

PLANNING APPLICATION REPORT**REF NO:** LU/294/08/**LOCATION:** Former HRI Site (The Poplars)
Worthing Road
Littlehampton**PROPOSAL:** Amendment to previously approved development (LU/454/07) - revised layout to accommodate revised house types for a total of 36 No. 1, 2 & 3 bedroom houses (Plots 205-240 Affordable Housing Units) along with associated car parking and access**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This proposal seeks an amendment to the previously approved development to accommodate revised house types for a total of 36 No. 1, 2 & 3 bedroom houses (Plots 205-240 Affordable Housing Units), along with associated car parking and access.
SITE AREA	0.46 hectares approximately.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	78 dwellings per hectare approximately.
TOPOGRAPHY	Slightly undulated.
TREES	None.
BOUNDARY TREATMENT	The site is bordered by 1.8m temporary wire fencing.
SITE CHARACTERISTICS	The application site was cleared at the time of a site visit. Some materials/ machinery on site. Works are completed or near completion on the main site.
CHARACTER OF LOCALITY	The surrounding area is predominately residential. Surrounding properties are a mixture of two and two-and-a-half storey semi-detached and terraced dwellings. Recently developed Hargreaves housing estate 'The Poplars' is sited to the west of the site, the A259 runs along the north of the site, Brookfield Park is to the east and residential development and Worthing Road to the south.

RELEVANT SITE HISTORY

LU/145/07/	Variation of Condition 1 to allow for Approval of Reserved Matters following	Approve Cond 14-06-2007
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grant of outline planning permission LU/221/03/ for 8 No. 2, 3 and 4 bedroom terraced houses, revised plot No's 151-158 and two additional residential units (proposed revisions to LU/149/04/ & LU/171/06/).

LU/149/04/	Approval of Reserved Matters following the grant of Outline permission LU/221/03 for a residential Development of 120 units comprising of a mix of house types and sizes, including 30% affordable and public open space	Approved Cond 24-11-2005
LU/171/06/	Approval of Reserved Matters following the granting of outline permission of LU/221/03 for 37 No 2, 3 and 4 bedroom houses Plots 121-136, 140-150 and 152-161 (Revisions to LU/149/04/)	Approve Cond 21-08-2006
LU/174/07/	Variation of Condition 1 to allow for Approval of Reserved Matters following the grant of outline planning permission LU/221/03/ for 12 No. 2, 3, & 4 bedroom terraced houses, revised plot No's 164-175 including three additional residential units (proposed amendments and revised house types to LU/149/04 & LU/171/06/).	Approve Cond 23-07-2007
LU/187/98/	Outline application for redevelopment of site for Use Classes B1, B2 & B8 together with detailed approval of the road access. Revised site boundary to incorporate highway works, bus shelter, cycleway and footpath links.	Approve Cond 28-04-2000
LU/203/07/	Proposed minor amendments and revised house types ref: plots 176 to 186 - previously approved under LU/149/04 and one additional residential unit.	Approve Cond 09-08-2007
LU/221/03/	Outline application for residential development of approximately 112 units comprising a mix of house sizes and types, including 30% affordable and public open space.	Approved Cond 04-02-2004
LU/261/00/	Outline Application for residential development comprising a mix of dwelling sizes and types at an approximate density of 30+ dwellings per Ha (At Least 100 Units) Departure from the Development Plan	Refused 03-04-2001
LU/264/97	Location of access road from Worthing Road to new commercial site	Approved Cond 16-11-1998

LU/310/02/	Outline Application for residential development comprising a mix of dwelling sizes and types at a density of 30+ dwellings per Ha (at least 100 Units) Departure from the Development Plan	Refused 03-02-2003 Appeal: Allowed+Conditions 05-APR-2004
LU/355/07/	Variation of Condition 1 to allow for Approval of reserved matters following the grant of outline planning permission LU/221/03 to amend the layout and revise house types for plots 187 to 192 - previously approved under LU/149/04, incorporating two additional residential units with associated parking & garaging.	Approve Cond 07-12-2007
LU/381/07/	Variation of Condition 1 to allow for Approval of Reserved Matters following the grant of outline permission LU/221/03 to amend the layout & revise house type for plots 175 - previously approved under LU/174/07, along with associated roads, parking & garaging.	Approve Cond 12-12-2007
LU/389/07/	Proposed semi detached midhurst house type now including attached garage, house previously approved under LU/171/06/	Approve Cond 12-12-2007
LU/41/06/	Approval of Reserved Matters following the grant of outline permission LU/221/03 for 21 No 2, 3 and 4 bedroom houses. Plots 1 - 3, 5 -13, 15 -20 and 36 - 38. (Revisions to LU/149/04 part site)	Approve Cond 19-05-2006
LU/454/07/	Variation of Condition 1 to allow Approval of Reserved Matters following the Grant of Outline Planning Permission LU/221/03 to Amend the Layout and Revise House Types for 42 No. Two and Three-Bed Flats and Houses, with Plot Nos. 193-234, to include Affordable Units as Previously Approved under LU/149/04/, along with Associated Roads,Parking and Garaging.	Approve Cond 28-03-2008
LU/241/69	4 houses in 2 pairs semi detached	Approve Cond 13-01-1970

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No Objection.

West Sussex Wildlife Protection

Site needs checking for possible wildlife habitation.

Comments on Representations received:

This application seeks amendments to a previous approval and a wildlife survey is therefore not considered relevant in this case.

CONSULTATIONS

Head of Highways and Transport

Environment Agency

Sussex Police-Community Safety

Parks and Landscapes- Philippa Dart

Environmental Health - John Green

F A O Sue Welfare - Strategy Department

Consultations responses received:

County Highways

No Objection:

In principle and as this application seeks only alterations to a scheme already consented through an outline planning permission, no significant concerns would be raised to this application. It is not readily apparent what alterations are proposed to the scheme from those previously agreed.

In regards of highway matters, the proposed layout of the adoptable estate roads appear not to have changed from that previously consented and from the details submitted with the Section 38 Agreement application submitted to West Sussex County Council. The proposed private car parking areas are acceptable and provide satisfactory turning arrangements.

The proposed car parking provision is within the WSCC Parking Standards. Cycle parking must also be provided to the minimum standard for each dwelling. Details of the cycle parking should be secured via condition.

Contributions towards WSCC infrastructure are understood to have been secured as part of the outline permission. No contributions would therefore be sought as part of this application.

Environment Agency

No Objection, subject to a condition relating to contamination.

Parks and Greenspace

No Objection.

Environmental Health

No Objection to revised layout. A previous acoustic consultants report (Nov 2006) identified plots in this area where specified mitigation measures would be required to achieve an acceptable acoustic environment, a supplementary report should be obtained identifying appropriate mitigation measures in respect of the revised layout.

Additional comments, following submission of supplementary report:

I concur with the conclusion of the report that reasonable internal noise environments can be achieved inside living rooms and bedrooms with the inclusion of the acoustic earth bund and acoustic fence configuration along the north-west boundary, acoustic fencing around the perimeter of the site and closed double glazed windows. Certain habitable rooms (detailed on pages 9 & 11 of the report in tables 7.1 & 7.2) will therefore require alternative acoustically treated ventilation to enable adequate air changes without the necessity to open windows.

Table 7.3 (p12) identified properties where daytime garden noise levels may exceed the desirable limit of 50 db Laeqt suggested in BS 8233, properties nos 224 & 205 to 212 may be marginally above the 55 db LaeqT upper limit suggested by the standard. However PPG24 suggests that local planning authorities may be able to justify up to 3dB(A) increase in recommendation levels for new residential development in an already noisy area and consequently the predicted noise levels in the above gardens may be considered to be on the margins of acceptability.

Crime Prevention Design Adviser

No concerns from a crime prevention viewpoint. The applicant is well versed in providing social housing that accords with the requirements of 'Secured by Design' and I am confident that there will be no exception in this case.

Comments on Consultation responses:

Comments noted. The suggested conditions will be added to any approval on the site.

The Environmental Health Departments comments are noted. A condition will be imposed that requires details of glazing and ventilation prior to the commencement of development. It is noted that the acoustic bund is located outside the red edge as defined on the submitted plan and therefore it would not be reasonable to impose a condition that relates to the bund.

POLICY CONTEXT

Designation applicable to site:

Within Built up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan:	LOC1	Locational Strategy
	CH1	Character
	DEV1	High Quality Development
	DEV2	Mixed Uses
	DEV3	Infrastructure Requirements
	DEV4	Travel Needs and Choices
	DEV5	Parking Provision
	NE17	Roads
	ERA1	Making the best use of land
	ERA2	Nature conservation
Arun District Local Plan:	GEN1	Sustainability
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN10	Tidal Flooding and Coastal Defence
	GEN32	Noise Pollution

GEN26

Water Quality

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPG24	Planning and Noise
PPS25	Development and Flood Risk

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 would not cause demonstrable harm to the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The surrounding area is predominately residential. Surrounding properties are a mixture of two and two-and-a-half storey semi-detached and terraced dwellings. The recently developed Hargreaves housing estate 'The Poplars' is sited to the west of the site, the A259 runs along the north of the site, Brookfield Park is to the east and residential development and Worthing Road to the south.

The current proposal seeks planning permission for amendments to the previously approved development to accommodate revised house types for a total of 36 No. 1, 2 & 3 bedroom houses (Plots 205-240 Affordable Housing Units), along with associated car parking and access.

The proposal includes all 36 of the affordable housing units, which were approved as part of the original scheme; however in many cases their house type is changing and this in turn is

having a knock on effect upon their siting and design. The most notable difference is the removal of a number of flats and their replacement with a mixture of one, two and three bedroom houses. The current application seeks approval for a total number of 36 units, comprising 6 No. 1 bedroom houses; 22 no. two bedroom houses and 8 no. three bedroom houses; compared with the previous approval that comprised 14 No. two bedroom flats; 12 No. two bedroom houses and 10 No. three bedroom houses.

All of the affordable housing units now have a garden area and parking space. It is considered that the proposed changes would be acceptable and would in fact accord more favourably with Arun District Councils current housing requirements.

The agent has confirmed that the layout of the site, outside the red edge, is yet to be finalised. At this time, it is therefore concluded that the whole development would comprise the same number of units as originally approved.

The proposed layout and design choices for the buildings are similar to those previously approved, as well as being comparable with the design details of several reserved matters applications on surrounding parcels of land that were included in the original outline application. The proposed alterations to the house type and layout are therefore considered to be acceptable within the context of the surrounding development and will not give rise to adverse impacts on neighbouring development.

Further, it is considered that the development would not cause demonstrable harm to the residential amenities of the neighbouring properties by way of overshadowing effect, overbearing effect, loss of privacy or overlooking effect. Further, the overall design and bulk of the buildings is relatively similar to that previously approved and as such, the development will not be obtrusive in the street scene, nor would it conflict with the character of the surrounding estate.

It is therefore recommended that this application is approved, subject to the conditions set out below.

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 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and by endeavouring to achieve a buildings of visual quality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 3 No development shall take place until details of boundary treatment, including to Brookfield Park, have been submitted to and approved by the Local Planning Authority and no dwellings/buildings shall be occupied until such boundary treatment associated with them have been erected.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 4 Before development is commenced details of the on-site play areas shall be submitted to and agreed in writing by the Local Planning Authority. The plays areas, as agreed, shall be installed and available for use before the completion of the development or the occupation of the 100th dwelling, whichever is the soonest.

Reason: To ensure adequate on-site play provision in accordance with policy GEN8 of the Arun District Local Plan.

- 5 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained.

Reason: In order to prevent pollution of the water environment in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 6 Clean, uncontaminated rock, subsoil, brick rubble, crushed concrete and ceramic only shall be permitted as infill material.

Reason: To prevent pollution of controlled waters in accordance with policy GEN26 of the Arun District Local Plan.

- 7 The first floor landing windows on the north east side elevation of Plot No. 215; north east side elevation of Plot No. 219; north east side elevation of Plot No. 225 and south west side elevation of Plot No. 234 shall at all times be glazed with obscured glass.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 8 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level or above in the north east side elevation of Plot No. 215; north side elevation of Plot No. 219; north east side elevation of Plot No. 225; south west side elevation of Plot No. 234; north west side elevation of Plot No. 235 without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

- 9 Building work shall not commence until details of the space to be laid out for stationing vehicles clear of the public carriageway have been approved by the Local Planning Authority and the building shall not be occupied until such space has been surfaced, drained and completed. The space so approved shall not thereafter be used other than for parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of road safety in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 10 No dwelling, hereby approved, shall be occupied until secure, cycle parking spaces (in accordance with the minimum requirements as set out by WSCC) have been provided for each dwelling in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These cycle parking spaces shall thereafter be retained at all times for this designated use.

Reason: To provide on-site cycle parking spaces for the dwelling in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- 11 Prior to the commencement of development on site details of noise attenuation measures shall be provided and approved in writing by the Local Planning Authority. This shall include the following:
- a) a phasing plan showing the order in which dwellings are to be constructed and occupied relative to the timing of the provision of the noise attenuation measures,
 - b) acoustic glazing and ventilation which shall be installed in dwellings which are to be identified in the phasing plan.

The development shall proceed only in accordance with the details and phasing plan thus approved and no dwelling subject to the phasing plan shall be occupied until the noise attenuation measures approved for the phase have been fully implemented. The noise attenuation measures shall thereafter be retained in a good state of repair unless the Local Planning Authority provides prior written approval for any variation.

Reason: To safeguard the amenities of neighbouring properties and their occupiers in accordance with policies DEV1 of the West Sussex Structure Plan and Policy GEN32 of the Arun District Local Plan.

- 12 INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that it would not cause demonstrable harm to the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: LOC1, CH1, DEV1, DEV2, DEV3, DEV4, DEV5, NE17, ERA1, ERA2.

LOCAL PLAN: GEN1, GEN2, GEN7, GEN10, GEN32.

NATIONAL POLICIES: PPS1, PPS3, PPG13, PPG25.

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

- 13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: There is a shallow groundwater table present, which must be protected from any areas of contamination which may not have been identified and characterised previously during intrusive site investigations. This is in accordance with guidance issued in Planning Policy Statement 23: Planning and Pollution Control.

- 14 INFORMATIVE:

Please note that related to this permission there is an agreement under Section 106 of the Town & Country Planning Act 1990. The agreement was received under planning application ref:LU/221/03/ although allows variation under clause 18.8 which reads as follows:-

'This Agreement shall apply to the Development as authorised by the planning permission issued pursuant to the planning application or to the Development after variation or renewal of the planning permission from time to time'.

The applicants attention is drawn to Part 5 of the Agreement, no more than 20 market units can be disposed of until the transfer of the affordable housing land to an RSL has been completed.

5.5 Requires the owner to notify the Arun District Council of the date of first offer of the affordable housing land to an RSL for transfer.

INFORMATIVE:

- 15 INFORMATIVE:

The cycle route, as agreed in writing by letter dated 7th August 2006, shall be implemented and available for use within one month of the completion of the development or the occupation of the 100th unit of accommodation, whichever is the soonest.

- 16 INFORMATIVE:

The approval of this application does not purport to grant permission for the siting or construction of the foul water pumping station to the North West corner of the site approved under LU/439/03 adjacent to the LEAP.