

Recommendation Report for Planning Permission

REF NO: P/104/24/PL

LOCATION: Land North of Sefter Road and West of main access to new development Pagham

PROPOSAL: Erection of Ambulance Community Response Post (ACRP) and provision for parking of two emergency vehicles. This site falls within Strategic Site SD2, CIL Zone 1 (Zero Rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks approval for a single storey building which will act as a Ambulance Community Response Post (ACRP). Ambulance staff and crews will use the building for rest breaks and when they are not on emergency calls. The application includes provision for the parking of two emergency vehicles.
SITE AREA	0.02ha
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The western most boundary of the site consists of mature hedgerow and tree planting.
SITE CHARACTERISTICS	The site is located to the west of the spine road, known as Harvest Drive, which serves the new residential development currently under construction, pursuant to reserved matters approval P/49/21/RES. The proposed building is located opposite several newly constructed dwellings. To the south of the site, there is a newly built Scout Hut along with an associated car park, which serves as a prominent marker building for the site adjacent to Sefter Road.
CHARACTER OF LOCALITY	The character of the immediate locality is rural / semi - rural with open countryside situated to the west of the site which is experienced in glimpsed views from within the site. Residential development and community facilities are situated in close proximity to the site to the north and east, which contributes to its edge of settlement character.

RELEVANT SITE HISTORY

PAA/70/23/

Siting of an Ambulance Community Response Post.

Refuse Pre App

04-10-23

REPORT_1011(ODB)

P/49/21/RES	Application for the approval of Reserved Matters pursuant to condition 1 (Reserved Matters details), condition 6 (Design Code Masterplan) & condition 7 (landscaping & layout details) following the grant of P/134/16/OUT for the erection of 250 No. dwellings, (including affordable homes), replacement scout hut, land for an Ambulance Community Response Post Facility, demolition of No. 80 Rose Green Road & provision of Public Open Spaces including associated children's play areas, landscaping, drainage & earthworks (resubmission following P/24/20/RES). This site also lies within the parish of Aldwick.	ApproveConditionally 28-10-21
P/134/16/OUT	Outline application for the development of up to 280 dwellings (including affordable homes), land for a replacement scout hut, land for an Ambulance Community Response Post Facility and land for either a 1FE primary school or care home. Provision of a primary vehicular access from Sefton Road and demolition of No. 80 Rose Green Road and creation of a pedestrian and emergency only access. Provision of Public Open Spaces including associated children's play areas, landscaping, drainage and earthworks. This application also falls within the parish of Aldwick	App Cond with S106 10-10-19

This planning application follows pre application advice with the council which primarily relates to matters of design for the building. Positive amendments have been made to the design of the building following the advice of officers.

It should be noted that P/49/21/RES has commenced and the site has been largely constructed to the south.

REPRESENTATIONS

Two letters of objections have been received:

- Concerns about privacy and lack of screening from dwellings opposite, and have asked for this to be a south facing development.
- Concerns about light and noise pollution.
- Concerns about hours of operation and disturbance from the uses specific operations (e.g. blue lights, sirens) and want a restriction on the number of crews using the building.
- Request that construction and materials storage is controlled so that disturbance is only Monday to Friday and parking is not allowed within residential dwellings.
- Concerns about light levels in winter.
- Impacts on wildlife and landscaping on western boundary
- Mitigation for BNG

Comments were also raised around not knowing that there was to be a building in this location when purchasing the property in close proximity, however this is non-material to the planning decision.

Pagham Parish Council - Support the application to deliver the infrastructure promised as part of the strategic allocation within the Local Plan.

COMMENTS ON REPRESENTATIONS RECEIVED:

The comments are noted and addressed in full as part of the report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ECOLOGY OFFICER

No objection to the proposal and no proposed conditions.

WSCC HIGHWAYS

No objection subject to conditions. Requested a condition is imposed on the planting of the hedge to restrict its height to 0.6m in order to maintain visibility and intervisibility with other highway users. There were no objection to the provision of parking, and the omission of any cycle parking given its intended use. An additional condition was requested to ensure that occupation of the development would not come into affect until the parking spaces were constructed and available.

ENVIRONMENTAL HEALTH

No objection subject to conditions relating to a noise management, construction hours and lighting.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Policy H SP2a Site SD2 Pagham North

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
HSP2	H SP2 Strategic Site Allocations
HSP2A	HSP2a Greater Bognor Regis Urban Area
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

PPS1	Delivering Sustainable Development
NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD11	Arun Parking Standards 2020

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

On 25th February 2021, Arun District Council received an instruction from the Pagham Parish Council to withdraw the Neighbourhood Plan. The Parish Council has decided not to progress further with the Neighbourhood Plan at this time.

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."

Section 70(2) of TCPA provides that:-

- (2) In dealing with an application for planning permission the authority shall have regard to:
 - (a) the provisions of the development plan, so far as material to the application, a post-examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

The development complies with the relevant Development Plan policies as the appearance, scale, layout and landscaping of the proposed residential development is in keeping with the approved Design Code and the proposed level of landscaping and the proposed quantum of housing in the Character Areas would materially enhance the character and appearance of the adjacent residential estates off Hook Lane, in Pagham.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

The development would be exempted from statutory biodiversity net gain via the de minimis exemption as:

- the development does not impact on any onsite priority habitat;
- the hard landscaping would be classified as developed land, and the sealed surface has a biodiversity value of zero under the statutory biodiversity metric; and
- there are no other onsite habitats.

CONCLUSIONS

PRINCIPLE

The proposal forms part of the strategic housing allocation (Policy H SP2a: Pagham North) as identified within the Arun local Plan, and the allocation policy requires that the development provides land for a Ambulance Community Response Post facility. Outline planning permission P/134/16/OUT for residential development at the site was granted on 15 October 2019, and was followed by a reserved matters approval P/49/21/RES on 28 October 2021 for the development of 250 residential dwellings.

As part of the masterplan for the site, the location of the Ambulance Community Response Post Facility was shown and approved as part of the reserved matters approval. However, details of its specific siting, form and appearance were outstanding.

DESIGN AND LAYOUT

The proposed building is situated to the north of the newly constructed Scout Hut, which measures 6.59m at its ridge height and is positioned in a prominent location adjacent to Sefton Road.

The proposed ambulance community response post (ACRP) features a single storey mono-pitched roof which measures 2.3m to the eaves and 3.7m to the ridge. The building would measure 9m in length and 3.4m in depth. It is proposed that the building will be constructed from black stained timber effect horizontal cladding, above a 0.6m brick plinth, which would match the style and appearance of the Scout Hut.

The position, scale, form and use of materials would result in the building appearing ancillary to the permitted scout Hut. A suitably worded planning condition would secure details of the materials to ensure they were complementary and of an appropriate quality.

AMENITY

The proposed building would be located approximately 21.34m from the existing dwellings on the other side of Harvest Drive. The Arun Design guide sets out that between residential properties a 21m minimum distance should be provided to rear gardens to allow adequate privacy. The building is not a residential building, however this distance is appropriate to ensure that privacy is maintained. Therefore, this separation distance in conjunction with the building being of single storey construction, the proposed distance from existing residential dwellings is acceptable and ensures that the proposed development would not give rise to any unacceptable adverse harm through overlooking, overshadowing or overbearing impacts.

The proposed building would be available for use 24 hours a day, with ambulance crew members utilising the building for breaks, and at times when not responding to emergencies. By its nature, there will be some level of activity and disturbance by virtue of ambulances arriving and departing, as well as staff moving on and around the site.

The Environmental Health Officer has raised no objections to the proposal, however recommends a condition to ensure a Noise Management Plan is implemented prior to the commencement of the buildings use. This would ensure that a plan is submitted demonstrating measures that the operator has implemented to reduce disturbance associated with the operation of the ACRP. This could include staff training to help manage staff behaviour, reminders within the building to be mindful of the environment, and controlling the use of ambulance vehicle lights and sirens until vehicles are on the main highway (Sefton Road).

Therefore, its impact on privacy and amenity can be adequately controlled, and accords with policy QE DM1, and D DM1 of the Arun Local Plan.

LIGHT POLLUTION

A condition controlling any external lighting would also ensure that lighting is adequately controlled. Minimal lighting would be required, but motion sensors, timers, hoods and louvres will help reduce outward light spill for the benefit of wildlife.

PARKING

Policy T SP1 of the Arun Local Plan requires appropriate levels of parking to be provided for developments. The Arun Parking Standards Supplementary Planning Document 2020 suggests that non residential uses should consider the accessibility of the site, the likely demand for parking and the viability of the site.

The proposal includes the two parking spaces, and the applicant has confirmed that the sporadic and temporary use will usually result in only one crew (and one vehicle) being stationed at the site, and occasionally for two crews. Therefore, the park provision is acceptable given the nature of the use.

BIODIVERSITY NET GAIN (BNG)

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developments to provide 10% Biodiversity Net Gain. However, the proposed site is subject to an existing reserved matters approval, which is also currently under construction. The reserved matters approval consented hard landscaping in this position, and therefore this needs to be considered as part of the consideration for BNG. Planning Practice Guidance advises that existing sealed surfaces such as tarmac or buildings are assigned a zero score in the statutory biodiversity metric, meaning that these surfaces are effectively exempted from the 10% net gain requirement. Therefore, under the statutory framework, BNG would not apply to this application.

Nonetheless, the application is subject to policy ENV DM5 of the Arun Local Plan, which requires development proposals to provide benefits for biodiversity in the first instance. A proposed *Tillia cordata* is proposed within the boundary, and a row of *Hebe Marjorie* hedgerow to match the proposed landscaping adjoining the site. This is considered acceptable given the scale of the proposed development.

CONCLUSION

The proposed development accords with the Development Plan as a whole, and contributes to delivering part of the infrastructure secured as part of the Strategic Housing Allocation. Therefore, the application is recommended for approval subject to conditions.

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.

CIL DETAILS

This application is not CIL liable as it does not create any new dwellings.

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 Plan 524/022/99
Site Plan 524/022/98 REV A
Proposed Floor Plan and Elevations 24/022/01

Reason: For the avoidance of doubt and in the interests of proper planning.

3 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 Harvest Drive in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and 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 and in accordance with Arun Local Plan policy T SP1.

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

Reason: To provide car-parking space for the use and in accordance with Arun Local Plan policy T SP1.

5 Prior to the occupation of the development hereby approved, full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) and GN08 2023. "Bats and Artificial Lighting at Night" but also:

1. Identify those areas/features on site that are particularly sensitive for bats or that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
2. Show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white (The recommended Kelvin level is 2700) with a clear view, no UV a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime, road safety and to minimise unnecessary light spillage outside the development site in accordance with Arun Local Plan policies QE SP1, QE DM2, T SP1 & ENV DM5.

6 The materials and finishes of the external walls and roof of the building hereby permitted shall similar in colour and texture to the adjacent Scout Hut permitted by P/49/21/RES.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1

7 Demolition/construction works shall only take place between 08:00 hours and 18:00 hours (Monday to Friday) and between 08:00 hours and 13:00 hours on Saturday with no activities taking place on Sundays or recognised public holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

Reason: To protect the amenity of local residents in accordance with the Arun Local Plan

policy QE SP1.

8 No development above damp proof course until a Noise Management Plan (NMP) is submitted to and approved in writing by the Local Planning Authority. The NMP shall provide details as appropriate, including but not necessarily restricted to, the following matters:

1. Hours of operation
2. Management responsibilities during operating hours
3. Measures to control noise from activities and operations at the site (including the operation of any equipment plant or building services)
4. Minimising noise from vehicles, deliveries, and servicing.

The NMP shall be regularly reviewed to ensure that it reflects current operational site practices. Where the operator or the Local Planning Authority receives complaints or have concerns that site activities or operations are having or may have a detrimental impact to the local amenity, the NMP shall be reviewed. Any changes to the NMP necessary to address these concerns shall be implemented to the satisfaction of the Local Planning Authority.

The applicant should review the Planning Noise Advice Document - Sussex, November 2023: <https://www.arun.gov.uk/download.cfm?doc=docm93jijm4n19846.pdf&ver=24686>

Reason: To protect the amenity of local residents in accordance with the Arun Local Plan policy QE SP1. This must be a pre-commencement condition because it is necessary to have such measures in place before the construction phase commences.