



WORTHING BOROUGH
C O U N C I L

18 May 2020

Worthing Planning Committee	
Date:	27 May 2020
Time:	6.30 pm
Venue:	Remote meeting

Committee Membership: Councillors Paul High (Chair), Noel Atkins (Vice-Chairman), Paul Baker, Jim Deen, Martin McCabe, Helen Silman, Paul Westover and Steve Wills

NOTE:

Anyone wishing to speak at this meeting on a planning application before the Committee should register by telephone (01903 221006) or e-mail democratic.services@adur-worthing.gov.uk before noon on Tuesday 26 May 2020.

Agenda

Part A

1. Substitute Members

Any substitute members should declare their substitution.

2. Declarations of Interest

Members and Officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such as interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

Members and Officers may seek advice upon any relevant interest from the Monitoring Officer prior to the meeting.

3. Public Question Time

So as to provide the best opportunity for the Committee to provide the public with the fullest answer, questions from the public should be submitted by midday on Friday 22 May 2020.

Where relevant notice of a question has not been given, the person presiding may either choose to give a response at the meeting or respond by undertaking to provide a written response within three working days.

Questions should be submitted to Democratic Services – democratic.services@adur-worthing.gov.uk

(Note: Public Question Time will last for a maximum of 30 minutes)

4. Confirmation of Minutes

To approve the minutes of the Planning Committee meetings of the Committee held on Wednesday 22 April 2020, which have been emailed to Members.

5. Items Raised Under Urgency Provisions

To consider any items the Chair of the meeting considers urgent.

6. Planning Applications (Pages 1 - 6)

To consider the reports by the Director for the Economy, attached as Item 6.

Appendix

Part B - Not for publication - Exempt Information Reports

Recording of this meeting

The Council will be voice recording the meeting, including public question time. The recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Heather Kingston Democratic Services Officer 01903 221006 heather.kingston@adur-worthing.gov.uk	Louise Mathie Senior Lawyer 01903 221050 louise.mathie@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

ADDENDUM TO PLANNING COMMITTEE AGENDA

MEETING DATE - 27th May 2020

The following agenda items have updates to the original Committee report.

AWDM/1316/19: Land To The South And East And West Of The Coach And Horses, Arundel Road, Worthing

Further information is likely to be received from the applicant in advance of the meeting on various matters set out in the report. In particular the following is anticipated and updates will be given to the Committee:

1. Provision of a noise bund to the northern frontage
2. Northern boundary with neighbour (The Hollies); a workable layout and management approach to ensure screen planting. Also replanting of tree 131.
3. Northern boundary with copse – clarification of woodland edge and any expanded planting area and clarification of proposed garden edges
4. Percentage and locations of wheelchair –user housing M4(3).
5. Rainwater harvesting
6. Earth bund needed for visual and noise reasons. Need to allow for possible future footbridge but we don't know where landing point would be – can designer look at this pl? Mark to draw this
7. Site plan, to ensure this spans both sides of proposed main avenue and including grass verges along road edges in common with AWDM/1714/19.
8. Cluster size of affordable rented homes
9. Curtilage and boundary information for flatted blocks
10. Clarification of eastern boundary and additional buffer planting
11. Conifer hedge western boundary (with Stanhope Cottage) – clarify whether within site and intentions for if so
12. Site levels in vicinity of neighbours
13. Arrangements for Ecological Clerk of Works
14. Arrangements for renewable energy.
15. Likely location of show home.

Information may also be provided for arrangements for turning area at unmade section of Arundel Road, but this may follow after Committee and will include notification of neighbours.

Following this information further consultations and neighbour notifications are likely to be required and officer assessment under delegation as covered in the recommendation, which may necessitate further conditions or variation of the s.106 Agreement.

AWDM/1714/19: Land To The South And East And West Of The Coach And Horses, Arundel Road, Worthing

1) **Further information & response** has been received from the applicant on the following matters:

1. Tenure Mix for plots at the eastern boundary
2. Provision of Accessible Homes - location of
3. Agreement to requested information for boundary walls and fences include half brick/fence to particular plots and. Amended plans to follow.
5. Development phasing to be included for determination and will be linked to landscaping.
6. Early delivery of now north-south path at western edge, as far as health and safety provisions will allow.
7. More detailed ecological information to be provided including tie-in with phasing and coordinated with AWDM/1316/19,
8. Arrangements for Ecological Clerk of Works to be via a planning condition.
9. There are no existing water mains crossing the site and new ones will be kept well clear of new trees.
10. Will consider Parks Officer's advice when received for fencing /rail for pond, type of gate for southern main footpath entrance and signage for open space.
11. Will await Council's pond maintenance costing information for consideration.
12. Bike storage will be in rear gardens to plots that do not have a garage.
12. Does not consider engagement with Highways England is applicable for reserved matters regarding crossing of the A27, but recognise that this may be a matter for CIL contributions.
13. Outstanding noise matters for housing can be dealt with via undischarged part of planning condition (i.e. a partial discharge can be issued).
14. Drainage surface water designs to be partially discharged
15. Discussions regarding the 'A27 blocked culvert' will be addressed separately. It appears to be a Highways England matter and should not affect reserved matters determination.

16. Water-butts will provide for water harvesting for apartments
17. Renewable energy. In addition to Electric vehicle charging pre-occupation sign up to a supplier using renewable energy sources can be accommodated. It is possible that as much as. 43% of Electricity is from renewable sources.
18. Lighting details will follow
19. Site levels and further landscaping plans will also follow
20. Parking bays opposite plots 41-45 to be block paved, not tarmac and edging to twin drives **will** have pavers
21. Garden at front of plot 14 will be realigned as discussed
23. Tree works will be undertaken in the first available season

Following this information further consultations and neighbour notifications are likely to be required and officer assessment under delegation as covered in the recommendation, which may necessitate further conditions or variation of the s.106 Agreement.

2) The Worthing Society has responded to recent amended plans and elevations for proposed buildings as follows:

“Having examined the revised designs our assessment of the suitability of these designs for the site remains unchanged. The opinion of the Worthing Society’s comments summarised in the Officer’s Statement therefore remains valid.

Although there have been some minor improvements Taylor Wimpey's architects have in our view been unable to adequately adopt designs which reflect the character of the area; as the Officer Report says, their style is predominantly 'Victo-Edwardian' which would be more appropriate for a suburban street. Only two designs, diagrams NT30 and NT41, show some recognition of pleasing, local character. They are for the Conservation Area edge character area and the Gateway character area. There is a greater use of local materials which in our view needs to be given increased emphasis throughout the development.

However, common defects of the remaining design are over-high roofs, and partially hipped roofs, which look as if the hipped end has only been added because it is a local feature and is not part of the basic design of the roof. Many houses lack chimneys - as the SDNPA commented - which affects the balance of their design. In addition the timber cladding of the blocks of flats is not a local feature. The flatted blocks are unfortunately rather 'barrack like' in design and somewhat oppressive, particularly in relation to the nearby houses. This we consider is an example of poor design which is particularly unfortunate in a large building.

We also consider the design lacks an overall concept appropriate to this unique countryside setting and overall does not sufficiently reflect the vernacular styles of the area. This is a sensitive site adjacent to the Castle Goring Conservation Area and in close proximity to the South Downs National Park. It presents a significant opportunity to create buildings to a high

design specification to harmonise with these unique surroundings. Taylor Wimpey's apparent inability to design appropriate buildings for this site suggests that they should consider appointing independent architects with the necessary expertise in this district to design the houses in the Sussex vernacular style. We believe there is a Conservation Area Design Guide for Arun which may be a helpful resource as it provides a detailed guide to local styles and materials.

We submit therefore that with the exception of the designs shown in the diagrams NT30 and NT41 the inappropriate design of the majority of the remaining buildings still contravenes the policies of the Worthing Core Strategy and the National Design Guide. As we have previously stated Policy 16 of the Core Strategy emphasises that new developments should show a high quality of architectural composition and detailing to respond positively to the important aspects of local character.

The National Design Guide is equally relevant here. Insufficient weight appears to have been given to this guidance which places great emphasis on the importance of the integration of new design into the local surroundings. This is achieved by an appreciation of the local character, further use of vernacular materials and reference to architectural precedents. If this is to be achieved, it is therefore essential to ensure a strong distinctive sense of place to flow through the whole development. The Society considers more emphasis needs to be placed on strengthening the overall concept and group value of this sensitive site which is close to significant heritage assets on the fringes of the South Downs.

Taylor Wimpey has an exceptional opportunity here to create a prestigious, development. We consider some limited progress in design has been made but more comprehensive improvements are needed to sufficiently complement the setting of this important area. The present application should in our view be refused and the development paused to allow for a more characterful, co-ordinated redesign of the buildings to follow the principles of the National Design Guide.

The Society notes that the buildings shown within the Persimmon section of the scheme have similar defects. “

ADDENDUM TO PLANNING COMMITTEE AGENDA

MEETING DATE - 27th May 2020

The following agenda item has a further update to the original Committee report.

AWDM/1316/19: Land To The South And East And West Of The Coach And Horses, Arundel Road, Worthing

Further information has been received from the applicant in advance of the meeting on various matters set out in the report. Plans received today, for instance, those for planting at the eastern boundary and site levels, are under review by officers. The following are comments from the applicant:

- 1) The earth bund has been added in the north-eastern corner. A landing point has been indicated for any potential footbridge as per the legal agreement.
- 2) All ground floor affordable units will Wheelchair Housing M4(3) compliant .
- 3) Houses will have rainwater butts for water recycling.
- 4) Show home will be retained in the Southern Sector.
- 5) Six of the 17no affordable homes in the northern cluster will be rented.
- 6) Boundaries at eastern edge have been updated and now include further planting.
- 7) Boundary with The Hollies. The applicant is willing for further reasonable endeavours to be required by a deed of variation to the legal agreement, to investigate transfer of some of the planted buffer to the neighbour.
- 8) Conifer hedge alongside Stanhope Cottage – ownership and future intentions for are still under investigation.
- 9) The site plan now includes both sides of the main avenue.
- 10) Site levels plan has been clarified and amended.
- 11) Tree 131. Agree to plant replacement tree in agreement with Council's tree officer.
- 12) Ecological Clerk of Works is to be appointed jointly by both developers. Details will be provided.
- 13) Renewable energy – Joint approach with Taylor Wimpey, to procure supplier with good proportion of energy from renewable sources. PV panels can be looked at on some plots but mindful of landscape constraints and impact on design.

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WORTHING BOROUGH
COUNCIL

Planning Committee
27th May 2020

Agenda Item 6

Ward: ALL

Key Decision: Yes / No

Report by the Director for Economy

Planning Applications

1

Application Number: AWD/1316/19

Recommendation – Approve Reserved Matters, subject to amended plans subject to consideration of responses to recent amended plans and information and variation of s.106 agreement. Planning conditions to be determined during delegation period.

Site: Land To The South And East And West of The Coach And Horses, Arundel Road, Worthing

Proposal: Reserved Matters application following outline planning permission AWD/1882/16 for 120 new dwellings on the southern and eastern part of the site (including the provision of 36 on-site affordable dwellings) including the provision of associated parking, landscaping and Locally Equipped Area of Play

The application includes details for discharge of the principal conditions relating to Reserved Matters i.e. 1, 3, 5 & 6 as well as content to discharge and partially discharge the conditions listed below:

Discharge conditions:

7 (materials); 22 (ecological details); 26 (surfacing of public rights of way); 32 (highway surface water prevention); 36 (boundary treatments)

Partial discharge conditions:

8 & 9 (drainage); 12 (land reclamation); 13 (hard & soft landscape); 14 (tree protection); 16 (landscape boundaries); 20 (Construction Management Matters); 23 (Archaeology); 30 (car parking details); 31 (cycle parking); 33 (refuse storage provision); 34 (Noise Protection) and 37 & 38 (Electric Vehicle Charging).

2

Application Number: AWDM/1714/19

Recommendation – Approve Reserved Matters, subject to consideration of responses to recent amended plans and information and completion of a s106 Deed of variation. During delegation period planning condition discharges to be determined.

Site: Land To The South And East And West Of The Coach And Horses, Arundel Road, Worthing

Proposal: Reserved matters application following outline planning permission AWDM/1882/16 for 120 dwellings on the north western part of the site (including the provision of 36no. on-site affordable dwellings) along with associated highway and drainage infrastructure, landscaping, ecological mitigation works, public open space, and noise bund / attenuation to the A27.

The application includes details for discharge of the principal conditions relating to Reserved Matters i.e. 1, 3, 5 & 6 as well as content to discharge and partially discharge the conditions listed below:

Discharge conditions:

7 (materials); 22 (ecological details); 26 (surfacing of public rights of way); 32 (highway surface water prevention); 36 (boundary treatments)

Partial discharge conditions:

8 & 9 (drainage); 12 (land reclamation); 13 (hard & soft landscaping); 14 (tree protection); 16 (landscape boundaries); 17 (noise bund detail); 20 (Construction Management Matters); 23 (Archaeology); 29 (street lighting); 30 (car parking details); 31 (cycle parking); 33 (refuse storage provision); 34 (Noise Protection) and 37 & 38 (Electric Vehicle Charging).

3

Application Number: AWDM/1914/19

Recommendation – Approve

Site: 35-39 South Street, Worthing

Proposal: Revisions to planning permission AWDM/1529/18 comprising internal alterations to Block 6 to increase the number of flats on upper floors from 9 units (as permitted) to 13 units.

4

Application Number: AWDM/0450/20

Recommendation – Approve

Site: 17 Furze Road, Worthing

Proposal: Proposed two-storey rear extension with first floor balcony and side opaque glass screen, altered roof, partial first floor side/rear extension over existing garage/utility to east side elevation with first floor balcony, the construction of a basement and raised terrace.

5

Application Number: AWDM/0445/20

Recommendation – Approve

Site: 85-87 Montague Street, Worthing

Proposal: Application under Regulation 3 for temporary change of use of retail (Use Class A1) to a flexible use of retail (Use Class A1), or cafe/restaurant (Use Class A3), or assembly and leisure (Use Class D2), or office (Use Class B1(a)) for a temporary period of 3 years.

6

Application Number: AWDM/0762/19

Recommendation – Approve

Site: 19 Manor Road, Worthing

Proposal: Demolition of existing building and replacement with 10no. one and two bedroom apartments set over four floors, with balconies to West, East and South elevations, accessed from Manor Road with parking for 6no. cars.

7

Application Number: AWDM/0266/20

Recommendation – Approve

Site: Brooklands Pleasure Park, Brighton Road, Worthing

Proposal: Demolition of existing toilet block and proposed new cafe and public toilets, plant and refuse room, accessible play area, with associated landscaping and bike storage.

Application Number: AWDM/1316/19

Recommendation – Approve Reserved Matters, subject to amended plans subject to consideration of responses to recent amended plans and information and variation of s.106 agreement. Planning conditions to be determined during delegation period.

Site: Land To The South And East And West Of The Coach And Horses, Arundel Road

Proposal: Reserved Matters application following outline planning permission AWDM/1882/16 for 120 new dwellings on the southern and eastern part of the site (including the provision of 36 on-site affordable dwellings) including the provision of associated parking, landscaping and Locally Equipped Area of Play

The application includes details for discharge of the principal conditions relating to Reserved Matters i.e. 1, 3, 5 & 6 as well as content to discharge and partially discharge the conditions listed below:

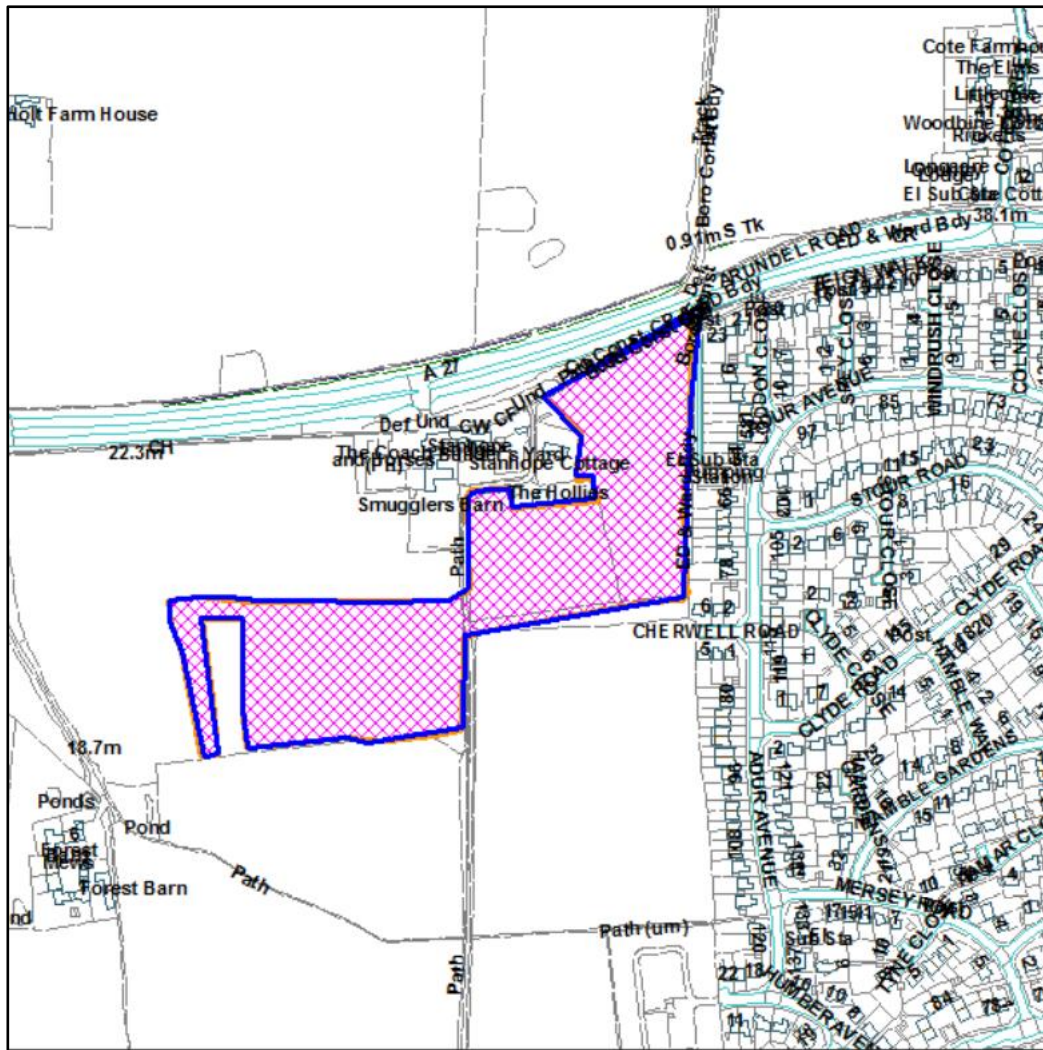
**Discharge conditions:
7 (materials); 22 (ecological details); 26 (surfacing of public rights of way); 32 (highway surface water prevention); 36 (boundary treatments)**

**Partial discharge conditions:
8 & 9 (drainage); 12 (land remediation); 13 (hard & soft landscape); 14 (tree protection); 16 (landscape boundaries); 20 (Construction Management Matters); 23 (Archaeology); 30 (car parking details); 31 (cycle parking); 33 (refuse storage provision); 34 (Noise Protection) and 37 & 38 (Electric Vehicle Charging).**

Applicant: Persimmon Homes (Thames Valley)

Ward: Northbrook

Case Officer: Stephen Cantwell



Not to Scale

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Introduction.

This is one of two current applications for the approval of reserved matters for the northern sector of the West Durrington Development. It follows a grant of outline planning permission (AWDM/1882/16) in 2019 for up to 240 dwellings and public open space on two fields totaling approximately 10ha. The outline approval allows road access via the existing West Durrington development to the south ('the southern sector'), which is nearing completion.

The application is made by Persimmon Homes. It is for 120 dwellings on 3.7ha within the south-west and eastern parts of the outline site. It relates to an 'eastern field', which is behind Adur Avenue and adjoining streets, running northwards to the A27 Arundel Road. It also adjoins the A27 Arundel Road a cluster of existing dwellings in Arundel Road. A 'western parcel' of land is part of a larger field to the west.

The application seeks reserved matters' approval for Layout, Scale, Appearance and Landscaping. Approval is also sought for matters covered by certain planning conditions. These include: surface water & foul drainage; the choice of building materials; boundary designs; car and cycle parking space; checking for ground

contamination; archaeology and ecology matters. In some cases partial approval is sought, rather than full approval for these condition matters. For ease of reference the conditions are in bold font when discussed in the planning assessment section.

A parallel reserved matters' application by Taylor Wimpey Homes (AWDM/1714/19) for the remainder of the outline site, including a large western area of open space and balancing ponds, is also on this agenda and is also for 120 homes.

Site and Surroundings

The application site is subtly-sloping land, currently used for grazing. The two fields lie on each side of an unmade public footpath running north-south between the existing southern sector development and Arundel Road. Land levels across the site vary by 9m, the highest being at the NE part of the eastern field, to lowest being at the southern boundary of the western field; this slope is gradual and continuous.

The eastern parcel is an L-shaped field situated to the north of short cul-de-sac, Cherwell Close and to the west (rear) of Adur Avenue, Loddon Close & Teign Walk their gardens back onto the intermittent tree & hedgerow-lined eastern boundary of the site which is subject of a group Tree Preservation Order (TPO). Rear gardens northward of no.66 Adur Avenue are also separated from the site by wayleave strip of land of approximately 5m – 7m in width, which serves a southern water pumping station in Adur Avenue.

The southern and northern boundaries also contain hedges and mature trees with filtered views to the adjoining street of the newly developed southern sector and the A27 dual carriageway to the north. To the west there is a prominent hedgerow including trees along both sides of the public footpath, with some gaps; this forms the side boundary of the rear garden of Smugglers Cottage, a converted barn. Further north are listed buildings: the Coach & Horses PH and Stanhope Lodge along the old, stopped-up part of the A27 Arundel Road.

The Hollies is a chalet-bungalow with gardens immediately alongside the two north/north-west boundaries; it has very open southern views of the site from its gardens and windows. To the south east of The Hollies within the field there are also significant large trees and a partial hedgerow. To the north of The Hollies is Stanhope Cottage, which is partly bounded to the east by a hedge of tall conifer trees growing within the site, affording little visibility through it. The remainder of the cottage boundary comprises low fences and hedges through which the northern part of the site can be seen, part of the garden is used for breeding kennels.

The public footpath running through the application site is currently unmetalled. It is gated at its northern end with Arundel Road with a pass-gate providing access for pedestrians. Immediately to the north of the gate is an informal turning area of compacted earth and loose stone. This is used by Arundel Road residents, service vehicles and by farm vehicles which currently access the site here. A small copse beside the gate also forms part of the northern boundary of the eastern field.

The western parcel of the application site comprises the south-eastern quarter of a larger field which lies to the west of the public footpath. It is situated to the south of Smugglers Cottage but separated from it by an intervening part of the Taylor Wimpey application site. From this land there are clear views northwards to the A27 and the rising land beyond it, which forms part of the National Park edge. Westward

views are towards Forest Lane and the Castle Goring Conservation Area, which forms another part of the National Park edge.

The southern boundary of the western parcel is formed by a thin and intermittent hedgerow with a few trees. This forms the northern edge of the southern sector with new houses facing in onto it in Bellflower Drive

The eastern boundary of the western parcel is with the public footpath. This has a substantial hedgerow along it. The footpath has been widened, as part of the southern sector development, tarmac-surfaced and lit.

Proposal

The application is for 120no. 1-3 bedroom homes comprising 104 houses and 16 flats. Thirty percent (36no) are to be affordable and 84 are for market sale. Buildings are largely semi-detached, or in short terraces of 3-4 houses and occasionally detached houses (10 of these). There are three apartment buildings providing 12 flats and some flats are above garages which adjoin parking courtyards. Heights are two-storey, and buildings are brick and tile construction with some varied claddings and finished along with a mixture of boundary walls and fencing types.

The two approved vehicular access points are from the newly completed Bellflower Drive adjoining the south western corner of the western parcel; and the other is from the newly completed Snapdragon Lane at the south eastern corner of the eastern field. In accordance with the outline plans, the principal access road within the application site, referred to as '*the main avenue*', would form a loop between these two access points. This main avenue would be shared with the Taylor Wimpey development (application AWDM/1714/19), whose buildings would form much of its northern side while Persimmon's would form the southern side.

The application includes other road and parking details and surface water drainage proposals, which would pipe rainwater from individual plots, open spaces and roads towards a pair of balancing '*attenuation*' ponds within the new open space in the Taylor Wimpey land to the west. The detailed layouts and landscaping of smaller open spaces within the Persimmon land are also included in this application, with provisions for biodiversity and a children's playground. Reports have been submitted for approval on matters of noise protection, archaeology and the future management of open spaces.

A construction management plan is among the conditions for discharge and details have been recently received, which will be covered by a report update.

Relevant Site History

AWDM/1882/16. Outline application for up to 240 dwellings with associated vehicular, pedestrian and cycle routes; parking; service infrastructure and sustainable drainage features; and strategic landscaping including noise bund / attenuation to the A27; all vehicular access to be via the strategic development to the south. **APPROVED** 18.12.2019.

Consultations

Highways England: Further information requested

Pending further information we ask the Council not to discharge conditions 8, 9, 13, 16 and 20.

Conditions 8 & 9 (drainage):

- Confirmation there will be no connections or reliance on A27 drainage.
- The applicant should explore improvement of the culvert access (north of the A27 to avoid risks of flooding, due to blockage).

Conditions 13 & 16 (landscaping and boundaries)

- Boundary treatment to the A27 and native tree and planting mix to be clarified and details of native tree and planting to confirm that maintenance can be performed without needing to work from the A27 side or affect its safe operation.

Condition 20 (Construction Management):

- Confirmation that site work will risk the safety or operation of the A27 e.g. by dust, debris, from the site, nor dazzle or distraction.

Condition 32 (highway surface water prevention):

- No objection to internal highway drainage within the site.

Condition 34 (Noise Protection):

- No objection provided that we receive satisfactory responses regarding conditions 17, 18 and 19

Comments do not imply agreement to the location, design or maintenance of any future new footbridge across A27, which would be a separate matter.

WSCC Highways: Further information requested

Road Layout

- Clarification of extent of shared surface roadways and correction of conflicting information between drawings. Need for tie-in points where footways join shared surfaces and to cater for those who are mobility-impaired.
- Design is based on 20mph speed limit; details of traffic calming measures requested and visibility splay at road bend connecting to southern sector close to plots 81 & 82.
- Road adoption: the extent of adoption is subject to roads meeting appropriate County Council specifications and drainage requirements and connection to other adopted roads. A short section of road (close to play area and plots 40/42) shown for adoption is unlikely to be adopted.

Parking

- Condition 30 (car parking) – Allocated spaces are acceptable. However, insufficient visitor parking. Garage and car port sizes are acceptable, although some driveways are too-long and might be used for additional parking.
- Condition 31 (cycle parking) – Generally acceptable but lacking for plots 6, 7 and 8-13 and 56-59; amendment requested
- Conditions 37 and 38 (electric vehicle charging) –Plans required to show where EV parking is to be provided. It should all be within private curtilages and with County Parking Guidance, 2019.

Other Matters

- Public Rights of Way surfacing should be consistent with the existing southern Sector (discuss in report)
- Condition 20 (construction management) – Information requested for Highway Authority consideration.

WSCC Rights of Way: Comments

Proposed upgrading of Public Footpath 3114 continuous with the recently upgraded section of cycleway/footway in the southern sector will provide a potentially adoptable highway link between both developments. Continued cycle access should be negotiated from the north boundary of the site along the private driveway/footpath that leads to Arundel Road, to provide a continuous cycleway/footway route to local facilities at the Coach and Horses PH.

WSCC Planning - Comments awaited

WSCC Archaeologist: Partial comment received

Condition 23 (Archaeological Investigation)

- Requests amendment to proposed scheme of investigation to ensure it describes the process for agreement of possible second stage site investigation and to allow an addendum to be made to the scheme if so.

Comments on the reserved matters (layout, scale, appearance, landscaping), to follow.

WSCC Lead Local Flood Office: No Objection.

Provided that Council's Drainage Engineer is satisfied that outline condition requirements have been adhered to.

Environment Agency: No Objection

No demonstrable risk to groundwater but a foundation risk assessment will be necessary to protect aquifers.

Agrees to partial discharge of conditions 9 (drainage) and 12 (land remediation).

Southern Water: Comments

Proposed tree planting is near water mains; published guidance should be consulted No comments regarding other planning conditions

Southern Gas Network: No Objection

High level assessment suggests no requirement for network reinforcement. Whether any off-site infrastructure improvement is needed will become clear when a developer's request is received by SGN.

Sussex Police: No Objection

No major concerns. Proposal has outward facing dwellings, back to back gardens and good active frontage to streets and overlooking of public areas.

- Children's play area should be surrounded by railings and self-closing gates for child security and to ensure dog-free.
- For open spaces, selection of plant species is critical in order not to impede natural surveillance. Where good visibility is needed shrubs should have a

mature growth height below 1 metre and trees without foliage below 2 metres.

- Lighting should avoid blocking by trees
- Specifications for cycle stands in communal stores should meet relevant BS security standards.

South Downs National Park: No Objection

- Very supportive of foot and cycle access as long as bringing this footpath up to highway standards does not erode its rural character and trees. Could a parallel tarmac cycle path be created?
- Any future A27 footbridge must be designed and positioned to take account of its landscape setting and connections to footpaths north of the road. The link to a future bridge should be provided.
- Supportive of affordable housing but the design of plots 98-110 appear to be of a plainer design close to the National Park. They would benefit from the addition of chimneys, tile hanging and brick banding along the full side elevations of Plots 103 and 104.
- We would welcome consultation on a future application to discharge the lighting condition r to ensure account is taken of the proximity to the Dark Night Skies Reserve.

Historic England: Comment

No detailed response, recommends that Council reverts to local heritage advisor.

Natural England: No Comment

Natural England has not assessed this application for impacts on protected species, refer to Standing Advice or Council's consultee

Fire & Rescue: Comment awaited.

Borough Environmental Health: Further Information Requested

Noise

- Questions night-time noise levels used in the assessment.
- Bedroom windows facing A27 do not have dual-aspect windows to assist in ventilation. Acoustically treated trickle vents are proposed but are not sufficient to provide thermal comfort, other methods should be discussed.
- Good acoustic design should consider the use of barriers/bunding so that external noise levels do not prohibit the opening of windows for natural ventilation and thermal comfort.
- Gardens at north east of the site towards the A27 will experience moderate annoyance. Consideration should be given to installing an acoustic fence along boundaries to attempt to reduce noise levels for external amenity spaces as far as possible. Internal and external noise levels should be modelled assuming a noise bund.

Land Remediation

Further information recently submitted the risk to future occupiers of the site is low and no remedial works or gas protection is necessary, standard radon protection applies. An additional condition is recommended to manage any event of unforeseen contamination and the management of imported material; supports the proposed use of polyethylene water pipes.

Borough Engineer: Further Information Requested

- Satisfied that there is adequate space for surface water drainage within the proposed layout.
- Recommends that the drainage conditions 8 & 9 are not yet discharged until further details are submitted including a robust set of construction drawings, a maintenance manual and evidence of land drainage consent application.
- An additional condition is recommended to verify satisfactory construction before occupation and maintenance thereafter.

Borough Parks & Open Spaces: Comments awaited

Borough Tree & Landscape Officer: No Objection.

Borough Housing: Comments awaited.

Borough Housing & Health – Private Housing: No Objection

Following earlier concerns about the internal layout of two house types (which included ‘through-rooms’ as means of emergency escape), is now satisfied with the internal redesign of one and substitution of the other by another house type.

Borough Waste Management: Comments awaited.

Representations

Four responses received. These are from neighbours along the northern boundary and from the New West Durrington Residents Association, which represents residents of the new 700 home development immediately to the south (‘the southern sector’), through which the site is to be accessed

Neighbours: 3no. Two object; one raises comments with concerns

- Obscure glass needed to side of house adjoining Stanhope Cottage.
- New boundary to Stanhope Cottage must be a 1.8m wall or fence, as existing residents cannot erect this due to a restrictive covenant. This must also take into account existing licenced dog breeding activity and not allow views or access from proposed noise bund.
- Number of new dwellings along boundary of The Hollies has doubled since indicative outline plan and not side-facing as planned but some are now rear-facing.
- Overlooking from plots 113-117. Intervening holly tree should be retained for privacy, a footpath relocated and plots 73-74 should rotate 30-45 degrees away from The Hollies to reduce overlooking and side windows obscured with only upper-opening. Plot 67 should also rotate for same reason.
- Plot 70 will reduce natural light; roof should be reduced and side wind obscured and unopenable for sake of privacy. Rooflights at plot 69 should also be above 1.7m.
- Remove PD rights for rooflights and upper windows.

- Noise and disturbance from 4 new car parking spaces and car port could be reduced by removing one unnecessary space, increasing planting and bricking in rear of car port.
- Intervening proposed brick boundary wall needs to be taller, 3m instead of 1.8m, to be effective an effective screen.
- New screen planting in 3m margin along boundary with the Hollies will need control to be effective without becoming overgrown. Practical maintenance difficulties suggest that the Hollies should be afforded maintenance control.
- Details of site office and generators during construction should be sited sensitively away from Arundel Road and lane should not be used for construction traffic and parking.
- Existing cesspit serving Smugglers Cottage is close to proposed development. Risks of noise, disturbance and odour would be reduced by connection to new mains drainage, which should be considered at this stage.
- Need for detail of important shared turning area to neighbouring houses to ensure safety, especially to avoid children playing here or accessing A27, and control of unauthorised use previously experienced (e.g. by motorbikes) by gating and signage of public footpath
- Proposal appears to have minimal parking, which may create pressure for unlawful parking on the privately-owned old Arundel Road, to detriment of privacy and amenities of existing residents
- Future light pollution from street lighting within previously unlit area
- Boundary trees, hedges (existing and proposed) and fencing at Smuggler's Cottage require more detail. Care needed to retain and augment existing screening in interests of new and existing residents.
- Would welcome further discussion on these points with developers and Council.

New West Durrington Residents Association: Object

- Surface water drainage will add to costs of downstream maintenance borne by southern sector residents
- Additional traffic and likely roadside parking of narrow southern sector approach roads
- Construction traffic: no details given or negotiation had by developer with residents' association concerning routing, controls, deliveries, waiting area, site office. There are no speed restriction signs in southern sector. This could lead to danger to residents including children in southern sector.
- Road cleaning during construction requires 'cattle-grid' type washing facility and daily road cleaning in southern sector, also a pay-out process for punctures caused by debris.
- Details also needed of: arrangements for regular cleaning neighbouring windows, dust management, control of noise and lighting to minimise impact on residents.
- Need for barriers to public footpaths here and at Forest Lane to tackle unauthorised use and vehicles.
- Dog bins needed, bagged waste is being left in hedges
- All road, paths and facilities in southern sector should be completed, substandard constructions should be rectified before separate northern sector development.
- Particular care to protect important trees, shrubs and wildlife

- A show house is not identified. Use of existing show home in southern sector is preventing completion of a road and completion of the southern sector.

Relevant Planning Policies and Guidance

National Planning Policy Framework, NPPF (2019)

National Planning Practice Guidance

Worthing Core Strategy (2011) including:

- Policy 1: West Durrington
- Policy 7: Meeting Housing Need
- Policy 8: Getting the Right Mix of Homes
- Policy 10: Affordable Housing
- Policy 12: New Infrastructure
- Policy 13: The Natural Environment and Landscape Character
- Policy 14: Green Infrastructure
- Policy 15: Flood Risk and Sustainable Water Management
- Policy 16: Built Environment and Design
- Policy 17: Sustainable Construction
- Policy 18: Sustainable Energy
- Policy 19: Sustainable Travel

Saved Local Plan policies (WBC 2003), including:

- H18: Residential Amenity
- RES7: Control of Polluting Development
- RES9: Contaminated Land
- TR9: Parking Requirements for Development

Local Supplementary Documents and other Guidance:

- Space Standards SPD (WBC 2012)
- Guide to Residential Development SPD (WBC 2013)
- Developer Contributions SPD (2015)
- West Sussex 'Guidance for Parking in New Residential Developments' and 'Residential Parking Demand Calculator' (WSCC 2010)
- Worthing Housing Study GL Hearn June 2015

The Core Strategy, including the saved policies of the Worthing Local Plan, comprises the Development Plan but the Government has also afforded the revised National Planning Policy Framework (NPPF, 2019) considerable status as a material consideration which can outweigh the provisions of the Development Plan where there are no relevant development plan policies or the policies which are most important for determining the application are out of date.

The principle of development has been approved by the outline planning permission and current housing land supply requirements continue to support the need for development of the application site. Although the Council has acknowledged that it cannot currently demonstrate a 5 year supply of housing and paragraph 11 promotes approval of applications other than where they would harm areas or assets of particular importance, proposals must still meet sustainable development tests, economic, social or environmental. Recent Court rulings reinforce the

applicability and primacy of development plan policies in reaching balanced decisions regarding housing, in which continued need is an important consideration.

In determining this reserved matters application the focus is on matters of detail. Policies relevant to these matters are also in conformity with the NPPF. They include the requirement for homes of mixed sizes and types, with 30 percent being affordable housing (Policy 10), therefore its design and siting are relevant detailed considerations. Whilst only limited weight can be attached to the emerging Local Plan, its draft policy CP1 for the mix of housing seeks the inclusion of accessible and adaptable homes, including provision for wheelchair users; this updates an approach found in the 2011 Policy 8.

High quality new environments should be distinctive and well-related to man-made and natural environments under policies 13 & 16. Layouts should provide multi-functional new green spaces under policy 14 and employ sustainable drainage methods in response to future climate change. On this latter point, the declaration by the Council of Climate Emergency in 2019, adds further weight to the requirement for sustainable aspects of development, such as the provision of low emissions transport options, which are also promoted under NPPF, policies 18 & 19 and the 2019 County Parking Guidance document. This added weight also covers the control of pollution under Saved Policies RES7 & 9. The safeguarding of neighbouring amenities remains a matter of importance under Saved Policy H18, as supported by the NPPF.

The NPPF adds that planning decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Para 172 also attaches great weight to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection. The safeguarding of neighbouring amenities remains a matter of importance under Saved Policy H18, as supported by the NPPF.

Relevant Legislation

In determining the planning application the Council has the following main statutory duties:

To have regard to the provisions of the development plan, as far as material to the application, and other material considerations. (Section 70(2) Town & Country Planning Act 1990, as amended). To determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).

Although the Persimmon application site does not adjoin any conservation area of listed building, to pay special attention to the desirability of preserving or enhancing the character or appearance of the Castle Goring Conservation Area, as required by Section 72(1) Planning, Listed Buildings and Conservation Areas Act 1990, and to have special regard to the desirability of preserving the setting of the Conservation Area, (including listed buildings within it, among them the Grade. 1 Castle Goring itself) to the west and the listed Coach and Horses Public House, and Stanhope Lodge to the east or any features of special architectural or historic interest (under Section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990).

In considering effects upon the adjacent National Park, which adjoins two sides of the site, and its setting regard should be had to its purposes under The

Environment Act 1995, which are: To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; and To promote opportunities for the public understanding and enjoyment of the special qualities of the Parks.

In respect of the Town and County Planning Environmental Impact Assessment Regulations 2017, the outline application was previously not considered to constitute Environmental Impact Assessment development. The current reserved matters application has also been screened under these Regulations and the conclusion remains unchanged. In any event many matters of environmental importance are relevant considerations in the determination if this application as considered in the planning assessment below.

Planning Assessment

The main issues for consideration are:

- 1) Principles of Development
- 2) Reserved Matter 1 – Layout
- 3) Reserved Matter 2 – Scale & Appearance (also Design & Character)
- 4) Reserved Matter 3 – Landscape
- 5) Access & Highways
- 6) Neighbour Amenities
- 7) Drainage
- 8) Other Matters

1. *Principles of Development*

Housing Mix

- 1.1. The mix of housing types is shown in table 1 below. Over 85% of the 120 new homes would be houses, with just under 15% as flats. The emphasis on houses with gardens is consistent with this new suburban location which is to form the new edge of the built up area at a moderate overall density. The Persimmon development would comprise 33 homes per hectare (33/ha) and the combined Persimmon/Taylor Wimpey development of 240 homes would comprise 37.6/ha, discounting the large areas of open space. The larger Taylor Wimpey parcel which would have a more densely developed core, would also provide a greater proportion (25%) of one and two-bedroom flats.

Table 1: Housing Mix: (Persimmon 120 homes)

	No.	%
1 bed flat	9	7.5%
1 bed house	28	23%
2 bed flat	7	6%
2 bed house	55	46%
3 bed house	21	18%
Total	120	
Affordable		
Rent	25	70%
Shared owner	11	30%

- 1.2. Table 1 also summarises the provision of affordable housing, with the proposed total of 36 new affordable homes equating to the 30 percent requirement under Policy 10 of the Core Strategy. A similar proportion is proposed for the Taylor Wimpey parcel, to ensure an overall 30 percent affordable housing provision across the new northern sector. Persimmon confirms the tenure mix of 70/30 percent for affordable rented and shared ownership homes respectively, which also accords with the requirements of Policy 10.
- 1.3. At the outline stage, the size-mix for affordable homes was secured through a legal agreement in liaison with the Council's Housing officers; the proposal conforms to this.
- 1.4. The size-mix for market housing is to be determined through the current application. Guidance on size requirements for the period up to 2033 is contained within the Worthing Housing Study of 2015. This document is the most up-to-date source and is under review as part of the emerging Local Plan. It identifies a need for all size of market housing but recommends that the provision should be more explicitly focused on delivering smaller family housing for younger households, including 2-bedroom units.
- 1.5. Tables 2 & 3 below show the mix of houses and flat sizes for each of the affordable and market housing totals. All of these meet National Space Standards for their stated size. Table 2 considers the Persimmon proposals only (120 dwellings). Table 3 considers those combined for Persimmon and Taylor Wimpey. The right hand column in each case is the percentage difference between the suggested market need in the 2015 Worthing Housing Study and the current proposals.

Table 2: Housing Mix, tenure and size (Persimmon 120 homes)

	Affordable		Market		
	no.	%	no.	%	need
1 bed flat	9	25%	0	33%	(+18%)
1 bed house	0		28		
2 bed flat	5	56%	2	50%	(+10%)
2 bed house	15		40		
3 bed house	7	19%	14	17%	(-18%)
4 bed house	0	0%	0	0%	
Total	36		84		

Table 3: Combined Persimmon & Taylor Wimpey (240 homes)

	Affordable		Market		
	no.	%	no.	%	need
1 bed flat	19	26%	6	20%	(+5%)
1 bed house	0		28		
2 bed flat	14	54.5%	7	43%	(+3%)
2 bed house	25		65		
3 bed house	14	19.5%	53	32%	(-3%)
4 bed house	0	0%	9	5%	(-5%)
Total	72		168		

- 1.6. Comparison between the need columns of the two tables indicates that whilst the proportion of one and two bedroom homes in the Persimmon application, is relatively high (+10% & +18%) and the proportion of the three bedroom houses relatively low (-18%), these differences are evened-out across the combined 240 home development, giving up to +/-5% for each size and the

greater proportions of three and four bedroom homes are in the Taylor Wimpey development.

- 1.7. It is noted that 28no. of the one bedroom houses within the Persimmon application each have a second first floor room, which although identified as a study, is large enough to be a second bedroom. If regarded as such these would produce a -12% undersupply of one bedroom homes and +20% oversupply of two-bedrooms.
- 1.8. This would be particularly problematic as there are only 5no. one-bedroom flats for market sale within the 240 home development, leaving the smallest and younger purchaser households very poorly catered for. However, the 28no. houses in question do not provide sufficient floorspace per-dwelling to meet the National space standard for a two bedroom unit and have therefore been regarded as single-bedroom homes and is on this basis that the balance is arguably met.

Affordable Housing

- 1.9. As mentioned, this application proposes 30 percent of affordable homes and a mix of sizes which was agreed in the outline planning permission and legal agreement. Of these 75 percent are for family housing (2-3 beds), the remainder as 1-bedroom flats; the tenure mix of 70/30 percent for affordable rented and shared ownership homes meets the outline requirements and policy.
- 1.10. In accordance with the stipulated cluster limit for affordable housing in the legal agreement (that no cluster should exceed twenty), there are three clusters. Six are close to the south west corner of the Persimmon site comprising mainly houses. The three flatted blocks in the centre of the site contain twelve 1-2 bedroom flats and the remaining seventeen affordable houses are clustered at the north-east frontage with the A27. However, confirmation is required that no more than fourteen of the largest cluster are rented units (as distinct from shared ownership), which is also a legal agreement stipulation.
- 1.11. Another commitment of the outline development is that affordable homes and market housing should be indistinguishable from one another. Two of the clusters accord closely with this, providing semi-detached houses, one with a garage. The three distinct and characterful affordable flatted blocks evoke converted farm buildings and one includes a parking barn.
- 1.12. The third and largest cluster at the north-east edge also contains a mixture of semi-detached and terraced housing with some but lesser design variations than other homes. There is a greater concentration of open-surface car parking and narrow plots grouped along a T-shaped road; the sense of design integration is somewhat weaker here. This factor combined with their exposure to road noise from the A27, leads to some concern that this affordable enclave is a less successful environment.

Sustainable Development

- 1.13. As defined by the NPPF, sustainable development is characterised by three benefits; economic, social and environmental. The economic benefit here is found in the planning for a sufficient number of well-located new homes. The application site is part of a planned land release following the 2011 Core Strategy. Its delivery remains part of the assumed housing land supply in the emerging local plan to meet the assessed needs.

- 1.14. Social sustainability benefits in the NPPF include the provision of a mix of affordable and market homes and a range of sizes including 'accessible' homes to meet future needs. The applicant confirms that all flats will meet the optional Building Regulations Standard M4(2) 'accessible and adaptable' in accordance with the emerging Local Plan Policy CP1 and the thrust of the existing Policy 8.
- 1.15. The applicant also states that a proportion of dwellings would be 'wheelchair user dwellings' under optional standard M4(3), designed to be wheelchair accessible, or easily adaptable. The emerging policy seeks this for at least 10 percent of dwellings and the legal agreement for the development requires that all of the affordable ground floor apartments, such as those in the centrally located flats proposed here shall be built to this standard. Confirmation has been sought from the applicant as to the percentage of dwellings which would be built to this standard and their locations.
- 1.16. The NPPF seeks sustainable environmental benefits which include the minimising of waste and pollution; mitigating and adapting to climate change; moving to a low carbon economy and the protection and enhancement of the natural environment and biodiversity.
- 1.17. In respect of pollution, **Condition 12 – Land Remediation** of the outline permission requires details of remediation of any contamination if found. The Environmental Health officer is satisfied from further information recently submitted and the risk to future occupiers of the site is low and no remedial works or gas protection is necessary. An additional condition is recommended to manage any event of unforeseen contamination and the management of imported material. The officer supports the proposed use polyethylene water pipes here.
- 1.18. Regarding waste, **Condition 33 – Recycling and Waste** requires details of recycling and refuse storage and approval is sought for these in the current application. Each proposed dwelling provides accessible rear space for storage of sorted bins, and secure communal bin stores are provided for flats. Access for collection vehicles has been assessed and the agreement of the Council's Waste Management officer is awaited.
- 1.19. **Condition 20 - Construction Management Matters** requires the agreement of a Construction Management Plan (*aka* CEMP), which is to include, among other things, suppression of dust and dirt for surrounding residential properties during construction period along with such matters as site storage arrangements. Partial approval of this condition is sought in the current application and measures described include damping down and sweeping of dust; matting over of stockpiles; dust screens to scaffolding; silt traps to drainage and containment of fuels to avoid spillage and monitoring of water quality. Environmental Health comments on the recently received version are awaited.
- 1.20. **Air Quality and Climate Change** is addressed in two ways in the outline permission; firstly by the making of an air quality mitigation payment via the legal agreement when 50 percent of new dwellings are occupied. This can be used in the improvement of local infrastructure within 500 metres of the

site to encourage non-car modes such as facilities for pedestrians cyclists or public transport. Details of an appropriate scheme will need to be agreed in the future, beyond the current planning application.

- 1.21. Secondly, **Conditions 37 & 38 - Electric Vehicle Charging** relate to future low-carbon economy aims. All garages and car ports must have an electronic charging point and at least one for each apartment building. Approval of these details is sought under this application. Further details have been requested including power and charging rates and use of universal fittings. The recently updated car parking guidance for West Sussex seeks the installation of cabling to all new parking spaces in order to allow for future fitting of charging points, whilst this is a new requirement and not covered in the outline permission, the applicant has been requested to go as far as possible towards achieving this and an update will be given.
- 1.22. **Condition 22 - Ecological Details** requires approval of an Ecological Mitigation and Enhancement Strategy and Landscape & Ecological Management Plan. Approval of these is sought in the current application and covers a range of measures which are described in section 4 of the Planning Assessment below.
- 1.23. **Conditions 8 & 9 - Drainage** require use of a sustainable drainage system. Details are submitted for approval and considered under section 7 of this assessment.
- 1.24. In summary the proposal meets several aspects of sustainable development under the NPPF, providing economic and social benefits in the form of mixed housing and some environmental benefits. An important aspect of sustainable development and a recurrent requirement of the NPPF is the need for high quality buildings and places.

Place-Making

- 1.25. The current application seeks permission for the reserved matters of Layout, Scale, Appearance & Design and Landscaping of the development; these are considered in turn in the following section together with other detailed matters covered by outline planning conditions, for which approval is also sought. An important consideration is extent to which the detailed proposals adhere to design principles and illustrative plans as required at the outline stage, to produce a high quality, distinctive development.
- 1.26. The approved Illustrative masterplan, a Character Area Principles document; Illustrative Landscape Strategy; a Landscape Facilities Plan are appended to this report. These variously show the extent of buildings, roads and spaces including features such as ponds; a play area and noise bunds. They describe how areas of different and distinctive characters are to be created, with particular reference to a series of Character Area within which distinctive architectural and design qualities are expected. Reference is made to these in the following section 2

2. ***Reserved Matter 1 – Layout***

- 2.1. The proposed layout plan is shown at **Plan 1** below with **circled areas A-G**, used for identification in the text of sections 2.4 - 2.19. Persimmon areas are shown in colour with the Taylor Wimpey areas 'greyed-out'.
- 2.2. In accordance with the indicative outline plans, the proposed layout is formed around a principal access road 'the main avenue', which strikes from Bellflower Drive at the southern western boundary with the southern sector. The layout is based on hierarchy of streets, with the main avenue being the widest, forming a clear and navigable tree-lined main route of evenly spaced semi-detached housing and a consistent building line. Side streets generally have a narrower and more intimate character and typology including greater variation in building lines and mixed building types; images are shown in **Figures 1 - 5** below.



Plan 1: Proposed Layout (with references A-G)

- 2.3. Space between the faces of buildings along the main avenue are typically 20 -21m apart, reducing to around 16m in side roads, although there are some instances where this is slightly less or appreciably greater, particularly in side street D below. Rear gardens are around 9m-11m in length and in some cases greater, particularly along the tree-lined boundary of Adur Avenue. This meets usual expectations for garden areas in accordance with the Council's Space Standards SPD. Relationships with existing dwellings are considered in section 6 - Neighbour Amenities, below.

Main Avenue (A-C)

- 2.4. **(A)** The avenue runs northwards through the Taylor Wimpey land before turning eastwards at the central green (also within Taylor Wimpey Land), which serves as is an important focal point. The western parcel of the

Persimmon land begins close to the south east corner of the green. Here the avenue is a tree-lined route, the evenly spaced semi-detached houses and roadside pavements, verges and front gardens contributing to its spacious character in accordance with the approved Character Principles document.

- 2.5. **(B)** Further eastward the avenue passes through a new gap in the hedgerows of the existing public footpath into the eastern Persimmon field, retaining important trees on either side; a road narrowing and surface feature serves to slow traffic at this crossing point. The road design speed is 20mph throughout the site. The road and footpath here are flanked diagonally by the three flatted buildings set within grounds enclosed by characterful estate fencing and some flint walling. This provides a safe intersection for pedestrians using the hedge-lined public footpath and contributes to the informal Character Area number 5, described at 3.21 – 3.24 below.
- 2.6. **(C)** In the eastern field the avenue is not tree-lined but adjoins an existing hedgerow on its southern side. It is overlooked on its northern side by one of the flatted buildings and a mixed semi-detached houses and a short terrace. On the southern side a few roadside visitor parking spaces would be added alongside the hedgerow which forms the northern boundary of the southern sector. The avenue then turns southward through a new gap in the hedge, creating a gateway to Snapdragon Lane close to the restricted vehicular access to Cherwell Road, for emergency and service vehicles only. The avenue therefore provides the principal access loop through the site in accordance with the outline plan.

Side Street D-E

- 2.7. **(D)** The rest of the eastern field comprises a long shared-surface road (no pavements), serving thirty-nine new homes. The mixed semi-detached and terraced houses along a varied building line create interest and occasionally detached houses in prominent focal points. Plot widths are generally narrower than in the avenue with smaller front gardens and parking is grouped either in shared off-road drives, or in perpendicular runs along the street edge. The latter are less successful in design terms, even with occasional trees, and a contrast in surface material is needed. The public open space retained at the southern end of the street accords with the outline plan and contains a few large existing trees.
- 2.8. Retained trees also form a backdrop at the southern boundary gateway and eastern boundary with Adur Avenue and Loddon Drive, which are part of the 3m buffer of planting required by **Condition 16 – Boundary Landscape**, of the outline plan. Additional details of planting are needed here and greater planting could be added east of the parking area at plots 86-88.
- 2.9. **(E)** The northern end of the road is a T-shaped cul-de-sac with semi-detached and terraced housing facing onto a rectangular open space and the A27, through a partial hedgerow with a few large trees. This is roughly similar to the indicative plan layout although there is a greater amount of open surface car parking in front of houses and lesser gardens, additional visitor parking is also needed here.

- 2.10. The current application does not include the planted 3m high bund envisaged at the outline stage. This has caused concerns regarding the more heavily developed appearance to this boundary with the National Park, and problems of noise. Accordingly it is recommended that this should be re-instated, which the applicant has agreed to do. The design of the bund will influence the extent to which the area can be used for recreation. Fencing will be needed to ensure road safety and temporary fencing to protect new vegetation. Further details have been requested and an update will be given.
- 2.11. The western boundary of E with the gardens (and kennels) of Stanhope Cottage is currently formed by mixed vegetation and low fencing. The design of the bund will also need to maintain the informal edge character whilst also safeguarding neighbouring privacy. Suitable planting densities and fencing have been requested

Side Streets F-G

- 2.12. These two clusters of side roads north and south of the main avenue are shared-surface streets variously serving 13-17 dwellings each.
- 2.13. **(F)** is a proposed mixture of detached and semi-detached houses, and vehicular access to one of the flatted blocks. Within this enclave intervening space between the two storey buildings and position of their windows relative to one another, are considered to meet usual distances and are acceptable. Clusters of parking are in most cases contained behind building lines and there is a good extent of green roadside margins and some trees.
- 2.14. The northern edge of F forms two sides of a long boundary with the neighbouring garden and chalet bungalow at The Hollies, which has a secluded and well used garden. A new 3m planted buffer is proposed within a margin of space along the boundary also in accordance with condition 16, partly as a soft backdrop to development but also to assist with neighbouring privacy. By contrast with the outline plan, the space is now too constrained by the proposed plots to function as public space and could create future maintenance difficulties. An amended plan has been requested to address this, which is discussed further at in section 6 below.
- 2.15. At the north-west of area F is the existing copse, gated public footpath and informal turning area which serves the cluster of existing Arundel Road neighbours. In the proposed layout, the area to the south of the copse is also to serve as public open space but there is lack of clarity regarding the boundaries of the proposed houses in relation to the copse and hedgerow.
- 2.16. Therefore the amended plan requested at 2.14 above must also clarify the precise extent of new gardens adjoining the public footpath and hedgerow, leaving sufficient space for hedge maintenance (this has been recently received for part of the footpath edge). It must also clarify the layout and surfacing of the existing turning area and the type of safety barrier needed to minimise risks between vehicles to the north and for pedestrians and cyclists using the path. It is also likely that the amendment will increase the area of copse to close-up any remaining margin of space but allowing maintenance access.

- 2.17. **(G)** is a proposed mixture of predominantly semi-detached houses with a few detached. The layout is characterised by generally larger plots and frontages than the eastern field and many with garages and parking behind building lines. The two parking courtyards to the rear of a coach-house-type building and rear of the southern flatted block respectively, are well screened from the street but also overlooked in accordance with Police advice and are reasonably well landscaped. Frontages and planted margins give a high degree of greenery, set against the backdrop of the retained hedgerow at its southern side.
- 2.18. A proposed pedestrian path along the southern side of this area serves to link this area and others within the southern sector, to the new, large public open space to the west (detailed in the Taylor Wimpey application) and the new children's play area in the south east corner alongside a shared-surface drive serving five houses. The path provides good connectivity between the site, play area and the public footpath in the southern sector beyond. Details of this connection are awaited. Details of lighting would be submitted later under an outline planning condition
- 2.19. The play area comprises undulating grassed play mounds, stepping logs and a nylon matted grid safety surface through which grass would grow. There are four pieces of play equipment designed for inclusive play of all ages and abilities. A litter bin is also proposed. Details of fencing are awaited, mindful of the shared driveway nearby.
- 2.20. In summary the layout adheres closely to that of the indicative outline plan, its strengths are legible street plan, based on its hierarchy of streets and the retention of open spaces and important vegetation which serve visual and practical functions. Buildings are quite well spaced and in most areas parking is designed to minimise visual intrusion. Weaknesses include those areas in D & E where the largest clusters of roadside parking are proposed, which indicates a squeezing of development.

3. *Reserved Matter 2 – Scale & Appearance, (and Design & Character)*

Scale

- 3.1. The density of development excluding the northern open space and southern play area (net 3.42ha), is 35 homes/ha. When combined with the Taylor Wimpey application, the overall density for the northern sector is 37.6/ha, which is close to the average net density to 38/ha of the outline planning approval.
- 3.2. Proposed buildings for the Persimmon site are at maximum of two storeys, which is also in accordance with the outline approval. These comprise a range of house types, a predominance of semi-detached, some detached and some in short terraces of three and four. Around thirty percent of homes would have garages or car ports, attached or detached.
- 3.3. The largest of the proposed buildings are the three flatted blocks, these are clustered around the intersection of the public footpath and main avenue. They provide a total of 12 one and two bedroom flats. The blocks range in length from 18m – 26m and in height between 8m – 9m at the ridge, with

some single storey elements. These give a larger sense of scale by comparison with the much smaller typical footprints of houses (around 8.6m long). The roadside blocks are also nearly 1m taller than neighbouring houses, which affords them a suitable sense of prominence in the spaces striding this important intersection of the footpath and main avenue.

- 3.4. The two storey scale of the proposals is considered to be compatible with that of existing two storey development in Adur Avenue/Loddon Close to the east and in the newly constructed southern sector. To the north in Arundel Road, which is more varied, including some lower buildings, the success of this two storey scale in relation to neighbours, relies in part upon spacing, orientation and screening, which is considered in section 6

Appearance, Design & Character

- 3.5. Housing designs are influenced to varying degrees by Victo-Edwardian styles and Sussex village architecture found in older parts of Durrington, Salvington and Downland villages. Some of the housing types are similar to the southern sector but the current proposals show greater variation in detailing. One house type has been recently substituted following advice of the Private Housing officer; external re-design drawings of this are also awaited.
- 3.6. Pitched roofs are fairly steep with a mixture of gables and hipped profiles, some with chimneys. Doorways are marked by a range of canopy designs, a few with open porches. Windows are of traditional proportions and varied sizes, many with divided glazing and decorative brickwork-heads. Although several houses are flat-fronted the use of projected gables at fairly frequent and varied intervals along most streets, creates variation. Occasionally there are bays or projected chimney breasts in prominent locations to add further variation. Eaves details include exposed rafter feet in many places and sometimes purlins.
- 3.7. **Condition 7 – Materials.** These proposed are: brickwork in a range of red-hues; roof tiles in brown-red with occasional grey and hanging-tile cladding, some with scalloped shapes to form motifs; occasional timber-effect boarding and very occasional rendering. Some bricks have been submitted and a selection is supported.
- 3.8. Garden boundaries would use 1.8m brick walls where abutting streets, corners and open spaces or close board fences elsewhere, this partly satisfies **Condition 36 - Means of Enclosure**. Details of walls, (such as pillars, bases, tops and brick-bond styles) are required to ensure that they add character. Estate fencing has been recommended for Character Areas 1 & 5 (below, paras 3.12 & 3.24), to enhance the distinctiveness of those enclaves and details of enclosure of the public footpath have been requested to balance character and neighbour security.

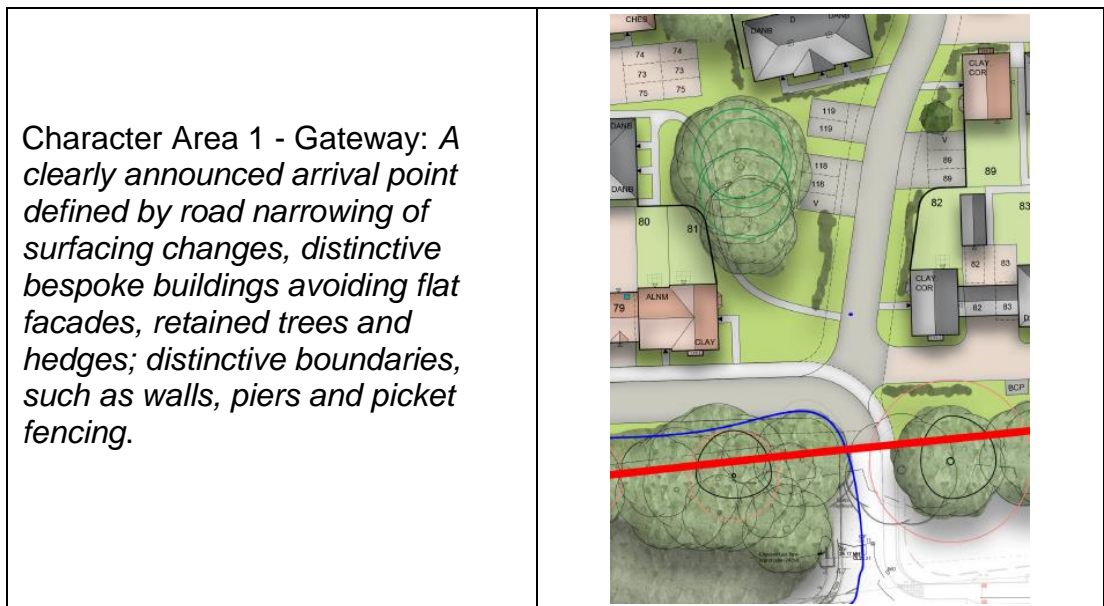
Character Areas

- 3.9. The Character Area Principles document was drawn up following extensive discussion between officers and developers at the outline stage. Its purpose is to provide a well-defined strategy for creating a strong sense of place that responds to the characteristics of the site. The need for such a document

arose from concerns that the character and distinctiveness of the southern sector had become diluted in its later stages. Mindful of the strength of NPPG guidance, it was and is essential to ensure a strong and distinctive character in the northern sector. The design requirements in these areas are in addition to the wider need for high quality and varied design typologies throughout the site, in order to create a hierarchy and a strong sense of place

3.10. The Character Area Principles document identifies a series of character types for eight selected areas within the northern sector, four of which are within the Persimmon site. The following sections consider each area in turn, starting with a brief summary of its character principles in italics.

3.11. **Character Area 1 - Gateway**



3.12. In Character Area 1 the defining gateway characteristic is the convergence of three areas of open space containing hedgerows and trees, also the gentle uphill slope of the tarmac northern road. No enclosures are shown, however it is recommended that targeted use of estate-type or similar open fencing would assist in forming a gateway and reduce risk of opportunistic vehicle parking or garden encroachment at plot 81. A contrast in road surfacing would also assist. Concrete driveway slabs need to be carefully selected to contribute to semi-rural gateway character.



3.13. Houses (81 & 82) flanking the entrance are standard types with bespoke bays and prominent, projected chimneys but slightly marred by the adjoining utility boxes. Full tile hanging, decorative motifs and rafter feet at the eaves create a distinctive upper floor. To the north and to the east are two short

terraces. The similar rendered gables here are used sparingly, which adds distinction, including brickwork motifs. Although more individually bespoke buildings for 82 could give greater distinction and shaping, the proposal is considered acceptable with the changes to their setting recommended at 3.13

3.14. **Character Area 2 - Main Avenue:**

Character Area 2 - Main Avenue: A formal rhythm of semi-detached houses 2-2.5 storeys, and attached garages of 'garden city' style to reflect hierarchy of main route with double aspect corner buildings. Tree-lined, grass verges and fenced or hedged front gardens. Changes in highway surface to lower speeds.



3.15. The main avenue is to be adopted and maintained by the County Highway Authority. Following discussions a roadside grass verge is to be added to both sides of the road, amending the plan above in order to conform to the outline principles. Trees, although unevenly spaced apart, need to be kept as close as possible to the road edge as part of the avenue rhythm. A contrasting material is needed to distinguish it from the tarmac road and driveways. The proposed depth of front gardens has been amended to set the houses back by an additional 1m, in order to balance with Taylor Wimpey's northern side. Some corner plots are relatively narrow but have used planted corner margins to provide spaciousness.



Figure 2: Main Avenue – Character Area 2

3.16. Houses are evenly-spaced and semi-detached of brick and tile hanging. Regular gables provide a near-formal rhythm, although the use of car ports

rather than garages has somewhat diluted the garden city style and the house types are also used in side streets, which slightly weakens the wider concept of a hierarchical typology. Amended detailing has been added by recent amendments, for instance, corbels; more extensive tile hanging and detailing to side elevations alongside driveways. The overall effect, including addition of grass is reasonably close to the Character Area principles.

3.17. Character Area 3 - National Park Edge



Character Area 3 - National Park Edge: *Homes set behind new landscaped bund, comprising predominantly hipped roofs and differing plan depths to create varied heights with visually interesting roof-scape; chimneys, gables, gablets, tile hanging and exposed rafter feet*

- 3.18. Character Area 3 at the north-east part of the Persimmon land is the smaller and somewhat lesser exposed of two National Park edge character areas; the other being further west in the Taylor Wimpey site.
- 3.19. Its western half is separated from the A27 by a tapering verge and intermittent hedgerow. The current proposal does not include the 3m planted earth bund of the outline plan, which weakens the degree of screening of the houses, numerous car parking bays and extensive hard-surfacing in front of the longest terrace and also omits some of the intended noise screening to gardens and ground floor rooms. Accordingly the bund should be re-instated.



Figure 3: National Park Edge – Character Area 3

- 3.20. House designs include front gables to over one-third of houses, (albeit no gablets here) and a wide use of rafter feet, with recently added detailing.

However, there is barely any variation in height and depth of footprint and although the varied building line creates some illusion of height changes; more could be done to soften rooflines by replacing gable ends with hips. The prominent street-end side elevation at a corner plot (103) also needs enlivening. These changes are recommended in addition to the provision of the landscaped bund with secure, well-designed fencing

3.21. **Character Area 5: Public Footpath/Coach & Horse Boundary**

Character Area 5: Public Footpath/Coach & Horse Boundary: *Strong traditional character derived from scale and layout of farmsteads, large farmhouses, converted farm buildings of dark stained timber arranged in courtyards. Post and rail fencing and rural flint walling. Generous spacing and fragmented rural edge. Pinch-point of the main avenue to control speeds at the public footpath intersection*



3.22. Character Area 5 is largely within the Persimmon land, but the part which is indicated for a farmhouse-type building at plots 14/15 to the west of the path and hedgerow, is within the Taylor Wimpey application site.

3.23. Since this application was first submitted, the designs for this character area have undergone great change. Two flatted blocks have been divided into three. The resulting architectural forms appear as three large rural buildings, extensively clad in timber-effect boarding with long, broad roof-slopes, a range of heights and very varied footprints, which suggest the organic growth of a series of former farm buildings. Details also include large glazed walls, which are evocative of glazed-in doorways; flush-fitting conservation-type roof-lights, long, asymmetric dormers, barn-hip roofs and gables. The effect is considered to be of strong rustic informality at this key intersection close to the rural edge of the site.



Figure 4: Public Footpath/Coach & Horse Boundary – Character Area 5

- 3.24. The layout and treatment of the curtilages for these buildings is under discussion. Boundary fences, paths and surfacing are to provide the intended sense of a courtyard setting. Estate fencing combined with some roadside flint walling would be part of this and the Taylor Wimpey ‘farmhouse’ building to provide continuity and visual connection. A larger scale plan is also required to clarify the relationship of building curtilages to the hedgerow and public footpath and the detailed design of narrowing and crossing of the main avenue at this point. Permitted development restrictions would be needed to limit future changes, so that fencing and courtyard settings are maintained. Vehicle crossovers and at least part of the rear courtyard parking, should avoid use of black tarmac but use a more characterful treatment
- 3.25. In summary, with the significant amendments achieved for the flats, the designs for the four character areas are considered to be reasonably successful overall in creating distinctiveness, subject to the various recommended amendments and conditions.
- 3.26. **Other Streets**
- 3.27. Elsewhere, the building designs are reasonably diverse, with around ten main house types, all adhering to the Victo-Edwardian and Downland influences, but simpler designs. To a marked extent the hierarchy of streets relies more upon road widths, presence or absence of green-frontages and pavements than on building types.



Figure 5: Other Streets (Area D, top rows, Area G bottom row)

- 3.28. Car parking includes numerous long double width driveways albeit these are largely tucked behind frontages but the continuous use of tarmac for roads and driveways needs to be alleviated by margins of other surfacing, which has been requested. Roadside bays in areas D & E of the eastern field are more prominent, and squeezed but more generally the designs and extent of greenery across the application site represent a stronger and more distinct character than parts of the southern sector.

4. **Reserved Matter 4 – Landscape**

‘Soft’ Landscaping, Trees and Spaces.

- 4.1. Details of proposed planting are submitted as part of this reserved matter and in pursuance of **Condition 13 – Landscape Matters**. The condition also requires a timetable for planting works and details of existing trees and required works to protect or prune these. Details of landscape aftercare and management are also required under the legal agreement attached to the outline permission.
- 4.2. Four areas of new native hedgerow and trees are proposed. These are along the northern area of open space with the A27 Arundel Road frontage; the neighbour boundary alongside The Hollies and the adjoining copse; along part of the eastern boundary with Loddon Close and at the south eastern corner with Adur Avenue. Some of these are also to be fringed with meadow planting; this would also follow the retained hedgerows in the southern open space of Area D, and along the southern boundary and the sides of the

public footpath. Areas of mown grass are also included in the northern and southern open spaces.

- 4.3. Garden frontages in many cases are to be planted with low hedging, although confirmation has been sought as to whether this includes the main avenue frontages. Front and side gardens are to be planted with a mixture of ornamental shrubs and herbaceous plants. On street corners and beside parking areas or walls would be ornamental trees such as rowan and varieties of chestnut and maple or sometimes larger ornamental shrubs.
- 4.4. Whilst the final comments of the landscape and parks officers are awaited, the varied planting proposals appear to reinforce the different characters of streets and spaces. There may be further scope to augment existing hedgerow planting at the southern boundary or along the public footpath. Some street-corner planting outside boundary walls, appears to be quite elaborate using several species; advice is awaited as to whether this is practical or whether a simpler mix should be used.
- 4.5. The submitted tree survey identifies that proposed buildings are all satisfactorily outside the root protection areas for existing trees, in accordance with **Condition 14 - Tree Protection**. Of the 135 existing trees ten percent are identified as unsuitable for long-term retention due to their condition, but only one tree is explicitly recommended for removal to the south east of The Hollies.
- 4.6. There is need for more tree information, for instance, many trees intended for retention are not shown on the landscape proposal drawings nor are the pruning or protection details given as required under condition 13. On the western side of the public footpath is need for clarity as to which trees are within either the Persimmon or Taylor Wimpey sites and which are to be transferred to the Council as broadly agreed under the outline legal agreement.

Biodiversity

- 4.7. Biodiversity is considered in the applicant's Landscape & Ecological Management Plan (LEMP), and Ecological Mitigation and Enhancement Strategy, both submitted for approval under **Condition 22 –Ecology Matters**.
- 4.8. The existing trees hedges and field edges provide existing habitat within the application site. The retained and augmented hedgerows with meadow-fringe planting would include plants attractive for birds and insects. Bat and bird boxes are also proposed, with follow-up surveys over the subsequent 2-4 years. Hibernating opportunities are also mentioned, which may include the new area of planting, clarification has been sought. Management works include checking of tree/hedge protection guards and fencing as plants become established and coppicing, although it is unclear whether this refers to the existing copse at the north-west corner and clarification has been sought along with views of the Parks officer.
- 4.9. The protection of birds, newts, bats and badgers during development works, would be overseen by an Environmental Clerk of Works, to be engaged by

both Persimmon and Taylor Wimpey, whose adjoining land contains existing and proposed ponds with habitat for newts and reptiles. Clarity as to their role and specific tasks has been requested. Fencing would exclude, capture and relocate newts from areas to be developed (under a Natural England licence). The minimising of light pollution which may affect foraging bats is also acknowledged in the LEMP, although street lighting details would be submitted under condition 29 later.

'Hard' Landscaping – Surfaces, Fencing and Bund

- 4.10. Surfacing materials are intended to aid legibility of the site. Roads and pavements are therefore tarmac-surfaced, but shared drives and parking courts would use block paving. It is implied that driveways to individual houses would also be tarmac, however, in some places block paving would be preferable in alleviating the extent of tarmac and creating character, for instance the lengthy roadside bays in areas D & E and some key plots such as the gateway plots 81/82. Intervening material contrasts have also been requested between tarmac drives and buildings. Some ambiguities between plans also need clarification.
- 4.11. For the existing public footpath, **Condition 26 - Surfacing of Footpath** requires approval of surfacing details. A material other than black bound tarmac would be desirable in order to retain something of its informal rural character, which serves as a transition between West Durrington and the informality of Arundel Road, its listed buildings and National Park edge. Whilst a 3 metre wide surface is needed in order to provide a shared cycle and pedestrian route it is hoped that this can avoid formality of the southern sector pathway. The boundary fencing behind the hedging along the footpath is also under discussion, to balance informality with privacy and security at Smugglers Cottage. An update will be given on both points.
- 4.12. At the north east of the site, the requested amendment to include the planted bund to the A27 frontage, also needs to allow for the possible future construction of a footbridge over the A27. Details of fencing for safety along the frontage are to be included, as well as temporary protective fencing for new planting, allowing it to become established for subsequent maintenance of this space when transferred to the Council.
- 4.13. In consideration of the wider landscape, the application site is contained and separated from the edge of the National Park by other parts of the outline planning permission land which are subject of the Taylor Wimpey application (AWDM/1714/19) on this agenda. The trees which form a backdrop to the site across the countryside are almost all retained by the proposed development. At the northern edge, the character of the site is one of a concealed field with glimpses through vegetation to rear domestic gardens. This contrasts with the more open character in the Taylor Wimpey land to the west. The reinstatement of the planted bund in accordance with the outline scheme would create a green edge to largely screen new buildings as envisaged at the outline stage. It is considered that the setting of the National Park landscape is not adversely affected.
- 4.14. Details of lighting are not submitted in this Persimmon application but are required under condition of the outline planning permission. This can be dealt

with under a separate application and will include consideration of minimising impact on the National Park International Dark Skies Reserve and light pollution generally; for instance the switching-off within side streets late at midnight in accordance with County Council guidance.

- 4.15. The setting of listed buildings in Arundel Road (the Coach and Horses PH and adjoin Stanhope Lodge), are visually separated by the retained copse and by intervening neighbouring properties and are not adversely affected by the proposals, in accordance with statutory and policy requirements for the protection of heritage assets and their setting.

Management & Maintenance

- 4.16. In terms of future management and maintenance, the legal agreement provides that unless the developer decides upon a Management Company approach, this space and other open spaces would be transferred in phases to the Council, along with financial contributions for the maintenance of each area. Other such areas in the Persimmon site are the southern open space in area D; the northern margin beside the Hollies; the adjoining copse and the hedgerow spaces flanking the public footpath and southwards to include the play area and the grassed margin to the western field.
- 4.17. A separate Public Open Space Scheme is required to be submitted under the legal agreement, to identify the intended order of phases along with a larger scale plan of the boundaries of each open space. Whilst this Scheme does not form part of the current application, it is important that the layout as proposed shows a workable arrangement for future maintenance and that edges are well defined. Hence larger scale drawings of these have been requested for consideration by the Council's maintenance team, whose comments will be reported.
- 4.18. One of these spaces, the northern margin alongside the Hollies, is likely to change as a result of the screen planting and maintenance issues described at 6.9 – 6.10. It is probable that such a change will require a variation to the legal agreement. There are also likely to be additional maintenance costs for the attenuation pond (referred to in the Taylor Wimpey report) which will need to be addressed in a Deed of Variation to the original s106 agreement.
- 4.19. The application also anticipates that the main avenue and four cul-de-sacs would be adopted by the County Council but any which are not would be maintained by a management company. A management company would also maintain curtilages of the flatted blocks or shared driveways including street lighting, signage, drains and fencing.

5. **Access & Highways**

- 5.1. In accordance with the outline permission, the main avenue is 5.5m wide, serving as the principal access road. An amended site plan is required to ensure that its full width is within the red-lined site area. Side streets are 4.8m wide with paths or grass margins which also contain underground services. The County Highway Authority raises no objection to the road layout subject to a few points of detail relating to the design of traffic calming features such as raised strips; proving of visibility at the Snapdragon Lane

junction bend and details for the transition points between pedestrian pavements and shared surfaces, ensuring disability access. These details are awaited. As mentioned, roads would either be adopted by the County Council or managed by a management company.

- 5.2. In accordance with **Condition 30 – Parking Details** the Highway Authority also supports the level of car parking other than for the need for some increase in visitor spaces, which is the subject of an awaited amended plan. Houses and most flats have two spaces, some as car ports or car-barns and there are (28) garages, some of which serve as a third space to the largest houses giving the average provision of 2.13 spaces/dwelling. Parking is within or close to curtilages and is overlooked and considered practical, safe and accessible. Garages can be subject of a condition to restrict their conversion.
- 5.3. The applicant has been asked to confirm that all garages and car ports will have charging points for future electric vehicles, and to identify charging facilities for communal parking areas to the three flatted blocks, in accordance with **Conditions 37 & 38**.
- 5.4. **Condition 31 – Cycle Parking.** Cycle parking is to be provided by rear sheds for each house or in garages. For the flats there is a secure internal communal cycle store. This provides for 203 cycles in total, and is supported by the Highway Authority. A condition can require that secure sheds and locking are provided.
- 5.5. The shared pedestrian and cycle route within the site is to be achieved by widening of the public footpath between the eastern field and the western land to provide a 3m width. This would connect into the existing 3m footpath in the southern sector, southwards towards the Durrington local centre and supermarket. As mentioned, it is hoped that the surfacing and hedgerow edges of this pathway can be designed to retain a greater sense of rural character than has been possible in the southern sector, although it is unlikely that this will pursue the suggestion of the National Park Authority that a parallel cycle path could be provided, leaving the existing unmade footpath as it is.
- 5.6. The applicant has also been asked to respond to the Rights of Way officer request that rights for cyclists be secured along the continuation of the public footpath north into Arundel Road.
- 5.7. Partly within the site and partly across the public footpath, is the informal turning area used by Arundel Road residents. As mentioned at 2.16, details of the layout and surfacing of this and gate or barrier have been requested in order to provide a practical and safe arrangement as far as possible. An update will be given on this and the points at 5.5 & 5.6.
- 5.8. Access to and from Cherwell Road, close to the south of the proposed northern sector road connection is limited to emergency services only by requirement of the original southern sector planning permission. Vehicles other than cycles will therefore only access and egress the site via the southern sector access roads.

- 5.9. At the A27 boundary, no vehicular access is permitted. Boundary fencing has been requested as part of the noise bund design, and advice has been sought from the Highway Authorities on the matter of whether a pedestrian opening to Arundel Road close to Teign Walk would be desirable in order to allow pedestrian access; if so this will be included.
- 5.10. In accordance with the outline approval, the proposals provide space for a potential future footbridge at the A27 frontage, although there is no firm proposal for such a bridge and it is not required by the outline permission. Advice has been sought from Highways England as to whether some other measures might be achievable to improve safety for pedestrians in crossing the A27. Although this is not a requirement of the outline permission, the applicant has been asked to consider any suggestions received.
- 5.11. Off-site provisions were secured at the outline permission stage comprising new bus shelters and real-time information at two Adur Avenue bus stops when 10 dwellings are occupied; a bus improvement contribution of phased payments over five years; and the signalling and widening of the Titnore Lane/Titnore Way junction along with roundabout marking improvements at two Littlehampton Road junctions when 50 new homes are occupied.
- 5.12. During the construction period **Condition 20 – Construction Management**, requires the use of a construction management plan. This would be used to manage construction traffic and deliveries. Details have been received and comments of the Environmental Health officer and Highway Authority are awaited. The Resident's Association has raised and recently amplified its concerns for construction traffic management through the southern sector, including speed, soil, wheel washing and street sweeping through the southern sector. This is described in more detail in the report for the Taylor Wimpey but equally valid here. An update will be given.

6. ***Neighbour Amenities***

Eastern side

- 6.1. As mentioned at 2.3 the proposed dwellings are typically 20-21m apart where they face across the main avenue, or less on side roads. Rear gardens of 9-11m and sometimes more, provide for 20m and greater separation between the rears of new homes which is considered to provide a reasonable degree of privacy for this suburban development.
- 6.2. In consideration of neighbouring houses and chalets in Adur Avenue, Loddon Close and Teign Walk, the proposed houses maintain rear to rear distances which range between 30m – 50m, and in some cases houses are angled rather than direct-facing. Garden lengths within the proposed plots along this eastern boundary vary between 12m – 16m and the additional 3m wide buffer strip, containing existing protected trees and other smaller trees and hedging, adds to this. The intervening 5m - 7m wide Southern Water land towards to the northern part of this boundary also contains modest, fragmented hedgerow vegetation. New houses would be built close to existing ground level, rather than elevated.

- 6.3. Therefore the separation between proposed and existing buildings is considered to provide a good standard of future amenity. New lines of sight towards existing rear gardens are across sufficient distance as to maintain a reasonable degree of privacy.
- 6.4. There is some ambiguity as to whether the 3m wide buffer is inside the fence-line of the proposed plots and also the extent to which new planting is planned to augment existing trees and hedges. The inclusion of buffer within new plots overcomes the difficulties of access for future management but could weaken the concept of a planted buffer here, leaving future decisions about retention or removal to individual householders, albeit TPO trees would remain protected. However, given the separation distances between dwellings, this is not considered to be a critical weakness.

North western side

- 6.5. At the north western boundary with Stanhope Cottage the arrangement of the nearest proposed plot and house avoids placing of windows facing towards the existing garden, other than a side facing (landing) window, which can be obscured and fixed by planning condition. Tall intervening conifers along this boundary appear to be outside the application site whether the proposed development brings later pressure for their reduction or not, the relationship of plots and buildings here would remain acceptable.
- 6.6. Further north along this boundary with Stanhope Cottage details of fencing, planting and design of the proposed bund, are needed. This is to ensure that the privacy and security of the existing garden which is also contains kennels for breeding dogs, is maintained, dense and deterrent planting can assist. Advice has been sought from the Environmental Health office, so that if possible, this might also seek to minimise risk of future noise.

Northern boundary

- 6.7. The main northern boundary is with the garden of the chalet-bungalow, The Hollies, and it has two shorter side boundaries with the site. Currently The Hollies has a secluded and well-used garden, patio and pool on its east side. There are secondary ground floor windows to a kitchen and lounge facing the site and large rear-facing windows are visible from the site. Existing boundaries are low fencing with sporadic vegetation but clear views between garden and field and indoor rooms. The proposed layout would introduce new lines of sight between new upper floors and much of the rear garden to the Hollies and its windows, which represents quite a significant change to its current seclusion.
- 6.8. In consideration of this the indicative outline plan proposed an area of open and a 3m planted buffer along these boundaries. Three houses were shown side-on to the main boundary, approximately 8m away.
- 6.9. By comparison the current plan shows five dwellings alongside this boundary, albeit generally further away at 8-14m. The 3m planting strip is shown but it is wedged between a proposed 1.8m high wall and the existing boundary where it is difficult to conceive of access for future maintenance, leading to overgrowing and loss of light, and the space would not serve any

public open space function. A cluster of four parking spaces has also pushed closer to the boundary.

- 6.10. Following discussion an amended plan has been requested to show how this area can be re-planned to provide a practical arrangement which provides for new screen planting between the development and The Hollies and which does not form a public open space. The neighbours have also requested that a holly tree (tree 131) be retained in space to the west of plots 116 & 117 in order to block a new line of sight, and to re-orientate houses at plots 73 & 74), to lessen overlooking. Also certain windows of other houses should be obscured / fixed and future permitted development rights for upper and attic windows be removed and a roof mass reduced by used of a hip design.
- 6.11. Whilst it is unlikely that all lines of sight to the Hollies could be removed, it is considered reasonable that these should be reduced and partly mitigated by such changes. The submitted tree assessment advises that tree 131 cannot be retained due to its condition Subject to the tree officer's agreement on this point a suitable and significant evergreen replanted tree is may be reasonable. An update will be given on these points.

North western corner

- 6.12. At Smuggler's Barn the distance between proposed houses and the tall hedgerow beside the public footpath alongside the existing rear garden, is considered sufficient to maintain a good degree of privacy to this secluded garden. Other sides of the garden are bounded by the Taylor Wimpey application land and discussed in the parallel agenda report. At its boundary with the Persimmon land it is considered reasonable that consideration be given to form of new fencing which balances the need for privacy and security, with the rural informality of the hedgerow; perhaps a hit and miss timer type. This is under discussion and an update will also be given.

Other amenities

- 6.13. **Condition 34 - Noise:** The outline application recognised road traffic noise from the A27 as the most significant factor affecting standards of residential amenity for future residents and the planning condition was imposed to ensure means of attenuation.
- 6.14. Recorded daytime levels within 100 metres of the northern were within the 60's and low 70's dB LAeq. Severe annoyance is experienced at outdoor noise levels of 55dB dB and moderate annoyance at 55dB. Without a noise bund the blocking effect of the northernmost houses on their rear gardens and those of neighbours further south would produce levels of 50-55dB. The front facades of the northernmost dwelling and the northern open space would unprotected. A noise bund has therefore been requested and an amended plan is awaited to show this.
- 6.15. The bund will not protect the bedrooms of new dwellings close the A27 frontage from excessive nighttime noise levels. Acoustic glazing is proposed and the Environmental Health officer has recommended that additional measures in addition to acoustic trickle ventilation should be added in order to allow for adequate nighttime ventilation when windows are close against

outdoor noise. This may include adding new windows in side elevations of corner plots and use of mechanical ventilation for mid terraced homes. An amended plan is also awaited.

- 6.16. The applicant has also been asked to consider whether parking spaces can be reorganised or reduced close to the northern boundary with The Hollies, and an update on this and the aforementioned noise matters will be given.
- 6.17. **Condition 20 – Construction Management:** Traffic will access the development site from the south sector roads and homes. Measures to protect residents here and around the edges of the site from dust, dirt and noise as part of a Construction Management Plan, details of which are awaited and will be reported. The applicant has been asked to include details of a parking strategy for site workers, in order to limit the effect on Arundel Road residents as well as a strategy for keeping local residents and resident's association informed about the timing and management of works.
- 6.18. Condition 21 of the outline approval allows construction work and operation of construction vehicles only between: 08.00 and 18.00 on Mondays to Friday; 08.00 and 13.00 on Saturdays and not at any time on Sundays or Public Holidays.

7. ***Drainage***

- 7.1. The site is wholly within Flood Zone 1, i.e. with a low probability of flooding from watercourses. In accordance with planning policies and **conditions 8 & 9** of the outline permission, a surface water drainage system has been designed in accordance with sustainable drainage (SuDS) principles which seek to replicate natural drainage patterns as far as possible, and ensure that surface water leaving the developed site is no greater than, and ideally is less than, the undeveloped 'greenfield' situation. This includes an allowance for climate change projections; 1:100 year flood event plus 40% for climate change
- 7.2. The proposed system would convey rainwater from individual plots and roadside gullies via underground pipes into a two attenuation basins which would be within the western area of open space which are described in the Taylor Wimpey application. The ponds would discharge into the existing watercourse which runs southward alongside Forest Lane and through the southern sector. The capacity of the system is sufficient for the required amount of water and the rate of flow is throttled to be at or less than that of the greenfield state.
- 7.3. Water quality would be safeguarded by use of underground traps and surface gullies, which would intercept solids and oils. A swale in the public open space would assist with fine filtration and cleaning of water en-route to the larger basin.
- 7.4. The Council's Engineer is satisfied with the design subject to submission of some more detailed construction drawings, a maintenance manual and evidence of land drainage consent application. For the sake of clarity, further advice has been sought from the Council's Engineer as to the extent of surface water matters could be subject of a partial approval and the elements

which remain to be submitted for approval. A further planning condition would be attached to reserved matters approval to require post-construction verification of installed system when installed. The attenuation ponds downstream in the Taylor Wimpey site would form part of the public open space which it is likely would be transferred to and maintained by the Council, including a maintenance sum to be provided by the developer under the existing legal agreement (the commuted sum for the attenuation ponds is likely to be higher in view of the current alternative design for these ponds compared with the outline scheme).

- 7.5. **Condition 32 - Highway Surface Water Prevention** requires confirmation that surface will not drain onto the public highway. The Council's drainage engineer is satisfied on this point and confirmation has been sought from the County Highway Authority. Highways England has requested discussion with the applicant concerning a culvert on the north side of the A27 which is susceptible to blocking and which cause of local ponding at the northern west extent of the site. This is within the open space area considered under the Taylor Wimpey application. The culvert does not appear to be affected by the development, which is downslope of the A27, but any progress will be reported to the Committee.
- 7.6. In respect grey water re-use, the application does not currently include explicit proposals for re-use of water inside buildings. However, opportunities are under discussion for collection and external re-use of rainwater, for example for garden watering. An update will be given.
- 7.7. Foul drainage would discharge to the southern sector system, connecting at Bellflower Drive to the south west of the application site. The relevant drainage body Southern Water raises no objection but in terms of water supply it has asked for confirmation that no tree planting is near water mains. Although not a determining matter, the developer has also been asked to consider the suggestion by Smugglers Cottage, or connecting this property to the new main, thereby eliminating the existing cess pit.

8. ***Other Matters***

- 8.1. **Condition 23 - Archaeology:** requires the agreement of a programme of archaeological works, investigation and reporting. Archaeological interest from the Roman era is among the possibilities and the County Archaeologist has been in discussion with the applicant's archaeological consultant to agree a suitable scheme, the final version of which is due to be submitted shortly.
- 8.2. **Site levels:** existing and proposed are shown in a submitted levels strategy drawing. This confirms that in most cases, the floor levels of proposed houses along the site boundaries closest to neighbours, are only slightly higher than existing ground level (up to +15cm), or reduced below it by approximately -10 to -50cm). However, there is a pocket of greater increases up to 50cm and in one case +60cm to the east/south-east of The Hollies and Stanhope Cottage. Slight lowering has been requested and an update will be given.

- 8.3. **Community Infrastructure Levy (CIL):** The development is liable for a CIL payment based on the amount of new floorspace for market housing. This becomes payable upon commencement of development, although payments may be staged on request in accordance with the Council's adopted CIL Charging Schedule.

9. **Summary**

- 9.1. In respect of the proposed reserved matters: Layout, Scale, Appearance/Design and Landscape, the proposal is in broad accordance with the illustrative outline plans in its arrangement of a hierarchy of roads, location of spaces, and extent of two-storey buildings and retention of vegetation. Within this the range of homes is mixed, meeting affordable needs in accordance with the legal agreement, (subject to confirmation of number of rented homes in the northern cluster). The market housing mix generally reflects identified needs, albeit the one-bedroom relies heavily on houses with a second upstairs room and would otherwise show a marked under-provision.
- 9.2. The four character areas are considered successful, with variations in design and groupings, albeit the bespoke qualities are often in matters of detail such as chimneys, bays and porches upon underlying standard house types but the overall effect is likely to appear distinct. A particular success is in the group of three flatted buildings, which have a strong evocation of converted barns and outbuildings. Careful attention will be paid to their curtilages and boundary treatments through detailed plans and conditions to strengthen the group effect. Details of a farmhouse/estate house at the adjoining Taylor Wimpey plot is awaited, to complete the grouping, including similar boundary treatments.
- 9.3. In the main avenue, details of the roadside verge and frontage hedges or robust characterful fencing are also awaited, to re-inforce the garden city, boulevard effect. Side streets are generally well laid out and vegetation, subject to further landscape advice where planting schemes might be a little complex for future maintenance. Material variations are called for in places, for instance where areas of tarmac might otherwise be too extensive
- 9.4. Whilst densities are not excessive, the accommodation of parking has led to a sense of squeezing in two locations in areas D & E. Here roadside parking will be extensive and prominent, with only small planted areas and front gardens to offer small mitigation, and in some cases none in the northernmost area. This area is also the closest to the A27 noise source and has some of the smaller plots and it is important that more is done to enhance the proposed character, for instance, greater design detailing for prominent corner houses; inclusion of secondary windows for ventilation away from noise where possible (avoiding overlooking), and greater planting as part of the re-inclusion of the amended bund. Amended plans have been requested.
- 9.5. The relationship of the development to neighbours to the east is considered acceptable in terms of privacy, distance and outlook, and further detail of buffer planting will assist this. At north and western boundaries there are further challenges to be addressed. At the Hollies, a practical future solution

is needed for the boundary buffer planting and enclosure, without which the new lines of sight would be significant. Some reorientation of plots 73/74 is being explored but the outcome is not yet clear, although it is possible to use planning conditions to manage proposed upper windows and to restrict future Permitted Development rights. At Smugglers Cottage a sensitively designed and located boundary, to balance privacy, security and rural informality of the public footpath. Similar considerations need to be addressed at the boundary with Stanhope Cottage. Detailed and amended plans have been requested.

- 9.6. On technical matters, the Highway Authority is satisfied, subject to details of traffic calming, visibility and safe transitions between roads and shared surfaces. Parking is to include electric vehicle charging and off-site improvements in the wider area are secured by legal agreement. Drainage details using SUDS principles ensure that the development meets climate change requirements and does not add to surface water drainage pressures downstream in the southern sector. Confirmation is awaited that the system meets requirement to avoid discharge of water onto public roads.
- 9.7. The proposal would leave space for any future A27 footbridge, subject to checking the awaited plan for the bund. However discussions with Highways England and the applicant are exploring whether any other measures might be taken to increase the safety of future residents in crossing the A27. The question of whether rights can be provided for cyclists to use the public footpath in Arundel Road north of the site also revisits another outline matter but the request has been put to the applicant, whose response will be reported.
- 9.8. Further information and comment is needed on other matters, such as works to trees, comments of the Parks, Trees & Landscape Officers, Ecologist and Waste Management officer. Other matters include the amount and location of wheelchair housing, fencing / safety fencing, rain-water saving, ground remediation, footpath surfacing. These variously inform the reserved matters or the discharges of condition; the table at 10.4 below summarises those needed for the latter.
- 9.9. In terms of sustainable development the proposals have several positives; new homes to meet a range of needs; creation of a distinctive new place and character; provisions for air quality and ecology, electric vehicles and sustainable drainage. The applicant has been asked to consider how other renewable / low polluting energy can be included in the development to enhance its responsiveness to climate change.
- 9.10. Subject to the receipt of amended plans on the matters described in this report, it is recommended that approval be granted for the reserved matters. In respect of the numerous planning conditions also considered in this report, delegated authority is proposed to enable outstanding matters to be settled as summarised in the table at 10.4 below

10. Recommendations

10.1. A. That Reserved Matters Approval be granted subject to:

- i) **consideration of any responses received to consultations and publicity for recently amended plans within 14 day response period,**
- ii) **the completion of a Deed of Variation (in relation to possible changes to the open space adjacent to one of the neighbouring properties and securing an additional maintenance contribution) and the receipt of information as set out at 10.2 below, or any further amendments required and the imposition of conditions at 10.3 below;**

B. That matters relating to the proposed discharge of conditions summarised at the table at 10.4 below be determined by the Head of Planning under delegated authority.

10.2. Amended Plans and Information:-

1. Red-line site plan to include both sides of the main avenue
2. Amended Plans to include planted noise bund.
3. Amended Plans and details to ensure screen planting, maintenance and enclosure alongside the Hollies
4. Boundary and fencing details, including the public footpath, Smugglers Cottage, Stanhope Cottage and eastern boundary
5. Site levels – amended plan
6. Amended plans for the Alnmouth house-type substitute
7. Detailed plans of open spaces to clearly define edges, including public footpath.
8. Accessible/adaptable and wheelchair-user homes
9. Amended plan to show turning area design, surfacing and planting and gate or barrier for public footpath
10. Any further amendments and information required arising from consideration of recently submitted amended plans and information.

10.3. Subject to Conditions:-

1. List of Approved Plans
2. Provision and retention of secured sheds
3. Adherence to levels (when agreed)
4. Drainage – post construction verification
5. Contaminated land – precaution for in the event of any unforeseen contamination, also control of imported soils
6. Permitted Development Restrictions - upper windows, roof conversions, roof enlargements.
7. Permitted Development Restrictions - means of enclosure
8. Retention of garages and car ports, no conversion

10.4. Determination of outline conditions of AWDM/1882/16

Note: Whilst approval or partial approval is envisaged in the Notes and Actions column below, determination under delegated authority would also allow for any condition to be refused in the event that submissions are not considered acceptable.

No	Purpose	Recommendation	Notes/Actions
7	Materials	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Samples needed including bricks, tiles & boarding.</p> <p>Detail of flint laying/jointing also needed.</p> <p>Driveways to certain plots and paths along main avenue and through village square to be amended away from black tarmac. Also add contrasted intervening material to domestic driveways and for some roadside parking bays (also subject of condition 13)</p>
8	Drainage Design /Manage	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>consultation with Highways England following applicant's confirmation that SW drainage does not connect into or discharge onto the A27 and</p> <p>suitable future management and maintenance manual details, to the satisfaction of the Council's Engineer.</p>
9	Drainage SUDS	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Confirmation from Council's Engineer as to extent of detailing approved and which remains to be</p> <p>evidence of a land drainage consent application, also information to demonstrate that the system does not connect into or discharge onto the A27 to the satisfaction of the Council's Engineer.</p> <p>Domestic water harvesting details</p>
12	Land	Delegated	Approval or Partial Approval subject

	Remediation	decision	to: Information acceptable. Additional standard condition to be added.
13	Landscape Hard/Soft	Delegated decision	Approval or Partial Approval subject to: amendments including varied materials as for condition 7 above, and Response of Parks, Trees & Landscape officers concerning: - layout, planting, materials, boundaries/enclosures, signage, bins adequacy of play area and other spaces and future maintenance, - Adequacy of tree works proposals and clarity of hedgerow works/augmentation. - Timetable for works related to development phases, when known. - Suitability of planting in housing areas - protection of planting (e.g rails) in housing areas
14	Trees	Delegated decision	Approval or Partial Approval subject to: Response of Trees & Landscape officers concerning: tree planting and detail of tree works, including more specific proposals for works if required. Confirmation of relationship between trees and water mains Provision for replacement of tree 131 for screening purposes if removal is accepted by Tree Officer
16	Boundary L/scape	Delegated decision	Approval or Partial Approval subject to: Clarification of submitted plans and amended plans to include additional planting to eastern boundary and parking area near plots 86 - 88 and acceptable layout and maintenance arrangements alongside the Hollies,

			<p>subject to consultation with Parks, Trees and Landscape officers</p> <p>If necessary a variation to the legal agreement of the outline permission.</p>
20	Constructi on Managem ent	Delegated decision	<p>Approval or Partial Approval subject to: receipt of an acceptable CEMP</p> <p>Consideration of response from Environmental Health and Highway officers, and any neighbour response</p>
22	Ecology	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Clarification of role of Ecological Clerk of Works and explicit list of actions.</p> <p>Hibernacula proposals and on-going management.</p> <p>Consideration of ecologist's response to submitted documents</p>
23	Archaeolo gy	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>agreement of the County Archaeologist following recent additional information</p>
26	Public Footpath surfacing	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>acceptable detailed plan to with means of surfacing to maintain informal character where possible, in consultation with County Rights of Way/Highway officer</p>
30	Car Parking	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Comments of Highway Authority</p>
31	Cycle Parking	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Comments of Highway Authority and</p>

			Agreement to provide secure cycle locking and secure sheds
32	Highway (Drainage)	Delegated decision	Approval or Partial Approval subject to: consultation with County Highway Authority in liaison with Council's Engineer.
33	Recycling & Waste	Delegated decision	Approval or Partial Approval subject to: agreement of Council's Waste and Recycling Manager
34	Noise Protection	Delegated decision	Approval or Partial Approval subject to: acceptable amended plan to show planted noise bund, including provision for accommodation of possible footbridge and means to safeguard homes from noise. Consultation with Environmental Health officer.
36	Boundary Treatments	Delegated decision	Approval or Partial Approval subject to: Details of boundaries to open spaces and noise bund, public footpath, Smugglers cottage and including estate rail to gateway area and open space near plots 81/82. Detailing for walls Review of linking boundary detailing for curtilage of flatted blocks with nearby Taylor Wimpey plots and alongside hedgerow
37 38	EV charging	Delegated decision	Approval or Partial Approval subject to: acceptable details of charging points and rates

27th May 2020

Application Number: AWD/1714/19

Recommendation – Approve Reserved Matters, subject to consideration of responses to recent amended plans and information and completion of a s106 Deed of variation. During delegation period planning condition discharges to be determined.

Site: Land To The South And East And West Of The Coach And Horses, Arundel Road

Proposal: Reserved matters application following outline planning permission AWD/1882/16 for 120 dwellings on the north western part of the site (including the provision of 36no. on-site affordable dwellings) along with associated highway and drainage infrastructure, landscaping, ecological mitigation works, public open space, and noise bund / attenuation to the A27.

The application includes details for discharge of the principal conditions relating to Reserved Matters i.e. 1, 3, 5 & 6 as well as content to discharge and partially discharge the conditions listed below:

Discharge conditions:

7 (materials); 22 (ecological details); 26 (surfacing of public rights of way); 32 (highway surface water prevention); 36 (boundary treatments)

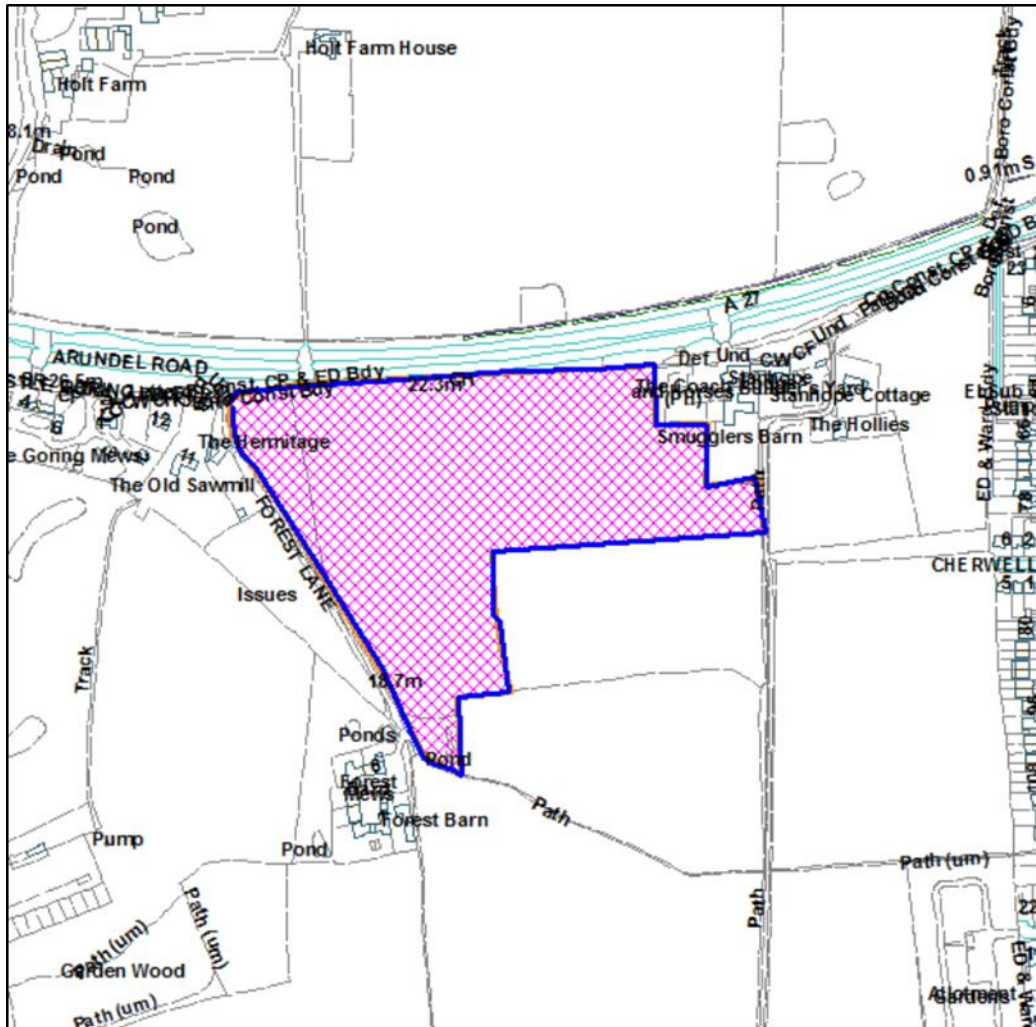
Partial discharge conditions:

8 & 9 (drainage); 12 (land reclamation); 13 (hard & soft landscaping); 14 (tree protection); 16 (landscape boundaries); 17 (noise bund detail); 20 (Construction Management Matters); 23 (Archaeology); 29 (street lighting); 30 (car parking details); 31 (cycle parking); 33 (refuse storage provision); 34 (Noise Protection) and 37 & 38 (Electric Vehicle Charging).

Applicant: Taylor Wimpey Southern Counties

Ward: Northbrook

Case Officer: Stephen Cantwell



Not to Scale

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Introduction.

This is one of two current applications for the approval of reserved matters for the northern sector of the West Durrington Development. It follows a grant of outline planning permission (AWDM/1882/16) in 2019 for up to 240 dwellings and public open space on two fields totaling approximately 10 hectares. The outline approval allows road access via the existing West Durrington development to the south ('the southern sector'), which is nearing completion.

The application is made by Taylor Wimpey Southern Counties. It is for 120 dwellings on 2.96ha within the north and western parts of the outline site. Public open space totaling 3.18ha is also proposed, mainly comprising a large area to the west and north but also a central green (0.1ha) forming a village square in the heart of the development.

The application seeks reserved matters' approval for Layout, Scale, Appearance and Landscaping. Approval is also sought for matters covered by certain planning conditions imposed at the outline stage.

These include: surface water & foul drainage; the choice of building materials; boundary designs; car and cycle parking space; checking for ground contamination;

archaeology and ecology matters and street lighting. In some cases partial approval is sought, rather than full approval for these condition matters. For ease of reference the conditions are in bold font when discussed in the planning assessment section.

A parallel reserved matters' application by Persimmon Homes (AWDM/1316/19) for the remainder of the outline site to the south and east is also on this agenda and is also for 120 homes.

Site and Surroundings

The application site is subtly sloping land, currently used for grazing. Land levels across the site vary by approximately 6 metres, the highest being at the NE corner with the Coach and Horses Public House, which is a listed building (Grade II), and the adjoining Smugglers Cottage. The lowest point is at the south west corner with Forest Lane, close to the neighbouring cluster of homes at Forest Barn Mews.

The northern boundary of approximately 320m length is along the southern side of the A27 dual carriageway, the western boundary of similar length is with the Forest Lane; both are marked by mature deciduous hedgerows; the western boundary terminating beside a pond within the site fringed by mature trees, mainly oak and bramble thicket. A main ditch runs southward from a culvert at the A27 boundary, through the western part of the site. It passes alongside the hedgerow to the west of the pond and underneath Forest Lane via a culvert which emerges to the south of the entrance drive at Forest Barn Mews. It continues southwards into the new West Durrington southern sector and beyond into Ferring Rife.

Forest Lane is a private road serving the Forest Barn Mews properties from the A27. It is also a public footpath. The road is metalled but potholed and uneven. At its southern end it connects into the southern sector by a newly constructed tarmac path. This has been temporarily fenced-off by a post and rail fence including a stile adjacent to Forest Barn Mews. At the northern end and to the west is the Castle Goring Conservation Area, which contains an informal cluster of houses and cottages associated with the Grade 1 listed Castle Goring. The main house lies beyond trees to the west but its listed parkland is seen on the west side of Forest Lane through gaps in the tree-d hedgerow and above it. The lane and A27 are the boundaries of the South Downs National Park to the west and north.

The eastern boundary with the Coach and Horses PH is currently open in character following the recent construction of the flint-faced accommodation building and newly planted hedge. At Smugglers Cottage the boundary is an established hedgerow, although the site is visible through and above this. The remainder of the eastern boundary is with another hedge-lined public footpath which runs between the cluster of dwellings in Arundel Road, (including Smugglers Barn) and the southern sector. This marks the intersection of the Taylor Wimpey application site with that of Persimmon Homes (AWDM/1316/19). The southern boundary proceeds westward from this hedge across the field (following the line of a proposed access road the 'main avenue'), and southward to the southern sector boundary at Bellflower Drive.

The site is visible from Forest Lane, including the Conservation Area and from the A27 as it descends eastward from Clapham; it is also visible from land and

footpaths to the north of the A27 in the environs of Holt Farm and Longdean Stud Farm and from view-points at Honeysuckle Lane.

Proposal

The application is for 120 dwellings - 1-4 bed homes, comprising 90 houses and 30 flats. Thirty percent (36 no) are to be affordable and 84 are for market sale. Most houses are semi-detached, or in short terraces of 3 houses and a cluster of 11 detached houses mainly along the western edge facing the 3ha of proposed open space. Three apartment buildings providing a total of 24 flats are grouped around the formal 'village square' open space and elsewhere in side roads some flats are above garages which adjoin parking courtyards.

Heights are mainly two-storey with two of the flatted blocks rising to three storeys. Although buildings are predominantly brick and tile construction there are several flint faced houses at the western edge and some of clapperboard, especially the central blocks of flats; render is used only very occasionally and there is a mixture of boundary walls and fencing types.

Vehicular access is from the newly completed Bellflower Drive adjoining the south western corner of the site. In accordance with the outline plans, the principal access road within the application site, referred to as '*the main avenue*', would continue eastwards, (into the Persimmon site), connecting into the newly completed Snapdragon Lane at the south eastern corner of the eastern field. The main avenue therefore forms a loop. The Taylor Wimpey land lies to the north of it as well as encompassing the entire first section which proceeds from Bellflower Drive. The Persimmon land (AWDM/1316/19) is the south and east of this main avenue

The 3ha open space is approximately half of the application site. It comprises a western wedge which is approximately 140m at its widest point to the north, tapering to approximately 40m further south. This abuts Forest Lane to the west and the proposed edge of the new housing to the east. At its southern end would be two new attenuation ponds and a shallow swale; these would store and convey surface water, which would be piped from the whole northern sector development of 240 homes. The outfall would be to the main ditch at the southern end of Forest Lane. New paths within this space would connect to Forest Lane at its northern and southern ends, (although some plans indicate additional connections which are no longer proposed). Paths also connect to the new housing edge.

At the northern end of the both this space and the housing area would be a 3m high planted noise bund, immediately to the south of the existing hedgerow.

Detailed layouts of these spaces and ponds are included in this application, with provisions for biodiversity, planting and fencing. Reports have also been submitted for approval of various conditions including noise protection details, archaeology, land remediation, lighting, the future management of landscaped open space and a construction management plan for the management of construction works.

Relevant Site History

AWDM/1882/16. Outline application for up to 240 dwellings with associated vehicular, pedestrian and cycle routes; parking; service infrastructure and sustainable drainage features; and strategic landscaping including noise bund / attenuation to the A27; all vehicular access to be via the strategic development to

the south. **APPROVED** on the 18.12.2019 following the completion of a s106 agreement.

Consultations

Highways England: Further information requested

Pending further information we ask the Council not to discharge conditions 8, 9, 13, 16 and 20.

Conditions 8, 9 & 32 (drainage):

- Confirmation there will be no connections or reliance on A27 drainage.
- The applicant should explore improvement of the culvert access (north of the A27 to avoid risks of flooding, due to blockage).

Conditions 13 (hard & soft landscape), 16 (landscape boundaries) & 17 (noise bund detail).

- details needed regarding the bunds: heights/ construction/ materials/ drainage etc.

Condition 20 (Construction Management):

- Confirmation that site work will risk the safety or operation of the A27 e.g. by dust, debris, from the site, nor dazzle or distraction.

Condition 29 (street lighting):

- Acceptable, provided that satisfactory responses provided for conditions 13,16,17,18 and 19*

[***Officer comment:** Condition 19 requires a detailed Geotechnical Design and Construction Certification for later agreement in consultation with Highways England (HE). This was intended to follow separately after the more general design and timetabling works required under condition 17. Clarification has been sought from HE as to whether these requirements overlap and whether condition 17 can still be settled separately as originally envisaged]

Condition 34 (Noise Protection):

- No objection provided that we receive satisfactory responses regarding conditions 17, 18 and 19

Comments do not imply agreement to the location, design or maintenance of any future new footbridge across A27, which would be a separate matter.

Other conditions

- No objection

WSCC Highways: Further information requested

Road Layout

- Need for tie-in point details where footways join shared surfaces and to cater for those who are mobility-impaired
- Continuous footway required on south side of main avenue (east) in Persimmon site.
- Design is based on 20mph speed limit; details of traffic calming measures requested for further comment.
- Road adoption: proposed adoption noted. The extent of adoption proposed is subject to roads meeting appropriate County Council specifications and drainage requirements and connection to other adopted roads.

Parking

- Condition 30 (car parking): Please reappraise parking in to meet new County Parking Guidance particularly the 0.5 space garage allocation. Visitor parking locations acceptable but reconsider number. Garage and car port sizes are acceptable.
- *Condition 31 (cycle parking) – Condition 31 (cycle parking)*: Please reappraise this in to meet new County Parking Guidance regarding layout and number
- Conditions 37 and 38 (electric vehicle charging) –Plans required to show where EV parking is to be provided, including all private curtilages to accord with County Parking Guidance.

Other Matters

- Public Rights of Way surfacing should be consistent with the existing southern Sector
- Condition 20 (construction management): Generally acceptable subject to clarification/modification: inclusion of an out-of-hours name and contact at regular intervals along the site boundary and on construction management. Correspondence, also location of boundary security fencing and access gates.
- *Condition 29 (street lighting)* – This will be considered at the road adoption stage the applicant will need to demonstrate that all street lighting will be fit-for-purpose if roads remain private and/or un-adopted.
- *Condition 32 (highway surface water prevention)*: See Drainage engineer comments
- *Condition 26: (surfacing of public rights of way)*. See Rights of Way officer comments

WSCC Rights of Way: Comments awaited

WSCC Planning - Comments awaited

WSCC Archaeologist: Partial comment received

Condition 23 (Archaeological Investigation)

- Requests amendment to proposed scheme of investigation to ensure it describes the process for agreement of possible second stage site investigation and to allow an addendum to made to the scheme if so.
- Comments on the reserved matters (layout, scale, appearance, landscaping), to follow.

WSCC Lead Local Flood Office: No Objection.

Provided that Council's Drainage Engineer is satisfied that outline condition requirements have been adhered to.

Environment Agency: No Objection

No demonstrable risk to groundwater but a foundation risk assessment will be necessary to protect aquifers.

Agrees to partial discharge of conditions 9 (drainage) and 12 (land remediation).

Southern Water: Comments

Proposed tree planting is near water mains; published guidance should be consulted No comments regarding other planning conditions

Southern Gas Network: No Objection

High level assessment suggests no requirement for network reinforcement. Whether any off-site infrastructure improvement is needed will become clear when a developer's request is received by SGN.

Sussex Police: Further information requested

No major concerns. Proposal has outward facing dwellings, back to back gardens and good active frontage to streets and overlooking of public areas.

- Ensure there is separation between the West and South side [Smugglers Cottage] to deter unauthorised access to the back gardens of plots 14 -17, 28-31 & 36 and 1.8m high timber close boarded fencing.
- Defensible buffers to ground floor windows e.g. planting, railing or combination of both, especially for new flats and demarcation of change from public to private space such as coloured block paving,
- install fixed bollards along the footpath/Cyclepath/Right of Way and knee-high timer posts along open space to deter vehicles
- Maintain open views from dwellings onto open spaces, either low boundaries or visually permeable (railings or timber picket fence). Shrubs should have a mature growth height below 1 metre and trees without foliage below 2 metres.
- Lighting should avoid blocking by trees
- Specifications for cycle stands in communal stores should meet relevant BS security standards.
- No further comments regarding the discharge of other conditions.

South Downs National Park: Further information required

- Sensitive site abutting the National Park and Castle Goring Conservation Area (including historic parkland landscape and listed buildings).

Design

- "Village Square" area includes significant three storeys blocks, taller than 2.5 storeys of outline parameters. Not convinced that these buildings are of an appropriate bulk, mass and scale for this sensitive setting. Verified visualisations needed of views from the National Park and along the Lane to allow full assessment.
- At the Conservation Area Edge use of pre-cast flint blocks requires detailed method of jointing to secure appropriate finish. More chimneys also recommended here and there is a notable lack of them in northwest quarter
- The National Park Edge Character area includes full hips on semi-detached dwellings, as sought by the Council, but a half-hip may be preferred. Where tile-hanging is proposed preferably it should run for the length of each elevation.
- Materials should be clarified – the External Finishes Plan includes materials (concrete wall and roof tiles and concrete fibre weatherboarding), which might not be appropriate for this sensitive location, whereas the detailed character area studies refer to other products.
- External enclosures: the rear gardens facing towards the public footpath to the east are enclosed by 1.8m panel fencing. The proposed hedging beyond these should be maintained 1.8m or higher in order to obscure this.

- The proposed western open space will have a parkland feel, unlikely to cause issues for the National Park. However, the proposed roadside bund is very linear and may not appear naturalistic from the north, even with proposed planting.

Access

- We would like confirmation of intentions regarding the potential A27 footbridge. Safe access to the National Park is important.
- A bridge must be designed and positioned to take account of its landscape setting and include connections with public footpaths north of the A27.
- A good range of footpaths are proposed in the western open space. Suggest that these become dedicated cycle routes in discussion with County Rights of Way officer. Forest Lane currently only has public footpath status. The proposed use of a hoggin will be appropriate to the rural feel.

Dark Night Skies

- The submitted plans show locations of proposed street lighting, but we are not clear what type of fitting is proposed. Given that the application only seeks partial discharge of this condition, we would welcome the opportunity to comment at the stage that technical specifications are provided.

Historic England: Comment

No detailed response, recommends that Council reverts to local heritage advisor.

Natural England: No Comment

Natural England has not assessed this application for impacts on protected species, refer to Standing Advice or Council's consultee

Fire & Rescue: Comments awaited.

Adur and Worthing Consultation Responses

Environmental Health: Further Information Requested

Noise

- Further noise monitoring and modelling is needed completed and further details submitted to demonstrate good acoustic design.
- Has the proposed bund along the northern boundary been considered in the noise assessment?
- Bedrooms facing the A27 and bedrooms and lounges facing the western edge would have the highest noise levels and there are no dual aspect windows to aid ventilation. Applicant should consider these worst affected properties further.
- Additional noise monitoring sampling requested and use of appropriate levels and time intervals in accordance with Sussex Guidance for Noise. Proposed choice of glazing should be tested against this
- Mechanical ventilation with heat recovery is only proposed for a few units, trickle vents for others may not be sufficient for thermal comfort when windows are closed against external noise.
- External amenity spaces: only a single acoustic fence has been proposed for one or two gardens to achieve below 55dBA. For good acoustic design use an acoustic fence along other boundaries, reduce noise levels as far as possible.
- Plant noise from Coach and Horses PH: questions survey method and findings, including identification of appropriate background levels during day and night and whether cumulative effect of plant is represented.

- Noise from the use of the pub & pub garden has not been considered. Its license allows live and recorded music, nightly. Pub garden is relatively close to some proposed dwellings and likely to be a noise source, particularly during the summer months.
- Installation of a 3 m high fence is proposed but where is this?

Land Remediation

- Query whether sufficient sampling and testing undertaken e.g. for pesticides. Made ground was also encountered but evidence of soil sampling and screening levels needed, with summary of results.
- Some information is unclear.

Technical Services: Further Information Requested

- Satisfied that there is adequate space for surface water drainage within the proposed layout.
- Recommends that the drainage conditions 8 & 9 are not yet discharged until further details are submitted including a robust set of construction drawings, a maintenance manual and evidence of land drainage consent application.
- No tree root zones should overlap with the attenuation basin areas due to the requirement for an impermeable liner
- An additional condition is recommended to verify satisfactory construction before occupation and maintenance thereafter.

Parks & Open Spaces: Comments awaited

Tree & Landscape Officer: No Objection

Housing: Comments awaited.

Housing & Health – Private Housing: No Objection

Waste Management: Comments awaited.

Worthing Society: Object

Sensitive prominent site at edge of National Park. Deeply disappointed that buildings show little regard for local vernacular architecture and are poorly proportioned. Large blocks of flats are poorly designed, not appropriate to fringe of the Sussex Downs, contrary to Policy 16 and National Design Guide, which require high quality composition and positive response to local character, integrates with surroundings and responds to local history, culture and heritage with understanding and appreciation of landscape and architectural precedents. The application should be refused.

Representations: Eight responses received.

These are from neighbours to the east and west of the site and from the New West Durrington Residents Association, which represents residents of the new 700 home development immediately to the south ('the southern sector'), through which the site is to be accessed. Six neighbours object; one raises comments with concerns. One

is from the east side of the site; others are from the west in the Forest Lane environs.

East

- Affordable Housing whilst fully supported in principle is over-concentrated in large number to the west of the neighbour rather than evenly distributed.
- This does not relate well to the detached and secluded character of existing dwellings here and creates an enclosed feel, as do the proposed flats in the Persimmon application.
- Neighbour most negatively affected by 12 new houses and open spaces closely-wrapping our [3] boundaries and barely acknowledged in applicants Design Statement.
- It leaves very little line of sight outward from existing property and with inadequate separation distance, there would be large numbers of vehicles, noise, disturbance and fumes with only an intervening 1.8m fence, whereas bunds, were understood to be planned previously
- Dwellings are tightly packed and have small proportions, dominating neighbour's boundary, contrary to the rural, open feel.
- Loss of privacy and seclusion from numerous homes surrounding our existing garden boundary is very distressing.
- Tall, dense foliage, if added might provide some degree of visual screen and reduce noise
- Proposed adjoining public open space gives great concern due to noise and loss of privacy from congregation of people, in particular children, creating noise, also risk of unauthorised use or activities, as raised by comments of Police and the existing low fence is inadequate.
- Designs: some are nice but little evidence of materials such as natural slate and flint mentioned for Character Area 5
- Trees and vegetation – plans are unclear as to which is the existing or new planting
- Existing cesspit serving existing dwelling is close to proposed development. Risks of noise, disturbance and odour would be reduced by connection to new mains drainage, which should be considered at this stage.
- Would welcome further discussion on these points with developers and Council.

West

- Forest Lane: Proposed access brings risk of unauthorised use by cyclists, scrambling motorbikes. Already trespassing and confrontations have occurred, also heavy littering and vandalism.
- Forest Lane is unmade, pot-holed & uneven and maintained by local residents and a safety hazard for pedestrians or pushchair and wheelchair users. Provision of an alternative route in advance would be much better
- Forest Lane is a private road, although public footpath. It has been used as an unlawful short-cut by motorbikes since construction of new development. Residents endure abuse, swearing and dog fouling, one case of physical attack, vehicles and people loitering, police have been involved.
- No barrier has been erected and temporary blockage swept away. The residents own temporary fence has been vandalised. This must be addressed before further development. The existing footpath should be closed and a footpath contained within the development.

- Forest Lane – Plans show 3 access points, details are needed of stile or gate to manage access
- The Lane is referred to as a cycle path, which it is not.
- Limited vision and use of lane by tractors and vehicles is a danger to pedestrians.

Observations:

- Drawings are inconsistent concerning the number of accesses to Forest Lane and must be corrected [two additional accesses to Forest Lane should be removed by correction]
- It is essential that any such access has a gate or stile
- The headwall of any attenuation pond should be agreed with Forest Lane residents. An existing culvert close to the proposed discharge point has been damaged recently.
- The application should be refused if these observations are not addressed.

New West Durrington Residents Association: Object

- Existing ditch through southern sector was at highest level in February 2020 floods and is in need of remedial works. The proposed development will increase risks in the southern sector and downstream, with added costs to residents and risk of flooding
- Construction traffic: There is no plan to manage the stacking of delivery vehicles through the southern sector to avoid congestion both at peak times when residents are entering and leaving the site and throughout the day. How are risks to be mitigated and monitored?
- Access roads are narrow and not designed for construction traffic; concern for safety, including many children and pets. The route is close to play areas and has public footpath crossing it.
- Development traffic speeding has increased with removal of speed restrictions in southern sector; (there are currently no speed signs).
- No details given or negotiation had by developer with Residents' Association concerning routing, controls, deliveries, waiting area, site office.
- Wheel washing has not been adhered to on southern sector works, particular poor during winter months, leading to need for use of road scrapper. Flints on the road have damaged car tyres.
- Road cleaning during construction requires 'cattle-grid' type washing facility and daily road cleaning in southern sector, also a pay-out process for punctures caused by debris.
- Additional traffic and likely roadside parking of narrow southern sector approach roads
- Details also needed of: arrangements for regular cleaning neighbouring windows, dust management, control of noise and lighting to minimise impact on residents.
- Need for barriers to public footpaths here and at Forest Lane to tackle unauthorised use and vehicles.
- Dog bins needed, bagged waste is being left in hedges
- All road, paths and facilities in southern sector should be completed; substandard constructions should be rectified before separate northern sector development.
- Particular care to protect important trees, shrubs and wildlife

- A show house is not identified. Use of existing show home in southern sector is preventing completion of a road and completion of the southern sector.

Relevant Planning Policies and Guidance

National Planning Policy Framework, NPPF (2019)

National Planning Practice Guidance

Worthing Core Strategy (2011) including:

- Policy 1: West Durrington
- Policy 7: Meeting Housing Need
- Policy 8: Getting the Right Mix of Homes
- Policy 10: Affordable Housing
- Policy 12: New Infrastructure
- Policy 13: The Natural Environment and Landscape Character
- Policy 14: Green Infrastructure
- Policy 15: Flood Risk and Sustainable Water Management
- Policy 16: Built Environment and Design
- Policy 17: Sustainable Construction
- Policy 18: Sustainable Energy
- Policy 19: Sustainable Travel

Saved Local Plan policies (WBC 2003), including:

- H18: Residential Amenity
- RES7: Control of Polluting Development
- RES9: Contaminated Land
- TR9: Parking Requirements for Development

Local Supplementary Documents and other Guidance:

- Space Standards SPD (WBC 2012)
- Guide to Residential Development SPD (WBC 2013)
- Developer Contributions SPD (2015)
- West Sussex 'Guidance for Parking in New Residential Developments' and 'Residential Parking Demand Calculator' (WSCC 2010)
- Worthing Housing Study GL Hearn June 2015

The Core Strategy, including the saved policies of the Worthing Local Plan, comprises the Development Plan but the Government has also afforded the revised National Planning Policy Framework (NPPF, 2019) considerable status as a material consideration which can outweigh the provisions of the Development Plan where there are no relevant development plan policies or the policies which are most important for determining the application are out of date.

The principle of development has been approved by the outline planning permission and current housing land supply requirements continue to support the need for development of the application site. Although the Council has acknowledged that it cannot currently demonstrate a 5 year supply of housing and paragraph 11 promotes approval of applications other than where they would harm areas or assets of particular importance, proposals must still meet sustainable development tests, economic, social or environmental. Recent Court rulings reinforce the

applicability and primacy of development plan policies in reaching balanced decisions regarding housing, in which continued need is an important consideration.

In determining this reserved matters application the focus is on matters of detail. Policies relevant to these matters are also in conformity with the NPPF. They include the requirement for homes of mixed sizes and types, with 30 percent being affordable housing (Policy 10), therefore its design and siting are relevant detailed considerations. Whilst only limited weight can be attached to the emerging Local Plan, its draft policy CP1 for the mix of housing seeks the inclusion of accessible and adaptable homes, including provision for wheelchair users; this updates an approach found in the 2011 Policy 8.

High quality new environments should be distinctive and well-related to man-made and natural environments under policies 13 & 16. Layouts should provide multi-functional new green spaces under policy 14 and employ sustainable drainage methods in response to future climate change. On this latter point, the declaration by the Council of Climate Emergency in 2019, adds further weight to the requirement for sustainable aspects of development, such as the provision of low emissions transport options, which are also promoted under NPPF, policies 18 & 19 and the 2019 County Parking Guidance document. This added weight also covers the control of pollution under Saved Policies RES7 & 9.

The NPPF adds that planning decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Para 172 also attaches great weight to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection. The safeguarding of neighbouring amenities remains a matter of importance under Saved Policy H18, as supported by the NPPF.

Relevant Legislation

In determining the planning application the Council has the following main statutory duties:

To have regard to the provisions of the development plan, as far as material to the application, and other material considerations. (Section 70(2) Town & Country Planning Act 1990, as amended). To determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).

The open space of the site adjoins the Castle Goring Conservation Area which also contains listed buildings. Decisions should pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, as required by Section 72(1) Planning, Listed Buildings and Conservation Areas Act 1990, and to have special regard to the desirability of preserving the setting of the Conservation Areas, (including listed buildings within it, among them the Grade. 1 Castle Goring itself) to the west and the listed Coach and Horses Public House, and Stanhope Lodge to the east or any features of special architectural or historic interest (under Section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990).

In considering effects upon the adjacent National Park, which adjoins two sides of the site, and its setting regard should be had to its purposes under The

Environment Act 1995, which are: To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; and To promote opportunities for the public understanding and enjoyment of the special qualities of the Parks.

In respect of the Town and County Planning Environmental Impact Assessment Regulations 2017, the outline application was previously not considered to constitute Environmental Impact Assessment development. The current reserved matters application has also been screened under these Regulations and the conclusion remains unchanged. In any event many matters of environmental importance are relevant considerations in the determination if this application as considered in the planning assessment below.

Planning Assessment

The main issues for consideration are:

1. Principle of Development
2. Reserved Matter 1 – Layout
3. Reserved Matter 2 – Scale & Appearance (also Design & Character)
4. Reserved Matter 3 – Landscape & Open Space
5. Access & Highways
6. Neighbour Amenities
7. Drainage
8. Other Matters

1. Principle of Development

- 1.1 The principle of development has been established with the grant of outline planning permission.

Housing Mix

- 1.1 The mix of housing types is shown in Table 1 below. With 75% of the 120 new homes being houses, the 25% of flats is a higher proportion than for the Persimmon application. The emphasis on houses with gardens is consistent with this new suburban location albeit it is a greater development density; 40.5/ha, compared with 37.6 for the Persimmon site (discounting open spaces in each case). This difference is most noted in the central area around the village square with the largest of the proposed buildings, but the scale reduces towards rural edge.

Table 1: Housing Mix: (Taylor Wimpey 120 homes)

	No.	%
1 bed flat	16	13%
1 bed house	0	0%
2 bed flat	14	12%
2 bed house	35	29%
3 bed house	46	38%
4 bed house	9	8%
Total	120	
Affordable		
Rent	25	70%
Shared owner	11	30%

- 1.2 Table 1 also summarises the provision of affordable housing, with the proposed total of 36 new affordable homes equating to the 30 percent requirement under Policy 10 of the Core Strategy. A similar proportion is proposed for the Persimmon parcel, to ensure an overall 30 percent affordable housing provision across the new northern sector. The tenure mix of 70/30 percent for affordable rented and shared ownership homes respectively, also accords with the requirements of Policy 10 and the requirements of the legal agreement, secured at the outline stage in liaison with the Council's Housing Officers.
- 1.3 The size-mix for market housing is to be determined through the current application. Guidance on size requirements for the period up to 2033 is contained within the Worthing Housing Study of 2015. This document is the most up-to-date source and is under review as part of the emerging Local Plan. It identifies a need for all size of market housing but recommends that the provision should be more explicitly focused on delivering smaller family housing for younger households, including 2-bedroom units.
- 1.4 Tables 2 & 3 below show the mix of house and flat sizes for each of the affordable and market housing totals. All of these meet National Space Standards for their stated size. Table 2 considers the Taylor Wimpey proposals only (120 dwellings). Table 3 considers those combined for Taylor Wimpey and Persimmon. The right hand column in each case is the percentage difference between the suggested market need in the 2015 Worthing Housing Study and the current proposals.

Table 2: Housing Mix, tenure and size (Taylor Wimpey 120 homes)

	Affordable		Market		
	no.	%	no.	%	need
1 bed flat	10	28%	6	7%	(-8%)
1 bed house	0		0		
2 bed flat	9	53%	5	36%	(-4%)
2 bed house	10		25		
3 bed house	7	19%	39	46%	(+11%)
4 bed house	0	0%	9	11%	(+1%)
Total	36		84		

Table 3: Combined Taylor Wimpey & Persimmon (240 homes)

	Affordable		Market		
	no.	%	no.	%	need
1 bed flat	19	26%	6	20%	(+5%)
1 bed house	0		28		
2 bed flat	14	54.5%	7	43%	(+3%)
2 bed house	25		65		
3 bed house	14	19.5%	53	32%	(-3%)
4 bed house	0	0%	9	5%	(-5%)
Total	72		168		

- 1.5 Comparison between the need columns for market housing in the two tables indicates that the Taylor Wimpey application is slightly low in relation to one bedroom homes (-8%), whilst that for three bedroom houses is a little high (+11%). These differences are evened-out across the combined 240 home development, giving up to +/-5% for each size.
- 1.6 Although the greater proportions of three and four bedroom homes are in the Taylor Wimpey development there is a slight under-provision of these sizes

overall, whilst the one and two bedroom units are correspondingly slightly over-provided. This is considered to be a reasonable balance, particularly mindful of the outline aim for an emphasis on family housing to target both two and three bedroom homes.

- 1.7 In relation to the slight overprovision of one bedroom homes, the report for the Persimmon application (AWDM/1316/19) explains that 28no. of their one bedroom houses have a second first floor room, which is large enough to be used as a second bedroom but the space elsewhere in the building overall is below that of a two bedroom unit according to National Space Standards. In practice the number of units with only one bedroom is low and the 6no. one bedroom flats for market sale in the Taylor Wimpey, are a scarce element within the development, although the wider mix is considered reasonable.

Affordable Housing

- 1.8 The proposal includes 30 percent of affordable homes with the mix of sizes which was agreed in the outline planning permission and legal agreement. Of these, 72 percent are for family housing (2-3 beds), the remainder as 1-bedroom flats; the tenure mix of 70/30 percent for affordable rented and shared ownership homes meets the outline requirements and policy.
- 1.9 In accordance with the stipulated clustering limit for affordable housing in the legal agreement (that no cluster should exceed twenty), there are four clusters ranging from 6-13 units. Two of these, (flatted blocks A & B) are located alongside the eastern and northern boundaries and on two corners of the village square; this last pair would exceed the cluster size except for the intervening road and part of the open space. Confirmation is awaited regarding the mix of tenures; rented and shared ownership, to ensure that these are not over-concentrated.
- 1.10 A commitment of the outline development is that affordable homes and market housing should be indistinguishable from one another. Amended plans for the affordable flats give a distinctive appearance to blocks A and C; the former of these being defined by its clapperboard design-style, steep gables and dormers. It is also the largest of the proposed buildings in the development. Affordable flats which are over garages (FOGs), use similar architectural forms as for houses, although amended plans have sought to address detailed concerns for a particularly long FOG at plots 91-92, close to Block A.
- 1.11 It is noted that most of the 19no. affordable flats have either little or no private outdoor space or balcony and there are only margins of grass or vegetation around these buildings. This shortcoming is partly mitigated by the proximity of the village square onto which many of them face; this provides a direct visual connection to significant open space. Most of them are also within 60m – 80m of the large area of open space to the west, which is reached by paved side-streets. This gives residents reasonable access to a significant area of space over a short distance.
- 1.12 The affordable house designs are also used for market homes. Both the affordable homes, and in places several market homes, also have frontage parking. However the concentration of frontage parking and hard surfacing is greater at the eastern affordable cluster (plots 26-31) than elsewhere in the development. The arrangement of these homes and parking spaces in an enclave set back from the street may suggest a sense of being somewhat apart from the development, which could work against the aim of creating

undistinguishable tenure. The applicant has been asked to reconsider a more blended tenure here and an update will be given.

Sustainable Development

- 1.13 As defined by the NPPF, sustainable development is characterised by three benefits; economic, social and environmental. The economic benefit here is found in the planning for a sufficient number of well-located new homes. The application site is part of a planned land release following the 2011 Core Strategy. Its delivery remains part of the assumed housing land supply in the emerging local plan to meet the assessed needs.
- 1.14 Social sustainability benefits in the NPPF include the provision of a mix of affordable and market homes and a range of sizes including 'accessible' homes to meet future needs. In accordance with the emerging Local Plan Policy CP1 and the thrust of the existing Policy 8 the applicant has been asked to confirm the extent to which dwellings would conform to the optional Building Regulations Standard M4 (2) 'accessible and adaptable' homes. Furthermore, although Policy CP1 is an emerging policy and of little current weight, its recommended inclusion of at least 10 percent of homes to be 'Wheelchair user dwellings' under optional standard M4(3), is considered to be in accordance with NPPF, para 61. There is also a legal agreement requirement for such dwellings. The applicant has been asked to confirm the level of provision made in this application.
- 1.15 The NPPF seeks sustainable environmental benefits include the minimising of waste and pollution; mitigating and adapting to climate change; moving to a low carbon economy and the protection and enhancement of the natural environment and biodiversity.
- 1.16 In respect of pollution, **Condition 12 – Land Remediation** of the outline permission requires details of remediation of any contamination if found. The Environmental Health Officer's response indicates broad satisfaction with the Taylor Wimpey submitted information subject to some clarifications including further information regarding samples taken. Updated information has been received and is with the Environmental Health Officer for consideration.
- 1.17 At the outline stage very minor elevated concentrations of contaminants were detected in the shallow soils and it was anticipated that these could be re-used. Consideration also includes the use of suitable material for water pipes to minimise any residual risk from pollution. The officer supports the proposed use polyethylene water pipes in the case of the Persimmon application and a similar response is likely for Taylor Wimpey.
- 1.18 Regarding waste, **Condition 33 – Recycling and Waste** requires details of recycling and refuse storage and approval is sought for these in the current application. Each proposed dwelling provides accessible rear space for storage of sorted bins, and secure communal bin stores are provided for flats. Access for collection vehicles has been assessed and the agreement of the Councils Waste Management officer is awaited. In a few cases where it is currently unclear, confirmation is needed that gates will be included in rear gardens to allow wheeling-out of bins for collection. At plot 14 a bin storage position in front of the building will need to be relocated to a less conspicuous position.

- 1.19 **Condition 20 - Construction Management Matters** requires the agreement of a Construction Management Plan (*aka* CEMP), which is to include, among other things, suppression of dust and dirt for surrounding residential properties during construction period along with such matters as site storage arrangements and measures to minimise risk of pollution and spillages. The recently amended CEMP is discussed at 5.12 below.
- 1.20 Air Quality and Climate Change is addressed in two ways in the outline permission; firstly by the making of an air quality mitigation payment via the legal agreement when 50 percent of new dwellings are occupied. This can be used in the improvement of local infrastructure within 500 metres of the site to encourage non-car modes such as facilities for pedestrians cyclists or public transport. Details of an appropriate scheme will need to be agreed in the future, beyond the current planning application.
- 1.21 Secondly, **Conditions 37 & 38 - Electric Vehicle Charging** relate to future low-carbon economy aims. In accordance with these conditions applicant shows that all garages and car ports (41no.) will have an electronic charging point and at least one for each apartment building, the latter having a faster charging rate (7kW).
- 1.22 The recently updated County Car Parking Guidance, 2019 for West Sussex seeks the installation of cabling to all new parking spaces in order to allow for future fitting of charging points, whilst this is a new requirement and not covered in the outline permission, both Taylor Wimpey and Persimmon have been asked to go as far as possible towards achieving this and an update will be given.
- 1.23 **Condition 22 - Ecological Details** requires approval of an Ecological Mitigation and Enhancement Strategy and Landscape & Ecological Management Plan. Approval of these is sought in the current application and covers a range of measures which are described in section 4 of the Planning Assessment below, including the provision of new habitat associated with the drainage ponds in the proposed main area of open space.
- 1.24 **Conditions 8 & 9 - Drainage** require use of a sustainable drainage system. Details are submitted for approval and considered under section 7 of this assessment.
- 1.25 In summary, subject to further information including the accessible and adaptable housing; construction management and electric vehicle charging, the proposal is capable of meeting several aspects of sustainable development under the NPPF, providing economic and social benefits in the form of mixed housing and some environmental benefits. The applicant has been asked to advise on the extent to which renewable energy will be included, mindful of the policy 18 target of 10%, and added impetus of climate change emergency.

Place-Making

- 1.26 Another important aspect of sustainable development and a recurrent requirement of the NPPF is the need for high quality buildings and places.

The current application seeks permission for the reserved matters of Layout, Scale, Appearance & Design and Landscaping of the development; these are considered in turn in the following section together with other detailed matters covered by outline planning conditions, for which approval is also sought. An important consideration is extent to which the detailed proposals adhere to design principles and illustrative plans as required at the outline stage, to produce a high quality, distinctive development.

- 1.27 The approved Illustrative masterplan, a Character Area Principles document; Illustrative Landscape Strategy; a Landscape Facilities Plan are appended to this report. These variously show the extent of buildings, roads and spaces including features such as ponds; a play area and noise bunds. They describe how areas of different and distinctive characters are to be created, with particular reference to a series of Character Area within which distinctive architectural and design qualities are expected. Reference is made to these in the following sections 2 & 3.

2. Reserved Matter 1 – Layout

- 2.1 The proposed layout plan 'Plan 1' below is shown with the Taylor Wimpey areas in colour and Persimmon areas 'greyed-out'. The site is more extensively covered by Character Areas than for the Persimmon application and only two small areas are not covered. These are discussed in turn from section 3.11 onwards, with accompanying location plans as segments from the layout plan. The main area of open space at the west of the site is considered in Section 4 – Landscape, of this assessment although a brief overview of its layout is included at 2.8 below.

- 2.2 The layout is formed by five main elements in accordance with the indicative outline plans.

- i) The main avenue', which strikes from Bellflower Drive at the southern western boundary and continues eastward into the Persimmon site where it then loops back into the southern sector at Snapdragon Lane.
- ii) The village square open space is a pivotal along the main avenue. It has a regular-sided, semi- formal character and is a focus for the grid of side streets.
- iii) The 3ha open space to the west of the new housing. Cull-de sacs terminate here with shared-surfaced driveways arranged in informal sweeps and edged by vegetation. Beyond this is Forest Lane, two clusters of neighbouring homes and the Conservation Area.
- iv) Along the northern edge a proposed 3m noise bund is a linear feature to be planted with trees and shrubs to blend with the existing hedgerow and the National Park countryside beyond
- v) The hedgerow edge of public footpath along the eastern boundary and Smugglers Cottage.



Plan 1: Proposed Layout

2.3 The layout is formed by five main elements in accordance with the indicative outline plans.

- vi) The main avenue', which strikes from Bellflower Drive at the southern western boundary and continues eastward into the Persimmon site where it then loops back into the southern sector at Snapdragon Lane.
- vii) The village square open space is a pivotal along the main avenue. It has a regular-sided, semi-formal character and is a focus for the grid of side streets.
- viii) The 3ha open space to the west of the new housing. Cul-de sacs terminate here with shared-surfaced driveways, arranged in informal sweeps and edged by vegetation. Beyond this is Forest Lane, two clusters of neighbouring homes and the Conservation Area.
- ix) Along the northern edge a proposed 3m noise bund is a continuous boundary feature to be planted with trees and shrubs to blend with the existing hedgerow and the National Park countryside beyond
- x) The hedgerow edge of public footpath along the eastern boundary and Smugglers Cottage.

2.4 There is a hierarchy of streets, with the tree-lined main avenue being the widest, forming a clear and navigable route of evenly spaced semi-detached housing and a consistent building line. Side streets form a grid and generally have a narrower and more intimate character and typology. Footpaths provide good accessibility around the grid but blend into shared surfaces at

the edges of the development. Building lines are staggered or broken to give interest, with set-back enclaves of buildings to contain frontage parking and parking courts to the rear of flatted buildings and town-houses.

- 2.5 The largest buildings with biggest footprints are located in the village square, which create a strong focus and navigation point. These also produce the highest densities and the most built-up frontages. Densities lessen and layouts become more spacious and informal towards the north-western edges of the site, but less so along much of the eastern boundary
- 2.6 Spaces between the faces of buildings along the main avenue are typically 20 -21m apart. This reduces only slightly in side roads to 18-20m, so there is a fairly spacious roadside character throughout. Rear gardens are usually 10m long and more with good 21m and more rear to rear separation distances between houses areas in accordance with the Council's Space Standards SPD. Many are also set at angles which further assists with privacy.
- 2.7 Flats rarely have private outdoor space and this applies to market flats as well as the affordable ones already considered at 1.11 above. Whilst this does not fulfil the expectations of the space standards SPD, in this case the infusions of open space within or close to the flats provides some mitigation.
- 2.8 The 3ha open space to the west slopes gently to the south west corner. The proposed attenuation ponds are located at this lowest point fed by gravity. The series of proposed paths extend from street edges and are looped to provide for different lengths of recreational walk. A long path close to the western edge also provides new residents and existing walkers with an alternative option to the existing public right of way in Forest Lane, avoiding vehicular traffic. Details are discussed in section 4.

3. *Reserved Matter 2 – Scale & Appearance, (Design & Character)*

Scale

- 3.1 The density of development excluding the 3ha open space and village square is 40.5 homes/ha. When combined with the Persimmon application, the overall density for the northern sector is 37.6/ha, which is close to the average net density to 38/ha of the outline planning approval.
- 3.2 Most of the proposed buildings are two storeys, with a short terrace of 2.5 storey houses on the northern side of the village square, as envisaged in the outline Development Principles document. They are predominantly semi-detached houses with ridge heights of 7.8m – 9m for the two storey buildings and 9.7m for the 2.5 storey terrace. Building depths are typically 8.8 – 9m. Around 34% of homes would have garages or car ports, attached or detached.
- 3.3 Detached houses are proposed along much of the western edge towards the open space and at the southern 'gateway' end of main avenue. A few semi-detached pairs are also interspersed with these detached houses at the south west edge, facing the ponds and swale. The detached houses are no deeper in footprint than the semi-detached and in some cases are slightly

shallower, which allows them to have fairly modest ridge heights of around 7.8 – 8.4m, whilst they are widest houses, 8.5m – 10.5m, this is on average a little less than for a semi-detached pair. The extent to which these contribute to the loose informal layout of the Conservation Area Edge Character Area is discussed at 3.26 below.

- 3.4 The largest of the proposed buildings are the three flatted blocks which form most of three sides of the village square. Their long footprints and closeness to the footways contribute to the sense of a natural centre within the development, framing the spacious central green. Two of these buildings are partly two storeys in height, with 2.5 storey wings. Whilst these are in part half a storey taller than the description in the Development Principles, these are deployed in purposeful locations, to give design strength to the corner of the main avenue and to the western side of the square. Their clapperboard styling and the steep gabled roof of Bock A, echoes building forms found in the entrance and open spaces of the southern sector.

Appearance, Design & Character

- 3.5 In common with the design for the Persimmon site, Taylor Wimpey designs are influenced to varying degrees by Victo-Edwardian styles and Sussex village architecture found in older parts of Durrington, Salvington and Downland villages and in the southern sector.
- 3.6 Pitched roofs are fairly steep with a mixture of gables and hipped profiles, some with chimneys. Simple doorway canopies are used occasionally some have more elaborate timberwork or canopies. Windows are of traditional proportions and varied sizes, many with divided glazing and decorative brickwork-heads.
- 3.7 Aside from porches and canopies, houses are commonly flat-fronted, reliant upon material variations such as tile hanging to create variation, although several semi-detached pairs use a projected gable frontage on one half of the building, which creates variety in addition to the mixed building lines. Occasionally there are projected chimney breasts in prominent locations or exposed rafter feet. Bay windows are used in some of the detached houses at the western edge. Amended plans are awaited which are expected to add greater design detailing.
- 3.8 **Condition 7 – Materials.** The applicant's proposed list refers to red brick as the underlying material, supplemented by cladding and tiles. Tiles are red, grey and orange, hanging tiles include decorative/scalloped types in places. Two types of terracotta brick are included, which in some of the coloured images (e.g. Figure 4), appear quite orange in tone and perhaps strident at the western edge of the site, likewise the orange roof-tiles may be too contrasting with the natural landscape palette of browns and greens and the generally weathered reds, browns and greys of existing buildings. Samples would be needed to enable proper assessment. As recommended by the National Park, the detailed method of jointing for pre-cast flint blockwork is needed in order to secure an appropriate finish.

- 3.9 Under **Condition 36 – Means of Enclosure**, garden boundaries would use 1.8m brick walls where abutting streets and spaces, although in a few places, return fencing is used in conspicuous locations which require amendment to walls or half wall-with-fence arrangements. Details of walls, (such as pillars, bases, tops and brick-bond styles) are also required to ensure that they add character
- 3.10 Good use is made of estate rail fencing, particularly outside flatted blocks which frame the village green and intermittently along the edge of the western open space. Stout timber bollards are also recommended by the Police, to reduce risk of unauthorised vehicles. Greater use of flint walling and estate rails is needed for plots 14/15 as part of the semi-rural character area 5, to evoke the farmyard type setting to the cluster of buildings which straddle the Persimmon and Taylor Wimpey development here. Details of fencing at the proposed bund and open space are also required, to balance safety and visual amenity at this important National Park edge.

Character Areas

- 3.11 The Character Area Principles document was drawn up following extensive discussion between officers and developers at the outline stage. Its purpose is to provide a well-defined strategy for creating a strong sense of place that responds to the characteristics of the site. The need for such a document arose from concerns that the character and distinctiveness of the southern sector had become diluted in its later stages. Mindful of the strength of NPPG guidance, it was and is essential to ensure a strong and distinctive character in the northern sector. The design requirements in these areas are in addition to the wider need for high quality and varied design typologies throughout the site, in order to create a hierarchy and a strong sense of place
- 3.12 The Character Area Principles document identifies a series of character types for eight selected areas within the northern sector. Six of these are within the Taylor Wimpey site and two of them (*'2. the main avenue'* and *'5 the public footpath/Coach & Horses Boundary'*) overlap with the Persimmon site which has required co-ordinated design work. The following sections consider each area in turn, starting with a brief summary of its character principles in italics.

Character Area 1 – Gateway

Character Area 1 - Gateway: A clearly announced arrival point defined by road narrowing of surfacing changes, distinctive bespoke buildings avoiding flat facades, retained trees and hedges; distinctive boundaries, such as walls, piers and picket fencing.



- 3.13 In Character Area 1 the defining gateway characteristic is the intersection of the southern, narrowed end of the main avenue with two segments of open space: to the west of the avenue is the southern toe of the 3ha western open space containing the shallow grass swale; to the east the much narrower linear space with pathway which proceeds eastwards towards the play area on the Persimmon site. The avenue is characterised by semi-detached brick and tile houses, but at the gateway two detached houses serve as off-set bookends striding the roadway and accentuated by the narrowed speed limiting surface.



Figure 1: Gateway – Character Area 1

- 3.14 Houses (1 & 118) flanking the entrance are standard types but given a sense of bespoke design by the use of light-coloured render, which is 'kicked-out' above the windows at 118, whilst a plot 1 it is contrasted with decorative grey tile-hanging with elaborate corbelling in between. Detailed chimney and gable finials also distinguish these houses. The use of flint walls and picket fencing adds to this distinctiveness, the fencing allows plants to spill through, echoing the informal character of the open space, albeit there is an intervening shared driveway. Surfacing of driveways will need to add to this character, minimising the use of tarmac in favour of blockwork.

3.15 Character Area 2 - Main Avenue:

Character Area 2 - Main Avenue: *A formal rhythm of semi-detached houses 2-2.5 storeys, and attached garages of 'garden city' style to reflect hierarchy of main route with double aspect corner buildings. Tree-lined, grass verges and fenced or hedged front gardens. Changes in highway surface to lower speeds*



3.16 The east-west section of the main avenue is the widest road (5.5m) and defined by tree-lined grass verges. It is intended for adoption and maintenance by the County Highway Authority. Trees, although unevenly spaced apart, are sufficiently frequent and close to the road edge to create an avenue rhythm. A contrasting material is needed to distinguish pathways from the tarmac road and driveways. Front gardens follow a consistent line and details of planting have been requested. Corner plots are slightly wider than the Persimmon equivalents but both developers have used planted corner margins to provide spaciousness and gabled houses to frame their corners. Houses are 2-storey, semi-detached and evenly spaced with paired driveways and garages in most cases, adhering to the Character Area principles.



The north-south section of the main avenue leading from the site gateway is also 5.5m and lined with verges and trees, although somewhat interrupted by visitor bays.

Three semi-detached pairs of houses begin the rhythm which is strengthened in the east-west section. In common with the houses, the L-shaped corner flatted building (Block C) is also two storey and uses a projected hip end to turn the street corner. A FOG building south of Block C is visually subservient to the flats and linked to a gabled house. Although this interrupts the semi-detached rhythm, it creates a strongly built frontage which makes a transition to the higher density development in the village square to the north.

3.17 House designs are of brick and tile. Gables are steep and used alongside gables to create continuity but avoiding repetitiveness, entrance canopies are varied to add interest. The Persimmon approach on the southern side of the main avenue is similar, which gives coherence. In some places there is need for additional details to create greater texture and interest, for instance on side elevations alongside driveways.



3.18 Block C forms the southern corner of the main avenue and one side of the village square; hence it is taller in the recently amended image above and distinguished by grey tile hanging. Its gabled doorway is positioned to face into a side street opposite as a minor focal point. Windows facing the square (not shown) have also been amended to give improve balance. The building next to Block C, (in the centre of the lowest image) is a FOG, two of its ground floor windows are false, to conceal the internal parking spaces behind the facade. The overall effect is consistent with garden city character principles of even spacing and rhythm, with designs balancing repetition with variation.

3.19 **Character Area 3 - National Park Edge**



Character Area 3 - National Park Edge: *Homes set behind new landscaped bund, comprising predominantly hipped roofs and differing plan depths to create varied heights with visually interesting roof-scape; chimneys, gables, gablets, tile hanging and exposed rafter feet*

- 3.20 The northern edge is currently an exposed part of the site, with views along the A27, descending from Clapham Hill above the hedgerows and from land to the north, all in the National Park. The inclusion of the proposed 3m high planted bund, serves as added screening. The footprint of the bund is similar to that of the outline plan. The proposed road alignment is also similar to that plan although the parking spaces on the north side are new, but visually contained by the bund.
- 3.21 The varied building line is also similar to the indicative outline plan although there is less variety in articulation of individual footprints, which has slightly increased the sense of a linear arrangement, particularly the eastern-most six plots (on the left hand side of the inset image above).



- 3.22 House designs include front gables to just under one-third of houses, which gives variety of roofline. These have fairly deep fascias and decorative tile hanging, which evokes a distinct character of older local styles and includes chimneys, albeit neither gablets, nor the use of rafter feet as envisaged in the design principles.
- 3.23 In common with the Persimmon National Park Edge Character Areas, there is barely any variation in height and depth of footprint. The varied building line creates some illusion of height changes and the sloping land assists in this.
- 3.24 Since the original submission the steep gable end on the western (right hand) side the semi-detached pair in the central row of Figure 3, has been changed to a hip end, and this change has been repeated elsewhere on this edge to

create wider v-shaped intervals of skyline and greater sense of tapering, which is intended to soften the appearance of the edge when seen from the National Park to the west and north/north east. Use of a half-hip, as suggested in the National Park's response was considered but would have achieved a lesser taper and smaller skyline interval. If a hip were used for some of the forward-facing gables, it may add greater interest and tradition but this is not considered essential. The extent of tile hanging in the amended plans follows consideration of National Park advice regarding materials.

- 3.25 The palette of materials requires particular care, in common with the Conservation Area Edge – Area 4, to ensure that these complement natural colours in the landscape, and textures which will weather and blend. The provision of fencing for safety and protection of new planting at the bund is a further consideration, which should combine landscape and safety interests, screened among existing hedging and new planting. Details have been requested.

3.26 Character Area 4 – Conservation Area Edge

Character Area 4 – Conservation Area Edge:
A loose informal layout, reflecting the variety of forms, materials and detailing found in Castle Goring Conservation Area. Cul-de-sacs ending in informal shared surfaces, not tarmac. Varied boundaries: hedging, post & rail and estate railings.

2-storeys buildings with single storey side & rear elements, L-shaped plan forms, Varied roofs, hipped, half-hipped, gable, asymmetric cat-slides, chimneys, chimney breasts, traditional windows & dormers, rafter feet and quoins. Varied materials, flint, brick, render, plain tiles and slates



- 3.27 Proposed buildings at the western edge of the development would be approximately 100 – 140m from the Goring Castle Conservation Area, and with the retention of the existing hedgerows in between and the planting of new trees and shrubs, it is likely that views between the Conservation Area and the new development will comprise filtered glimpses, such as through the new footpath connection at the northern end of Forest Lane, roughly where an existing field gate is currently located, and from along Forest Lane above hedges at the outer edge of the Conservation Area.

- 3.28 The existing hamlet of Castle Goring buildings is well contained by mature trees and shrubs, so that views of the conservation area from elsewhere, such as along the A27 and to the north, are very unlikely to include its buildings in juxtaposition with those proposed. However, as the intention of the Design Principles document was to draw influence from the Conservation Area given its proximity, it is relevant to consider the characteristics of existing buildings.
- 3.29 Two sections from the 2016 Castle Goring Conservation Area Appraisal state as follows:
“The hamlet [buildings] most address the road, at least in a rough-and-ready fashion, creating a linear form to the settlement. As a consequence, Castle Goring does not have the consistency in architectural treatment nor obvious spatial planning that characterises some estate villages.
 and
...trees and other greenery are significant due to their role in separating the dwellings from the intrusions of the modern A27 dual-carriageway and creating a sense of an enclosed space. It is the cumulative effect of the mass of greenery that is important here”. (Castle Goring Conservation Area Appraisal, SDNP, 2016 paras 4.3 & 4.18)
- 3.30 The variety of buildings include 2 storey cottages and houses with long parallel eaves and ridges, using red-brick & flints with quoins and painted render. Some have evenly balanced window arrays of divided and undivided panes around a central placed entrance door with porches or canopies. There are banded chimneys above and buttresses below. Range and stable buildings have low eaves and long sweeping rooflines with gables and mixed gable styles and angles or barn hips; some buildings or elements are single storey.
- 3.31 The proposed layout has been amended recently. At the north-west extent (plots 84-86) a plot has been removed which has allowed for greater spacing between houses, less car parking and hard-surfaces and more space for vegetation. Buildings are angled variously in an informal and loose way which is evocative of the rough and ready layout of the Conservation Area. Estate rail fencing at plot 86 provides a defined edge with hedges seen through it. Planting details and hard surfacing details will be especially important here, to complement and strengthen this informality and permitted development restrictions to maintain this arrangement.
- 3.32 Further south the informal layout of buildings continues at the five plots 88 - 107, although the spaces between them are tighter which increases the importance of their modest front garden spaces and green boundaries.
- 3.33 The southernmost part of this edge (plots 112-119) is tighter again, partly due to the recent addition of a further plot to compensate for that removed at 84-86. However, this tighter grain faces away from the conservation area and National Park boundary, and it's denser grain serves to accentuate the more built up character of the gateway character area into which it leads and to strengthen the contrast between urban to the south and rural north west. Shared driveways indicate use of contrasted materials, as distinct from black tarmac.

3.34 Accordingly the arrangement of buildings and spaces is now considered to follow the Character Area Principles. The amended building designs are shown on Figure 4 below



Figure 4: Conservation Area Edge – Character Area 4

- 3.35 The buildings along the proposed Conservation Area edge repeat the parallel eaves and roof ridge designs found in the conservation area. Several of them would have evenly-balanced window arrays grouped around a central placed entrance door with porches or canopies, in common with existing buildings. Chimneys are projected from steeply gabled walls and barn hips in accordance with design principles and there is a strong presence of characterful flint and quoin-work using red bricks. There is also a range of divided and undivided, traditionally-proportioned windows and oriel windows have been added to prominent end-walls to create interest at street corners. These elements accord with design principles.
- 3.36 The elements of the design principles which are not included are L-shaped plan forms with single storey elements, nor are there cat-slide roofs. The underlying similarity of the plan form of many proposed buildings produces roofs which are similar in height and whilst there are well considered variations in external materials, the regularity of the underlying formula is evident in the repeated arrangement of doors, windows, ridges and eaves.
- 3.37 However, the elevational images above do not show the buildings as they would be seen in reality. The informality of the layout with varied orientations and spaces between buildings offset building lines and chimneys will create an added layer of interest and varied skylines. These cannot be easily appreciated from drawings. In time, spaces will be softened by new vegetation, blending the buildings with the open space. These factors partly mitigate the loss of greater individuality and historic referencing which was originally envisaged by the inclusion of those other forms.

3.38 Character Area 5: Public Footpath/Coach & Horse Boundary

Character Area 5: Public Footpath/Coach & Horse Boundary: *Strong traditional character derived from scale and layout of farmsteads, large farmhouses, farm cottages, converted farm buildings of dark stained timber arranged in courtyards. Post and rail fencing and rural flint walling. Generous spacing and fragmented rural edge. Pinch-point of the main avenue to control speeds at the public footpath intersection*



- 3.39 Character Area 5 is largely within the Persimmon land, encompassing three barn-like flatted blocks, two of which are just visible in the lower image at Figure 5 striding the main avenue, hedgerow and public footpath. Within the Taylor Wimpey site two parts of this character area comprise: the semi-detached houses at plots 14/15 and the group of six semi-detached houses at plots 26-31 to the west of the boundary with Smugglers Barn and to the south of the Coach and Horse PH.
- 3.40 The layout of the six houses at plots 26-31 is broadly similar to that of the outline scheme although as submitted the current application showed a straighter alignment, which has now been slightly adjusted by moving the central pair 1m further forward. Roofs have also been hipped (Fig. 5) to retain greater visible sky between these, in order to soften the outlook from the neighbour and the grounds of the listed public house. The amount of frontage parking is somewhat dominant, although the planted buffer to the north partly mitigates this. It is also important that other grassed and planted areas are maintained and protected, for instance, by protective rails or stout timber bollards.
- 3.41 At plots 14/15, the semi-detached pair is set at a marked angle relative to the main avenue houses. This acts as soft focal point in the main avenue and serves to link the building and the space beside it, to the cluster of large flatted buildings which stride the avenue. The amended plan takes the curtilage of plot 15 closer to the rear boundary of Smugglers Cottage, which is intended to reduce the neighbour's security concerns but further consideration is needed as to the delineation of private and public space.

- 3.42 An important character principle is the need for enclosures which reinforce the semi-rural character between plots 14/15 and the flatted buildings. Estate rail fencing, gate posts and flint walling have been suggested but are not evident on the amended plans. An update will be given after further discussions.



Figure 5: Public Footpath/Coach & Horse Boundary – Character Area 5

- 3.43 Figure 5 shows the six houses proposed at plots 26-31, including the amended hipped roof forms, which retains greater visible skyline and conveys a more cottage-like scale and appearance. In accordance with character principles the grey horizontal boarding, which evokes a semi-rural character has also been continued along the sides and rear of each building. It is hope that this will provide a more muted backdrop to the listed pub buildings and neighbouring garden.
- 3.44 The semi-detached building at plots 14/15 uses steep, symmetrical and decorated gables and paired chimneys, to evoke a sense of rural estate cottages, drawing some references from those at Holt Farm to the north. The upper part of the building has a distinctive profile and interesting detailing which should serve to complement the flatted buildings, although further amendments are recommended to the ground floor and the boundaries as mentioned, to reinforce this distinction and group effect.

3.45 Character Area 6 – Village Square

<p>Character Area 6 – Village Square: <i>Focal and convergence point, formal tree planting & seating. Buildings up to 2.5 storeys and varied roof and eaves heights for interest. Strong near-continuous frontage to emphasise importance. Passive traffic calming.</i></p>	
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3.46 Building footprints here are the largest within the northern sector, in accordance with the principle of near-continuous frontage. The canted footprint of Block A to the west of the square, defines the corner of the main avenue and its distinctive angle forms another soft focal point from the south and east, whilst the three storey element forms a strong focal point at the centre of the square's western edge. The L-shaped form of Block B defines the eastern corner of the square and its lower northern section relates to the scale of terraced houses immediately to the north and on the north side of the square.



3.47 The character principles say little about the detailed design of these buildings, but it is important that they add to the distinctiveness of the square whilst complementing other proposed buildings on the site.

3.48 The amended plans above, recently received (hence uncoloured), use horizontal boarding, steep roofs and gables to repeat the clapperboard style of signature buildings found at the entrance and main square of the southern sector. The symmetrical arrangements of mixed window sizes with divided panes, and brick arches above, are used in other houses in the main avenue and the square. The ordered series of gable sizes and hip roof masses create a sense of hierarchy, with the central gable of block A facing the centre of the square and the largest part of block B holding the opposite corner

3.49 Whilst the 3 storey elements rise above the 2.5 storeys described in the character principles, these are localised increases in key locations performing particular townscape roles. They benefit from spacious settings and could not be repeated elsewhere without appearing potentially cramped and out of scale. They use roof pitches, gables and dormer front and rear to create a sense of taper and undulation. They are also located at a reasonable distance (60m+) from the north and western edges of the development and away from the highest parts of the site so that they will blend with the wider roof-scape of the development in relation to the wider landscape and views from the National Park to the west and north/north-east.

Other Areas

- 3.50 Little of the Taylor Wimpey site is outside the six character areas. In these remaining side streets many house types and materials are similar to those used in character areas but sometimes with a degree less design detailing and greater likelihood of open surface parking rather than garages or carports. At plots 41-45, 58-61 & 103-106 long runs of roadside parking with fairly minor planted intervals will rely on changes in materials/colours in order to avoid excessive areas of black tarmac

4 Reserved Matter 4 – Landscape & Open Space

- 4.1 Details of proposed landscape planting and hard surfaces are submitted as part of this reserved matter, in accordance with the approved Outline Landscape Strategy. **Condition 13 – Landscape Matters** also requires a timetable for planting works, details of existing trees and required works to protect or prune these. Details of landscape aftercare and management are also required under the legal agreement attached to the outline permission.

- 4.2 The Outline Landscape Strategy Plan describes the following proposals:

Main Open Space

- Open space to have parkland planting, dense planted boundaries to the built area, rich grassland planting, small blocks of new woodland and canopy trees,
- Existing hedgerows to be retained, dead-wooded and reinforced by new native planting,
- New informal footpaths connecting to the wider rights of way network,
- Attenuation pond and swale to form integral landscape component, including marginal and aquatic habitat, and damp wildflower grassland

Other Areas

- A 3m high bund of variable width with woodland and under-storey and wildflower grassland planting with varied width and profile to give a natural shape,
- A new central square with good quality materials, metal railings. Elsewhere framed views towards the National Park
- Informal planting at edges to include flowering plants attractive to pollinating insects.

Main Open Space

- 4.3 The main open space as proposed is shown in Figure 8 below. The distinctive line of an existing hedgerow which runs north-south at a slight angle through the site is retained with a new gap formed by one of the new footpaths through towards the north-west. The hedgerows and the north and western boundaries are also retained.



- 4.4 The darkest green areas are described as new woodland planting, which comprises 11 native species including oak, field maple, holly, hazel, hawthorn, blackthorn and whitebeam and understorey shrubs such as viburnum and privet. These are edged by informal clouds of native shrub which are in essence lower density of woodland planting minus, minus oak and blackthorn. These give way to areas of tussocky-grass and meadow mix, then mown grass around the paths and open spaces which fringe the new streets.
- 4.5 The overlapping arrangement of these new planted areas, using trees and shrubs which will can attain heights of 5-12m, or taller in the case of oak, will achieve the dense planting of the outline strategy. This planting extends onto the proposed 3m bund along the northern edge. In addition, individual trees such as oak, birch, beech and resistant elm, are proposed within the grassed and meadow areas, to add to the screening and filtering of the development from the conservation area and wider National Park countryside.
- 4.6 The eastern edge of the space is currently shown with a near continuous hedge, mainly of native mixed species. A more fragmented planting approach is considered more fitting here, in order to promote inter-visibility between the space and the homes and streets alongside it. This will produce a more connected environment, both in terms of security and passive surveillance,

as recommended by the Police, but also functionally, to promote ease of use. Further design work is needed, among which measures such as stout bollards and estate rail or rustic fencing in places, to minimise risk of unauthorised vehicular access and parking.

Ponds

- 4.7 The larger pond at the southern would be permanently wet and a second ephemeral pond to the north. This second pond is a change to the outline strategy, but is included in the outline legal agreement as part of the sustainable drainage system. It is not considered to affect the recreational function of the open space, the quantum of which remains sufficient for the needs of the development.
- 4.8 The base of the permanent pond would 2m below ground level with new surrounding banks of between 0.4m – 1.2m above ground level. It would hold permanent water at a depth of 1.2m and storm water to a depth of 2.5m. The ephemeral pond would have very slight surrounding banks up to 0.5m but largely much lower. This would hold up to 1.5m depth of storm water. Bank widths would vary from 4m – 9.5m width, giving a fairly shallow maximum gradient of 1:3 which is consistent with the informal character of the open space. Details of fencing have been requested, along with designs for guard structures, which it is hoped can be less intrusive than some of those found in the southern sector.
- 4.9 Alongside the ponds are further pockets of native shrub and mixed clusters of wetland shrubs as alder, willow and buckthorn. In accordance with the outline strategy, marginal sedges, rushes and reeds are proposed in long drifts at the edges of the permanent pond and ‘wet-meadow’ planting for the ephemeral pond and the linear swale to the south east. Related biodiversity considerations are described at 4.24 below

Paths

- 4.10 A series of rolled-hoggin pathways are proposed within the open space, providing several recreational routes, including a circuit of the permanent pond. Details of fencing and signage are needed, in accordance with conditions and legal agreement.
- 4.11 The longest path also provides a potential alternative off-road route to the definitive public footpath in Forest Lane. It would connect the northern and southern ends of the open space allowing walkers from the development or the wider area to join / re-join the path via a gate or barrier at either end. This allows access to the footpath network in accordance with the aims of the outline strategy.
- 4.12 **Condition 26 - Surfacing of Footpath** and the legal agreement require approval of any new surfacing of the definitive public footpath. The Taylor Wimpey application does not affect the surfacing of Forest Lane, and therefore the requirements are more applicable to the Persimmon application, which covers the eastern public footpath. The rolled hoggin for the new paths within the Taylor Wimpey open space is in keeping with the rural character of the open space. Subject to the response of the Parks

officer, they are considered acceptable under **Condition 13 – Hard and Soft Landscaping**

- 4.13 Details of gates onto the Forest Lane public footpath are a requirement of condition 26 and the legal agreement. They must be designed to prevent vehicular access. This point is of particular concern to residents in the Forest Lane environs, whose responses to this application refer to difficulties recently experienced with unauthorised vehicular use of the lane, following the construction of a metaled footpath connection in the southern sector.
- 4.14 Two other access points to Forest Lane, which were shown in the indicative outline plans, have not been included. These would have necessitated greater interruption and removal of the existing hedgerows sections. Their omission also locates the access points where hazard risks to walkers from traffic is less, being at a corner of the lane where there is reasonable visibility and traffic speeds are likely to be less.
- 4.15 In summary, this large main open space is considered to fulfil the outline strategy, providing a suitable landscape setting to the development and serving the needs of residents and the wider public, as well as the drainage needs of the development. Technical Services are satisfied, subject to further detailed engineering plans and review of maintenance implications of the design. On this later point the revised design for the attenuation pond may result in additional maintenance costs over and above that sought at the outline stage. Whilst, these matters need to be discussed in detail with the Consortium, a Deed of Variation to the original s106 is likely to be required to secure a higher commuted sum. The comments of the Parks Officer are awaited, which will also be important in the consideration of future management of this space by the Council. On a point of detail, a more explicit description is needed of works to be undertaken to existing hedgerows (dead-wooding, reinforcement/gaping-up and protection), and has been requested.

Bund

- 4.16 The 3m high bund at the northern edge is similar in size and depth to that of the indicative outline plan. Details of fencing are awaited, and will need to strike a balance between safety and visual impact.
- 4.17 The National Park concerns at the linear nature of this bund in the landscape are understood, and therefore the eastern and western end is wider and flaring which allows for soft and naturalistic contours. These help to blend the overall form into the landscape and the deeply-flared western end also wraps around the proposed housing at the north-west part of the site. The dense new native woodland and shrub planting will extend along the bund, reflecting the green edge seen along the A27 westwards at Castle Goring, helping to soften the landform so that any impact on the National Park edge is relatively minor, short term and mitigated.

Village Square

- 4.18 This central greenspace is formal in its layout, crossed by diagonal paths with seating at their intersection and framed by trees (liquidambar) around its periphery and 4 specimen oak and maple trees within. It would be grassed with a drift of shrub planting at its north eastern side. In the amended plan tarmac paving has been removed from two sides of the square in order to increase planting. Details of fencing, as envisaged in the outline strategy, are awaited and would be important in deterring unauthorised parking.
- 4.19 The Park's Officer's comments are awaited, including consideration of the density of tree cover proposed here. In common with the main avenue, greater distinction would be given by the use of an alternative footpath surface to the proposed black tarmac. The applicant has been asked to reconsider this.

Trees

- 4.20 In common with the Persimmon application a joint tree survey identifies that proposed buildings are all satisfactorily outside the root protection areas for existing trees, in accordance with **Condition 14 - Tree Protection**. Of the 135 existing trees across both site ten percent are identified as unsuitable for long-term retention due to their condition and none within the Taylor Wimpey land are explicitly recommended for removal.
- 4.21 There is need for more tree information, for instance, many trees intended for retention are not shown on the landscape proposal drawings nor are the pruning or protection details given as required under condition 13. At the south western extremity of the site, near Forest Lane and the proposed pathway entrance, two prominent oaks are in good condition and require dead-wooding, whilst a group of smaller oak are in poor and leaning condition. Further information should include consideration of these.

Biodiversity

- 4.22 Biodiversity is considered in the applicant's joint submissions with Persimmon: the Landscape & Ecological Management Plan (LEMP), and Ecological Mitigation and Enhancement Strategy, both submitted for approval under **Condition 22 –Ecology Matters**.
- 4.23 The existing trees hedges and field edges provide existing habitat within the site. The retained and augmented hedgerows with meadow-fringe planting, main open space would include plants attractive for birds and insects. Meadow planting is also proposed in places the eastern edge of the main open space. Bat and bird boxes are also proposed, with follow-up surveys over the subsequent 2-4 years. Management works include checking of tree/hedge protection guards and fencing as plants become established.
- 4.24 The wet balancing pond would be a membrane-lined structure and a layer of mud at its base is intended to provide aquatic habitat, along with rushes and reed beds at the margin suitable for a range of plants and animals. It would be located alongside existing scrub which would be augmented by new native shrubs and fringed with tussocky grass favoured by newts. Hibernating

opportunities, such as logs and stone are to be included and it will be important that any protection of these is included within the designs. Clarification has been requested on this point

- 4.25 During development works the protection of birds, newts, bats and badgers, would be overseen by an Environmental Clerk of Works, to be engaged by both Persimmon and Taylor Wimpey, whose adjoining land contains existing and proposed ponds with habitat for newts and reptiles. Clarity as to their role and specific tasks has been requested. Fencing would exclude, capture and relocate newts from areas to be developed (under a Natural England licence). The minimising of light pollution which may affect foraging bats is also acknowledged in the LEMP. Street lighting for the Taylor Wimpey site is considered under **condition 29** below.

Planting in Housing Areas

- 4.26 New native hedgerow planting is proposed along the boundaries with Smugglers Cottage to the east, in order to augment existing vegetation; also at part of the northern boundary with the Coach & Horses PH. The outline landscape strategy describes this as 'woodland with understorey', hence field maple, hawthorn, hazel, holly and cherry are proposed, which may attain heights sufficient to filter lines of sight from upper floor windows, subject to future maintenance arrangements, on which the Landscape & Parks officer comment are awaited.
- 4.27 Garden frontages in many cases are to be planted with low hedging, although confirmation has been sought as to whether this includes the main avenue frontages following its recent amendment to include a roadside grass verge. Front and side gardens are to be planted with a mixture of ornamental shrubs and herbaceous plants.
- 4.28 On street corners and besides parking areas or walls would be ornamental trees or sometimes larger ornamental shrubs. Whilst the final comments of the landscape and parks officers are awaited, the varied planting proposals appear to reinforce the different characters of streets and spaces. As with the Persimmon application some street-corner planting outside boundary walls (but apparently to be conveyed to individual householders), appears to be quite elaborate using several species. Advice is awaited as to whether this is practical for which is essentially structural rather than in-curtilage, or whether a simpler mix should be used.

Hard Surfacing

- 4.29 A range of four surfaces are proposed:
- black tarmac for much of the main avenue, road-side pavements and parking areas to the rear of flats and shared and private driveways,
 - two types of blockwork for shared surfaces, shared driveways, the road table surface at the corner of main avenue and some roadside parking bays,
 - granite sets for traffic calming strips within the road surfaces.

- 4.30 This range serves to underpin the hierarchy & legibility of streets and in most cases to avoid the predominance of black tarmac. There are instances where the need for strong character, the use of tarmac for private driveways, such as plots 1, 14 & 15, blocks or other materials should be used. Also, where double driveways abut the walls of houses, an intervening contrasting material should be included. An alternative to tarmac has also been requested for the pathways along the main avenue and at the village square. The applicant has been asked to review these points.

Management & Maintenance

- 4.31 As mentioned, roads are intended for adoption by the highway authority and this will include the tree-lined grass verge of the main avenue. The highway authority has been asked to comment on the adoptability of roadside shrub planting indicated highway adoption such as adjacent to plot 1 at the site gateway.
- 4.32 In common with the Persimmon development, the outline legal agreement provides that unless the developer decides upon a Management Company approach, this main open space, village square, and other smaller spaces would be transferred in phases to the Council, along with financial contributions for the maintenance of each area. As indicated earlier it is likely that there will be additional maintenance costs for the balancing facility.
- 4.33 Under the legal agreement a separate Public Open Space Scheme is required to be submitted, to identify the intended order of phases along with a larger scale plan of the boundaries of each open space. Whilst, this Scheme does not form part of the current application, it is important that the layout as proposed shows a workable arrangement for future maintenance and those edges are well defined. The Council's Parks and maintenance team comments on the submitted layout and adoption plans will be reported.
- 4.34 A separate management company would maintain curtilages of the flatted blocks or shared driveways including street lighting, signage, drains and fencing. Small pockets of landscaping and trees associated with parking areas outside of the adopted roads would also be maintained in this way.

Wider Landscape

- 4.35 The boundaries of the National Park and Goring Castle Conservation Area lie approximately 50m – 140m from the proposed buildings and there are listed buildings both within the Conservation Area and immediately adjoining the eastern boundary of the site at the Coach and Horses PH and Stanhope Lodge. It is important that the layout, scale, appearance and landscaping of the development considers the conservation and enhancement of the natural beauty, wildlife and cultural heritage of the National Park; and enjoyment of its special qualities. Development should also to pay special attention to the preservation and or enhancement of these historic assets and their setting.
- 4.36 In consideration of the National Park the existing open character of the site is currently seen as part of the softly sloping rural vale between Clapham Woods and Salvington Hill and the established tree-lined urban edge of Durrington. To the west at Castle Goring and at Clapham Hill, surviving

woodland and thickets are also part of rural character through which the A27 and public footpath pass.

- 4.37 The proposal maintains distances to boundaries with the National Park in accordance with the outline strategy. The new informal overlapping drifts and stands of woodland and woodland/shrub, which are proposed for the intervening space, are akin to existing woodland and thickets which form part of the wider landscape. As such their extension into the site is unlikely to appear alien. They will blend with the mass of greenery, their density and height filtering and in time, obscuring much or all of the views of the proposed new housing on the sloping site.
- 4.38 At the northern boundary, the proposed 3m bund also accords with the outline strategy. Its form and height are softened firstly by its flared ends, which are graded to meet natural ground levels and secondly by new planting of woodland and woodland/shrub, fringed with meadow planting. These elements combine to create an informal wooded appearance, blending with the existing boundary hedgerow.
- 4.39 Further within the site, the variously angled layouts of the proposed buildings and their loose knit arrangement at the site edge will echo that of the Conservation Area. Filtered views and glimpses through vegetation would be a varied arrangement of buildings and roof-scape, rising and falling and informal. Deeper into the site, where buildings are occasionally taller and more tightly grouped, the varied tapering roof-shapes would continue this varied and undulating appearance, behind the vegetated foreground.
- 4.40 Where the alignment of proposed buildings at the northern boundary is more regular and set behind the planted bund, their amended hipped roofs will have v-shaped intervals of skyline. Their designs, drawn from earlier traditions where seen, will have a sense of familiarity rather than the less rooted architectural forms glimpsed at the existing urban edge in the Adur Avenue- Teign Walk environs. Materials, based on an underlying use of red brick, would complement the colours of older buildings, such as the enclave at the Coach and Horses, and the colours of the natural environment, and with textures which will allow for natural aging.
- 4.41 Accordingly the proposals are considered to conserve the setting of the National Park landscape. New planting and habitat will provide increased opportunities for wildlife, including bird and pond life, invertebrates and amphibians.
- 4.42 In consideration of the International Dark Skies Reserve of the National Park the proposed lighting plan submitted for approval under **Condition 29 – Lighting**, includes 10 lights at the north and western perimeter of the proposed development. Details of the lamps, their heights, luminance, tone, direction and a scheme including hours of illumination, are not included. The applicant states that the technical specification of lighting to seek the minimum dark sky interference.
- 4.43 The location of proposed buildings relative the listed buildings in Arundel Road (the Coach and Horses PH and adjoin Stanhope Lodge), is similar to that of the indicative outline plan. The amended plan for houses at plots 26-

31 now uses fully hipped roofs to retain skyline as a backdrop to the listed public house and its grounds. The more extensive use of dark boarding to the upper floors which would be seen from here and glimpsed from Arundel Road to the north, provides a more muted and informal appearance than the original submission. With the additional of native planting along the site boundary here, the setting of the listed buildings is conserved.

- 4.44 At Castle Goring Conservation Area, the distances and new woodland and woodland/shrub planting, together with the soft-flared variation of the proposed bund, is also considered to add to the mass of greenery within which the conservation area is set. Although buildings are unlikely to be seen in views together from any direction, the proposed layout is evocative of its historic form and matters such as the careful execution of flint-work construction, can be controlled by planning condition. Accordingly the development is considered to preserve the conservation and to enhance its woodland setting.

5 **Access & Highways**

- 5.1 In accordance with the outline permission, the main avenue is 5.5m wide, serving as the principal access road. It appears that its full width is within the red-lined site area. Side streets are 4.8m wide and slightly less for shared driveways at the western edge of the site. Paths are on both sides of most streets but in the recent amended plan these have been removed from the extremities of side streets where cul-de-sacs become less formal shared surfaces, serving up to four dwellings, with grass margins containing underground services. Roads would either be adopted by the County Council or managed by a management company.
- 5.2 The County Highway Authority raises no objection to the road layout subject to a few points of detail relating to the design of traffic calming features which are part of the 20mph design, such as the cobbled strips referred to in the hard surfacing information, details for the transition points between pavements and shared surfaces, ensuring disability access. The amended plan recently received will be considered by the highway authority
- 5.3 **Condition 30 – Parking Details.** Amended plans have also reviewed parking allocations as requested in the earlier Highway Authority response and now locate the range of allocated and unallocated visitor parking spaces. A total of 264 are proposed, of which 180 are allocated open-surface spaces located close to the dwellings they serve, being practical and overlooked. A total of 30 garages and 11 car ports are also allocated, usually located in the plot which they serve. The remainder are 18 unallocated spaces and 25 designated visitor spaces.
- 5.4 The unallocated spaces are dispersed around the site, and with a few exceptions they are within clusters of parking bays which are closely associated with a group of dwellings or the communal car parks of the flatted blocks. This arrangement is likely to ensure they are used by residents nearby. The visitor parking bays are also distributed through the site and are predominantly on roadsides or shared driveways serving 3-4 houses.

- 5.5 Whilst the Highway Authority will consider this further information, it is noted that 30 of the spaces are garages, which it suggests might only equate to half a space each, according to recent the County Parking Guidance, 2019. However, in this outer suburban parking behaviour zone, as defined in the Guidance, the significance of the weighting of garage spaces may be less significant, given that parking requirements (numbers of spaces) are higher here than in other areas, and that most of these are provided by open surface spaces and car ports. The number of garages has also been recently been reduced by 5no. Furthermore, a planning condition may be attached to a grant of planning approval, to prevent the conversion of garages to other purposes.
- 5.6 **Conditions 37 & 38 – Electric Vehicle Charging:** The proposal includes 2kw charging points in all 41no. garages and car ports and there appear to be at least four communal ones at 7w. These are located in communal parking areas, and one is a roadside space. Details of connections have been requested, to ensure they are suitable for a range of vehicle models, and information as to the extent of passive cabling to be laid in, to allow for later additional points, as envisaged in the 2019 County Parking Guidance.
- 5.7 **Condition 31 – Cycle Parking.** In response to the Highway Authority comments, the applicant has provided an amended plan to demonstrate that for each home where there is no in- curtilage garage, or communal cycle store for flats, that there is opportunity for an accessible rear shed to be provided for each house. Subject to a few queries regarding gate positions (for instance for mid-terrace houses), this appears to be the case. A planning condition can be used to ensure that the sheds are provided and secure prior to first occupation of each dwelling.
- 5.8 The provision of a shared pedestrian and cycle route within the northern sector is to be provided within the Persimmon site, linking to southern sector route, which leads to the Durrington local centre and supermarket.
- 5.9 At the A27 boundary, no vehicular access is permitted. Boundary fencing details for the noise bund have been requested.
- 5.10 In accordance with the outline approval, the proposals provide space for a potential future footbridge at the A27 frontage, although there is no firm proposal for such a bridge and it is not required by the outline permission. Advice has been sought from Highways England as to whether some other measures might be achievable to improve safety for pedestrians in crossing the A27. Although this is not a requirement of the outline permission, the applicant has been asked to consider any suggestions received.
- 5.11 Off-site provisions were secured at the outline permission stage comprising new bus shelters and real-time information at two Adur Avenue bus stops when 10 dwellings are occupied; a bus improvement contribution of phased payments over five years; and the signalling and widening of the Titnore Lane/Titnore Way junction along with roundabout marking improvements at two Littlehampton Road junctions when 50 new homes are occupied.
- 5.12 **Condition 20 – Construction Management:** As required, a Construction Management Plan (*aka* CEMP) for the management of traffic and deliveries

during the construction period has been provided and recently amended in light of comments of the Highway Authority on detailed points such as positioning of secure gates and dissemination of out-of-hours contact information. It indicates a one-way flow of development traffic through the site, arriving at Bellflower Drive and exiting to Snapdragon Lane, where wheel washing is located. Covering of vehicles to prevent spillage of spoil is included and there are 40 parking spaces, to minimise risk of parking in surrounding streets.

- 5.13 The compound and site cabins are shown behind Smuggler's Cottage and a commitment to write to neighbours every three months to advise of any significant up-coming works. The phasing of construction and completion of open spaces is also shown, although the current application does not seek approval for phasing as required under condition 1.
- 5.14 The CEMP refers to construction traffic as: "*coming the A27 and into our site, this will be the access for all construction traffic and visitors to cause the least disruption*". This statement requires correction and clarification, mindful of condition 28, which prevents access from the A27 (planning permission would be needed for this in any event). Furthermore, if access is proposed through the southern sector, the Residents' Association requests for vehicle management, including speed control through those streets, and road cleaning, will need to be addressed. Details of Comments of the Environmental Health officer and Highway officer are also awaited.

6 **Neighbour Amenities**

- 6.1 Although there are relatively few immediate neighbours there are close ones; Smuggler's Barn and the Coach and Horses to the east, Forest Lane and Forest Barn Mews to the west /south west and the new residents of the southern sector, through which development traffic is expected to continue.
- 6.2 At Smugglers Barn, concerns about the extent of new building along the eastern boundary have contributed to the amended roof-shapes with lesser mass and greater visible skyline between them. The muted cladding of the first floors is intended to appear less formal than brick and hopefully more recessive here.
- 6.3 The woodland/shrub mix for the intervening space will assist, in screening and privacy on both the east and south sides (a bund as queried in the neighbour's comment was not a part of the outline proposals for this boundary). The configuration of the curtilage at plot 15 to the south, whilst requiring further amendment, now eliminates the public dead space which was of concern here. Permitted development restrictions against further upper windows and loft conversions along the two boundaries of Smugglers Barn. The applicant has been asked to consider the matter of sewer connection separately, although this is a private rather than a planning matter.
- 6.4 The concerns of the Forest Lane residents, to make safe and practical provisions for new footpaths are considered reasonable. The new long path proposed through along the western side of the open space provides an attractive amenity path, well connected at its southern and northern ends,

subject to satisfactory drainage to the north. Gates are a requirement which can be dealt with separately to avoid unauthorised vehicular use.

- 6.5 The separate matter of a suitable structure to manage access from the southern sector immediately south of Forest Barn Mews, and to prevent unauthorised vehicular use is being dealt with separately under s.38 and Rights of Way processes by the County Council. Officers have endeavoured to assist in the dialogue between the southern sector consortium, County Council and residents concerning its design.
- 6.6 Southern sector residents may also benefit from the new northern sector open space. In the more immediate term, the management of development traffic is of particular concern, and further revision of the site management CEMP will be sought.

Other amenities

- 6.7 **Condition 34 - Noise:** In common with the Persimmon application (AWDM/1316/19), the Environmental Health officer has noted noise levels which are in excess of acceptable target levels for the northern part of the site. It is unclear whether the predicted noise exposure levels include the mitigating effect of the proposed noise bund. Bedrooms and lounges facing the western edge would have the highest noise levels and there are no dual aspect windows to aid ventilation. Some outdoor areas require further acoustic fencing to achieve levels below the severe annoyance level of 55dB. Further information is needed on this point, including the location and appearance of fencing, which may be important in respect of landscape impact.
- 6.8 Noise information relating to Plant from the Coach and Horses PH I also requested, together with consideration of outdoor noise or from music, as the premises is license for live and recorded music, nightly.
- 6.9 A further report has been received and the further response of the Environmental Health officer will be reported.
- 6.10 Acoustic glazing is included in the proposals and the Environmental Health officer has recommended that additional measures in addition to acoustic trickle ventilation are likely to be required in order to allow for adequate nighttime ventilation when windows are close against outdoor noise. and bedrooms and lounges facing the western edge would have the highest noise levels and there are no dual aspect windows to aid ventilation. The officer's comments on this aspect of the further report are also awaited.
- 6.11 **Condition 20 – Construction Management:** The Construction Management Plan (CEMP), which includes management of impacts of development activities on neighbours, considered at 5.12 of this report. **Condition 21** of the outline approval allows construction work and operation of construction vehicles only between: 08.00 and 18.00 on Mondays to Friday; 08.00 and 13.00 on Saturdays and not at any time on Sundays or Public Holidays.

7 **Drainage**

- 7.1 In common with the Persimmon land, the site is wholly within Flood Zone 1, i.e. with a low probability of flooding from watercourses. In accordance with planning polices and **conditions 8 & 9** of the outline permission, a surface water drainage system has been designed in accordance with sustainable drainage (SuDS) principles which seek to replicate natural drainage patterns as far as possible, and ensure that surface water leaving the developed site is no greater than, and ideally is less than, the undeveloped 'greenfield' situation. This includes an allowance for climate change projections; 1:100 year flood event plus 40% for climate change
- 7.2 The proposed system would convey rainwater from individual plots and roadside gullies traps via underground pipes into the two attenuation basins (ponds). The ponds would discharge into the existing watercourse which runs southward alongside Forest Lane and through the southern sector. The capacity of the system, including the depths of the ponds is sufficient for the required amount of water and the rate of flow is throttled to be at or less than that of the greenfield state.
- 7.3 Water quality would be safeguarded by use of underground traps and surface gullies, which would intercept solids and oils. The wet meadow planting of the swale and ephemeral pond would also serve to filter water as it passes through them before reaching the wet pond.
- 7.4 The Council's Engineer is satisfied with the design subject to submission of some more detailed construction drawings, a maintenance manual and evidence of land drainage consent application. The applicant has commented that they are content for remaining matters to be dealt with as an ongoing basis, under the condition and therefore that **condition 9** be partially discharged at this time. For the sake of clarity, further advice has been sought from the Council's Engineer as to the extent of surface water matters covered (assumed to be the size and depth of the pond features and the route of the upstream pipework), and the elements which remain to be submitted for approval.
- 7.5 The Forest Lane residents have requested that the detail of the downstream connection should be submitted at this stage, but the Engineer's advice on this point will also be reported as an update.
- 7.6 A further planning condition would be attached to reserved matters approval to require post-construction verification of installed system when installed. The attenuation ponds would form part of the public open space which it is likely would be transferred to and maintained by the Council, including a maintenance sum to be provided by the developer under the existing legal agreement.
- 7.7 **Condition 32 - Highway Surface Water Prevention** requires confirmation that surface will not drain onto the public highway. The Council's drainage engineer is satisfied on this point and confirmation has been sought from the County Highway Authority.

- 7.8 **Condition 8 – Drainage (A27):** the applicant has confirmed that the surface water system will not connect to the Highways England drainage system. Although not part of this condition, Highways England has requested discussion with the applicant concerning a culvert on the north side of the A27 which is susceptible to blocking and causes of local ponding at the northern west extent of the open space, in the vicinity of the proposed footpath connection to Forest Lane. This could be a relevant matter to ensure proper functioning and any progress will be reported to the Committee.
- 7.9 In respect grey water re-use, the application does not currently include explicit proposals for re-use of water inside buildings. However, opportunities are under discussion with both developers for collection and external re-use of rainwater, for example for garden watering. An update will be given.
- 7.10 Foul drainage would discharge to the southern sector system, connecting at Bellflower Drive to the south west. The relevant drainage body Southern Water raises no objection but in terms of water supply it has asked for confirmation that no tree planting is near water mains. The developers have also been asked to consider the suggestion by the resident of Smugglers Cottage, of connecting this property to the new main, thereby eliminating the existing cess pit.

8 **Other Matters**

- 8.1 **Condition 23 - Archaeology:** requires the agreement of a programme of archaeological works, investigation and reporting. Archaeological interest from the Roman era is among the possibilities and the County Archaeologist has been in discussion with the archaeological consultant for both developers to agree a suitable scheme, the final version of which is due to be submitted shortly.
- 8.2 **Condition 29 – Lighting:** This requires approval of street lighting, including a scheme to minimise light pollution, such as height of column, luminance, screening and switch off times. A lighting location plan has been received, which shows positions for street lamps but no other details. It is noted that lighting will also be subject to approval by the County Highway Authority, as part of any road adoption process. However, the condition is intended to also consider impact on the landscape and the International Dark Skies Reserve of the National Park. Accordingly further information is required, following which further consultation with the National park would be undertaken
- 8.3 **Site levels:** proposed levels have been submitted for proposed buildings, but in order to interpret this, a combined existing and proposed levels drawing has been requested. Care is needed to avoid raising of levels beyond that of a normal damp course height (approximately +150mm), particularly in areas close to neighbours or at site edges, where greater levels may increase impacts, such as increased mass or lines of sight.
- 8.4 **Community Infrastructure Levy (CIL):** The development is liable for a CIL payment based on the amount of new floorspace for market housing. This becomes payable upon commencement of development, although payments may be staged on request in accordance with the Council's adopted CIL Charging Schedule.

9 **Summary**

- 9.1 In terms of housing and sustainability, the delivery of housing fulfils part of a pressing need. The mix of affordable housing meets the outline requirements and the market housing delivers a high proportion of 2-3 bedroom homes. Whilst the one bedroom market offer is low in the Taylor Wimpey phase, comprising only six flats, this could be said to reflect the emphasis on suburban family housing envisaged at the outline stage.
- 9.2 The affordable homes demonstrate some drawbacks; their concentration in heavily parked recessed enclave at plots 26-31, whilst adhering to the cluster limit has a sense of being set apart and somewhat squeezed. This factor would have less significance if it comprised mixed market and affordable homes. The lack of private outdoor spaces and balconies is also a shortcoming of the proposed flats, many of which are affordable homes. This may also result from a slight squeezing of flatted developments, although the nearness of open spaces provides good opportunities for public recreation.
- 9.3 Information regarding accessible, adaptable and wheelchair housing will also give confidence in the fitness of new accommodation for future living.
- 9.4 In terms of sustainability, the use of sustainable drainage provides an elegant combination of gravity drainage and storage using a pond which contributes to the attractiveness and biodiversity value of the substantial open space. Details of future ecological management and the role of the Clerk of Ecological Works will give greater assurance that biodiversity it will be achieved and maintained.
- 9.5 At the individual level, all homes have space for waste, recycling and cycle storage, subject to confirmation that all gardens have gates. The use of electric vehicles is catered for homes with garages and carports and to a degree in communal areas. The weight of recent Guidance and climate change needs suggest that at least a high proportion of others should be cabled for future installations. Use of renewable energy also needs further consideration in accordance with policies. It is hoped that further commitments on these points will enhance the sustainability attainments of the development.
- 9.6 The design provides the hierarchy of interconnected and navigable streets around a distinctive tree-lined main avenue and largely successful character areas. Spacings and building lines create a rhythm here and in side streets, with the largest buildings clustered at the village square, reducing and loosening towards the site perimeter. The varied layout of the western edge borrows from the unplanned character of the conservation area although buildings are rely on material variations to dilute underlying similarity rather than the greater variation of form envisaged. The careful selection of material and their execution is therefore of heightened importance along with the dense native planting through which views will be filtered.
- 9.7 Landscaping is also key in assimilating the development and noise bund into the setting of the National Park landscape and setting of the heritage assets to the east and west of the site. Biodiversity benefits will hopefully contribute to the wider network of habitats. The use of traditional building shapes and

styles is also important, with intervals of sky between roofs, softening the appearance in addition to the vegetated bund. The question of the design and location of any secure or noise-attenuation fencing requires further consideration and sensitivity to avoid a formal or hard-edged appearance.

- 9.8 The amended parking information has slightly reduced reliance on garages but allowed these to be retained as part of the design approach (for instance in main avenue). The views of the Highway Authority are awaited but a planning condition can require that garages are not converted to other uses. Open surface parking allocated, unallocated and visitor parking appear to be well located, practical and secure, although sometimes rather prominent and in need of material variations to avoid excessive tarmac, along with variation of driveway materials for the same reason.
- 9.9 Off-site improvements including bus stops in Adur Avenue will be triggered by the development by virtue of the outline legal agreement. Whether increased safety can be arranged for pedestrians crossing the A27 in the absence of a footbridge, can also be discussed further with Highways England.
- 9.10 The series of planning conditions for which approval is also sought are in several cases, work-in-progress: samples of materials are required, clarification of the extent of drawings still needed for surface water drainage approval, street lighting details, fencing, an amended CEMP and others. The table at 10.4 summarises the current position for each.
- 9.11 Subject to the receipt of further information described in this report it is recommended that approval be granted for the reserved matters. In respect of the numerous planning conditions also considered in this report, delegated authority is proposed to enable outstanding matters to be settled as summarised in the table at 10.4 below.

10 Recommendations

- 10.1 **A. That Reserved Matters Approval be granted subject to the completion of a Deed of Variation securing additional maintenance contributions / commuted sum and,:**
- iii) **consideration of any responses received to consultations and publicity for recently amended plans within 14 day response period,**
 - iv) **the receipt and consideration of further amended plans and information as set out at 10.2 below, or any further amendments required and the imposition of conditions at 10.3 below;**
- B. That matters relating to the proposed discharge of conditions summarized at the table at 10.4 below be determined by the Head of Planning during the delegation period.**

10.2 Amended Plans and Information:-

1. Levels – comparative existing and proposed.
2. Accessible/adaptable and wheelchair-user homes
3. Mix of affordable tenures and their distribution
4. Clarification of gates to gardens for bins and cycles
5. Verification that red line site plan encompasses both sides of main avenue or amended plan to do so
6. Any further amendments and information required arising from consideration of recently submitted amended plans and information.

10.3 Subject to Conditions including:-

1. List of Approved Plans
2. Provision and retention of secured sheds
3. Adherence to levels (when agreed)
4. Drainage – post construction verification
5. Permitted Development Restrictions - upper windows, roof conversions, roof enlargements.
6. Permitted Development Restrictions - means of enclosure
7. Retention of garages and car ports, no conversion

10.4 Determination of outline conditions AWDM/1714/19

Note: Whilst approval or partial approval is envisaged in the Notes and Actions column below, determination under delegated authority would also allow for any condition to be refused in the event that submissions are not considered acceptable.

No	Purpose	Recommendation	Notes/Actions
7	Materials	Delegated decision	Approval or Partial Approval subject to: Samples needed including bricks, tiles & boarding. Review recently revised material's drawing (s) Detail of flint laying/jointing also needed. Driveways to certain plots and paths along main avenue and through village square to be amended away from black tarmac. Also add contrasted intervening material to domestic driveways and for some roadside parking bays (also subject of condition 13)

8	Drainage Design /Manage	Delegated decision	Approval or Partial Approval subject to: consultation with Highways England following applicant's confirmation that SW drainage does not connect into or discharge onto the A27 and suitable future management and maintenance manual details, to the satisfaction of the Council's Engineer.
9	Drainage SUDS	Delegated decision	Approval or Partial Approval subject to: Confirmation from Council's Engineer as to extent of detailing approved and which remains to be evidence of a land drainage consent application, also information to demonstrate that the system does not connect into or discharge onto the A27 to the satisfaction of the Council's Engineer. Domestic water harvesting details
12	Land Remediation	Delegated decision	Approval or Partial Approval subject to: Review of further information and agreement of the Council's Environmental Health officer.
13	Landscape Hard/Soft	Delegated decision	Approval or Partial Approval subject to: amendments including varied materials as for condition 7 above, and Response of Parks, Trees & Landscape officers concerning: - layout, planting, materials, boundaries/enclosures, signage, bins of main open space, and other spaces and future maintenance, and safety of ponds/swale. - Adequacy of tree works proposals and clarity of hedgerow works/augmentation.

			<p>Timetable for works related to development phases, when known.</p> <ul style="list-style-type: none"> - Suitability of planting in housing areas - protection of planting (e.g rails) in housing areas
14	Trees	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Response of Trees & Landscape officers concerning: tree planting and detail of tree works, including more specific proposals for works if required.</p> <p>Confirmation of relationship between trees and water mains</p>
16	Boundary L/scape	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Response of Parks, Trees & Landscape officers concerning suitability of proposed planting and ongoing maintenance arrangements.</p>
17	Noise bund		<p>Approval or Partial Approval subject to:</p> <p>Review of further information and agreement of the Council's Environmental Health officer. And consideration of impact of any noise mitigation, including bund or any fencing</p>
20	Construction Management	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Amended version of CEMP with clarifications and to address issues in this report e.g. para 5.12 – 5.13.</p> <p>Consideration of response from Environmental Health and Highway officers, and any neighbour response</p>
22	Ecology	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Clarification of role of Ecological</p>

			<p>Clerk of Works and explicit list of actions.</p> <p>Hibernacula proposals and on-going management.</p> <p>Consideration of ecologist's response to submitted documents</p>
23	Archaeology	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>agreement of the County Archaeologist following recent additional information</p>
26	Public Footpath surfacing	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Comments of Parks & Landscape officers as for condition 13 above, also Council's Engineer, including drainage affecting footpath (s)</p>
29	Street lighting		<p>Approval or Partial Approval subject to:</p> <p>Further information/scheme regarding height, type, luminance, lighting hours, avoidance of light pollution and further consultation with National Park on this information</p>
30	Car Parking	Delegated decision	Pro
31	Cycle Parking	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>Comments of Highway Authority and</p> <p>Agreement to provide secure cycle locking and secure sheds</p>
32	Highway (Drainage)	Delegated decision	<p>Approval or Partial Approval subject to:</p> <p>consultation with County Highway Authority in liaison with Council's Engineer.</p>
33	Recycling & Waste	Delegated decision	Approval or Partial Approval subject to:

			agreement of Council's Waste and Recycling Manager
34	Noise Protection	Delegated decision	Approval or Partial Approval subject to: As condition 17, adequacy of mitigation
36	Boundary Treatments	Delegated decision	
37 38	EV charging	Delegated decision	Approval or Partial Approval subject to: Further information regarding connection points and passive cabling Comments of Environmental Health officer

27th May 2020

Application Number: AWDM/1914/19

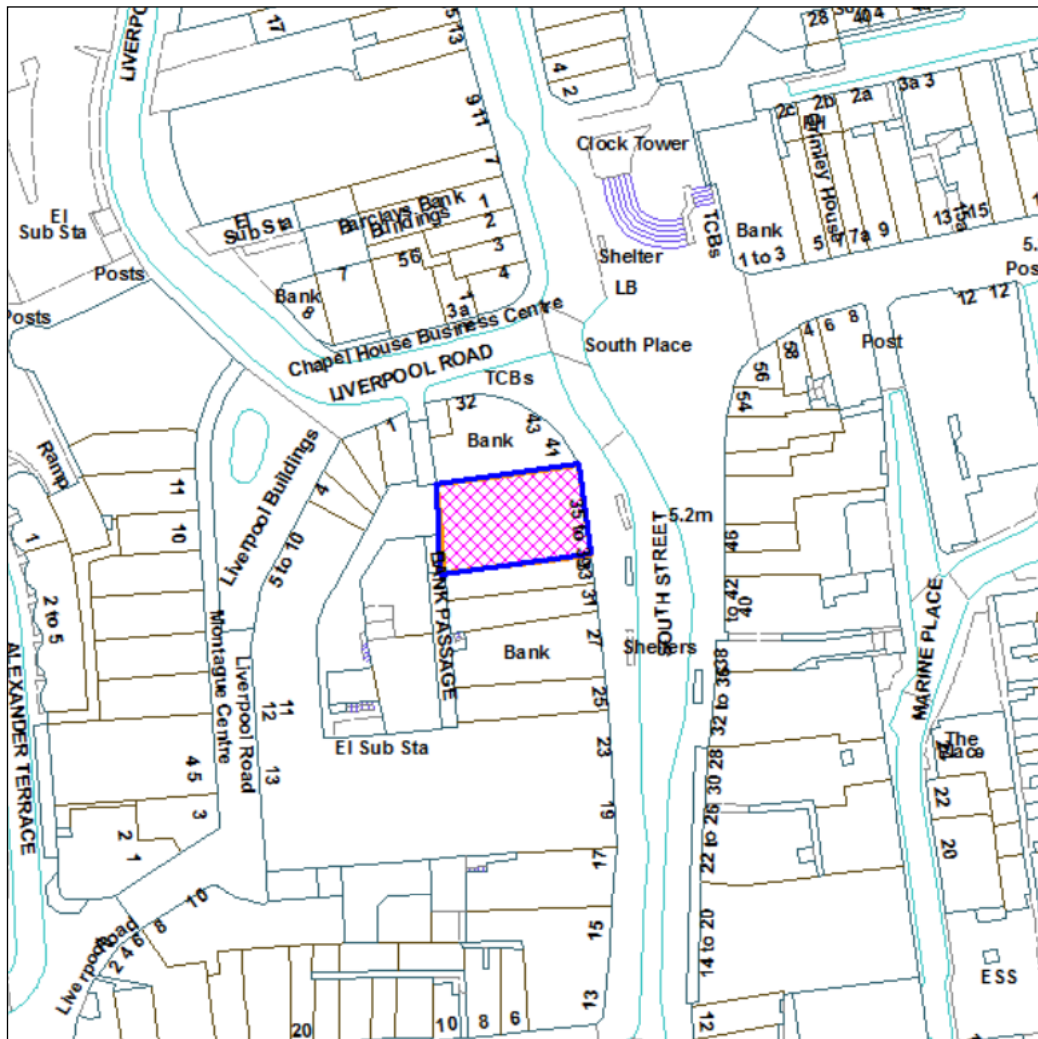
Recommendation – APPROVE

Site: 35 - 39 South Street, Worthing West Sussex BN11 3AW

Proposal: Revisions to planning permission AWDM/1529/18 comprising internal alterations to Block 6 to increase the number of flats on upper floors from 9 units (as permitted) to 13 units

Applicant: Empire & Co Enterprises
Case Officer: James Appleton

Ward: Central

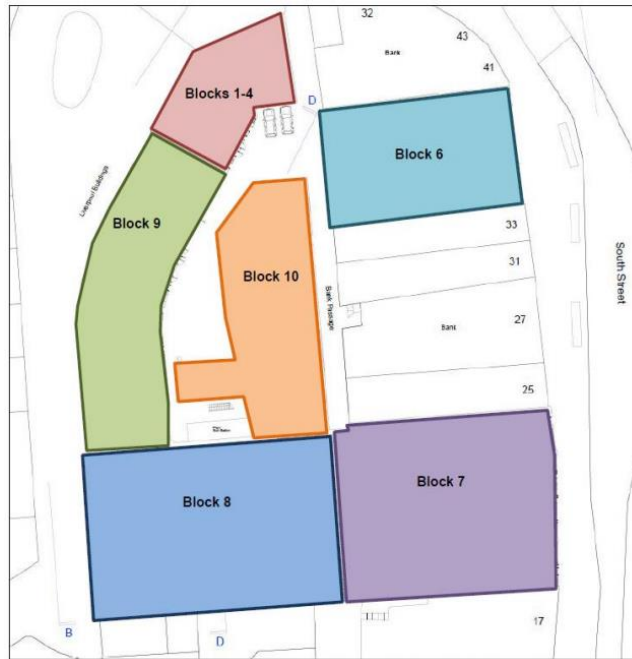


Not to Scale

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Proposal, Site and Surroundings

This planning application proposes revisions to Block 6 which formed part of a wider permission which covered the different elements of the former Beales department store (including 19-23 South Street and 5–13 Liverpool Buildings). This previous permission (AWDM/1529/18 refers) sought a total of 45 residential apartments formed by converting upper floors and adding additional floors to create new build apartments over the former Beales department store. The plan below highlights the different elements of the previous application.



The previous approval sought to provide finance to enhance the retained but smaller department store and a new 15 year lease was signed but unfortunately despite these efforts Beales went into administration on the 20th January 2020.

Following the grant of the earlier permission, Block 6, the subject of the current application, was sold to the current applicant. The earlier planning permission has been implemented by virtue of the sub-division of the retail space at 5–13 Liverpool Buildings (the former retail arm within the Montague Centre). It is understood that a number of these smaller shop units have been let (albeit it is not known how the current Covid crisis will affect this situation). The original owner/developer of the main store has recently announced that there is interest in the former Beales store with scope to convert the main department store at 19-23 South Street into smaller retail units with the upper floors being used as space for managed office accommodation and restaurant/cafés.

The 2018 permission granted the creation of 9 flats (comprising 3 x 1-bed, 3 x 2-bed and 3 x 3-bed). The current application proposes an additional 4 flats (comprising 10 x 1-bed and 3 x 2-bed). The permitted retail (flexible A1/A2/A3 use) at ground floor, with ancillary accommodation at basement level, is to be retained by this current application.

Relevant Planning History

AWDM/1529/18 - The creation of 45 new residential apartments through the extension and change of use of the existing buildings including 3 additional storeys to Liverpool Buildings, elevation balconies at second and third floor levels and roof terrace at fourth floor. New shopfronts and external alterations to the elevation of Liverpool Buildings. New shopfronts and additional floor to South Street elevation with new windows at third and fourth floor. The creation of up to seven new retail units from existing retail floorspace with flexible A1/A2 use and the change of use of an existing A1 unit to flexible A1/A2/A3 use, car parking and associated works. 19-23 and 35-39 South Street and 5-13 Liverpool Buildings.

Consultations

Environment Agency comments that,

*In the absence of a Flood Risk Assessment (FRA), we **object** to this application and recommend that planning permission is refused.*

Reasons

The application site lies within Flood Zones 2 and 3, which is land defined by the Planning Practice Guidance for the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change as having a high and medium probability of flooding. The NPPF (paragraph 163, footnote 50) states that an FRA must be submitted when development is proposed in such locations.

An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development are unknown. This is sufficient reason for refusing planning permission.

Overcoming our objection

To overcome our objection, the Applicant should submit an FRA which demonstrates that the development is safe without increasing risk elsewhere. Where possible, it should reduce flood risk overall. If this cannot be achieved, we are likely to maintain our objection.

Please re-consult us on any revised FRA submitted and we will respond within 21 days of receiving it.

Advice to the Local Planning Authority

If you are minded to approve the application contrary to our objection, we would be grateful if you could re-notify us to explain why material considerations outweigh our objection, and to give us the opportunity to make further representations. Should our objection detailed above be removed, it is likely we will recommend planning conditions to be included on any subsequent approval.

Advice to Applicant

Sources of information for an FRA

We do not prepare or provide FRAs. However, our Customers and Engagement teams can provide any relevant flood risk information that we have available. Please email SSDEnquiries@environment-agency.gov.uk and request a 'Product 4' or flood data for your site location. When sending a request, please also send a plan identifying the site boundary. Requests are usually dealt with within 20 working days.

Your Local Planning Authority should have undertaken a Strategic Flood Risk Assessment (SFRA) which will also include local flood risk information to inform your FRA. Please contact your Local Planning Authority to determine what

information is available. Guidance on how to prepare a flood risk assessment can be found on the gov.uk website here –
<https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>.

A checklist on what should be included in a flood risk assessment can also be found on the gov.uk website here –
<https://www.gov.uk/guidance/flood-risk-and-coastal-change#Site-Specific-Flood-Risk-Assessment-checklist-section>.”

West Sussex County Council - Highways Authority comments that,
“The earlier permission for 45 units (AWDM/1529/18) provides 11 car parking spaces, of which 3 would be for blue badge Holders for residents of the proposed development. As part of this application none of these spaces are allocated for Block 6, and therefore this development for 13 flats will be provided with nil car parking spaces.

The LHA would not consider a nil parking provision would have a 'Severe' residual impact on the local highway network. The submitted information provides specific detail providing evidence that persons using the site could arrive on foot, cycle, bus, train or by car. The site is well located with a number of lit footways and pedestrianised areas all in close proximity of the site. Footways are in place along both sides of Liverpool Road, the footways in the area are subject to street lighting.

Worthing Railway Station is located 850 metres to the North West of the site, which represents a 10-minute walk or a 6-minute cycling distance. The services from the station connect to London Victoria, Brighton and Southampton. In addition there are a number of bus services available within a short walking distance of the site. Again these connect to all localities such as Lancing, Shoreham and Brighton to the east and Horsham and Crawley to the north.

Conclusion

The LHA does not consider that the proposals to add 4 additional units to Block 6 would have 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 109), and that there are no transport grounds to resist the proposal.”

West Sussex County Council - Lead Local Flood Authority comments that:-
“West Sussex County Council (WSCC), in its capacity as the Lead Local Flood Authority (LLFA), has been consulted on the above proposed development in respect of surface water drainage.

The following is the comments of the LLFA relating to surface water drainage and flood risk for the proposed development and any associated observations, recommendations and advice.

Current surface water flood risk based on 30& 100year events	Low risk
<p>Comments: Current surface water mapping shows the proposed site is at low risk from surface water flooding although the adjacent highway (South Street) is shown to be at higher risk. This risk is based on modelled data only and should not be taken as meaning that the site will/will not definitely flood in these events. Any existing surface water flow paths across the site should be maintained and mitigation measures proposed for areas at high risk. Reason: NPPF paragraph 163 states – ‘When determining any planning application, local planning authorities should ensure flood risk is not increased elsewhere.’</p>	
Modelled groundwater flood hazard classification	Moderate risk
<p>Comments: The area of the proposed development is shown to be at moderate risk from groundwater flooding based on current mapping. This risk is based on modelled data only and should not be taken as meaning that the site will/will not suffer groundwater flooding. Ground water contamination and Source Protection Zones: The potential for ground water contamination within a source protection zone has not been considered by the LLFA. The LPA should consult with the EA if this is considered as risk.</p>	
Ordinary Watercourses nearby?	No
<p>Comments: Current Ordnance Survey mapping shows no ordinary watercourses adjacent to the site.</p>	
Records of any historic flooding within the site?	No
<p>Comments: We do not have any records of historic flooding within the confines of the proposed site although other locations within South Street have suffered from historic surface water flooding. This should not be taken that this site has never suffered from flooding, only that it has never been reported to the LLFA.</p>	

Future development - Sustainable Drainage Systems (SuDS)

No FRA/Drainage Strategy has been included with this application. The Application Form states that the surface water from the site will be disposed of via ‘main sewer’.

Further information is required to clarify the drainage arrangements as disposing direct to ‘main sewer’ without restriction would not meet the requirements of the NPPF, PPG and associated guidance documents.

In line with Defra’s non-statutory technical standards for sustainable drainage systems, for a brownfield site such as this, the peak runoff rate and runoff volume should be as close as reasonably practicable to the Greenfield runoff rate/volume from the development for the same rainfall event. If this is not possible, significant betterment, at least 50% reduction in rate from the peak pre-redevelopment rate, should be achievable. Please refer to our Policy for the Management of Surface Water,

https://www.westsussex.gov.uk/media/12230/ws_llfa_policy_for_management_of_surface_water.pdf

Please note that Schedule 3 of the Flood and Water Management Act 2010 has not yet been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.”

Adur & Worthing Councils:

The **Technical Services Officer** comments that,

“Thank you for the opportunity to comment upon this application. I have the following comments on flood risk and surface water drainage.

Flood risk- The application is within flood zone 3 and I note that the Environment Agency and LPA drainage engineer objected to the previous application due to a lack of FRA. An FRA still has not been submitted. Therefore, I object to this application.

Surface water drainage- the application form states that surface water will be disposed of to a main sewer; this must not be foul sewer. Please can the applicant supply further information.”

The **Environmental Health Officer** comments that,

“As with the previous permissions I recommend the following be attached to any permission granted.

The sound insulation of the floor/ceiling between the commercial units and proposed residential units shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Before the residential units are occupied a test shall be undertaken to demonstrate compliance with this level.

Construction work shall not commence until an assessment of noise affecting the proposed development and a scheme for protecting the proposed noise sensitive development from external noise has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles contained within ProPG and achieve the Good indoor ambient noise levels for dwellings specified in BS8233:2014. The scheme should include full details of glazing and a strategy to prevent overheating. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.”

Environmental Health Private Sector Housing

“The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include ‘inner’ rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms.

Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.”

“Thank you very much indeed for the opportunity to comment on the above application which the Society has considered very carefully.

Whilst we accept the pressure on housing needs and appreciate in principle the proposal to add additional units we nevertheless have concerns. In particular we note that both the Technical Services and Environment Agency Officers have objected to the application on the basis that a Flood Risk Assessment (FRA) has not been submitted. This is particularly relevant in our view as there are accommodation units situated in the basement area of the building. We understand that the National Planning Policy Framework para 163 is relevant here. Additionally we note that importantly the application site is within Flood Zones 2 and 3.

Furthermore given the proposed increase in the number of units we would be concerned to ensure that the Parker Morris Space Standards can be met for this accommodation.

In conclusion the Society considers more information is required and that a Flood Risk Assessment is needed before the application can be fully appraised. For the reasons stated we therefore object to the application as it stands.”

Conservation Area Advisory Committee comments that it has no objection to the development.

Representations

No representations have been received in connection with this application.

Relevant Planning Policies and Guidance

Worthing Core Strategy 2011: Policies 6, 8, 15, 17, 18 & 19
Worthing Local Plan, 2003 (saved policies): RES7, H18
Local Plan Consultation Draft (Regulation 18) 2018
Supplementary Planning Document ‘Space Standards’ (WBC 2012)
Community Infrastructure Levy Charging Schedule (WBC 2015)
WSCC Parking Standards (October 2019)
National Planning Policy Framework (MHCLG - Feb 2019)
National Planning Practice Guidance (MHCLG)
Nationally Described Space Standards (MHCLG_
South Street Conservation Area Appraisal (WBC 2001)

The National Planning Policy Framework (NPPF) has considerable status as a material consideration which can outweigh Development Plan provisions if policies are out of date or silent on a relevant matter. In such circumstances paragraph 11 of the NPPF, states that development should be approved unless: it would cause adverse impacts which significantly and demonstrably outweigh benefits when assessed against NPPF policies overall; or if the NPPF affords particular protection to assets or areas of importance, (recent case law indicates approval of development which is contrary to the Development Plan will be the exception).

In assessing Development Plan policies relevant to this case alongside the recently published NPPF, it is considered that those which are relevant to the current case are in conformity with it (Policy 10 – Affordable Housing has been updated to reflect

latest NPPF guidance). However, as informed by local evidence it is clear that the Council cannot demonstrate a current 5-year supply of housing in respect of Objectively Assessed Needs and that all relevant policies which relate to and constrain housing delivery in the Core Strategy are out of date in respect of the NPPF. Accordingly, the Council needs to assess its housing delivery strategy. To this end a Housing Study and Issues and Options document was published and a new Draft Local Plan was published on 31st October for consultation. The Council intends to publish its Regulation 19 Plan in autumn 2020.

Relevant Legislation

The Committee should consider the planning application in accordance with:

- Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.
- Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- Section 72 (1) states: indicates in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Planning Assessment

The principle of residential use above the ground floor retail unit has been established by the earlier permission and therefore the main issues in this case are:

- i. whether the alterations to the approved scheme affect the character and appearance of the Conservation Area and the setting of heritage assets;
- ii. whether the internal layout provides an appropriate standard of accommodation and addresses any potential flood risk and;
- iii. whether the development triggers the requirement for an affordable housing contribution.

Character and Appearance

The existing building lies within the South Street Conservation Area and adjacent to Lloyds Bank a grade II listed building. It was accepted in connection with the previous permission that the upper floors above the former Beales Store had suffered from a lack of investment and the conversion to residential use would secure improvements to the fabric of the buildings. The specific permission at Block 6 also accepted the principle of a replacement top floor to create two additional flats. The key changes to the approved scheme have not resulted in any significant external alterations as illustrated below:



Approved 2018 application

Current Application

It is not considered that the revised residential layout, therefore, has any adverse impact on the setting on the character and appearance of the Conservation Area or the setting of the adjoining listed building. As before, pre-commencement conditions relating to replacement windows and details of parapet design can be imposed. The only obvious change is the additional entrance onto South Street. Whilst, this does affect the symmetry of the shopfront, it does allow for a far better internal layout for both the ground floor retail unit (allowing separate access to the basement) and upper floor flats. The changes to the ground floor would assist the viability of the ground floor retail units and therefore are considered acceptable.

Residential Amenity and Flood Risk

The approved scheme included the provision of 3 x 3 bed flats and your Officers accept the applicant's contention that larger flats, particularly for families, would not be appropriate for this site in the centre of the town lacking any outdoor amenity space. The current Covid 19 crisis also emphasises the need for careful planning particularly when considering the need for outdoor amenity space for family sized accommodation. Furthermore it is not considered that such flats would be marketable given the likely price to recoup the conversion costs. Your Officers accept, therefore, that a development of predominantly one bed flats would better reflect demand for town centre living and ensure a more efficient use of a brown field site in line with national and local plan policies.

The internal layout and storage space created by the revised scheme is also more efficient and space has been provided to accommodate a cycle space and bin storage for each flat. Each flat meets the minimum national space standards. The Private Sector Housing team has raised some concerns about Fire Safety and the applicant has been requested to ensure that the provision of appropriate fire safety precautions are built into the final specifications for the individual flats to meet separate housing legislation.

The parking requirements of the approved and proposed schemes are comparable and in view of the highly sustainable location of the site it is not considered that an additional 4 flats would cause any highway safety or amenity issues.

The Environment Agency (EA), WSCC and Technical Services have raised concerns about the lack of a Flood Risk Assessment (FRA) supporting the application. However, there is no residential accommodation on the ground floor (the Worthing Society appear to have misread the plans) and the original application was approved without such a requirement following consultation with the Councils engineers at the time. In the circumstances requiring an FRA at this stage is considered to be unreasonable. Nevertheless, it is recognised that given the location of the site, with the prospect of tidal flooding, it would be appropriate to impose a condition requiring the submission of an evacuation plan for future residents. This would need to ensure that residents are given advance warning of potential high tide/storm events and appropriate evacuation procedures for vulnerable residents.

Affordable Housing

As indicated earlier, the approved scheme sought to generate funding to allow for greater investment in the Beales Store and it was accepted that this justified an exception to normal affordable housing requirements. Nevertheless, and notwithstanding the submitted viability case, the applicant offered the 9 units at Block 6 to the Council and Worthing Homes as affordable housing at a set price and provided that the offer was accepted within a certain timescale (expiring in April 2019). The initial interest of Worthing Homes did not materialise post planning and although the Council's Housing team assessed the opportunity, the size and configuration of the flats would not meet the requirements for temporary accommodation.

Following the purchase of Block 6, the applicant had pre-application discussions with your Officers and it was indicated that affordable housing would not be required on the basis that the applicant pursued a revised application for smaller units that would be of greater interest to the Council as temporary accommodation. However, since that time Beales has gone into administration and it is not clear whether the purchase of the flats would be at a discount that would justify not providing any affordable housing contribution. As a result the applicant was requested to provide a viability assessment to support the application.

The revised planning application is regarded as a major application and therefore should meet the requirements of Policy 10 which states that 20% affordable housing will be sought via a financial contribution on all sites of 11 to 14 dwellings. Members will note, however, that the Council has agreed to an interim change to this policy to reflect latest NPPF advice and this now requires contributions for all developments of 10 or more dwellings.

In the Design and Access Statement (DAS) the applicant feels that this is not justified in light of the previous approval and on the basis that the applicant should be incentivised to pursue an alternative mix of housing (particularly if the units are purchased to be used as temporary accommodation). There is some sympathy for this view but equally it is important to ensure that the Council does not set a precedent for allowing development without appropriate development contributions.

The assessment of whether the development requires a contribution is complicated in some respects by the Council potentially buying the units and whether the discount for this purchase is because there is a bulk purchase of units or a discount

having regard to their use as temporary accommodation. The applicant's viability assessment (attached as an Appendix to this report) concludes that the scheme could only support a s106 contribution to Affordable Housing of up to £48,744 if the development was sold on the open market. However, if the flats were sold to the Council at a discounted value of £2.5 million (8% less than full market value) then, under normal commercial terms, it is argued the scheme would be unviable and would not normally be required to pay the Affordable housing contribution. In this case, the applicant's Consultant argues that the discount of £220,000 is much larger than the s106 contribution being requested.

To resolve whether the Council is getting a higher than normal market discount for buying all the flats, the Council has asked its viability Consultants, the Dixon Searle Partnership (DSP) to review the appraisals. DSP's initial view was that the discount was in line with what would be secured in the open market as the bulk purchase de-risks the project but it has been asked to review the situation in light of the applicant already having approval for 9 larger market flats. Members will be updated at the meeting.

If the Council's Consultants consider that a higher than normal discount is being achieved by the Council it would still be necessary to enter into a s106 agreement to secure the affordable housing contribution in case the development is not sold to the Council following the grant of planning permission. This could be secured by way of a Unilateral Undertaking.

It should be noted that the applicant has confirmed agreement to meet the Community Infrastructure Levy (CIL) of £24,309 (payable for the net increase in floorspace).

Recommendation

It is recommended that the decision be delegated to the Head of Planning and Development to APPROVE subject to a s106 Planning Obligation relating to the payment of an affordable housing contribution (the exact terms of the agreement will be dependent on the comments of the Council's Viability Consultants) and the following conditions:

1. Development in accordance with approved plans
2. 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.

3. Notwithstanding the information contained in the current application, no other development shall be carried out unless and until a schedule and samples of materials and finishes to be used for the external walls (including windows, doors, rainwater goods, safety rails and balustrades etc.) and roof of the proposed building have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule and samples.

Reason: In the interests of visual amenity, the character of the conservation area and setting of listed buildings and to comply with policy 16 of the Worthing Core Strategy.

4. Details of: joinery/frames some with 1:20 cross-sections, rainwater goods, fascias & roof intersections and window recesses. Notwithstanding the information contained in the current application, no other development shall be carried out unless and until 1:20 scale plans including annotated cross sections of have been submitted to and approved in writing by the Local Planning Authority for each of the following:
 - i) window joinery and frames,
 - ii) window recesses, cills and surrounds at all floors of the east and north elevations,
 - iii) Intersections of roof and walls for each elevation of the penthouses and for the first and second floors of the east elevation,
 - iv) rainwater goods,
 - v) safety rails and balustrades, and the development shall be completed in full accordance with the details thereby approved.

Reason: In the interests of visual amenity, the character of the Conservation Area and setting of listed buildings and to comply with policy 16 of the Worthing Core Strategy.

5. Details of external air moving/extraction equipment
No external fixed plant shall be installed until details have first been submitted to and approved in writing by the Local Planning Authority. The design shall have regard to the principles of BS4142:2014 and aim to achieve a difference between the rating level and background noise level of at least -5dB. Within 1 month of implementation a test to demonstrate compliance with the approved attenuation scheme shall be undertaken and the results submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the residential amenities of neighbours and to comply with saved policy H18 of the Worthing Local Plan.

6. Provision and maintenance of bicycle storage space.
The cycle storage area shall be provided and fitted out and made secure in accordance with the approved plans, prior to the occupation of any of the flats hereby approved. It shall thereafter be permanently retained and maintained only for use by the residents of the approved flats for the storage of cycles.

Reason: To ensure the provision of adequate cycle storage facilities as part of sustainable transport measures, in accordance with policy 19 of the Worthing Core Strategy 2011 and saved policy TR9.

7. Provision and maintenance of bin and waste storage area
The bin storage areas for the flats hereby approved shall be provided and fitted out and made secure in accordance with the approved Drawings, prior to the occupation of any of the flats hereby approved. It shall thereafter be permanently retained and maintained only for use for the storage of bins. The existing commercial service area contained within the boundary wall at the east elevation shall also be permanently retained and maintained only for

commercial servicing, such as loading and storage of bins in accordance with the approved Drawing No. 120 Rev P5.

Reason: To ensure the provision of adequate waste storage facilities, in accordance with policy 12 of the Worthing Core Strategy 2011.

8. Details of flood resilient design.

No development shall be carried out unless and until details of the construction of the ground floor accesses and hallways to the flats hereby approved have been submitted to and approved in writing by the Local Planning Authority to show measures of flood resistance, to minimise the risk of floodwater ingress, and flood resilience, to minimise the risk of damage in the event of flood. The development shall be completed and permanently maintained in accordance with the details thereby approved, unless the Local Planning Authority gives further written approval for any variation.

Reason: To minimise risk from flooding in accordance with policy 15 of the Worthing Core Strategy 2011.

9. Details of foul and surface water connection

Prior to the first occupation of any of the flats hereby approved, details of arrangements for the disposal of surface and foul water shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Southern Water. No flat shall be occupied unless and until all works for the disposal of foul and surface water serving that dwelling have been fully implemented.

Reason: To ensure the provision of adequate drainage in accordance with policies 12 and 15 of the Worthing Core Strategy 2011.

10. Details of means to assess and manage historic ground contamination in the event of ground works. In the event that development necessitates the undertaking of groundworks, such as the construction of new or deeper foundations or the construction of any soakaway, and unless the Local Planning Authority first agrees in writing otherwise, details of a scheme to deal with the risks associated with any historic contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority to include:

- i) a site investigation scheme,
- ii) the site investigation results and any further appraisal and remediation strategy,
- iii) a verification plan with timetable

The scheme thereby approved shall be implemented concurrent with the undertaking of groundworks and a verification report shall be submitted to and approved in writing by the Local Planning Authority in accordance with the timetable thereby approved.

Reason: To minimise and manage any risks associated with any historic land contamination in the event of groundworks, in accordance with saved policy RES9 of the Worthing local Plan 2003.

11. Construction work shall not commence until a scheme for protecting the first / second floor flats from noise from the commercial unit below has been

submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB) for all floors.

Reason: To minimise risks from noise to the residents of the flats hereby approved in accordance with policy 16 of the Worthing Core Strategy 2011 and saved policy H18 of the Worthing Local Plan 2003.

12. Prior to the implementation of any A3 use hereby approved, a scheme for the mitigation of odour risks shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of any air moving and filtering plant, equipment and ducts (including the acoustic specification and provisions to minimise risk of noise and vibration), their location and external appearance, and arrangements for their on-going maintenance. Details of any mitigation measures for external space shall also be included in the scheme. The development shall only be carried out in accordance with the scheme thereby approved and no dwelling shall be occupied until the scheme has been fully implemented and it shall be permanently adhered to, unless the Local Planning Authority gives prior written approval for any variation.

Reason: To minimise risks from odour to the residents of the flats in Block 6 hereby approved in accordance with policy 16 of the Worthing Core Strategy 2011 and saved policy H18 of the Worthing Local Plan 2003.

13. Unless otherwise agreed in writing by the Local Planning Authority, prior to occupation of the first apartment the subject of this approval, details of arrangements for the provision of access to a car-club or other means of sustainable transport, shall be submitted to and approved in writing by the Local Planning Authority. Details shall cover the period and terms of the provision and shall thereafter be implemented and adhered to for that period.

Reason: To ensure the provision of sustainable transport measures, in accordance with policy 19 of the Worthing Core Strategy 2011 and saved policy TR9.

14. Details of Evacuation Plan
Prior to the occupation of the residential flats, hereby approved, details of an evacuation plan in the event of a potential flood event shall be submitted to and approved, in writing, with the LPA.

Reason: To ensure appropriate flood defence measures are secured in accordance with policy 15 of the Worthing Core Strategy and policies of the NPPF.

27th May 2020

7.0 Conclusions

- 7.1 The benchmark land value of the site has been determined based on the residual land value of the extant planning consented scheme in accordance with para 17 of the NPPG at £392,762. (See Appendix Ai)
- 7.2 It is normal to add a landowner premium to the Existing Use Value of between 10% and 40% to provide an incentive for the landowner to sell. In this instance, as the site has an extant planning consent, Para 17 of the NPPG states that no premium would be due as this is an Alternative Use Value (AUV), so the benchmark land value is £392,762.
- 7.3 Based on the proposed scheme of 13 units the residual land value derived by the toolkit if the units are sold in the open market is £441,506 (See Appendix Aii). This is £48,744 above the benchmark land value and thus would be the sum available to pay as commuted sum for Affordable Housing. No allowance has been made for any S.106 contributions although CIL has been allowed for in the sum of £24,309.
- 7.4 We have been advised by the applicant that the proposed scheme is to be sold to the Council for a sum of £2,500,000. We have appraised the scheme with this value which represents a discount of £220,000 to the open market value (8%) as shown at Appendix Aiii. The residual land value derived is £291,177, which is £101,585 below the benchmark land value. Whilst unviable in normal commercial terms, it is deliverable with a profit of 13.2% and a secure exit route which could lower funding costs.
- 7.5 The discount on the purchase of the units at £220,000 is much better value for the Council than accepting the commuted sum for Affordable Housing at £44,744.
- 7.6 The Council should be asked to confirm the CIL payable for the extant and proposed schemes before deciding on this application.

Application Number: AWDM/0450/20

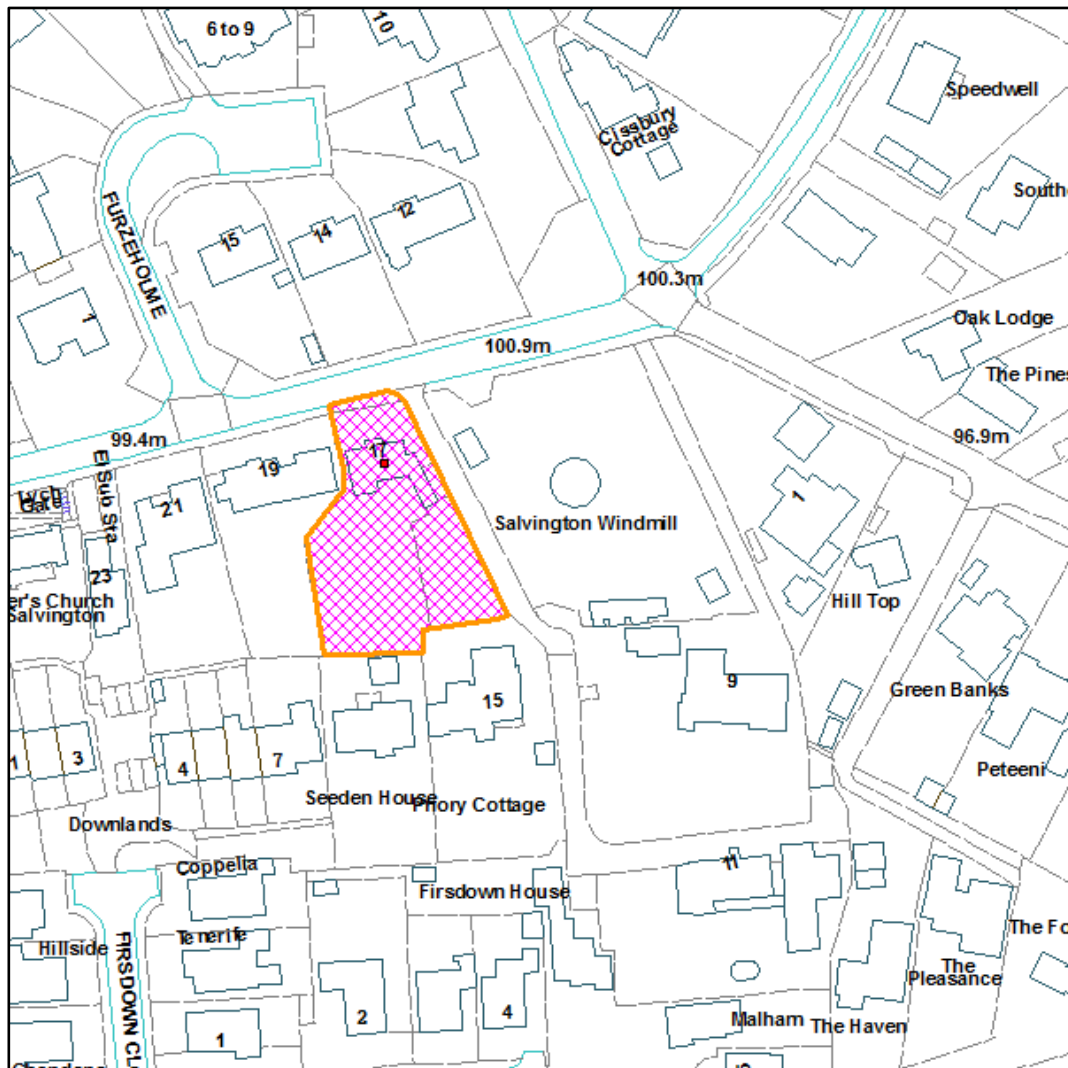
Recommendation – APPROVE

Site: 17 Furze Road Worthing West Sussex BN13 3BP

Proposal: Proposed two-storey rear extension with first floor balcony and side opaque glass screen, altered roof, partial first floor side/rear extension over existing garage/utility to east side elevation with first floor balcony, the construction of a basement and raised terrace.

Applicant: Mr Robert Bleker
Case Officer: Amanda Haslett

Ward: Salvington



Not to Scale

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Proposal, Site and Surroundings

The site is located on the south side of Furze Road and comprises of a 2 storey detached dwelling house. The property sits within a large plot with large protected trees to the front, east and rear boundaries. A narrow private lane runs along the east side of the site providing access to the garage at the rear of the site and to

neighbouring properties at the rear. This lane has hedging to each side and separates the site from the windmill to the east. The Salvington Windmill is a grade II listed building. The South Downs National Park is situated about 140m to the north-east of the site. The property is not within a conservation area and is not a listed building.

With the exception of the windmill the surrounding area is predominantly residential and has a wide range of property types including houses, bungalows and chalet bungalows. The materials, design and form of properties is varied. Boundary treatments to the frontage are mainly hedging and low walls and fences. There is dense hedging to the east side boundary of the application site and to the west boundary of the windmill.

The property is a modern two storey building of simple rectangular form finished in light coloured bricks and a tiled pitched roof with gables to the side. The central front section has full height glazing and a canopy porch and windows are a mix of single glazed timber and double glazed uPVC. There are small scale existing flat roof extensions to the rear and east side of the building and a single garage adjoining the side extension. An open sided plastic sheet roof car port is attached to the side of the garage.

Planning permission was granted in 2018 for a two storey glass entrance porch, render to the front and side, replacement roof tiles and various changes to boundary treatments. These works would update the property and provide a more contemporary appearance but have not as yet been implemented.

Proposal

Planning permission is sought for a two storey extension to the rear with first floor balcony, an altered roof, a first floor east side extension over existing garage and utility with first floor balcony and the construction of a basement and raised terrace.

The two storey rear extension would extend 4.3m deep measured from the original rear wall of the house extending about 8m wide at ground floor level where it would adjoin the proposed east side extension. The extension would project at an angle for a further 2.5m to the rear (at ground floor level only) to adjoin the existing utility room and garage which would be incorporated in to the side extension.

The first floor of the rear extension would follow the dimensions of the ground floor but would extend about 9.5m wide with the south-west corner set in by 2.3m in depth and 4m width to form a balcony. An opaque glazed screen of 1.8m high would be fitted to the west side of the balcony and a guardrail to the rear. The balcony would be accessible from both of the bedrooms it adjoins. The side element of the extension would be angled back towards the house extending part way above the existing garage and utility to the side. A balcony would be formed to the south-east corner above the ground floor extension to serve the master bedroom with a green roof to the edges.

The side extension would be wedge shaped, narrower to the front and widening to the rear within the existing footprint of the garage and utility room and following the angle of the east side boundary. At ground floor level the side extension would project to the same depth as the existing garage and to the first floor would be set in by about 3m.

The rear elevation would have a staggered eaves level with a higher section above the balcony and lower section to the rest of the extension to match the eaves height of the existing building. The current ridge height of the property would be maintained but the ridge moved about 2.5m further back and a lower roof of the same pitch formed over the side extension.

The rear elevation of the extension would be finished in white render to match the finish already approved for the front of the building. The side extension and part of the lower rear elevation would be finished in dark weather board cladding similar to that at the adjacent windmill. The roof would be finished in cement fibre slate tiles and the windows throughout the building replaced in black/grey uPVC or powder coated aluminium. The balustrades to the rear balconies would be black metal bars.

A basement is proposed under the footprint of the rear extension forming a play room and storage area. Internal stairs from the living area would provide access to the basement and an additional set of external stairs would be added to the west side.

A raised terrace would be formed to the rear of the building, as extended, at a height of between 0.7 and 1m from garden ground level, extending 11m wide and 5m deep with steps down to the garden.

Relevant Planning History

PREAPP/0914/19 - Proposed extension following refused application
AWDM/0117/19 – Final scheme acceptable in principle

AWDM/0516/19 - Application for a Certificate of Lawful Development for proposed 3 car garage - Approved

AWDM/0239/19 - Non Material Amendment to approved AWDM/1575/17 for revised front boundary detail – Approved

AWDM/0117/19 - Proposed two storey rear extension with first floor balcony and opaque glass screen, raised ridge height and new roof, first floor side/rear extension over existing garage/utility to east side elevation and the construction of a basement – Refused – Dismissed on Appeal

AWDM/1575/17 - Part retrospective application for retention of a canopy wood store to the rear and erection of a two-storey glass front entrance porch, front garden wall with metal bar infill panels and gate to a maximum height 1.8m, east side entrance piers (2m high) with sliding timber and metal car entry gate, white render to front and side elevations and replacement roof tiles – Approved

Consultations

SPAB (Society for the Protection of Ancient Buildings)

No objection - It is likely that we would withdraw our wind-based objections in the light of the revised approach to the roofline. The new designs have followed the guidelines which I recommended to the Council when responding to both the previous versions of this proposal. In particular, the existing ridge height has not

been exceeded by the alterations, and the extension to the South has been reduced to a single storey with a terrace over - thus not presenting any additional wind obstruction to the SW of Salvington Windmill. Therefore, I can see no basis in terms of wind flow for objecting to them.

Adur & Worthing Councils: Arboricultural Officer - *No objections to this proposal, but consider that a clear Tree Protection plan should be submitted to ensure the RPA (Root Protection Area) of existing trees are not affected by compaction through storage or site activity.*

Representations

30 representations objecting to the proposals have been received from residents of Broomfield Avenue, Furzeholme, Furze Road, Langton Road, Lily Gardens, Mill Lane, Pilgrims Walk, Pond Lane, Stone Lane, Teville Road and further afield from Angmering, Rustington, Findon, Shoreham-by-Sea, Southwick, Brighton, Hassocks, Burgess Hill, West Chilton and London raising concerns which have been summarised as follows:-

- Object due to the extension being next to a working windmill; it would be terrible if the development was allowed, without expert advice, and the extension stopped the Mill from being able to be used after all the restoration work that has been done on it; this development will halt the usage of the oldest and last remaining mill in Worthing, having spent more than 40 years restoring it, it would be a travesty to allow this development; The windmill has existed since the mid-18th Century and mills have been on this site since 1615;
- To see a functional, working mill is something quite special in this day and age, the proposed extension may affect the wind flow to rare example of a historic working mill and I object to the potential loss or degradation of an amenity that has been hard fought for over the years;
- The Mill is one of only about 14 working windmills in the country (and the only working wind power post mill in the area) capable of grinding flour but needs a decent wind to do this; due to surrounding development we can now only grind occasionally in strong wind blowing from the right direction, reduced wind flow will result in even less occasions when grinding would be successful, volunteers will become increasingly disillusioned and the windmill revert to being the Council's responsibility;
- The Mill is run as a charity and volunteers have spent many years getting the Mill back into a good state and many local people have donated to this cause; this working windmill is a big draw to the local area and they will lose a lot of revenue through not being able to mill as effectively;
- The windmill is a spectacular landmark and has been in place long before the property in question; at a loss to why planning permission should even be considered; it is such an important landmark it would be disastrous if this went ahead;
- The windmill has suffered from several granted planning permissions over the years which have progressively reduced the ability of the mill to grind and operate as it was designed to; it is only the latest in a series of building developments that have unfortunately been allowed and each one has depleted the Mills ability to grind flour. If one chips away at this ability then end result will inevitably bring an inability to grind at all, surely it is the responsibility of the Council to prevent this; there should be no further development that adds to the wind shadow;

- This development would further reduce the flow of wind to a point where the Mill would effectively cease to operate in its primary function; for the sails to turn efficiently a steady wind flow is needed and an extra storey on this property will complexly block the wind flow and stop and change of the windmill milling again;
- Refer to the former comments of SPAB that: “...*the best approach of the planning authority would be to prevent any raising of the existing roofline of any of the houses. This would keep the damage done by houses to its current level and prevent further loss of the already inadequate supply [of wind] to the mill.*”
- The windmill is Grade II Listed heritage asset; concerned about the effect on wind flow to the windmill and the character and appearance of its setting which would be drastically altered; the development will impact negatively on this Listed Building; the historic Mill outdates the house by a couple of centuries and should be the priority here; justice to our country’s history should be preserved and the application rejected;
- It is scandalous a historic landmark is being compromised in this way;
- The development will deprive the public of access to an important public amenity of historic and cultural importance;
- There is always great excitement on the days the Mill can operate and produce flour which is sold to the general public, it would be a huge loss to Worthing if this incredibly important local attraction and historical amenity could no longer operate;
- The windmill should not be disturbed under any circumstances;
- Overdevelopment of High Salvington is problematic and should be considered as a concern by the local planning authority; it would open the floodgates to other development;
- Approval of this development would signal the Council’s preference for modern development over heritage; we should be preserving our heritage not allowing unnecessary development;
- If the residents of No.17 wanted a bigger house they should have bought the correct-sized property;
- The proposed extensions, raising the ridge height of the dwelling, are very similar to that rejected on appeal last year and should be refused for the same reasons;
- Concern is expressed that the submitted site plans appear to have been tilted, possibly to imply Furze Road runs West Northwest from the windmill when it actually runs West Southwest. The plotting of winds and speeds might be of interest if the windmill was not limited already in usable winds but due to previous development the windmill has become increasingly compromised in its ability to mill grain. This is exacerbated by the fact that the Mill was built to take advantage of prevailing winds from the Southerly through to the Westerly. Thus three-quarters of the chart is irrelevant when reviewing the current situation. This will deteriorate further since permission has been granted for a significant garage building at the property;
- The wind data submitted for Shoreham has little relevance to the geography of High Salvington, the way the wind is channelled by the hill and wind flows experienced by the Mill; records for 2019 show a substantial amount of grain being ground when the wind was coming from the West; further reductions to grinding capability attack the amenity of this heritage asset; developments increasing obstructions within 400m of any working windmill should automatically be rejected;

- The application submission implies that it is the wind shadow that is problematic. This is not solely the case; it is the much wider angle of disruption caused by the turbulence off the property. Currently this harms the windmill's ability to mill towards a westerly wind and the proposed extension will bring that turbulence further into the critical performance area of the windmill. The large trees have almost circular trunks and thus leave the air flow beyond them in an inherently more usable flow. This is because the air flows round them in a mildly aerodynamic way. The horizontal and vertical corners of the extension above ground floor elevation will generate new turbulence. This will carry far past the windmill and its sails giving a further significant reduction in power. The turbulence would not smooth/flow out on a breezy day before reaching the properties beyond the windmill field to the east on Mill Lane. Operating the windmill to mill grain is already limited to very few days of the year when the forecast wind is strong enough to be maintained for most of the day. This could further reduce the ability of one of the last working windmills in the UK to grind/mill grain. It is requested that the application is refused under grounds of the duty to have special regard to preserving the listed building and the provisions of national planning policy in the NPPF, in particular, that where a development proposal will lead to 'less than substantial harm' to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal including securing its optimum use. The evolving policies of the new Worthing Local Plan, Strategic Objective 6 and Policy 16 of the Core Strategy all seek to protect the historic environment. The Windmill is one of few building in Worthing that has the level of historic, architectural and local amenity needed to make them a nationally known asset. To further reduce the ability of the Windmill to perform the core function of the design, to allow a substantial house to acquire another bedroom cannot be compliant with national policy and makes no sense in terms of the local amenity so allegedly treasured by the Council.
- Previous failures of the planning system should not be used to justify further attacks on this important amenity;

High Salvington Mill Trust object to the latest proposals, commenting:-

- Although scaled back from the original these plans still propose a substantial extension into the Mill's wind corridor. All close obstructions cause unhelpful turbulence in the wind flow. Our millers can testify to the effect that building Seeden House at twice the distance away had on the Mill's ability to grind in that direction. Even the single-storey portion will require raising the roof and any balcony railings are themselves obstructions;
- The vast majority of the 2-storey extension will be to the West and South west which experience suitably strong winds- the wind diagram supplied in the statement can only be used as a very rough guide because it is taken from Shoreham some distance away, and because the surrounding buildings and topography affect wind flow to the Mill;
- The Mill is already severely limited in available directions for grinding by existing obstructions. A drawing is attached showing the arc for milling between South and West. Much of this is already obstructed but there is an open area to the South of West. The originally proposed building would have blocked approximately one third of this arc. The new plans reduce this but only a little when the raised single storey and balcony are considered;

- We reject all the points in the submitted Design and Access Statement as follows:
- Strong winds can come from the direction west and slightly south of west;
- At least 2 successful grinds in the last 2 years were from the westerly direction and we will be supplying a video of this taken in April 2019, almost 200lbs of flour was produced;
- The Mill is only operated occasionally as it is run by volunteers. It is difficult to recruit and train skilled operators and it will not help our ability to grind if our few available wind corridors are encroached upon;
- Planning has already unfortunately issued a Certificate of Lawfulness (AWDM/0516/19) for a substantial garage in the southern marginal wind area of the garden – this structure will introduce additional turbulence due to the nature of its roof, height and shape; the extended mass of the proposed extension will amplify this;
- We are disappointed not to see any evidence of a new response from SPAB, we reject the Applicant’s claims that the new plans resolve SPAB’s objections and has made no effort to consult with us before submitting these revised plans;
- The new Draft Local Plan refers to the Listed Mill as a key asset and says where development would lead to substantial harm to a designated heritage asset this will not be permitted unless there are compelling reasons; the NPPF states that any harm to a designated heritage asset should be weighed against the public benefits of the proposals and we question what public benefit is served by this development;
- Volunteers have put thousands of hours of work to bring the Mill to working order on behalf of the town and many of those who continue to work today would regard this as a legacy left for the town which should be protected from encroachment;
- Allowing the development will set a new precedent that will be very damaging for the operation of the Mill, Planning Services should adopt a policy of refusing all building applications in the vicinity of the Mill unless the applicant can demonstrate there would be no effect on future grinding ability;
- The Mill is owned by the Council and it is in its interest to protect its operation.

High Salvington Residents Association support the comments of the High Salvington Mill Trust that the proposed development will have a deleterious effect on the local wind flow necessary for the proper functioning of the mill. It is submitted that the wind flow data accompanying the application is misleading because the wind measurements are taken from a location some 10 miles away and local air currents including turbulence from surrounding trees and buildings have a significant effect as borne out by the comments of a miller at the Mill of some 40 years’ experience.

The Applicant has responded to the above objections commenting:

“The previous refusal grounds have been addressed as follows:

- *The height of the extension has been reduced to the existing dwelling which addresses SPAB’s comments about wind loss;*
- *The extent of the rear-projection has been reduced;*
- *The extension is subservient to the main house which remains the dominant element.*

This application carries the support of 3no immediate neighbours in Furze Road. Anyone wishing to comment on this application is urged to read the design statement which explains there will be no wind loss to the windmill, a heritage site we all want to preserve.”

19 representations have been received in support of the application from residents of Ellis Avenue, Chesswood Road, Furze Road, Highfield Road, Sunny Close, Varey Road, Windermere Crescent, and further afield from Angmering, Rustington, Littlehampton, Shoreham, Southview, Hove and Seaford, summarised as follows:

- As a resident of the town for 35 years and a frequent visitor to the Mill my concerns over wind direction and the effect this would have on turning the sails and milling have been addressed by this application. The owners have been consistently considerate in respect to the windmill;
- I particularly like the design of the black wooden fascia on the side of the house which will complement the Mill aesthetically;
- The Applicants have worked hard with the planning office to come to a happy compromise of what is suitable for their family home whilst sympathetic to the windmill; we feel this has now been achieved and planning should be allowed to go ahead; The Applicants have gone to great lengths and have had to adapt their plans several times to ensure the build is in-keeping, the refurbishment will be an enhancement to the area;
- These people want to complement the windmill; please allow their plans to go ahead, it will not affect the windmill in any way; it is in-keeping with the surrounding residential area;
- These plans only serve to enhance this area and a house that currently stands out as being very ugly; this investment into the property will make the house a welcoming family home that can be enjoyed for years to come; we can only see this as a positive thing to the local area, this house has been unloved and run down over the years and these improvements would be a huge boost;
- The development is well thought-out and has abided by previous objections; there is no reason for it not to be allowed, it will not affect the mill;
- Having visited the Mill before, these proposals will be in-keeping and complement the Mill and surrounding houses; the house is in desperate need of modernisation and the improvements have been carefully considered and proven to have no effect on the mill operating;
- The thought and love gone into these plans will only bring the windmill to life and make it a more attractive feature; improving the houses in this area will only enhance the appeal of the windmill;
- It is time to put the past aside and make way for the future by allowing this local family to build their dream forever home;
- The house will fit in nicely once completed and won't make any difference to the windmill, there is no reason for any objection;
- All the former concerns have been addressed; it is only fair to stop the interfering and let the owners modify their property to suit their likes and needs.
- I don't believe the objections made by the Windmill society (with signatories from as far away as London) are being made in good faith;
- I'm a big fan of the windmill, the wind patterns have been studied and the extension, which would be sited to the west of the windmill, does not lie in the path of the predominantly south-westerly wind that it utilises;

- As immediate neighbours we are pleased to support the proposed plans; the design is complementary to the neighbouring properties and will improve the area; we have no concerns regarding the proposed balcony on the west side bordering our property and pleased the applicants have designed their extension to the east side so not affecting our light or views;
- With a detailed and empathetic understanding of the lengths the owners have gone to accommodate all stakeholders' opinions, we fully support our neighbour latest iteration of the plans. We are directly impacted by the proposals and consider the design to be both tasteful and in-keeping with the black and white schema established by the Windmill Trust and echoed by our own property improvements; please support this with no further obfuscation.

Relevant Planning Policies and Guidance

Worthing Core Strategy 2006-2026 (WBC 2011): Policy 16
 Worthing Local Plan (WBC 2003) (saved policies): H16, H18
 Design Guide 'Extending or Altering Your Home' (WBC)
 National Planning Policy Framework (HCLG 2019)
 National Planning Practice Guidance

Relevant Legislation

The Committee should consider the planning application in accordance with: Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

There is no objection in principle to extensions and alterations to residential dwellings within the built-up area. The key considerations are the effects on the visual and residential amenities of the locality and the character, setting and functionality of the adjacent listed windmill.

Setting of the listed windmill

The grade II listed windmill is to the east of the site and separated by a small lane with hedging to the sides. The closest part of the proposed extension would be about 20m from the windmill. The application property forms part of the setting of the listed mill with vistas across the front of the windmill site to the side of the application property and from within the mill site to the rear of the property.

It is the Council's duty under S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to '*have special regard to the desirability of preserving the listed building or its setting*'.

Salvington windmill is a grade II listed building and a designated heritage asset.

The National Planning Policy Framework 2019, paragraphs 193-6, requires the local planning authority when assessing a planning application that affects a designated heritage asset *'to give great weight to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'* Para 193. And para 194 *'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'*

The previous refused scheme under AWDM/0117/20 was considered unacceptable due to its design and scale, having an unacceptable impact on the setting of the listed mill, and the impact on wind flow to the mill and the resulting harm this would cause to the historical significance and value of the listed windmill. The reasons for refusal were as follows:

1. *The proposed extensions involving raising the ridge height of the dwelling, would by reason of their height, depth and position, result in an unacceptable loss of wind flow to the grade II listed windmill detracting from its functionality for its designated purpose thereby diluting the significance of this heritage asset and failing to preserve the special interest of the listed building. The historical significance and value of the listed windmill would be permanently and irreparably harmed by the proposed development and therefore fails the statutory tests in Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is contrary to Strategic Objective 6 and Core Policy 16 of the Worthing Core Strategy and the provisions of paragraphs 193-196 of the NPPF 2018.*

2. *The proposed east side/rear extension due to its excessive scale (particularly with regard to its depth of projection and height) and unsympathetic design would not appear subsidiary to the existing building or reflect its predominant characteristics. The proposed extension would fail to achieve a satisfactory relationship with the original dwelling and the simple rectangular form of the building would be lost. The extension constitutes a dominant and discordant addition to the building resulting in unacceptable harm to the character and visual amenities of the area and the setting of the neighbouring listed windmill. The proposal would therefore be contrary to saved policy H16 of the Worthing Local Plan, Policy 16 of the Worthing Core Strategy, the SPG - Extending or altering your home and paragraph 130 of the NPPF 2018.*

The impact on wind flow to the mill was specifically assessed by the Society for the Protection of Ancient Buildings (SPAB) in relation to the refused scheme AWDM/0117/19. The society provided detailed advice on the impact this would have on the listed mill and the subsequent effect on its functionality and status as a heritage asset. They concluded that the application should be refused as the proposed development would not preserve the listed building or its setting. They also stated that *'the proposed alterations should be kept to the level of the existing roof line'*.

SPAB were consulted on the current application to provide expert advice in relation to the impact of the current proposal on the listed mill. Their response is as follows:

It is likely that we would withdraw our wind-based objections in the light of the revised approach to the roofline. The new designs have followed the guidelines which I recommended to the Council when responding to both the previous versions of this proposal. In particular, the existing ridge height has not been exceeded by the alterations, and the extension to the South has been reduced to a single storey with a terrace over - thus not presenting any additional wind obstruction to the SW of Salvington Windmill. Therefore, I can see no basis in terms of wind flow for objecting to them.

The changes to the design, scale, height and depth of the proposed extensions as proposed by this application are therefore considered to have overcome the previous concerns relating to the interruption of wind flow to the listed mill and the expert advisors in this capacity from the Mills Section of SPAB no longer raise any objection to the proposal on these grounds. It is therefore concluded from their advice that the windmill can continue to function without any significant disruption to wind flow thereby protecting against any dilution of the significance of this heritage asset. The historical importance and value of the listed windmill would not be irrevocably harmed by the proposed development.

Visual amenity and character

The existing property is of rectangular form and simple design with no significant features of interest. There is a single storey angled wing to the east side which extends to the rear, comprising of a garage and utility room. Planning permission has been granted for various works including a double height glazed porch to the front, rendered elevations, new windows and a new boundary treatment to the front. A large detached garage has been constructed to the rear of the site under permitted development. There is a large garden to the rear of the house.

The works proposed by this application are to the rear and east side of the building. The first floor west side elevation of the rear extension would be clearly visible from the road to the front, above the neighbour's garage. The east side and rear extensions would be partially visible from the road to the front and the lane to the side however these views are obscured by the large pine trees along the boundary and the buildings within the curtilage of the windmill. Further views of the extensions would be possible from within the grounds of the adjacent listed windmill.

The proposed extensions are reasonably large in scale, but would not subsume or overwhelm the existing building. The extensions would maintain the overall rectangular form of the building and the angled wing whilst allowing expansion of the floor space. The shallow pitch of the existing roof would be repeated on the extension forming a simple angled gable to the east side with a lower ridge. The set in balcony areas to the first floor help to reduce the bulk of the proposal.

The design and form of the proposed extensions would reflect the more contemporary approach of other approved works to the building and would add visual interest to what is at present a building of little architectural merit. The design of the extensions would integrate well with the existing building reflecting its simple form and angled elevations.

The overall character of the building would be updated and significantly enhanced presenting a more contemporary appearance. The proposed elevation finishes in

white render and dark weatherboarding would reflect those of other buildings in the vicinity, including the adjacent windmill. The fibre cement slate tiles and black/grey windows will complement the upgraded appearance of the property.

The east side elevation of the building is visible in context with the mill but is reasonably well screened by the existing pine trees and the outbuilding within the curtilage of the windmill when viewed from the road. Viewed from within the windmill site this extension would be more prominent as there is less screening to the rear of the site. The side elevation and lower rear elevation of the east side extension are the most prominent elevations as viewed from the windmill and these would be finished in dark weatherboard cladding reflecting the materials used on the mill and its outbuildings. The use of this material in addition to the reduction in scale, depth and height (in comparison to the previous refused scheme) would reduce the prominence of the extension and would not be considered to adversely affect the setting of the listed windmill.

The basement would not be visible from outside the site and although it adds to the increase in floor space it would not harm the visual amenities of the locality or the character of the building. The raised terrace adds to the overall design of the scheme whilst forming practical access from the building to the lower garden level.

The design, form, scale and materials of the proposed development would be sympathetic in context with the street scene and the wider area and would not have any adverse impact on the visual amenities of the locality.

The reasons for refusal on the previous application AWDM/0117/19 relating to design and scale, are considered to have been overcome by this application.

The proposed extensions are not considered excessive in scale and the height and depth of projection of the proposal have been significantly reduced at first floor level. The design has been significantly improved and now presents a cohesive and attractive scheme that integrates well with the existing building, reflecting its simple rectangular form and shallow pitch roof. The extension would not appear as a dominant or discordant addition to the building or result in harm to the character or visual amenities of the area or the setting of the adjacent listed windmill.

Residential Amenity

The most affected properties are the neighbour to the west side at No.19 and the properties to the rear, Seeden House and No.15 Furze Road.

The rear elevation of No.19 is positioned in line with the rear elevation of the application property. The side boundary of the garden to No.17 angles away to the west and across the rear of the neighbour's property, with the neighbour's main garden area further to the west. There is a garage at the neighbour's property, adjacent to the side boundary, with windows to the rear elevation. The proposed rear extension would not extend beyond a 45 degree line projected from the mid-point of the nearest window.

The first floor of the extension closest to the boundary is set in to form a balcony. The proposed extension would not result in overshadowing to No.19 or appear overbearing or obtrusive to these neighbours. The balcony at first floor level would incorporate a 1.8m high opaque glazed screen which would protect the neighbours

from overlooking to their house and garden. The high level window to the side of the extension is at ground floor level and would not result in overlooking. The window to the south-west elevation of the proposed side-rear extension would look out across the applicant's own garden and would not adversely affect the neighbour. The first floor balcony to the east wing is over 14m from the boundary to the side and would not result in any loss of amenity for the occupiers of No.19.

The properties to the rear are over 25m from the proposed extensions and positioned on lower ground. The first floor windows and balconies to the rear of the extensions may provide some opportunities for overlooking however there is sufficient distance between the buildings to avoid any significant impact in this respect.

The proposed works are not considered to have any significant impact on the residential amenities of adjacent occupiers.

Trees

The site is bordered by protected pine trees along the east boundary. The proposed extension is just outside of the crown spread of these trees and follows the existing footprint of the extension. The Councils Arboricultural Officer raised no objections to the development subject to the submission of a Tree Protection Plan to ensure the RPA (Root Protection Area) of existing trees are not affected.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. External materials as specified on plans
4. No additional openings to be formed in west side wall of extension
5. Tree protection plan to be submitted

27th May 2020

Application Number: AWDM/0445/20

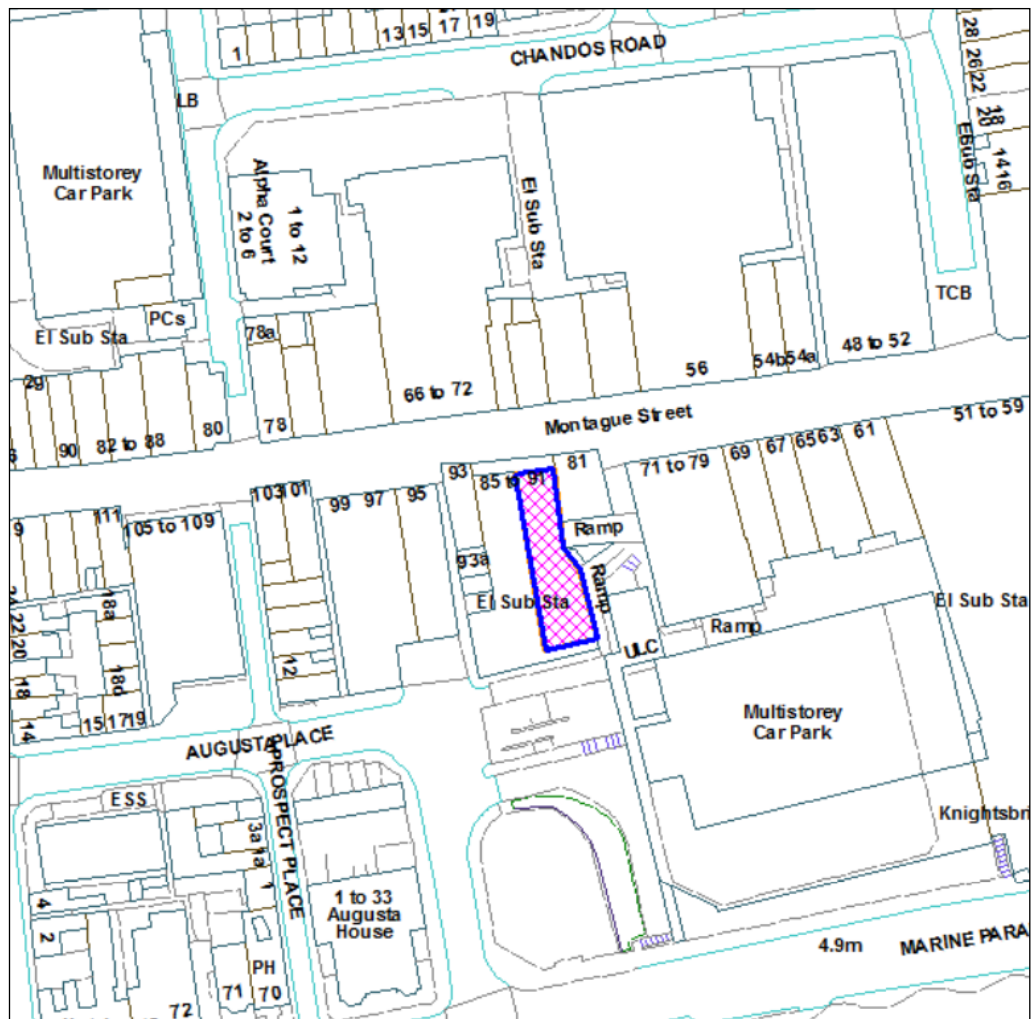
Recommendation – APPROVE

Site: 85 - 87 Montague Street Worthing West Sussex BN11 3BN

Proposal: Application under Regulation 3 for temporary change of use of retail (Use Class A1) to a flexible use of retail (Use Class A1), or cafe/restaurant (Use Class A3), or assembly and leisure (Use Class D2), or office (Use Class B1(a)) for a temporary period of 3 years.

Applicant: Worthing Borough Council
Case Officer: Jackie Fox

Ward: Central



Not to Scale

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Site and Surroundings

The application property is part of a three-storey retail building situated on the southern side of Montague Street, one of the main shopping streets within Worthing town centre. The property is within the Central Shopping Area - Primary Zone A.

The unit has a total floorspace of 713 sqm across the three floors. The ground floor comprises retail floorspace, a stairway up to the first floor staff facilities to the rear. There is also access to a rear common way.

The first floor provides additional retail floorspace, a rear stock room and stairway up to the second floor

The second floor comprises ancillary office space, stock room, staff room and W.C.'s, and a plant room

The ground floor frontage of the building is a glazed shopfront and entrance with projecting fascia signage. The upper floors are brick faced with bay windows and metal clad detailing to top and bottom. Above the building are two decks of the Grafton multi-storey carpark.

The surrounding area is the town centre, commercial in its character.

Proposal

The application seeks permission for a change of use from a vacant retail shop (A1) to a temporary mixed use of (Use Class A1), or café/restaurant (Use Class A3), or assembly and leisure (Use Class D2), or office (Use Class B1(a)) for 3 years.

The supporting statement indicates that a flexible use would allow for wider marketing of the property and increase the chances of the premises being occupied during the upcoming period prior to redevelopment.

The report comes before Members as it is an Regulation 3 application on behalf of Worthing Borough Council. The retail units were purchased by the Council to assist with the regeneration of the area, in particular the redevelopment of the Grafton Multi-Storey Car Park (MSCP) which is in a poor structural condition.

Applicants Supporting Statement

"The Applicant wishes to retain the retail use of the premises and will pursue this in preference to other uses.

Should a retail occupant not come forward and instead a café / restaurant use occurs, this would result in the temporary loss of the existing retail use. Core Strategy Policy 6 states that new retail, leisure and office development will be directed to the town centre, and that within the Central Shopping Area - Primary Zone A, retail uses will be protected. Draft Local Plan Policy CP14 seeks to protect retail uses within Primary Zone A.

A permanent café / restaurant use of the site would be contrary to these adopted (and emerging) planning policies but permission is only sought for a temporary period (3 years) with the objective of maximising the potential for the unit to be occupied in the time between the existing tenant vacating and the redevelopment of the site taking place. On this basis, the conflict with adopted planning policies is temporary and with the wider/higher objective of securing the redevelopment of the wider site for a potential 113 housing units and a potential 2,979 sqm of retail / leisure / employment floorspace.

A café / restaurant use would retain an attractive and active street frontage during the daytime and potentially the evening, and would attract customers who may visit other businesses within the shopping centre. Therefore, as a temporary use, a café / restaurant would deliver additional or comparable benefits to the shopping centre when to balance against the temporary loss of the retail unit.

A temporary assembly or leisure (D2) would attract pedestrian activity and customers that may in turn visit other businesses within the shopping centre – contributing to its vitality and vibrancy. As set out above, a permanent change of use to D2 would be resisted by the development plan policies, but on a temporary basis the short-term conflict with the relevant policies can be outweighed on balance by the benefits of short-term occupation of the site during the interim period ahead of the wider redevelopment scheme.

A temporary office use (B1(a)) would generate employment, and an active glazed frontage would be retained. The building has a flexible layout and could provide affordable town centre office spaces and or co-working spaces. Employees and visitors to the offices would be likely to visit nearby retail units and other businesses such as cafes / restaurants. An active office use would therefore contribute to the vitality and vibrancy of the town centre. The SHW Report details that there has been a reduction in available office space in Worthing due to changes of use through Permitted Development (e.g. the Columbia Building), and that there is a high demand for affordable office space as evidenced by The Freedom Works building in Chatsworth Road which is now fully occupied.

In all cases, the temporary café or leisure uses, or office use would be a preferable scenario to a vacant unit which may be the case should a retail occupant not come forward in the interim prior to redevelopment.”

Relevant Planning History

None relevant

Consultations

West Sussex County Council Highways: raises no objection to the proposal as it does not consider that the proposal would cause any significant or severe highway safety or capacity impacts as a result of this temporary change in use.

Adur & Worthing Councils:

Environmental Health - there are no adverse EH comments in principle, but we would need to see details of any plant or kitchen extraction, should this be proposed, once the end use is decided

Technical Services raises no objections to the proposal.

Planning Policy: comments that:-

‘The site and proposed temporary uses however need to be looked at in more detail in terms of the context, the emerging policy and guidance and the economic situation.

These units form part of the DWLP A7 Allocation Grafton Site.

The emerging LP and recent retail study has also looked at redefining the boundaries of the Primary shopping area potentially reducing the extent of the Primary frontage albeit the site would remain in the Primary frontage.

Nos 85-87 Montague Street is in existing and recommended Primary Shopping Frontage. We have recommended 65% for A1, but other uses should be restricted to A3 (see recommendation WTC4). The A3 element would be appropriate, but I would strongly resist D2 and B1 in this location, even if for temporary up to 3 years – that is long-term and will do nothing to reinvigorate the shopping role of the Primary Shopping Frontage.

Permitted development allows change of use from A1 to D2 (up to 200 sq m), and we have recommended an Article 4 to prevent this from happening – see recommendation WTC15.

You currently need planning permission for A1 to B1, and an office in this location would have a detrimental impact on footfall and the shopping role of the Primary Shopping Frontage.

I hope that's helpful, but its A1 or A3 in my view, and as set out in the recommendations of the Study.'

Representations

None

Relevant Planning Policies and Guidance

Worthing Core Strategy 2006-2026 (WBC 2011): Policy 2, 3, 3, 5, 6,16.

Worthing Local Plan (WBC 2003) (saved policies): H18, TR9, RES7.

National Planning Policy Framework (March 2019)

National Planning Practice Guidance

Relevant Legislation

The Committee should consider the planning application in accordance with: Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and, Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The main issues are the potential loss of the retail unit together with any amenity issues.

Loss of a retail unit

Worthing town centre is an important shopping centre having a strategic role within the coastal sub-region. Brighton, Crawley, Portsmouth and Guildford are the town's main competitors. In addition to shopping, the town centre is also important for other uses including tourism, cultural and recreation uses, and businesses other than shops which contribute to the overall vitality of the town and make an important contribution to the local economy.

Relevant planning policy is contained within the development plan and the National Planning Policy Framework (NPPF).

The retail strategy set out in the Worthing Core Strategy seeks to improve and strengthen the town's retail offer through safeguarding the retail character and function of its retail core area whilst having a more flexible approach to encourage a broader mix of uses, including cafes, restaurants and other commercial and leisure uses, elsewhere in the town centre. CS policy 6 alongside the saved policies of the Local Plan, sets out the retail strategy for the town centre as a whole, defining the range of uses appropriate to the town centre shopping area and setting out the approach to defined shopping frontages and proposed changes of use therein.

The site is located in Primary Zone A which seeks to safeguard the retail character and function of the town centre by protecting Class A1 uses and resist development that would detract from its vitality and viability.

However, since 2011 there has been considerable discussion nationally about the state of our town centres and the decline of retail. There has been a recognition that town centres need to evolve and that other uses that contribute to active frontages including leisure, health and community uses could play a role in supporting retail uses. The question is one of balance. The emerging policy supported by a Retail Study 2017 reaffirms that the locality of the application site should remain within a protected retail zone (at the same time recognising that this zone needs to allow some flexibility and be contracted elsewhere). This is reflected in the Draft Local Plan policies set out below:

WTC3: A policy priority to prevent fall in number of Use Class A1 comparison goods retailers. Policy should retain 65% minimum threshold for Use Class A1 in Primary Shopping Frontages, irrespective of unit size. Clarify that the percentage relates to number of units to retain and ensure a strong mix and diversity of retail operator irrespective of floorspace and length of frontage. The 65% threshold is consistent with national averages in the context that 35% of town centre units are – on average – occupied by leisure and financial/business services.

WTC4: Provided minimum Use Class A1 threshold is retained, clarify that only Use Class A1 and Use Class A3 are allowed in Primary Shopping Frontages. These uses ensure full daytime trading footfall, avoiding daytime closing hours.

WTC5: In Primary Shopping Frontages it is recommended that non-Use Class A1 operators are not allowed to locate in adjacent units and that at least three Use Class A1 shops separate those individual non-Use Class A1 units that are allowed under the threshold policy.

The framing of CS Policy 6 is clear that, whilst a mix of uses can contribute to a vibrant shopping area, it is important that the primary shopping frontages, and Primary Zone A, in particular, does not lose its strong retail character and function.

This policy objective is in broad conformity with the objectives for town centres set out in the NPPF. Importantly at Paragraph 85, the NPPF, places the intention firmly in the context of local plan policies for their growth, management and adaptation. It states at para 85 b) planning policy should 'define the extent of town centres and primary shopping area, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre.

The Council's policies are in conformity with the clear intent of the NPPF that local policies appropriate to the specific circumstances of individual centres should be the starting point in the consideration of specific proposals.

Notwithstanding this, during the economic downturn the Council took a pragmatic approach to the depressed economic climate and concerns over long term vacancy, and where it could be justified based on the specific circumstances of proposal and the site in question, in some instances granted permission for complementary uses including those within Class A2 and A3 where it was considered that it was better to have such units in occupation rather than a large number of vacancies, which would be detrimental to the appearance and attractiveness of the town centre shopping. This was particularly the case in granting A3 uses in the Montague Centre.

Turning then to the circumstances of this particular proposal, this part of Montague Street forms the town's principal pedestrianised shopping street, linking with South Street. It has a distinct retail character creating a strong town centre retail character and function that could be weakened by the proposed mixed uses. It is recognised that the Council as freeholder owner of this unit is looking for only a temporary change of use pending the redevelopment of the area. However, it will be important not to set a precedent which would undermine the above policy context and the future health of our town centre.

The proposal for A3 use at ground floor level would be acceptable and comply with the above emerging policies (albeit the emerging policy approach would require an Article 4 Direction to seek to maintain the 65% retail suggested). Class A3 for a café/restaurant is a use that has been accepted, in exceptional circumstances, in retail units where premises have been vacant for long periods of time and would provide an important contribution to the dwell time of visitors and shoppers and would not impact on the primary retail frontage.

The proposed B1 use is acceptable on the upper floors of this building but your Officers are concerned about any office use on the ground floor which would present an inactive frontage and affect the vitality of the town centre even for the temporary period suggested. Some of the managed floorspace now being provided does look to incorporate cafes and as such a mixed use with a cafe open to the public on the Montague Street would be likely to be acceptable but would be a mixed B1/A3 use.

A D2 use includes the following - cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used). Many of these uses would be appropriate for the upper floors

but again some of these uses would not be ideal for the ground floor. The Council has been approached to consider children play space again often incorporating some A3 cafe element and a mixed use A3 and D2 may be acceptable on the basis of the A3 use being on the street frontage.

The applicant has been requested to amend the application to accord with the above comments.

Visual amenity

There would be no changes to the shop front however the resulting use could have an impact on how the shop front is used. A1 and A3 uses would be likely to retain a shop front whereas Some D2 uses and certainly B1 uses would be likely to provide a 'dead' frontage as referred to above.

Residential amenity

The site is within a commercial primary shopping area, there are no residential properties within close proximity of the application site.

Highway safety and parking

The site is located within a highly sustainable location in the town centre and is well served by public transport. The Highway Authority raised no objection to the temporary changes of use

Recommendation

Approve subject to the application being amended to allow D2 and B1 only on upper floors and A1 and A3 on the ground floor with a mixed use B1/A1/A3 or D2/A3 on the ground floor (where A uses are on the Montague Street frontage).

APPROVE

Subject to Conditions:-

1. Time Limit
2. The ground floor of the premises hereby approved shall only be used for Use Classes A1 and A3 and any D2 or B1 use would only be permitted as part of a mixed use with an A1 or A3 use being undertaken from the front (Montague Street) section of the unit. The use hereby approved allows A1, A3, B1 or B3 uses on upper floors of the building.
3. Prior to any A3 use of the premises suitable means of extraction and ventilation shall be provided in accordance with details first submitted to and approved in writing with the LPA.
4. Details of bin and recycling storage to be submitted.

27th May 2020

Application Number: AWDM/0762/19

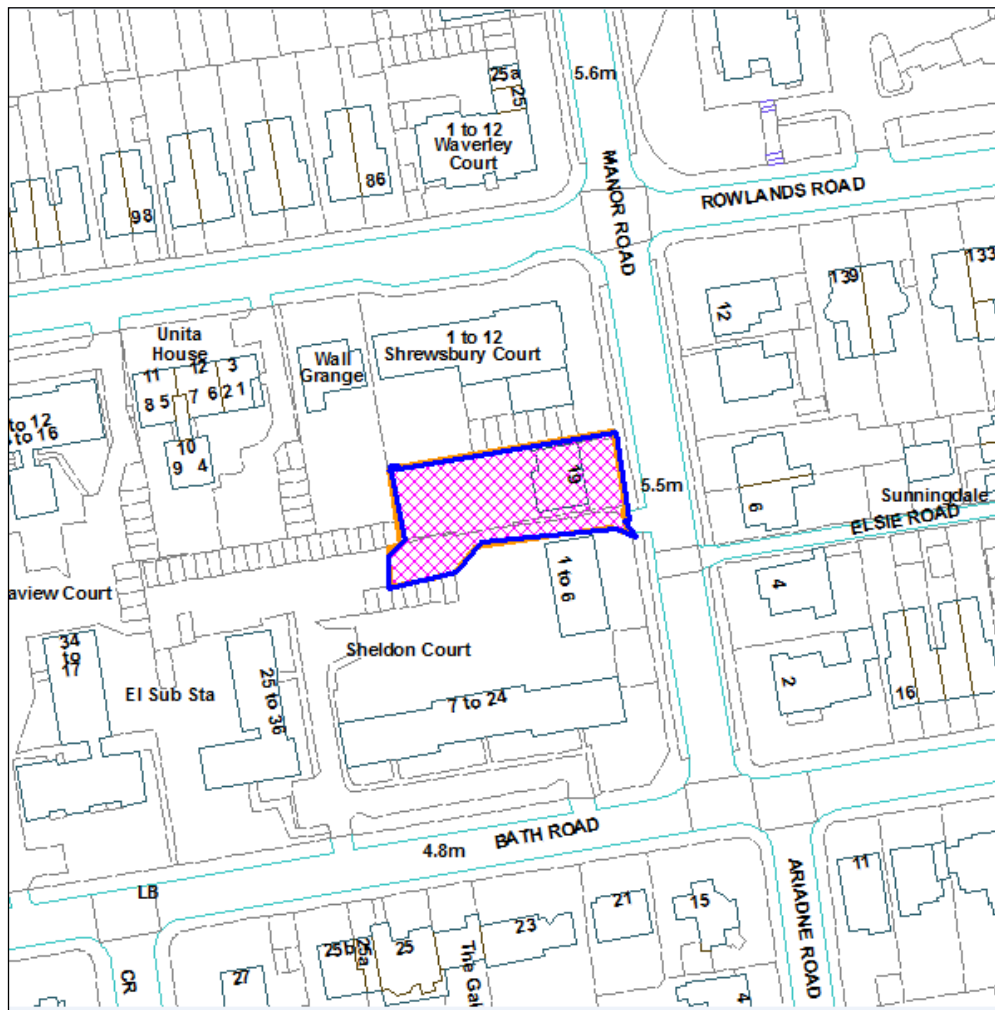
Recommendation – APPROVE

Site: 19 Manor Road Worthing West Sussex BN11 3RT

Proposal: Demolition of existing building and replacement with 10no. one and two bedroom apartments set over four floors, with balconies to West, East and South elevations, accessed from Manor Road with parking for 6no. cars.

Applicant: Mr P Le
Case Officer: Jackie Fox

Ward: Heene



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Introduction

Members will recall on the 21st August 2019 the above application was considered by the Committee and it was to delegate the decision to the Head of Planning and Development to approve subject to the completion of a S 106 agreement to secure a 20% affordable housing contribution and appropriate conditions.

Members may recall that the 20% Affordable Housing contribution had recently been introduced on sites of 10-14 dwellings following the revised NPPF and updated policy position. Prior to this a 10% contribution would have been sought for a scheme of this size.

For Members information the contribution being sought by way of a 20% affordable housing contribution was £160,152.

A copy of the original report is attached for Members information

Update

Since the last Committee meeting the applicant has expressed concerns about the viability of the project and has submitted a viability assessment which suggests that the scheme cannot afford to provide any affordable housing contributions. This detailed assessment had not been prepared prior to the meeting and as the previous report states the applicant had assumed that they would only have to make a 10% contribution.

For background, development viability is a measure that may be defined as ‘the ability of a development project to meet its costs including the cost of planning obligations, while ensuring an appropriate site value for the landowner and a market risk adjusted return to the developer in delivering that project’

In all appraisals of this type, the base value (value of the site or premises – e.g. in existing use) is one of the key ingredients of scheme viability.

Under normal circumstances where a viability appraisal is provided, if the residual land value (RLV) created by a scheme proposal exceeds the existing use value or (in the absence of a clear existing use, potentially an alternative use value) then we usually have a positive viability scenario – i.e. the scheme is much more likely to proceed (on the basis that a reasonable developer profit margin is also reached).

Viability Assessment Process

The original report from (BPC) concluded that the ‘development did not generate enough surplus over the benchmark land value (BLV) to fund affordable housing from the site.

In order to assess this further an independent consultant the Dixon Searle Partnership (DSP) was appointed by the Council to assess the applicants ‘viability assessment’.

The Councils Consultant found that there were some discrepancies between the viability appraisal and its assessment. Whilst, most of the assumptions were considered reasonable there were originally 3 areas that were disputed and resulted in our Consultants considering that there was a surplus that could help to deliver some level of financial contribution towards affordable housing in line with our current policies.

The 3 areas of discrepancy were ground rents, build costs and gross development value. The applicants’ consultant was asked to address the discrepancies.

Following discussions BPC re-ran its appraisal indicating that the RLV is calculated to be £284,417 which is £42,715 below the benchmark land value (BLV) allowing for developer profit. Therefore indicating that the site was still not viable to provide an affordable housing contribution

The applicant's agent BPC also cited the 'Current Economic Situation' stating that uncertainty caused in the market is highly likely to mean that sales values are going to decrease to lower than what is currently set out in its appraisal. Short term price falls could be in the order of 5% to 10% on lower levels of transactions. This current climate increases the risk to developers in an uncertain market and longer term.

Following this submission the Councils Consultant DSP were asked to re-assess the information:

A summary is set out below:

Build Costs

Build costs have been assumed based upon BCIS median rate for flats rebased to a Worthing location. At the time of their report (October 2019) BPC stated this to be £1,681/m² whereas, upon reviewing BCIS data, DSP assumed a rate of £1,440/m² (January 2020). BPC suggest that, in order to reach agreement, the parties adopt the BCIS rate from February 2020, which is stated to be £1,556/m².

DSP note that the BCIS rate adopted is for the 'default period' and it is the use of this rate which is causing a discrepancy rather than the use of a specific time period. DSP consider the 5 year figure to be the most appropriate rate to use (£1,440/m² January 2020 and £1,445/m² May 2020).

RICS BCIS allows for different cut off points for its data sets. The 'default period' setting draws upon tender price evidence submitted to RICS over the previous 15 years, but this can be cut at 5-year intervals from a minimum of 5 up to 45 years in order to provide details of tender pricing over a specific period.

The residential construction data sets are considered to have reasonable samples in all period setting categories (i.e. from 5 years upwards), and sample size is therefore deemed robust. Hence RICS publish BCIS with a minimum 5 year period setting.

The primary potential deficiency with using the 'default period' BCIS data set is the projects captured will have been delivered under a different regulatory and regime to the present Building Regulations.

Consequently, the 'default period', which reflects schemes constructed over the period 2005 to 2020 will include many schemes that do not reflect current Building Regulations.

Projects tendered and constructed from 2015 to 2020 are most representative of the cost of delivering to the current regulatory and best practice regime than projects tendered over the longer 15 year 'default period'.

We have therefore adopted a build rate of £1,445/m² within our latest appraisal.

Sales Values

Within our original report, we noted a discrepancy between the assumed sales values within the BPC DVR and the accompanying development appraisal (£3,552/m² compared to £4,093/m²).

BPC have now adopted a 2% price increase to the assumed total GDV of £2,340,000 to arrive at a revised GDV of £2,386,800 (equivalent to £3,623/m²).

Based upon our own desktop research of property values using the Land Registry and property search engines Rightmove, Zoopla and similar sources to review local market indications for comparable properties considering current / recent asking and sold prices within ½-mile of the application site, we are of the view that an assumed value of £3,623/m² is not unreasonable. Although we note no explanation of the higher value utilised within BPC's development appraisal has been offered.

Ground Rents

We note that DSP's revised yield of 5% has been accepted and this is welcomed.

In response to the above the applicants Consultants have re-run the development appraisal and state that the scheme produces an RLV of £284,417 which is £42,715 below the assumed BLV of £327,132, equivalent to an actual profit of £374,975 or 15.7% GDV. Therefore BPC set out once again to demonstrate that the scheme is not viable. However, when adjusting the build costs as set out above, the scheme produces an RLV of £372,507 and when compared to the assumed BLV of £327,132 produces a surplus of **£45,375** which could be put towards affordable housing.

Notwithstanding the current Covid 19 crisis and economic uncertainty the applicant has now agreed to enter into a s106 to secure the above affordable housing contribution.

Report Conclusion

As set out at the beginning of the report a 20% affordable housing contribution for this site would be £160,152. The applicants have demonstrated through their consultant that the proposal is not capable of providing this level of contribution and a nil contribution was being presented and offered.

Intendent assessment from DSP has shown that there is however a likely surplus of £45,375 as set above. Notwithstanding the current Covid 19 crisis and economic uncertainty the applicant's Consultant (BSC) has confirmed that its client is now willing to agree to a £45,375 contribution towards delivering affordable housing.

In view of the information provided by the applicant's consultant and the Councils independent Consultant it is therefore recommended that Members agree an amended affordable housing contribution of £45,375.

Recommendation

To delegate the decision to the Head of Planning and Development to approve subject to the completion of a S 106 agreement to secure £45,375 affordable housing contribution and the following conditions:

1. Time to implement
2. Approved plans and documents
3. Agree and implement surface water drainage details.
4. Development in accordance with the drainage report
5. Construction method statement including hours of construction, dust suppression and emissions
6. Agree external materials, finishes and architectural details
7. Provide parking and access
8. Provide cycle storage
9. Details and implement hard and soft landscaping
10. Agree, implement biodiversity plan
11. Obscure glaze north facing windows no opening above 1.7m above finished floor levels
12. Agree, implement a sound insulation scheme between floors
13. Noise emitted from the lift cabinet does not exceed 62dB LAeq at 1m
14. Agree, implement and retain balcony details
15. Agree implement boundary treatment

27th May 2020

Appendix: Previous Committee Report from 21st August 2019

Application Number: AWDM/0762/19

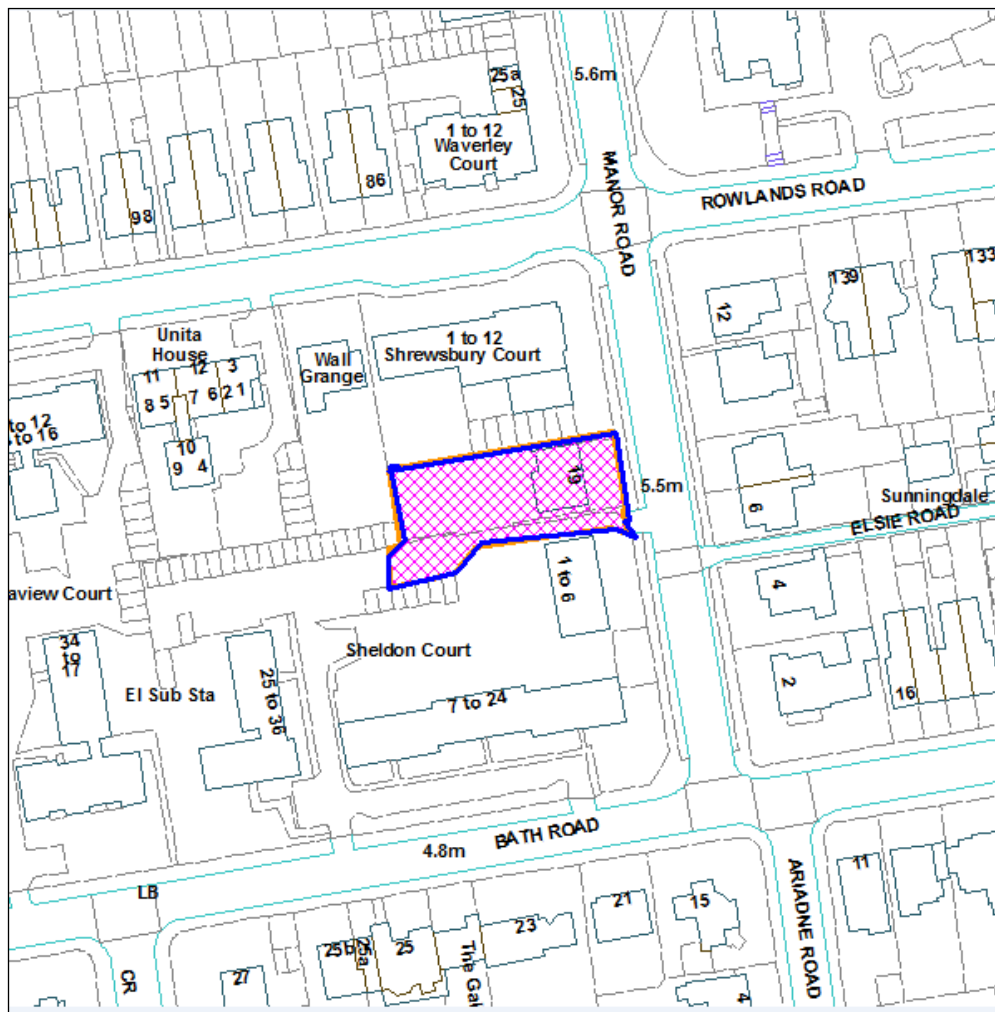
Recommendation – APPROVE

Site: 19 Manor Road Worthing West Sussex BN11 3RT

Proposal: Demolition of existing building and replacement with 10no. one and two bedroom apartments set over four floors, with balconies to West, East and South elevations, accessed from Manor Road with parking for 6no. cars.

Applicant: Mr P Le
Case Officer: Jackie Fox

Ward: Heene



Not to Scale

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Site and Surroundings

The site contains a single detached dwelling, accessed from Manor Road with off-street parking area to the front, and a landscaped rear garden.

The site is within a largely residential area of Worthing (the only apparent non-residential use nearby is a nursery school on the opposite side of the road, within a former dwelling). The residential uses are varied, with a number of

Edwardian/Victorian properties (those on the opposite side of the road are within the Ivy Place Conservation Area), as well as more modern flats.

The flats to the north of the site (Shrewsbury Court) are part two storey/part three storey with a pitched roof. This building abuts the application site at ground floor level with a covered parking area, and is separated by a garage length (about 6m) from the site boundary at first and second floor levels. There are four clear-glazed windows in the side elevation facing the application site; the building has balconies and windows to the front, and further windows to the rear.

The flats to the south of the site (Sheldon Court) are three storey with a flat roof, forming part of a development of 3 apartment buildings with shared garden, access and garaging. There are no windows in the side elevation of the nearest block facing the application site, but there are clear glazed windows to both front and rear elevations of Sheldon Court. The nearest building is separated from the application site by a private access driveway and grass verge.

Proposal

The proposed development comprises the demolition of the existing two storey dwelling and replacement with a four storey building comprising 10 flats. The fourth storey would comprise a mansard roof set in from the main elevations.

The proposal comprises 6 x 1 bedroom flats and 4 x 2 bedroom flats arranged over the four levels. The proposal would have a lift to serve the upper floors.

The proposed building would be of a more traditional style. It would have a range of materials principally of brick but including render to the south east corner feature and ground floor. It would have balconies to three floors in the front south east corner and on the rear. At fourth floor the slate mansard roof would be set in principally from the front and rear elevation with a small terrace to the south elevation and a larger terrace to the rear (east). The design shows window and parapet detailing.

The building would have a similar frontage onto Manor Road as the flat blocks to the north and south. The existing vehicle access would be closed, and access taken for parking to the rear of the building from the existing access to the flats to the south, Sheldon Court. There would be only pedestrian access to the front. Outside amenity area is shown to the front and the rear. Private amenity is also created through the introduction of 9 private balconies and a roof terrace for flat 10

Six parking spaces, the bin stores and cycle parking are shown to the rear.

The application is accompanied by

- Design and Access Statement
- Daylight and sunlight assessment
- Transport Report
- Sustainability statement
- Statement of community involvement
- Drainage Statement

Relevant Planning History

Application 03/01419/FULL permitted the change of use of the building from two flats to a single dwellinghouse. The site appears to be in use as a single dwellinghouse.

PREAPP/1079/17- Demolition of existing house and erection of 13 flats (4 x 2 bed, 9 x 1 bed)

PREAPP/0381/18- Demolition of existing house and erection of 13 Flats comprising 6no. x 2 bed flats and 7no. x 1 bed flats

PREAPP/0673/18- Demolition of existing building and erection of 10 flats with parking

Consultations

West Sussex County Council:

Flood Risk- Current surface water mapping shows that the site is at low risk from surface water flooding, moderate risk from ground water flooding. They recommend a surface water drainage condition.

Highways – No objections to the application.

Southern Water: No objections subject to informatives for connection to the sewer

Adur & Worthing Councils:

The ***Environmental Health*** officer raises no objection. They advise that conditions on sound insulation, hours of working, submission of a construction management plan and emission mitigation assessment be included on any approval. Environmental Health officers are also satisfied with the information for noise emitted from lift hydraulics unit/control cabinet. They recommend a further condition to ensure that noise emitted from the cabinet does not exceed 62dB LAeq at 1m

The ***Private Sector Housing*** officer has no objections

The ***Engineer*** considers the proposals within the drainage statement are appropriate and acceptable. They recommend a condition that the development shall be fully in accordance with the submitted drainage report.

Representations

16 letters of objection have been received. 6 from residents in Manor Road. 5 from residents of Sheldon Court, 4 from residents of Shrewsbury Court and 1 from a resident in Rowlands Road.

The objections raise the following general concerns:

The proposal would involve the loss of a family home

The four story building is an overdevelopment of the site, out of character with the street scene

The design is not appropriate

The proposal would involve the loss of trees and hedging

Existing trees should be retained

There would be the loss of wildlife
The proposal would impact on pollution
The scheme would provide inadequate parking
The development would cause additional on street parking on a road which is already heavily parked.
Additional noise and disturbance from construction
There is inadequate parking for construction and delivery vehicles

From residents in Shrewsbury Court:

The proposal would cause adverse overlooking of flats in Shrewsbury Court.
There would be a loss of light to residents in Shrewsbury Court
Additional noise impact on the residents of Shrewsbury Court from the parking area to the rear
The north facing stairwell windows would overlook properties in Shrewsbury Court and should be obscure glazed

From Residents in Sheldon Court and leaseholders:

Overlooking and loss of privacy for residents in Sheldon Court.
Additional vehicles using the Sheldon Court access causing additional noise and would be dangerous.
Concern who would maintain the access road through Sheldon Court
Concern that there is no restriction to use of Bath Road access through Sheldon Court and the proposed parking spaces
There should be a restriction on parking to ensure future residents of the new flats don't use parking allocated for residents of Sheldon Court

From a resident in Rowlands Road:

Impact the roots of a bay tree in a property in Rowlands Road

Relevant Planning Policies and Guidance

Saved Local Plan policies (WBC 2003): H18, TR9, RES7
Worthing Core Strategy (WBC 2011): Policy 7, 8, 9, 10, 14, 15, 16, 17, 18, 19
National Planning Policy Framework (HCLG 2019)
National Planning Practice Guidance
Guide to Residential development SPD (WBC 2013)
Space Standards SPD (WBC 2012)
Worthing Community Infrastructure Levy (CIL)
West Sussex County Council Guidance on Parking at New Developments May 2019
Developer Contributions SPD (July 2015)
National Planning Policy Framework (March 2019)

Relevant Legislation

The Committee should consider the planning application in accordance with:
Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant

conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

The Core Strategy, including the saved policies of the Worthing Local Plan, comprises the Development Plan here but the Government has accorded the National Planning Policy Framework (NPPF) considerable status as a material consideration which can outweigh the Development Plan's provisions where there are no relevant development plan policies or the policies which are most important for determining the application are out of date. In such circumstances paragraph 11 of the revised NPPF states that planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or any adverse impacts of doing so would demonstrably outweighs the benefits, when assessed against the policies of the NPPF taken as a whole.

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 5 years' worth of housing against their housing requirement set out in adopted strategic policies, or against local housing need where the strategic policies are more than five years old. The housing requirement set out in policy 7 of the Core Strategy is clearly more than 5 years old. An assessment of local housing need has been undertaken as part of the new Worthing Local Plan, but the latter is still at a very early stage and has no formal status in the determination of planning applications.

As such the proposal should principally be assessed in relation to the presumption in favour of sustainable development as set out in paragraph 11 of the revised NPPF and informed by saved Worthing Local Plan policies H18; TR9, and RES7, Core Strategy policies 7, 8, 9, 11, 13, 15, 16 and 17; the policies set out in National Planning Policy Framework and allied Practice Guidance; and the Council's SPDs on 'Space Standards' and 'Guide to Residential Development'.

The key considerations are:-

- The principle of the loss of an existing family dwelling
- Impact on the character and appearance of the area including the Conservation Area.
- Impact on the amenity of future occupiers and neighbours
- Parking and highway safety
- Affordable Housing

The policy context comprises of the NPPF and the local development plan which consists of the saved policies of the Worthing Local Plan, Worthing Core Strategy and accompanying SPDs.

Policy CS8 seeks to deliver a wide choice of high quality homes to address the needs of the community with higher density housing (including homes suitable for

family occupation) in and around the town centre with new development outside of the town centre predominantly consisting of family housing.

Policy CS9 seeks to ensure the retention of the existing housing stock unless the proposal results in a net increase in the family housing stock, the housing and its environment is of an unacceptable standard which cannot be improved, or the loss would facilitate the delivery of a needed community use.

The policy approach was informed by the Strategic Housing Market Assessment (2008) (and subsequently supported by the SHMA Up-date in 2012) which outlines the importance of providing family housing and the key objective of retaining, where possible, existing family housing.

The main objective of the Core Strategy policy approach was to redress the imbalance in the housing mix that has dominated new development at that time, namely smaller flats. The SHMA provides the evidence base for the policy approach set out in the Core Strategy. Worthing's housing offer was focused towards smaller properties. The shift to the construction of 1-2 bed properties over the last 5 years (prior to Core Strategy adoption) had been significant. Flats accounted for almost one-third of Worthing's total housing stock. The majority of the flats are in purpose built blocks but a significant proportion of flats are in converted buildings (often resulting from the sub division of larger Victorian and Edwardian properties). The SHMA found that between 2006-2011, just 9% of homes built in the borough had 3 or more bedrooms compared to an estimated need/demand closer to 40% provision of larger properties such as this. Therefore, the policy approach is one that seeks to increase the number of family homes through new development and to protect the existing stock. Whilst the policy acknowledges that there is still a valid role for flats to play and particularly in higher density, town centre developments they should not form the principal type of future housing stock in the Borough.

Since the adoption of the Core Strategy the NPPF was published in 2012. The CS was assessed against the NPPF to ensure general compliance and was found that the policies were in general compliance. However, since that time changes to the way in which the housing need of an area are assessed has changed significantly (together with some other changes) and as a consequence the Core Strategy is currently being reviewed. It should be noted that the current CS 'target' for annual delivery of housing is 200dwpa however; under the revised housing assessment (standard methodology) the level per annum is currently around 920 dwellings per annum. Even with building out all available sites there would a shortfall in the region of 10,000 dwellings over the new plan period.

It is therefore acknowledged that there is a need for additional dwellings, however this needs to be weighed against the loss of much needed family house.

The determination of whether a dwelling is suitable for family occupation is not solely based on number of bedrooms and access to private amenity space. The SPD produced to support the policy *would expect that the unit concerned would have 2 larger bedrooms and would accommodate at least 3 people, have adequate internal and external storage areas to meet the needs of a family. It should normally have direct ground floor access to a suitable area of private amenity space suitable for children to play safely and for the sole use of the occupants.'*

'The existing housing stock is an important part of the overall housing provision of the town, which contributes to meeting local needs. It is recognised that the conversion of existing housing can provide an important source of new housing, however a key objective for Worthing is to retain, where possible, existing family housing.'

Finally, it clarifies that each application will be considered on merit and that if it is determined, that the property subject of an application provides suitable family housing then policy 9 would apply and the loss of the property would only be allowed if the criteria set out in that policy are met. The policy states that;

Policy 9 - Existing Housing stock The Core Strategy will seek to ensure the retention of the housing stock unless;

- The proposal results in a net increase in the family housing stock*
- The housing and its environment is of an unacceptable standard, which cannot be improved*
- The loss would facilitate the delivery of a needed community use'*

The proposal would result in the loss of detached traditional family house it would however result in the provision of 10 units four of which have two bedrooms and could be considered to provide family accommodation. Taking the policy considerations and SPD into account three of the units are 81sqm and flat 10 is 109sqm. All the two bedroom units therefore comply with and exceed national and local space standards. The properties have good sized bedrooms and balconies and the larger unit has a roof terrace. The development includes private amenity area to the rear which although not for exclusive use of any of the flats does provide an area that could be used by families. The proposal is therefore considered to comply with policy 9 and although a larger family unit would be lost, the proposal would involve in a net increase in family accommodation. The application will also provide much needed housing.

Impact on the character and appearance of the area including the conservation area.

In terms of the appearance of the development, the existing dwelling is not of any special architectural interest, but its scale and form does respect the pattern of development within the Conservation Area on the opposite side of Manor Road.

To the south, Sheldon Court, comprises 3 x three storey flat roofed buildings wrapping around the corner with Bath Road. It has only a small parking area to its Manor Road frontage, which is mainly landscaped to provide an attractive setting for the building. The majority of the parking and garages are to the rear with access points from Manor Road and Bath Road.

To the north Shrewsbury Court is a more modern three story block with undercroft parking accessed from Manor Road. It has a pitched roof.

On the opposite side of the road within the Ivy Road conservation area comprises a mix of traditional Edwardian style dwellings with landscaped front gardens and general space about the building.

Good quality design and architectural composition is required by policy 16, this is elevated to high quality in the NPPF. Development which may affect heritage assets such as conservation areas and listed buildings should sustain and enhance them and make a positive contribution to local distinctiveness.

The application proposes a building which although four storeys has a mansard roof which is set back from the principle elevations, it would be no taller than Shrewsbury Court to the north and would be on a similar frontage to both the adjacent blocks. The development is within a street with a mixture of residential development both in terms of scale, height and design, there is therefore no set style of height and although the proposed scheme is especially four storeys it would not be out of scale or context in the street scene and has been reduced considerably during the pre-application process.

The design of the scheme picks up on brickwork and render from surrounding blocks and the detailed feature corner on the south east and good sized balconies add interest to the building. The design and detailing has been subject to discussion and agreement during pre-application for the site. The scheme has been set away from the northern and southern boundaries and landscaping provided to the frontage as well as the rear.

The Ivy Place Conservation Area statement indicates that in Manor Road in general there are relatively wide streets, generous spaces about the buildings and recessed building lines all of which serve to convey a sense of spaciousness in the area. The design of the proposed flat block has more of a traditional feel which would be more appropriate for the location and any impact on the conservation Area.

It is considered the proposed flat building would provide good space about the building and would provide a good standard architectural composition and detailing, consistent with the mixed style and character of locality, and as such would not detract from the visual amenity of the area and sustain and enhance the Conservation Area.

Concerns have been raised at the loss of trees and hedging and the impact on wildlife. The current dwelling has hard landscaping to the front and a mature garden to the rear with trees and hedging. None of the trees are subject to a TPO. The application will involve the loss of the mature landscaping to the rear. This is however not prominent in the street scene and its loss although unfortunate will be replaced in part. The proposal will also include closing off the existing vehicular access on the frontage and its replacement with a pedestrian access and a landscaped frontage with new planting. This is considered to be a considerable improvement in character with the street scene. The applicants' agent has also indicated that they are content to look at ways the site can be enhanced with biodiversity. An appropriate condition ensuring details of landscaping and biodiversity would be appropriate.

The siting, design and enhancements to the frontage are considered to ensure that the proposal would comply with policies within the Core Strategy and NPPF.

Residential Amenity

Future residents

Core Strategy policies 16 Built Environment and Design and Policy 8 Mix of Homes. Paragraph 7.13 refers to the adaptability enabled by Lifetime Homes and to the internal size and layout of homes which are both essential factors to consider if new homes are to be built to a standard which enables people to have a reasonable standard of living accommodation

Residential Amenity – living conditions of future occupiers

The proposed flats would have internal floors areas as follows:-

- Flat 1 2-bed 81m²
- Flat 2 1-bed 52.5m²
- Flat 3 1-bed 52.25m²
- Flat 4 2-bed 81m²
- Flat 5 1-bed 52.5m²
- Flat 6 1-bed 52,25m²
- Flat 7 2-bed 81m²
- Flat 8 1-bed/ 1 person 45m²
- Flat 9 1-bed 52.25m²
- Flat 10 2-bed 109m²

All exceed the National minimum standards.

The Council's Guide to Residential Design SPD and Space Standards require provision of at least 20sqm amenity space per 2-bed flat and for balconies to be large enough for a table and chairs. All the flats have good sized balconies of 3.4sqm and flat 10 has a roof terrace 5.9sqm and 15.4sqm. The scheme achieves a rear amenity space of 115sqm plus a front garden of 75.9sqm.

A satisfactory standard of accommodation would be provided for future occupiers.

Residential Amenity- Existing Residents

To the north is Shrewsbury Court a modern flat block primarily facing Rowlands Road In terms of the impact of residents in this block the proposed building is set away from the boundary, the nearest element being the undercroft parking with the nearest residential accommodation approx. 7.4m away on a flank to flank basis. The nearest south elevation of Shrewsbury Court contains a number of windows including a kitchen and secondary living room window. The proposed flat block includes windows in the north elevation facing towards Shrewsbury Court. The proposed windows are to bathrooms and the stairwell, both are non- habitable, all could be obscure glazed. It is not considered that there would be therefore be any direct overlooking.

In terms of loss of light and prospect. The proposed building would be south and due to the distance and the provision of daylight and sunlight favourable indicators it has been established that the proposal would not cause adverse loss of light. Furthermore the windows in Shrewsbury Court are either non habitable or secondary windows. The proposed block has balconies to the east and west elevation and a roof terrace to the south and west. The position of the balconies is such that they would be set away from the northern elevation. It's not considered that the balconies which would face to the front and rear would cause adverse overlooking of residents of Shrewsbury Court.

With regards to the impact on the residents of Sheldon Court to the south. The north elevation of the nearest block in Sheldon Court is blank. There are a number of windows proposed in the southern elevation of the application which look towards Sheldon Court which have the potential to cause overlooking. However in view of the distances and blank northern elevation of Sheldon Court it is not considered that there would be any direct inter-looking.

In respect to the potential of overlooking from any proposed balconies and terraces. The proposed balconies on the south east corner are the closest to Sheldon Court. They are however set in from the southern flank elevation and face onto the frontage. They would not cause direct overlooking to residents in Sheldon Court. The balconies in the east elevation are set further in from the south elevation and are further back than the rear of Sheldon Court, any view of the balconies would be obscured by the proposed building. The proposed roof terrace on the south elevation is at the fourth floor, it would look towards the blank elevation of Sheldon Court. The relationship is acceptable

Residents of Sheldon Court have also raised concerns in relation to additional noise from parking and access and the restriction of parking on the site. Although the proposal would create additional activity on the existing access road to gain access to the parking and cycle area to the rear, this is an existing access road into Sheldon Court from Manor Road, it is not considered that the additional car movements and activity to six car parking spaces and 6 cycle racks would cause a detrimental impact on the amenity of the existing residents.

With regards to access to the parking area, the applicant's agent has indicated that an easement has been provided along the existing access road through Sheldon Court to the proposed parking to the rear. The arrangements of this easement would be subject to agreement between the two parties and not a matter for consideration in relation to this application other than to ensure that the parking and appropriate access is provided.

One further objection was received from the residents of Rowlands and potential impact on amenity and existing trees. The property on Rowlands Road is on the frontage and would not be impacted by direct overlooking or loss of light. The nearest element to the boundary of this property is the proposed parking. This end of the properties garden currently has parking to its south and west boundaries. Although there would be a loss of trees which are currently on this boundary, the proposal would not cause any additional loss of residential amenity and replacement landscaping would be provided within the communal garden subject to a landscaping condition.

Parking and Highway Safety

As there is limited side access retained as part of the proposal, parking provision for cars and bicycles relies on access over the private driveway serving Sheldon Court, to the south. As indicated above a right of way/easement has been negotiated with the adjacent landowner.

The proposal includes 6 parking spaces shown along the western boundary and 6 cycle stands along the northern boundary.

The West Sussex County Council Guidance on Parking at New Developments May 2019 indicates that the site is within zone 5 of 'parking behaviour zone' meaning that it is highly sustainable. The guidance indicates that in zone 5, 1 and 2 bedroom flats require 0.6 space per dwelling. This would equate to 6 spaces. The parking therefore complies with the guidance.

WSSCC highways have indicated that the parking is appropriate and the Transport report is acceptable. They indicate that a minor works highway licence for the closure of the current site access and proposed pedestrian access before work commences will be required.

Local residents have raised concerns in relation to additional on street parking and the impact on finding parking spaces, additional traffic and deliveries. The road is generally heavily parked as it lies outside the parking restricted zones and older style properties in the area and flats have limited parking on site. The proposed development does however meet the parking standards and is in a highly sustainable location where the encouragement should be to promote means of transport other than the car. Furthermore the proposal will create a further parking space on the road with the closing of the vehicular access. Secure, convenient provision is also made for cycle storage.

Affordable Housing

The council's requirement for affordable homes is set out in policy 10 of the Core Strategy. Affordable housing contributions are also set out in section 5 of the 'Developer contributions' SPD. On sites of 6 to 10 dwellings a 10% contribution will be sought as a financial contribution.

Members will recall that on the 24th July 2019 the Committee considered a report entitled 'Affordable Housing and impact to changes made to national planning guidance' setting out the revised Interim position statement on affordable housing. Members agreed to recommend the Interim Policy Position to the Cabinet Member for Regeneration and the Cabinet Member has recently (12th August) approved the interim Position Statement. This decision is subject to a call in period up until the 19th August.

For information the Interim Position States

To reflect the national policy position set out in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) the Council will only seek contributions from major developments (10+ dwellings). To reflect this change, and the policy being taken forward in the emerging Worthing Local Plan, the affordable housing policy established in the Core Strategy (Policy 10) will apply to developments as follows:

New residential development (including conversions and changes of use with the capacity to provide 10 or more self-contained units will be expected to provide an appropriate mix of affordable housing according to the following site size thresholds:

- i. on sites of 10-14 dwellings (gross) 20% affordable housing will be sought*
- ii. on sites of 15 (gross) dwellings or more 30% affordable housing will be sought.*

Calculations for affordable housing contributions (including any Vacant Building Credit that might apply) will be made in line with the NPPF, PPG and the above draft policy position and will be informed by the Councils Developer Contributions SPD (2015).

As a major development of 10 dwellings the proposed development would therefore be required to make a 20% contribution under the recently adopted interim position. However the applicant's agent argues that this revised policy approach has been brought in after the application was submitted and following considerable pre-application correspondence.

Planning applications should be determined in accordance with the adopted Local Plan unless there are material planning considerations. As the current Local Plan policy is out of date, following the revised NPPF, it would be appropriate to determine this application in accordance with latest planning policy and therefore seek a 20% contribution. The applicant's agent has been requested to meet the higher contribution and Members will be updated at the meeting.

CIL

The existing house plus summer house, workshop and shed has a gross internal floor space of 286.73sqm. The total gross internal proposed floor space is 774.25.

The CIL chargeable floorspace is therefore $774.25 - 286.73 = 487.52\text{sqm}$. Calculated at $487.52 \times \text{£}128.57/\text{sqm} = \text{£}62,680.45$.

Recommendation

To delegate the decision to the Head of Planning and Development to approve subject to the completion of a S 106 agreement to secure a 20% affordable housing contribution and the following conditions:

1. Time to implement
2. Approved plans and documents
3. Agree and implement surface water drainage details.
4. Development in accordance with the drainage report
5. Construction method statement including hours of construction, dust suppression and emissions
6. Agree external materials, finishes and architectural details
7. Provide parking and access
8. Provide cycle storage
9. Details and implement hard and soft landscaping
10. Agree, implement biodiversity plan
11. Obscure glaze north facing windows no opening above 1.7m above finished floor levels
12. Agree, implement a sound insulation scheme between floors
13. Noise emitted from the lift cabinet does not exceed 62dB LAeq at 1m
14. Agree, implement and retain balcony details
15. Agree implement boundary treatment

Informatives

1. Pro-active amendment

2. New Address
3. Southern Water
4. Minor works license to close existing access

21st August 2019

Application Number: AWDM/0266/20

Recommendation – APPROVE

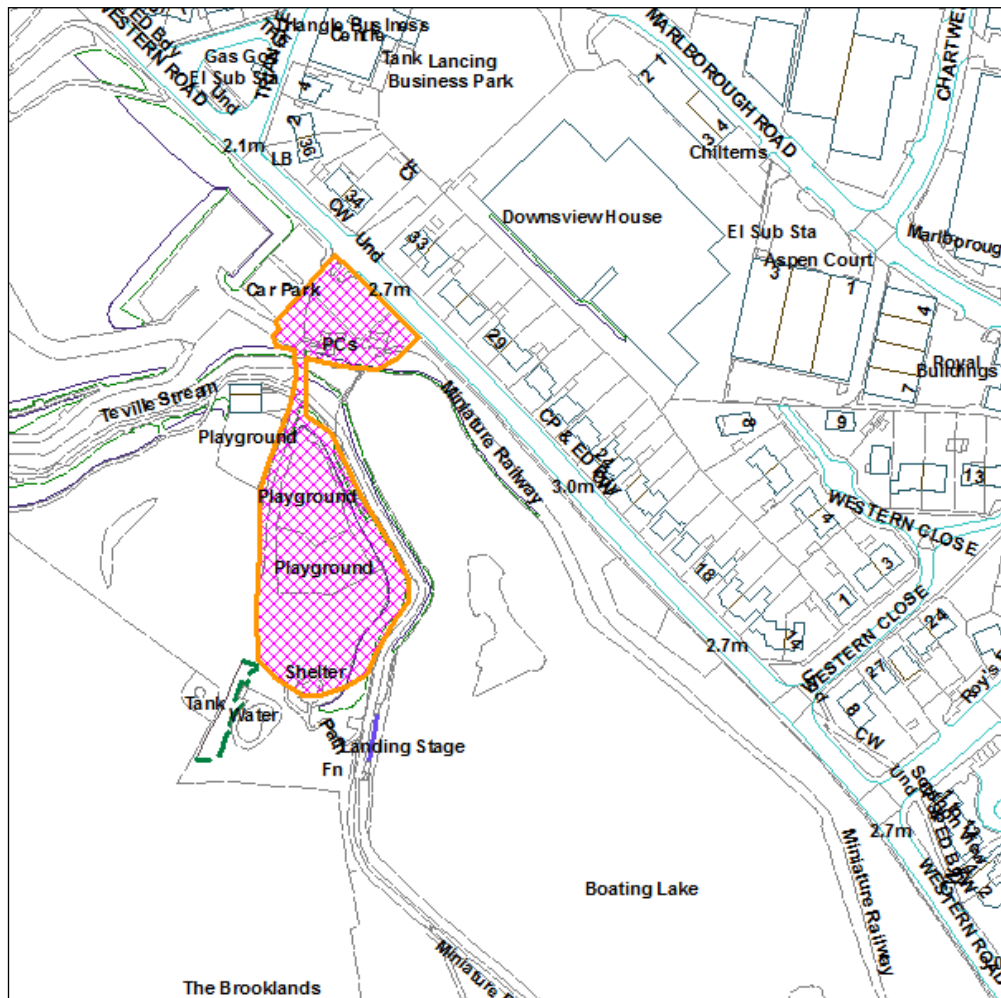
Site: Brooklands Pleasure Park, Brighton Road, Worthing

Proposal: Demolition of existing toilet block and proposed new cafe and public toilets, plant and refuse room, accessible play area, with associated landscaping and bike storage.

Applicant: Mr Gary Prescod,
Worthing Borough Council

Ward: Selden

Case Officer: Gary Peck



Not to Scale

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Proposal, Site and Surroundings

This application seeks full permission for the demolition of the existing toilet block and its replacement with a proposed new cafe and public toilets. A new replacement play area is also proposed as part of the application on the site of the existing play area to the south.

The proposed café and replacement toilets would comprise a 365 square metre building located broadly along the footprint of the existing toilet block (about 31 square metres) and the previous café at the site (now removed) which is immediately to the east.

The building would effectively be divided into 2 parts, with the café area to the eastern side (and comprising about half of the square footage of the building) and a new staff room, wc's (including a Changing Places facility) on the western side. A covered walkway would be provided between the 2 elements. The height of the building would vary between 4.7 and 6.5 metres with the higher element being at the eastern end.

Due to the extent that the proposed building, its footprint sits within the root protection zones of 3 trees close to the car park which will need to be removed. In addition, as shown on the Tree Removal Plan a further three trees will need to be removed. The submitted landscape proposals include new ornamental planting to the north of cafe, three new street trees, planting borders at the water's edge, as well as a 'significant number' of new trees around the play area. The supporting statement also suggests that the proposed loss of trees should also be considered against the wider masterplan proposals for the Park, which will see further tree planting across Brooklands as a whole.

The application site is owned by the Council and measures approximately 22ha in total. The site area is given as 0.57 hectares and is situated within the north eastern corner of the park bounded by Western Road to the east. The site is also covered by parkland/grassed areas and mature trees.

Relevant Planning History

In 2011, planning permission was granted for improvements to the Pleasure Park including a flat roof extension to existing café, new sandwich/coffee building, new boat moorings, new train station building, new train tunnels and tractor ride area, mini golf area, remote control boat jetty and splash pool.

Earlier this year, permission was granted for 2 x 4.03m aerator windmills & scaffold platforms, with associated piping and air stones to North and Central islands on Brooklands Lake.

Consultations

Environmental Health: Given the historic use of the site I would recommend the full standard contaminated land condition to any permission granted.

Environment Agency: Originally objected. Following receipt of further information from the applicant commented:

Thank you for consulting the Environment Agency on the above application following the submission of a revised Flood Risk Assessment ('Flood Risk Assessment and Drainage Statement', ref: 3568-BROO-ICS-XX-RP-C-07.001 Rev A, Revision A 1 May 2020, by Infrastruct CS Ltd).

We have reviewed the information as submitted and set out our position and comments below.

Environment Agency position

We are satisfied that our previous objection (dated 25 March 2020, our ref: HA/2020/122116/01) can be removed in light of the information provided in the revised Flood Risk Assessment.

Advice to the Applicant

Flood Risk Activity Permit and surface water pipe

A Flood Risk Activity Permit (FRAP) will be required for the new headwall and cafe proposed as they are both within 8 metres of a main river.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal);
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal);
- on or within 16 metres of a sea defence;
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert; and/or
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The Applicant should note that a permit is separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to the granting of a permit. We advise the Applicant to consult with us at the earliest opportunity.

We would also advise that the relocation of the surface water pipe will need consent from the asset owners.

Lancing Parish Council: no objection

Southern Water: no objection subject to conditions

Technical Services

Originally raised a holding objection. Following a meeting and further information submitted by the applicant, commented as follows:

We remove our objection subject to the drainage plan being removed as this is not up to date and should not be listed as approved, and conditions being applied.

Further information has been submitted that goes a long way to addressing our original concerns. Drainage design has not been finalised at this stage, and there are outstanding points that require addressing at detailed design. Therefore, should you approve this application please apply the following conditions:

- Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the principles set out in 3568-BROO-ICS-XX-RP-C-07.001_Rev A_Brooklands Park - FRA. Adequate pollution mitigation shall be provided in design to mitigate pollution hazard indices associated with medium pollution hazard areas, in accordance with Chapter 26 of the SuDS manual. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

- Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The maintenance manual provided within 3568-BROO-ICS-XX-RP-C-07.001_Rev A_Brooklands Park - FRA shall be used as the basis for the final maintenance manual, and shall be updated to appropriately address any changes to design. Upon completed construction of the surface water drainage system, the owner shall strictly adhere to and implement the recommendations contained within the manual.

Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

Please also apply the accompanying informative:

Further detail regarding our requirements are available on the following webpage <https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms>. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for discharge of conditions applications.

Tree Officer

The proposal would see the removal of three well established mature trees that are part of the street scene and visible from many views. I consider that the loss of these trees is not acceptable and recommend consent is not given.

West Sussex County Council Highways

Originally requested further information. Following the receipt of further information commented:

Summary

This proposal is for the demolition of an existing toilet block and erection of new café with public toilets, plant and refuse room, play area and bike storage. The site is located off Western Road, a C-classified road subject to a speed limit of 30 mph. This application is supported by a Transport Assessment prepared by Markide Associates.

WSCC in its role as Local Highway Authority (LHA) previously provided comments for this application, dated 19/03/2020, requesting additional information. The applicant has submitted a Technical Note, addressing the LHA's initial questions.

Access and Visibility

The existing access on Western Road will be utilised for this proposal, with no changes to this arrangement proposed. There are no apparent visibility issues at this access, with visibility splays of 2.4m x 43m achievable in both directions solely within the highway boundary.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the access. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

Trip Generation

In terms of trip generation, the applicant predicts a 10% increase in visitor numbers, from 218,057 to 239, 861 following this development. The applicant states that 70% of these are vehicle based, with the other 30% utilising sustainable modes of transport, such as walking or cycling. The applicant confirmed that these predicted figures are the total visitors to the park as a whole and that these figures were obtained through "reference to work undertaken by consultants commissioned by Adur & Worthing Council", based upon results from similar parks.

When applying the above to existing car park ticket sale data, the applicant anticipates that the site will generate average daily movements of 56 two-way trips and a maximum of 96 two-way trips during summer peaks. The applicant has supported these figures with trip generation rates, from the TRICS database. Using Country Park, edge of town parameters, the data suggests that the proposal would generate 132 two-way trips, which is over double that of the predicted trips.

However, the LHA acknowledges that other car parks are available in the area, which when taken into account would likely generate trips comparable to that of the TRICS data. Furthermore, Brooklands Park is situated in a sustainable location that is well connected by public transport and cycle routes. The TRICS sites referenced in the Technical Note are more likely to attract vehicle-based trips, because of their location.

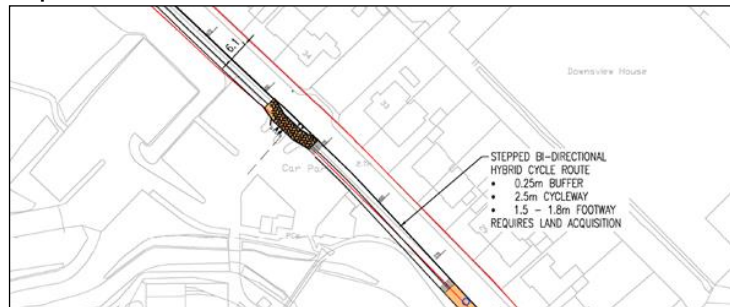
Taking the above into consideration, the LHA does not consider the predicted increase in trips "severe", nor does it anticipate that the proposal would result in any adverse impacts on the maintained highway network.

Shoreham Area Sustainable Transport Package

The applicant should be made aware that the proposed landscaping, in particular the location of three trees along the north-eastern site boundary, may have an impact on a proposed cycle scheme on Western Road. The scheme, part of the

Shoreham Area Sustainable Transport Package Feasibility Study, proposes a segregated cycle facility along the western side of Western Road.

This scheme may potentially require the acquisition of land along the north-eastern edge of Brooklands Park. The positioning of the trees may compromise the ability of the scheme to be implemented as planned, and have an impact on visibility at the proposed crossing. Please raise this with the applicant as further dialogue with WSCC may be required.



Parking and Turning

The site currently has 77 car parking spaces, 109 when including overflow parking. The proposed works will result in the loss of 19 spaces, bringing the total down to 58 parking spaces, or 90 when including overflow. In addition to this, the applicant proposes the installation of 16 cycle parking spaces.

Under WSCC parking standards, the LHA would expect a parking provision of one space per 5sqm of public area and two spaces per bar. As such, the proposed café would generate a parking requirement of 15-16 spaces. The LHA currently lacks a parking standard for parks and playgrounds. However, the Transport Assessment supports the proposed parking provision with parking utilisation statistics from 2019, which showed that the existing car park rarely exceeded an occupancy of 40 vehicles. The car park peaked in demand in October 2019, with an occupancy of 52 vehicles.

Considering this and the above mentioned predicted increase in trips rates, the LHA considers the proposed parking provision sufficient. The LHA appreciates the inclusion of cycle parking will promote the use of sustainable, alternative modes of transport to the private car.

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new non-residential developments. Based upon current EV sales rates within West Sussex, the applicant should provide active charging points for a minimum of 20% of all proposed off-street parking spaces, with the remaining 80% of parking spaces providing a 'passive' provision for future upgrades. For this proposal, the LHA would expect the provision of 12 active and 46 passive EV parking spaces, in accordance with the above WSCC guidance. The applicant has stated that 12 car parking spaces will be converted to EV spaces.

The proposed café will not compromise the ability for vehicles to turn on-site.

Servicing

The applicant proposes a drop-off area on-site, which can be utilised by minibuses, delivery and refuse vehicles. The operator of the café will be provided with a height barrier key, to allow said vehicles to access the site. From inspection of the plans, there is sufficient room for service vehicles to turn on-site and exit onto the maintained highway in a forward gear.

Conclusion

The LHA does not consider that this 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.

However, as mentioned above the proposed landscaping may have an impact on a proposed cycle scheme. Please raise this with the applicant.

Representations

No representations received.

Relevant Planning Policies and Guidance

Saved policy LR4 of the Worthing Local Plan 2003 relates specifically to Brooklands and sets out criteria for where development within the Park will be acceptable stating development will not be permitted unless it is for "recreational and/or landscape enhancement purposes."

Worthing Core Strategy (WBC 2011):

Policy 5 The Visitor Economy, 11 Protecting and Enhancing Recreation and Community Uses, Policy 12 New Infrastructure and Policy 13 The Natural Environment and Landscape Character and Policy 16 Built Environment and Design

National Planning Policy Framework (CLG 2019)

Planning Practice Guidance (CLG 2014)

The Core Strategy, including the saved policies of the Worthing Local Plan, comprises the Development Plan here but the Government has accorded the National Planning Policy Framework (NPPF) considerable status as a material consideration which can outweigh the Development Plan's provisions where there are no relevant development plan policies or the policies which are most important for determining the application are out of date. In such circumstances paragraph 11 of the revised NPPF states that planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or any adverse impacts of doing so would demonstrably outweighs the benefits, when assessed against the policies of the NPPF taken as a whole.

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations
Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

The main issues in the determination of the application are the effect of the proposal upon the character and appearance of the area having particular regard to the impact upon drainage, landscaping and highways.

The Brooklands Park Masterplan (2020) has been developed with 3 key principles of learning, inclusivity and wellbeing. The proposed new café building has been considered as a key element of particularly the latter 2 principles so that the park will continue to act as a social location which all of the community can enjoy. It has been stated that,

‘A key element of the developed Masterplan design is a new visitor hub and covered stand, containing a new cafe, public facilities and Changing Places toilet. The design is inclusive and aims to facilitate social and physical wellbeing, providing a variety of flexible and comfortable social spaces, and the capacity to be used for larger groups.

The new building will be equipped with internal and external seating space, a kitchen and other necessary spaces for a café operator. As a public facility, it will contain male-female toilets, with baby changing facilities, compliant toilets and a changing place. Considering the climate emergency, the café will utilise sustainable resources and technology, and will serve as a semi-autonomous building.’

The application site is by the Western Road entrance to the park. Although this entrance has the potential to act as a gateway to the attractive environs of the park beyond, it can be said that such potential has not been realised for some years with the previous temporary looking café building and flat roofed toilet block, added to the expanse of car parking, not being of the visual standard that would be expected at the park’s entrance.

In principle, the proposal has the ability to significantly improve the appearance of the entrance of the park. While a location more central to the park was considered, it would not have acted as a gateway and access to such a location only by a narrow bridge would have provided some construction problems. The chosen site closer to the road provides construction and servicing advantages but it is also constrained by a surface water sewer which crosses the site as well as being close to the main lake. The limitations of space in this location of the site would result in the loss of 3 mature poplar trees which contribute to the visual character of the area.

The loss of any such trees is regrettable. It is noted that there are well over 300 trees within the park and many of them are preserved, most particularly those located centrally and to the west of the park. The trees to be removed are not preserved, however, perhaps reflecting that their setting is not as attractive as the

majority of other trees on the large park. As part of the Masterplan, a significant tree planting programme is proposed which would result in a significant net gain. Insofar as this planning application is concerned it is proposed that replacement prunus trees are planted to compensate for the loss of the poplars.

To add to the complication of the location, Members will note that the County Council has raised concern that the planting of these trees towards the roadside could potentially affect future proposals for a cyclepath along Western Road. This route is being promoted through the Local Cycling Walking Infrastructure Plan (LCWIP) and is included in the Sustainable Transport Improvement Plan for Worthing.

In simple planning terms, it could be said that the cycle proposals are at an early stage and therefore could not be considered as material to the planning decision and ordinarily it would not be justified to refuse planning permission on the basis of a potential future scheme that may be some way off coming to fruition. Equally, though, there would be little value in granting permission for a redevelopment scheme that as a result hindered a future infrastructure proposal.

The matter has been discussed with the applicant and agent and it has been indicated that tree soil cells could be used within the permeable surfacing proposed to surround the building so in effect the building would look as if it is set among trees rather than having a formal line, as currently proposed, bordering the road. A condition could then be imposed requiring the provision of the new trees between the new building and the road, taking into account the future cyclepath which would require dedicating part of the park to the County Council if and when the scheme progresses. At the time of writing, further clarification was being sought from the County Council regarding the precise requirements of land for the cycleway which would then provide more certainty for the final planting of the trees.

Your Officers feel that this would allow sufficient flexibility for the replanting of the future trees to be sited in locations that would not affect any future cyclepath. This is, though, based on the assumption that the loss of the original trees is acceptable as a matter of principle.

Given the constraints of siting a building in this location outlined earlier, it is inevitable that a balance has to be struck in meeting competing objectives. The loss of the trees is considered acceptable in this instance on the basis that, replacement trees are proposed, the wider Masterplan proposals will result in a significant number of new trees being planted and these poplar trees were not considered worthy of preserving when the original Preservation Order was served. In addition, the erection of a new building in a prominent roadside location will, in itself, significantly improve the visual appearance to the entrance to the park as well as providing the social benefits envisaged in the Masterplan justifying the loss of the mature poplar trees.

Following initial concerns from both the Technical Services section and the Environment Agency, a revised Flood Risk Assessment (FRA) was submitted. The FRA has assessed the feasibility of implementing the SuDS hierarchical approach and has confirmed that this development is likely to be able to install suitable drainage measures into the design proposals. The Technical Services Officer has suggested detailed conditions so that such measures can be achieved. In respect of flood risk, the site is classified as flood zone 2, which is considered at a medium risk

of flooding, and therefore appropriate for a development of this nature. The finished floor levels of the buildings have been raised to mitigate the risk of future flooding. Given the nature of the land, which rises very slightly behind the application site, it is not considered that the raising of the finished floor levels (the majority of the building would still be below 6 metres in height) would have any material impact in the character of the area.

With regard to highways matters, beyond the implications of the cyclepath discussed above, the site currently has a total of 109 parking spaces when including overflow parking. The proposed works will result in the loss of 19 spaces, bringing the total down to 90 when including overflow as well as the provision of 16 cycle parking spaces.

Information submitted with the application suggests that occupancy has not nearly reached either the existing or proposed level of car parking in recent times and while it is of course hoped that the new building and wider aspirations of the Masterplan will significantly increase the use of the park, there would be no justification to require an increase in parking which in any case would detract from the visual improvements outlined earlier.

In terms of design, the building will be a solid timber volume clad in dark horizontal timber that it is considered will contrast with the surrounding planting and compliment the surrounding natural environment. A sheltered walkway around the edge of the building, it is stated, will be a secure and welcoming space with an array of windows and seating. A pink tile plinth will surround the building below the timber cladding.

The bathroom facilities, plant equipment and café space have been divided into 3 separate areas, creating the impression of two buildings under one roof. The changing places and toilets are located and accessed through a wide covered area. The provision of a changing places toilet will be a significant benefit to the local community providing high quality accessible facilities for all.

Your Officers consider that the separation of the buildings with a covered walkway successfully breaks up the mass of the building as well as providing a glimpse of the park destination beyond. The design has been discussed with Officers at an early stage and it is considered that it will be an asset to the park. The main cafe seating area has been designed as an interior cupola, concealed from the outside of the building which your Officers also feel is an attractive feature of the building.

In respect of sustainability features, the building is designed as a low energy building with a fabric-first approach to minimise the requirement for energy use. The building fabric will be highly insulated and air-tight to minimise heat loss and heating demand in winter. The building will be heated with a ground source heat pump using the lake as the heat source. This is a closed loop system using an array of seamless polyethylene pipes laid on the bed of the lake and thus has no impact on the lake water quality. A heat pump using the lake as a heat source is highly efficient and the heat pump will develop over 4 units of useful heat for every unit of electricity used throughout the year. The heat pump will provide low carbon heating for the building through underfloor heating within the building itself. The heat pump equipment is housed in the plant room so there will be no noise impact from the heat pump.

With regard to renewable energy, a roof mounted PV array is proposed which will be connected to the electricity grid so that excess electricity will be fed back into the grid and any shortfall in electricity generated can be provided from the grid. It is further stated that the PV array will offset approximately 50% of the regulated carbon emissions for the building.

The enhanced play area has been included within the planning application, although many of the proposed elements do not normally require planning permission. The area will be significantly enhanced which it is hoped will be recognised for its STEM and sensory experiences. It is planned to allow flexibility, allowing children the freedom to use it in different ways.

The existing play area sits comfortably within its park and lakeside setting and an upgrading of its facilities will enhance this further.

The retail element of the café will be subject to the Community Infrastructure Levy. The amount of new eligible floorspace for the purposes of the calculation is given as 146.2 square metres which would attract an indexed payment of £28,280.

Conclusion

The principle of upgrading Brooklands has been a long established Council aim, reflected in the Local Plan. As outlined above, there have been certain challenges in providing a new building, but the opportunity to provide a building of visual quality which will act as a gateway to the rest of the park is to be welcomed and accordingly the application is considered acceptable.

Recommendation

To GRANT permission

Subject to Conditions:-

- 01 Approved Plans
- 02 Full Permission
- 03 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the principles set out in 3568-BROO-ICS-XX-RP-C-07.001_Rev A_Brooklands Park - FRA. Adequate pollution mitigation shall be provided in design to mitigate pollution hazard indices associated with medium pollution hazard areas, in accordance with Chapter 26 of the SuDS manual. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.
- 04 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The maintenance manual provided within 3568-BROO-

ICS-XX-RP-C-07.001_Rev A_Brooklands Park - FRA shall be used as the basis for the final maintenance manual, and shall be updated to appropriately address any changes to design. Upon completed construction of the surface water drainage system, the owner shall strictly adhere to and implement the recommendations contained within the manual.

- 05 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.
- 06 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
- 07 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.
- 08 If, during development, any visibly contaminated or odorous material (for example asbestos-containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified is found to be present at the site, then, unless otherwise agreed in writing with the Local Planning Authority, no further development shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination is proposed to be dealt with shall be submitted to and approved in writing by the Local Planning Authority and shall then be implemented as approved within an approved time period contained in the method statement.
- 09 Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.
- 10 Details of a scheme to provide of 12 active and 46 passive EV parking spaces to be agreed with the Local Planning Authority
- 11 Approval of Materials
- 12 Full landscaping details to be submitted and approved by the Local Planning Authority including detailed proposals for 4 new trees between the new building and the road, taking into account the new cycleway

Informatives

- 01 Further detail regarding our requirements are available on the following webpage: <https://www.adur-worthing.gov.uk/planning/applications/submit-fees->

forms. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for discharge of conditions applications

- 02 A formal application for connection to the public sewerage system is required in order to service this development, Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link southernwater.co.uk/infrastructure-charges

27th May 2020

**Local Government Act 1972
Background Papers:**

As referred to in individual application reports

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Schedule of other matters

1.0 Council Priority

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
 - to promote a clean, green and sustainable environment
 - to support and improve the local economy
 - to work in partnerships to promote health and wellbeing in our communities
 - to ensure value for money and low Council Tax

2.0 Specific Action Plans

- 2.1 As referred to in individual application reports.

3.0 Sustainability Issues

- 3.1 As referred to in individual application reports.

4.0 Equality Issues

- 4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

- 5.1 As referred to in individual application reports.

6.0 Human Rights Issues

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

7.0 Reputation

- 7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

8.0 Consultations

- 8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

9.0 Risk Assessment

- 9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

- 10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.