

Paul Collins BA (Hons) Dip TP MRTPI

Chartered Town Planner

PLANNING APPLICATION REPORT

REF NO: LU/133/19/PL

LOCATION: Site of Inglecroft Barn Close Littlehampton West Sussex BN17 6JU

PROPOSAL:

This is an application for full planning permission for the demolition of the existing vacant dwelling and workshop on the site and the erection of 10 detached dwellings. (9 dwellings net).

The application is supported by the following plans and documents which can be viewed on the Council's web site:

Forms

Completed Application Forms
Completed Residential/dwellings – Supplementary Information Template
Completed Biodiversity Checklist
Completed Local Validation Checklist

Statements

Supporting Statement dated April 2019
Agents Planning Application Report dated 20 June 2019
Supplementary Drainage Statement dated 20 June 2019
Supplementary Construction Management/Delivery Statement dated 20 June 2019
Agents Suggested List of Conditions dated 20 June 2019

Plans

Site Location Plan SP01
Existing Site Layout (TOPO) 01509 SPO3
Block Plan 01509 SPO2
Proposed Site Layout and Hard Landscaping Plan 01509 PL01A.
Floor Layout and Elevations Plan 01509 PL02A.
Indicative Layout/street scene/cross section 01509 PL01

The submitted supporting statement describes the proposals at Paragraphs 8 – 14 as follows:

8. The existing house, workshop, footpaths and internal access road/parking area are to be demolished/removed and the resulting waste materials disposed of in accordance with all relevant Environmental legislation relating to the disposal of waste materials.

9. Access/egress to the site will be achieved and provided by way of the existing access/egress onto Barn Close (which is an adopted highway) and a new private internal access road.

10. The dwellings proposed will be laid out with hard landscaping and gardens as shown on the submitted Proposed Site Layout and Hard Landscaping Plan PL01A.

11. The existing fencing, trees and hedges on all boundaries are to be retained and are unaffected by the proposals.

12. The private gardens and other shared amenity areas within the development will be laid to grass with new landscaping and boundary fencing to meet the requirements of future prospective purchasers and thereafter will be managed and maintained privately and no street lighting is to be provided.

13. The proposed dwellings will be designed and finished with materials as shown on the submitted Floor Layout and Elevations Plan PL02A.

14. The development will be constructed by the applicant developer in accordance with all relevant legislation and best practice guidance relating to the implementation and management of Construction sites.

The Site

The site is surrounded on all boundaries by existing residential development and is situated within the defined built up area of Littlehampton and the submitted supporting statement describes the existing site at Paragraphs 4 – 7 as follows:

4. The existing site measures 0.48 hectares in area and is as shown edged red on the submitted Existing Site Layout Plan SPO3

5. The site is a former Horticultural Nursery which is now vacant and unused. There is an existing detached two storey dwelling with brick elevations and a tiled roof and a detached single storey building in the north eastern corner of the site with a footprint measuring approximately 15m x 7.5m.

6. The site benefits from an existing access onto Barn Close (which is an adopted highway) and there are internal hard surfaced footpaths, a road and parking area with the remainder of the site being laid to grass as shown on the submitted Plan.

7. The boundaries of the site are formed by fencing of various types, heights and age, trees and hedging (both on and outside the boundary) and the site is flat with no discernible changes in levels as shown on the submitted Plan SPO3.

The statutory 8 week determination period expires on 2 July 2019 and no extension of time has been sought by the Council or requested by the Applicant.

Relevant Site History

0.43 Hectares of the site (i.e. the site the subject of this application but excluding the site of the existing dwelling) benefits from an extant outline planning permission for the erection of up to 9 No. dwellings under Council ref: LU/272/17 OUT.

Representations received and the Agent's response on behalf of the applicant

Representation	Response
Littlehampton Town Council dated 4/6/19: The Town Council's Planning and Transportation Committee considered this matter at its meeting held on	By e mail dated 17/6/19 The applicant considers that the development of this site at a gross site density of just 20.8 dwellings per hectare is

28th May and object to the application on the grounds that the proposals constitute an overdevelopment of the site; the impact on the highway both in terms of increased usage and the visibility onto Toddington Lane and the lack of social infrastructure to deal with additional housing.	an appropriate low density (by modern requirements) response to the higher density of the housing which surrounds the site and meets all relevant adopted Local Plan policies in terms of the size of dwellings, amenity space provision, dwelling separation, the provision of amenity space and protection of existing amenity. The site although now unused benefits from a lawful use as a commercial horticultural nursery and attached dwelling and the type and frequency of vehicular movements associated with such a lawful use (if brought back into use) would be more deleterious in terms of amenity and frequency of the use of the junction than that which will arise as a result of the 9 dwellings (net) proposed. The Toddington Lane junction forms part of the adopted highway and if visibility at the junction is giving rise to safety concerns this is a matter that should be taken up separately with the LHA as it is not a matter which can or should be addressed by way of this proposal. There is no evidence whatsoever to demonstrate that the erection of 9 dwellings (net) on this site would give rise to or generate a need for additional social infrastructure in the town of Littlehampton.
E mail dated 7 June from Mr Chester I wish to object as a regular pedestrian user of Toddington Lane. This stretch of Toddington Lane has no footpath (there is a very narrow earth ledge along the side of the road at the pinch point in Toddington Lane which gets very slippery in wet weather) and the junction between Barn Close/Toddington Lane is blind. The situation is exacerbated in Winter due to darkness at peak user times. The Highways Authority whilst not concluding that the impact is severe did state in comment on the outline application that 'the LHA are not satisfied that safe and suitable access to the site is demonstrated'. Further I note that the NPPF states that development should 'create safe and secure layouts which minimise conflicts between traffic, cyclists and pedestrians.' Looking at parking at the junction it is clearly going to be challenging to get construction vehicles and materials to the site. I do understand that the outline application was approved. Nevertheless there is currently no safe pedestrian route to or from the site via Toddington Lane and no plan to create one. Furthermore the prospect of Toddington Lane being closed to through traffic may have reduced somewhat because of the difficulty of constructing a footbridge over the existing level crossing without causing unacceptable damage to the setting of the listed buildings in the immediate vicinity.	By e mail dated 17/6/19 The concerns raised are noted but WSCC LHA have not objected to this application and the matters raised are clearly concerns for WSCC as the LHA to address rather than matters for the applicant to address by way of this small scale individual proposal.

Consultation comments received and the Agent's response on behalf of the applicant

Consultee comment	Response
WSCC Highway Authority dated 17/5/19 No Objection – <i>"The Local Highway Authority does not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal".</i> Conditions/Informative suggested.	By e mails dated 8/6/19, 17/6/19 and the Appellant's list of suggested conditions dated 20 June 2019 No objection noted. The suggested conditions fail the relevant test of necessity and are not agreed so should not, therefore be imposed and are not included in the Applicant's suggested list. The Informative is noted.
WSCC as the LLFA dated 29/5/19	By e mails dated 8/6/19, 17/6/19, the Supplementary

Advice - No Objection and conditions suggested	Drainage statement and the Appellant's list of suggested conditions dated 20 June 2019. No objection noted. The suggested conditions fail the relevant test of necessity and are not agreed so should not, therefore be imposed and are not included in the Applicant's suggested list.
ADC Drainage Engineer dated 30/5/19 <i>A more detailed drainage strategy should be submitted prior to determination which should detail the potential for infiltration and examine if sufficient space will be available. Open SuDS features should be examined as a result of the wider benefits that they provide in terms of amenity value, surface water treatment, and creation of habitat. However. If you are minded to approve this application before these details are submitted please ensure that the following conditions are applied.....</i>	By e mails dated 8/6/19, 17/6/19, the Supplementary Drainage statement and the Appellant's list of suggested conditions dated 20 June 2019. Surface water drainage is to be provided by way of individual closed soakaways for each dwelling and the internal access road in accordance with the supplementary Drainage statement and Part H of the building regulations. The suggested conditions are not relevant to the development proposed and fail the tests of necessity and reasonableness and are not agreed so should not, therefore be imposed and so are not included in the Applicant's suggested list.
Council's Ecology advisor (CDC "Environmental Co-Ordinator") dated 28/5/19 <i>"No information has been submitted on the ecological impact of the proposals. To enable the application to be determined we would expect a Phase 1 Habitat Survey, with potentially additional phase 2 surveys as recommended by the Phase 1 survey, to be submitted with the planning application, Due to the demolition of the existing vacant building, we would also expect to see a bat survey for the building, unless the Phase 1 survey concludes that there is negligible risk of bats using the building",</i>	By e mails dated 8/6/19 and 17/6/19. There is no basis for requesting or providing a Phase 1 Habitat study prior to or post determination as the information already provided demonstrates that there are no habitats on site suitable for protected species. The two buildings on the site are not suitable for use by bats and there is, therefore, no reasonable likelihood that the bats are using the buildings so as to justify the request for a bat survey. "Negligible risk" is not the relevant test set out in legislation or policy.

The Development Plan

NPPG Paragraph: 006 Reference ID: 21b-006-20190315 states: *To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 – these provisions also apply to appeals).*

Paragraph 15 of the submitted Supporting Statement identifies those development plan policies which are considered to be material to this application for planning permission for these purposes as follows and we have not been advised by the ADC Case Officer, any Consultee or any third parties that there are any others:

Littlehampton Neighbourhood Plan 2014

Policy 2 - A Spatial Plan for the Town

Arun District Council Local Plan 2018

Policy SD1 SP2 Built-Up Area Boundary

Policy D SP1 Design

Policy QE SP1 Quality of the environment

Policy D DM1 Aspects of form and design quality

Policy D DM2 Internal space standards

Policy ENV DM5 Development and biodiversity

Policy W DM3 Sustainable Urban Drainage Systems

Assessment and Conclusion

The applicant has designed the submitted scheme so that it accords with all material development plan policies and supported the application with sufficient information to demonstrate that it will be undertaken in accordance with those policies as designed and there are no material considerations that indicate a decision otherwise than in accordance with same.

Therefore Arun District Council is respectfully invited to grant the planning permission sought at the earliest opportunity so that the applicant developer can then deliver the much needed housing to be provided.