspect. The bedroom sizes for all of the proposed units comply with the NDSS, as below:

Unit	Bed No.	Size Req.	Size Provided	Compliance?
Unit 1	B1	13.35 (3.15)	11.5	✓
	B2	11.92 (3.2)	11.5	✓
	B3	7.67 (2.55)	7.5	✓
Unit 2	B1	14.6 (4.0)	11.5	✓
	B2	13.23 (3.35)	11.5	✓
Unit 3	B1	12.56 (3.2)	11.5	✓

(All dimensions are in m². All dimensions in brackets represent the min. room widths)

- 6.3.3 Unit 1, being a three bed dwelling house that is capable of family occupation, has its own private outdoor amenity space in the form of a garden area 11.7m in length and 4.4m in width, thereby providing a total space of approximately 50m². Units 1 and 2 are one and two bedroom dwelling units that are not intended for family occupation. These two units are therefore provided with a shared communal area comprising of a lawn area with planted flower beds totalling approximately 45m². With no specific policy for private amenity space for units 1 and 2, and a precedent of shared communal space at 77 Aldwick Road (BR/233/19/PL), this is sufficient to meet the needs of these residents.
- 6.3.4 The proposed dwelling units have a defensible space to their front elevation in order to ensure that there is no direct overlooking from the courtyard area of the development, and this also allows the opportunity for soft landscaping to be used to provide a sense of screening. There is no overlooking between dwelling units as units 1 and 2 are aligned and arranged perpendicular to the ground floor of unit 3. A separation distance of 11m has been retained between the first floor south facing windows in the host building and the nearest point of the communal outdoor amenity space to units 1 and 2. The distance between the same windows and the nearest point of the private garden of unit 3 is 14.5m. Consequently, at these separation distances, there would be no unacceptable level of overlooking.

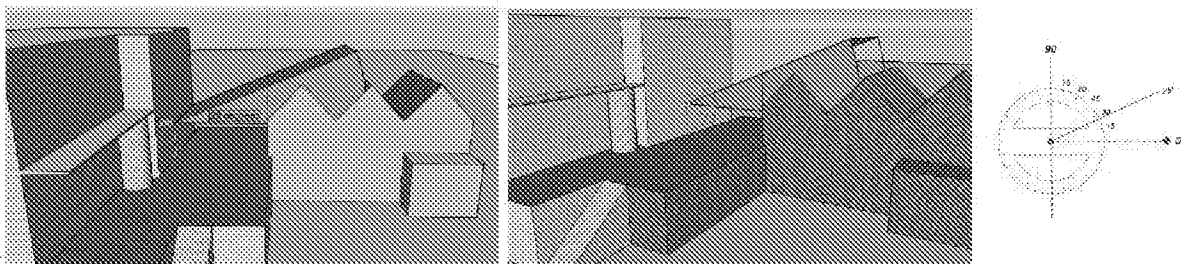
6.3.5 The plans show that the proposed development would comply with policies D DM1 and D DM2 of the Local Plan 2018.

6.4 *Impact on Neighbouring Properties*

6.4.1 The proposed development has been carefully designed to avoid any adverse impacts on the amenities of neighbouring properties, of which the most relevant are those existing flats located within the host building.

6.4.2 Other properties have been considered but owing to their distance from the proposed development, their land use, their absence of any habitable openings, or a combination of all of these factors, they are not subject to the same level of potential for impact. For example, 65 – 71 are in commercial uses as a car showroom and restaurant (respectively), the Arun Lodge Residential Care Home does not have any openings along its northern elevation, and 10 Stocker Road and 77 Aldwick Road are positioned over 11m from proposed development.

6.4.3 The ground floor of 73 and 75 Aldwick Road are currently within a commercial use, and notwithstanding the reduction in size of these through the loss of their rear back-up stores, they will remain in place and continue to be served by front facing shop-front openings. There are no existing residential uses on the ground floor of nos. 73 & 75. The upper floor of the host building contains residential apartments. The windows along the southern elevation that face onto the application site are, in many instances, primary habitable openings. On this basis, we have conducted the relevant 25 degree test to ensure that the proposed development would not cause a significant adverse impact on their daylight or outlook.



6.4.4 The above illustrations have been based on a scaled 3D model of the proposed development and the rear of the host building. The daylight line has been taken from a vertical point in the middle of the windows facing onto the proposed development in accordance with figure 14 of the BRE guidance document '*Site Layout Planning for Daylight and Sunlight*', *A guide to good practice, Second Edition*. It can be seen that the proposed development subtends at a significantly lesser angle than the 25° upon which the BRE guidance states that below that level will provide sufficient daylight with reasonable results from conventional glazing.

2.1.21 When applying the 25 degree test, the following BRE guidance and recommendations apply:

- *less than 25°, conventional window design will usually give reasonable results*
- *between 25° and 45°, special measures (enlarged windows, changes to room layout) are usually needed to provide adequate daylight.*
- *between 45° and 65°, it is very difficult to provide adequate daylight, unless very large windows are used.*
- *more than 65°, it is often impossible to achieve reasonable daylight, even if the whole window wall is glazed.*

2.2.5 If this angle is less than 25° for the whole of the development then it is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing building.

6.4.5 Having the above in mind, it is clear that there is no loss of daylight arising to the first floor windows in the rear elevation of the host building. With this evidence to demonstrate that there is no loss of daylight, with objective reasoning we can also determine that there would be no loss of outlook or views from the existing flats. This is taking into account the specific guidance set out in paragraph 5.2.1 of the aforesaid BRE guidance:

5.2.1 At the site layout stage in design the needs for view and for daylight rarely conflict; an open, well daylight layout will usually provide reasonable views.

6.4.6 The same objective reasoning can be used to assess the impact of the proposed development on the sunlight of neighbouring residential properties. The proposed building is to the north of properties in Stocker Road, and has a comparatively narrow width (7m) and so as to not substantially block sunlight to the first floor windows on the host building having regard to the availability of sunlight both over the roof of the proposal, and to the east of the new building in the mornings and to the west of the new building from mid-afternoon to the end of the day. There is currently no outdoor amenity space for existing flats in the host building. The second floor flats in the host building will remain completely unaffected by the proposal.

6.4.7 There are no upper floor openings in the proposed development that are directed either at the rear gardens and windows of properties in Stocker Road, or back into the first and second floor windows in the host building. A separation distance of in excess of 11m will ensure that privacy from the west facing upper floor windows in the proposed development will not cause any significant overlooking of the communal garden area were BR/233/19/PL to be implemented at 77 Aldwick Road pursuant to the recent appeal decision. Consequently, the privacy of all neighbouring residential properties has been safeguarded in the proposal.

6.4.8 It should be noted that there are substantial benefits to the amenity of all residential properties surrounding the application site, and that comes from the removal of the established and unfettered use of the land to the rear of nos. 73 and 75 for the parking and maneuvering of vehicles related to the Kia showroom at 65 Aldwick Road. The extinguishment of this use will involve the creation of a significant area of landscaping, and most importantly the removal of any associated noise and distance. This is considered to be a substantive enhancement that will be created from the grant of planning permission.

6.4.9 Finally, and having regard to the manner in which the application is considered by officers in light of the evidenced and overwhelming need for housing and the inability of the Local Planning Authority to adequately meet its housing needs, we would specifically draw officer's attention back to the contents of paragraph 123(c) of the NPPF, where it states:

123. In these circumstances:

(c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

6.5 *Highways*

- 6.5.1 The development, being positioned in a sustainable and accessible location and with no existing vehicular access direct from the public highway, does not provide any on-site car parking. Indeed, it is not considered necessary to provide on-site parking in view of the location of the development. The site is well served by a supermarket (Tesco Express) directly opposite the site on the northern side of Aldwick Road, numerous other shops, restaurants and services along the same section of Aldwick Road, and numerous offices and other employment services nearby.
- 6.5.2 The site also benefits from a bus stop which is positioned immediately in-front of the access to the site. This bus stop is served by the 600 route, which provides regular services between the centre / mainline rail stations of Chichester to the north-west and Bognor Regis to the east of the site. The route also includes stops in the villages of Nyetimber, Pagham, Felpham, Middleton-on-Sea and Elmer. The 600 route runs in both directions with the first bus at 06:08 and the last bus at 21:24. Other incidental routes also operate from this bus stop.
- 6.5.3 The railway station at Chichester provides direct rail services between Portsmouth and London Victoria via Gatwick Airport, as well as to Littlehampton and along the coastal route to Brighton. The railway station at Bognor Regis provides a direct rail service to London Victoria and London Bridge via Gatwick Airport, to Portsmouth via a change at Barnham, and along the coastal route to Littlehampton and Brighton. Chichester rail station is connected to the application site by means of the 600 bus, and Bognor Regis rail station is a walking distance of 1km from the application site, and has extensive cycle storage facilities.
- 6.5.4 The site is also very closely related to large areas of open space and recreational areas including Marine Park Gardens (a walking distance of 260m to the south-west), Bognor Regis Promenade (beach) (a walking distance of 250m to the south), The Rock Gardens (a walking distance of 360m to the east), West Park (a walking distance of 600m to the west), Waterloo Square (a walking distance of 720m to the east), and Bognor Regis Sports Club and Football Club (a walking distance of 675m to the north).
- 6.5.5 There is a substantive and robust case for a car-free development in this location having regard to the above evidence which clearly shows the sustainable credentials of the site's location. However, notwithstanding this, the development will not create an unrestricted and unacceptable level of pressure for on-site car parking in a low capacity area, as the site is positioned within the heart of a controlled parking zone. Parking constraints therefore already exist to control the parking of any vehicles attributable to future occupiers on the public highway. It is worth noting that application BR/233/19/PL was approved with no parking.
- 6.5.6 The application is compliant with policy T SP1 of the Local Plan 2018, as well as paragraph 109 of the NPPF which restricts against the refusal of applications unless it is demonstrated that the residual cumulative impacts on the road network would be *severe*.

6.6 *Natural Environment*

- 6.6.1 The application site is presently put to hard-standing with no vegetation. Consequently, there is no existing level of biodiversity or ecological habitats. The proposed creation of a large amount of soft-landscaping within the confines of the application site will provide an overall net gain in biodiversity, in accordance with policies ENV SP1, ENV DM1 and ENV DM5 of the Local Plan (2018).

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