

Report to **Planning Committee**
Date **1 February 2017**
By **Head of Planning Services**
Local Authority **Chichester District Council**
Application No. **SDNP/16/04212/FUL**
Applicant **The Hyde Group**
Application **Demolition of existing garages and erection of 3 no. homes with associated car parking and landscaping.**
Address **Land West of 41
Parsonage Estate
Rogate
West Sussex**

Recommendation: That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.

Executive Summary

Reason for Committee Referral: Parish Objection - Officer recommends permit

This application seeks to demolish 24 garages located within the Parsonage Estate, Rogate and replace them with 1 single storey bungalow and 2 semi-detached two storey houses associated landscaping and parking for 10 vehicles (2 of which are for disabled parking) for use associated with the development and for surrounding residents.

The site is considered to be a brownfield site located within the Rogate Settlement Policy Area (SPA), where new residential development is supported and the principle of development is therefore considered to accord with established local and national planning policy.

There has been some concern raised at the loss of car parking, however, in consultation with WSCC Highways combined with the submission of parking surveys it has been established that there is a parking stress on the nearby road network of only 70-71% which shows that there is some capacity on street for additional over flow parking. Some concern has also been raised with regard to foul drainage and the impact of this on the nearby pumping station which is considered to have reached capacity. The applicant has confirmed that a connection to the foul drainage network will bypass the pumping station in order to address the capacity issue

The proposed layout, siting and design of the dwellings is considered to be acceptable and will lead to an enhancement of the local area providing parking and amenity space for nearby residents with improved natural surveillance encouraging more users to the site than at present.

The proposal is therefore considered acceptable and is recommended for approval.

1 Site Description

1.1 The application site currently comprises 24 garages, hardstanding and amenity land and is approximately 0.15ha in area, located on the southern edge of the Parsonage Estate, Rogate. It is accessed via a narrow drive leading from the eastern fork of the Parsonage Estate, between numbers 41 and 42 Parsonage Estate.

1.2 There is residential development to the north, east and west of the application site, comprising a variety of dwelling types: 2-storey 1960s style terraces, older post-war accommodation featuring cat-slide roofs and bungalows. To the south is open farmland, with a public right of way running north/south from the Parsonage Estate allowing views back towards the site. The level at the site decreases from north to south and east to west.

1.3 The site is within the Rogate SPA, the boundary of which runs along the southern boundary of the site, including all of the Parsonage Estate. The village shop, school and other village facilities are mainly located to the north-east.

2 Proposal

2.1 The application seeks to demolish the 24 garages and erect three affordable rented homes. One of the proposed dwellings is to be sited in the north part of the application site and is to be single storey. The two remaining dwellings are semi-detached and two storey in height with first floor accommodation located within the eaves, they are proposed centrally within the application site facing east. In addition hard and soft landscaping works are proposed along with road enhancements. The road enhancements seek to include a widening of the entrance to allow for refuse and emergency vehicles as well as a shared service providing pedestrian access and parking for 10 vehicles, two of which are to be designated as disabled spaces.

2.2 The proposed layout leaves a triangular area of land to the rear of the semi-detached dwellings which is indicated to be amenity space for all and will also provide access through to the public right of way to the south.

3 Relevant Planning History

SDNP/14/01442/FUL. Development of side of garden including the demolition of existing garage and expansion of access and construction of pair of semi-detached two storey 3 bedroomed dwellings. APPROVED

SDNP/14/06625/FUL. Demolition of existing garages and erection of 5 homes with associated car parking and landscaping. REFUSE

RG/10/05622/FULNP. Demolition of 1-4 Parsonage Estates and erection of 16 no. dwellings, vehicular access and associated landscaping. WITHDRAWN

4 Consultations

4.1 Rogate Parish Council

Rogate Parish Council objects to this application.

- There has been no case made for the need for these properties as there are empty properties available on the estate.
- In our Neighbourhood Plan this site has been specifically rejected for any further development.
- Concern over sewage.
- Need for additional parking facilities.
- There is very strong local objection.

Additional comment received following submission of second parking survey

Rogate Parish Council objects to this application.

The Parish Council's interpretation of the parking capacity survey is that the amount of available space has been over-estimated because it appears to indicate parking is available on bends, in front of drives, at the entrance and within the turnaround area. Therefore, the Parish Council suggest there are 64/65 spaces available for 89 properties which is 73% available at one per property with 100% usage plus current parking elsewhere including the layby and garage area. There is a greater demand than available space.

There was a recent incident on the estate that involved fire engines, an ambulance and police car when parked vehicles hampered access for these emergency vehicles.

Our previous comments stand and there remains very strong local objection.

4.2 WSCC – Highways

The LHA request further information to assess the capacity for car parking within the vicinity and the effect that the development will have upon this, as per the comments and advice set out in the report below.

Access and Visibility

It does not appear that these 'widening' works will require works or modification to areas considered to be publically maintained highway. Internal access arrangement would work on a shared surface basis which is considered to be acceptable for this type of development. From the site visit, the LHA are of the opinion that there is good visibility in both directions from the site access.

Parking

The WSCC Car Parking Demand Calculator, on a basis of no spaces being of an allocated arrangement, envision that four unallocated spaces be provided for the development. The garage block currently consists of twenty-four garages although it is understood that only one is rented out and in use. A hardstanding area within the site is estimated to provide space for a further fourteen cars to park. The Proposed Site Plan indicates that thirteen unallocated spaces will be provided, two of which will be designed to Department for Transport Inclusive Mobility standards.

Considering that the development would envision four spaces be provided this leaves a remaining nine spaces within the site that could be utilised for residents of the existing Parsonage Estate. The LHA require that a new Car Parking Capacity survey be carried out .

Turning

Swept path analysis has been provided to demonstrate entering, turn on site, and exiting in forward gear of a Refuse Collection/ Fire Appliance vehicle. As per the LHA previous comments the plans acceptable to demonstrate compliance with part B5 of the building regulations with regards to access for fire fighting.

Conclusion

The LHA request that the following areas are addressed before a full assessment of the highways merits of the scheme can be made:

- Ensure disabled car parking bays are designed to standard.
- Carry out and provide data from up to date Car Parking Capacity Survey.

Further comments following submission of second parking survey

The applicant has demonstrated this over two early week day mornings, when it is anticipated most resident car parking on street will take place. The findings showed a parking stress on the nearby road network of 70-71% showing some capacity on street for additional over flow parking. As set out previously the development itself will provide sufficient parking not only for its own needs but to replace the area of hardstanding parking that was being used by residents, adjacent to the disused garages. Therefore the LHA do not consider that an unacceptable level of overspill parking demand, from existing properties, would be created and that some space on street will be available for this.

Whilst it is appreciated that school drop off times become busier this is a temporary activity and would not represent peak time of residents' demand of on street space for parking.

In conclusion the LHA do not raise a highway safety concern regards parking although the Local Planning Authority may wish to comment on the amenity aspect of any overspill parking on street.

The LHA does not consider that the proposal for three dwellings would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

4.3 HCC – Landscape Officer

2) Information/clarification required:

2.1 Clarification regarding the site boundary

2.2 Topography Survey

2.3 Arboricultural Survey

3) The Proposal- Assessment of Impacts:

3.1 site layout. Hard surfacing should be kept to a minimum with generous areas of communal greenspace echoing the layout of the surrounding Parsonage

Estate. In fact the proposed layout is inefficient and this has led to expanses of hard surfacing not appropriate in this setting.

- the principle of shared space for the access road for this small development is welcomed but there is a lack of clarity about how this being applied.
- the parking court is oversized with over 10m allowed for the 'aisle'
- parallel parking bays can share manoeuvring space reducing the length of the run of spaces adjacent the small unit

3.2 we would expect to see in this setting planted boundaries rather than fences both around the perimeter of the site and for individual garden boundaries

3.3 unnecessary loss of existing tree Although the hazel is not of high value in arboricultural terms it does make a contribution to the local landscape.

3.4 loss of existing north west boundary vegetation. If this is to be lost a planted boundary would be preferable to the close boarded fence proposed.

3.5 disabled parking bays. These are not shown as being set out to current standards which require additional space to the rear of the vehicle as well as to the side.

4.4 CDC - Housing Enabling Officer

The proposed site was transferred from CDC to Hyde Housing Association under the Large Scale Voluntary Transfer (LSVT) agreement. On garage / amenity sites transferred under the LSVT, Hyde are required to fulfil the criteria of the council's garage / amenity protocols, to enable a release of a non-development restrictive covenant on the land (subject to securing planning permission). I can confirm that the criteria set out in the protocols have been met.

The scheme proposes the development of 3 affordable rented properties, comprising a mix of 1 x 1 bedroom bungalow and 2 x 2 bedroom houses. As part of the garage / amenity protocols the mix had to be considered against the local need, and it was found that the mix would meet the needs of the local community. These dwellings will provide an opportunity for older households wishing to down size, thus freeing up larger family units elsewhere.

Following recent national policy changes regarding the 1% per annum affordable rent reductions and no grant being made available for affordable rented properties, delivering small rural affordable schemes is becoming increasingly difficult. The site is a brownfield site within the settlement policy area and will provide a mix of affordable housing that will meet local need.

To conclude the housing delivery team fully support the above application.

Further comments received 21 December 2016

Following our conversation earlier regarding need on the above site and my previous consultation response, the site is within the settlement policy boundary and in planning terms would not require any affordable housing units to be delivered. However, Hyde are proposing to deliver all 3 units as affordable rented. Therefore, these units would be expected to meet the needs of not only the parish but the surrounding parishes as well in-line with the Councils Allocation Scheme. They are proposing a mix of 1 x 1 bedroom bungalows and 2 x 2 bedroom houses. There are currently 1386 households on the councils housing register, of

which 191 are located within the SDNP boundary. At present there are only 3 affordable rented units in the pipeline coming forward in this area, which are located in Midhurst. There are 7 households on the housing register who have claimed a local connection to Rogate and are in need of the following units sizes; 5 x 1 bedroom & 2 x 3 bedroom. Although there are 52 households who have a local connection to a parish within the SDNP area who have a 2 bedroom need, and it should be noted that the register is only a snap shot of the need now and changes frequently. All my previous comments in my consolation response still stand.

4.5 CDC – Conservation and Design Manager

Context

The site is on the edge of the Parsonage Estate extension to the village. Comments were provided on a previous pre-application enquiry which at that time included some agricultural land to the south of the current site. The area of pasture to the south of the existing estate is an undulating green swathe sloping fairly steeply from east to west.

The site itself is not particularly well treed but the field boundaries to the south are well wooded in parts, although denuded in places.

Whilst the architecture of the existing estate is unexceptional and not at all distinctive, many of the gardens are well-used and maintained which combined with the hedges and fences forming the front boundaries give parts of the estate a reasonably attractive sense of place.

Principle of Development

There would be no objection to development of the area currently occupied by garages, they appear under-utilised and the area detracts from the character of the wider area.

The removal of part of the field to the south from the development site is welcomed.

Proposed Development

Layout

Because of the site's location on the periphery of the village the layout should reflect the transition between built area of the village and the surrounding open countryside, with a lower density than the rest of the estate. Using larger gardens to break up the development would maintain views from the existing development to the open countryside and hills beyond.

The housing proposed for the existing garage area should ideally back onto the existing housing (39-41 Parsonage Estate), with an amenity area in front to provide some natural surveillance to create a functional well-overlooked space with a defined use and provisions for maintenance. The houses should be aligned to front onto the amenity space, located in line with the semi-detached houses to the north.

Ideally the development should not result in additional parking pressures on the existing development, resulting pressure for paving over front gardens, which as stated above contribute to the character of the area. Ideally some parking should be provided on plot so that the parking courtyard area can be reduced to prevent an over urbanising impact right on the rural edge of the settlement.

Design

There are no objections in principle to a contemporary take on the local vernacular as an architectural approach. Detailing will be important to the design success of the scheme. I would suggest good quality Powder Coated metal windows would be far more appropriate than uPVC. We can approve materials via a condition.

4.6 CDC - Environmental Health Officer

A phase 1 desk study has been submitted with the application produced by Soils Ltd dated July 2016. It concludes that an intrusive site investigation should be carried out at the site in order to quantify the potential risks to human health or the environment. Condition N21G should be applied, particularly parts 2 and 3. It is also noted that there may be areas of contamination not identified during the course of such an investigation so a discovery strategy should be put in place during construction works.

If any heating oil is required to supply boilers at the development, condition L09F should be applied in order to reduce the likelihood of spills or leaks.

During construction works, measures to minimise dust, noise and other emissions should be put in place to reduce the impact on neighbouring properties.

5 Representations

5.1 9 Third Party letters of objection

- There is not sufficient infrastructure to cope with the existing number of houses and residents
- There is an existing lack of parking spaces near to dwellings
- On street parking leads to cramped access roads restricting emergency vehicles
- The neighbouring school leads to congestion and residents can not get near to their homes for this is also dangerous for children
- At least four houses remain empty have been empty for over a year including a 2 bed and 3 bedroom property
- Drainage is a problem and the present pumping station cannot cope. Southern Water need to regularly pump out when the station fails
- The garages are an eyesore however the site would be better used as a car park
- There is no government or local requirement for additional houses in Rogate
- The vehicle tracking drawing is flawed and shows a refuse vehicle traversing through known parking spaces
- The Design and Access Statement indicates that the access road will be modified however the modifications are not shown
- The access road has no footpath consequently pedestrians are forced to share the road with vehicles

- The Parking Study is two years out of date, since this time two houses have been built on the estate
- The proposed dwellings are of a greater width than that of the surrounding built development
- The proposal leads to a concentration of affordable housing, developers are expected to spread this out
- Hyde have removed the option to rent garages and there are no garages attached to dwellings, the application removes a utilised function for 8-9 cars occupied day and night
- 6 spaces may be used where there were 14 this leaves a net loss of 8 spaces
- The parking study uses a 4.8m minimum length when 6m should be measured to allow for parallel parking. This revised measurement would remove 19 spaces
- The development will lead to a loss of light, loss of privacy and loss of outlook
- There are more appropriate locations elsewhere in the parish

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for this area comprises the Chichester District Local Plan 1999 and all made neighbourhood plans. There is no made neighbourhood plan for Rogate Parish at this time.

Policies relevant to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework policies have been considered in the assessment of this application:

National Planning Policy Framework: Core Principles, Section 6 (Delivering a wide choice of high quality homes), Section 7 (Good Design), Section 11 (Conserving and enhancing the natural environment) and Paragraphs 17 (Sustainable Development) and 115 (Conserving the Landscape and Scenic Beauty of National Parks).

Chichester District Local Plan 1999

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the Chichester District Local Plan 1999 are relevant to this application:

- BE11 - New Development
- BE13 - Town Cramming
- BE14 - Wildlife Habitat, Trees, Hedges and Other Landscape Features
- H4 - Size and Density of Dwellings
- H8 – Social and Low Cost Housing in Settlement Policy Areas
- TR6 - Highway Safety

South Downs Local Plan Preferred Options 2015

The draft South Downs Local Plan Preferred Options 2015 was approved by the South Downs National Park Authority on 16 July 2015. The public consultation on the document took place in September and October 2015. The document and the policies contained therein are now a material consideration when determining planning applications within the National Park, however at this stage the policies will carry limited weight.

The following policies are considered relevant to this application:

SD1 (Sustainable Development within the South Downs National Park)
SD5 (Landscape Character)
SD6 (Design)
SD8 (Relative Tranquillity)
SD9 (Dark Night Skies)
SD12 (Biodiversity and Geodiversity)
SD23 (Housing)
SD24 (Affordable Housing Provision)
SD37 (Trees, Woodland and Hedgerows)
SD44 (Car and Cycle Parking Provision)

Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework.

The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following policies of the SDNPA Partnership Management Plan 2014 are relevant to this application:

- General Policy 1
- General Policy 6

8 Planning Assessment

8.1 The main issues with this proposal are considered to be:

- The principle of the development of new housing within the Rogate Settlement Policy Area (SPA)
- The need for affordable rented housing
- The impact of the development on the character and appearance of the existing site and wider area
- The impact of the development on the amenities of occupiers of neighbouring properties
- The impact of the development on foul drainage
- The impact of the development on highway safety and the loss of car parking
- The emerging Rogate Neighbourhood Plan

The principle of the development for new housing within the Rogate Settlement Policy Area (SPA)

8.2 The site is located within the Rogate SPA and is considered to be a brownfield site. The principle of the development of new housing within SPA's is considered to be a sustainable form of development and is well established in both national and local planning policy. The principle of the re-development of this site for three new dwellings is therefore considered to be acceptable.

The need for affordable rented housing

8.3 It is proposed that the three new dwellings will be delivered as affordable rented units. The need for affordable rented housing in Rogate has been questioned by the Parish Council and third parties as there have been a number of vacant dwellings on the Parsonage Estate for some time.

8.4 This matter has been addressed by the Council's Housing Enabling Officer who has advised that as part of the assessment of the merits of the redevelopment of sites under the garage/amenity space sites protocol the mix and tenure of the proposed housing should be assessed against local need, and it was found that the proposed mix would meet the needs of the local community. The new dwellings will provide an opportunity for older households wishing to down size, thus freeing up larger family units elsewhere.

8.5 Furthermore, following recent national policy changes regarding the 1% per annum affordable rent reductions and no grant being made available for affordable rented properties, delivering small rural affordable schemes is becoming increasingly difficult. The site is a brownfield site within the SPA and will provide a mix of affordable housing that will meet local need. This proposal

provides an opportunity to deliver such provision on a brownfield site, within a defined community within the South Downs National Park.

8.6 The Council's Housing Enabling Officer has highlighted that there are currently 1386 households on the Council's housing register, of which 191 are located within the SDNP boundary. At present there are only 3 affordable rented units in the pipeline coming forward in this area and these are located in Midhurst. There are 7 households on the housing register who have claimed a local connection to Rogate. There is therefore a clear need for affordable rented housing within the South Downs National Park.

8.7 The provision of housing in this location is considered to comply with the duty of the SDNPA to seek to foster the economic and social well-being of local communities within the National Park along with policy H8 of the Chichester District Local Plan 1999 which seeks to deliver affordable housing in SPA's.

The impact of the development on the character and appearance of the existing site and wider area

8.8 This application seeks to address the concerns raised with a previous application for the redevelopment of this site which was for the erection of 5 no. two storey dwellings. That proposal was considered an over-development of the site and was refused planning permission in 2015.

8.9 The proposal is now for a development consisting of 2 no. two storey semi-detached dwellings and a single bungalow. It therefore represents a less intensive form of development and has thereby overcome previous concerns about the impact of the development on the character of the area, neighbouring dwellings and the wider SDNP.

8.10 The proposed two storey semi-detached dwellings are to be sited centrally within the application site providing amenity space to the west and the south. The open space that surrounds the dwellings leads to the dwellings being better integrated into the existing development and the open countryside to the south. The triangular plot of land which is defined as open space will enhance this integration further. This softer edge to the development will reduce the extent to which the proposal could appear visually intrusive particularly when viewed from the public right of way to the south.

8.11 The two semi-detached dwellings have two storeys although the first floor is incorporated within the roof slope and they are significantly lower in height when compared to the previously refused scheme. The incorporation of rooms at first floor level enables a reduction in ridge height and this form of development sited adjacent to the proposed bungalow gives the development a spacious and well planned feel.

8.12 The design approach of the development is more modern in character than existing development within the Parsonage Estate however it utilises materials that are common to the area is not considered out of character and will integrate well with the existing form of development on the estate. The design of the dwellings is considered to be appropriate incorporating features which are characteristic of the area and that are locally distinctive. Whilst the design concept is more modern is considered that it results in a subservient modest approach to design, complementing both the rural area and surrounding private amenity whilst also sitting comfortably within the sites topography. It is also noted that recent

development at the entrance of the Parsonage Estate has led to some greater variation in scale and design with a positive impact on the housing mix in this area. The proposal is considered to comply with the objectives of Policy BE11 and H4 of the Chichester District Local Plan 1999 . The proposal is considered to integrate well with the surrounding development and is likely to lead to an enhancement to the character of this part of the estate and the existing dilapidated garage blocks.

8.13 Areas of hardstanding and parking are to be interspersed within soft landscaping which is anticipated to lead to a positive contribution to the character of the site. In addition it is noted that the existing garaging is not widely used and appears in a poor state of repair, the appearance possibly discouraging local residents from parking or passing through from east to west. The inclusion of formal car parking spaces within a spacious vegetated layout with improved natural surveillance is likely to lead to an enhancement to both the appearance but also to the accessibility of the site for local residents encouraging a greater variety of people to use the parking provision, pathways and amenity space.

8.14 The proposal results in a form of development that is appropriate to this edge of settlement location, will integrate well with the existing built form and the open countryside to the south. It will lead to an enhancement of the existing run down and under-utilised existing garage court whilst providing much needed affordable housing. It is considered that the natural beauty of the SDNP will be both conserved and enhanced and the proposal complies with the objectives of policy BE11 of the Chichester District Local Plan 1999.

The impact of the development on the amenities of occupiers of neighbouring properties

8.15 The proposed layout of the development is not considered to have a harmful impact on the amenities of the occupiers of neighbouring dwellings.

8.16 To the north of the site the level of the land decreases providing views down to the area of amenity space associated with flats to the north (No.52 and 53 Parsonage Estate). The proposed single storey dwelling is to be set back from the boundary to the north separated from the boundary by vegetation and amenity space and there will be no overlooking of this area of amenity space. The single storey design approach and separation is likely to lead to some mitigation limiting the extent to which the proposal could appear overbearing, visually intrusive or result in overlooking. The decrease in level from north to south is also likely to limit the extent of harm to No.42 Parsonage Estate.

8.17 The proposed semi-detached dwellings are sited at a lower level than that of No. 41 and 39. The change in level and proposed subservient roof design which slopes back and away at single storey eaves height is unlikely to lead to an overbearing form of development to these adjacent dwellings. The dwellings are also separated by the length of amenity space associated with No.41 and 39 as well as the parking area. The distance to the proposal is likely to dissipate the perception of mass and bulk.

8.18 The sloping nature of the site and existing boundary treatment provides some natural screening to the areas of amenity space to the east. With the sill height of the proposed east facing windows kept to a minimum it is unlikely that the proposal would lead to direct overlooking or the perception of overlooking.

8.19 The proposed layout is considered unlikely to result in a harmful impact on the amenities of the occupiers of the neighbouring properties and as highlighted previously the proposal may lead to some enhancements with access to parking, amenity space and an improved outlook compared to the existing garage blocks. The proposal is considered to comply with policy BE11 of the Chichester District Local Plan 1999 in that it will not result in an unneighbourly form of development.

The impact of the development on foul drainage

8.20 Concern has been raised in relation to foul drainage and that the local pumping station that currently serves the Parsonage Estate has reached capacity leading to some flooding to dwellings sited near to the pumping station located to the south west of the site. The applicant will need to ensure that the application will not exacerbate any existing foul drainage issues and provide mitigation measures to prevent this. The Local Planning Authority cannot require the applicant to improve the existing facilities beyond the scope of this development, however, the applicant proposes to connect to the existing foul drainage network after the pumping station, with no reliance on this pumping station for the proposed development. Permission will be required from Southern Water to connect to the existing foul drainage system and a condition is proposed requiring this to be carried out prior to occupation of the development.

The impact of the development on highway safety and the loss of car parking

8.21 It is recognised that there is concern about the highway implications of parked cars displaced by the re-development of garage sites. The garage sites protocol, adopted by the Council, sets out the circumstances under which garage sites redevelopment may be appropriate and the criteria to be used in evaluating these proposals.

8.22 Under the garage sites protocol it is necessary for an applicant to demonstrate that any displaced parking can be integrated into the proposed redevelopment or that there is adequate provision for parking in the immediate surrounding area. This is usually demonstrated through the undertaking of parking surveys and in this case the applicant has undertaken surveys in 2014 and more recently at the request of WSCC. It is considered that the surveys undertaken by the applicant meet the requirements of the protocol.

8.23 The proposal will result in the demolition of 24 existing garages and the new development incorporates 10 new parking spaces including two disabled spaces. The parking requirement for the development of three dwellings is four spaces on an unallocated basis. This means that there will be six spaces provided on the site over and above the formal parking requirement.

8.24 Some concern has been raised from both local residents and the Parish Council with regard to the implications of this proposal on car parking as a result of the loss of garage parking and the subsequent reliance of vehicle users for on street parking.

8.25 In addition to the parking surveys carried out in 2014 additional parking surveys have been carried out. Consultation with WSCC Highways highlighted that further surveys were required within peak car parking stress times. This was later submitted providing a greater variation of sample days and times of the day. It is considered that the submission of such surveys is likely to lead to a greater understanding of the existing reliance for on street parking particularly over week

day mornings where it is anticipated most resident on street car parking will take place.

8.26 In relation to the impact on car parking in the vicinity of the site WSCC Highways concluded that:

'the findings showed a parking stress on the nearby road network of 70-71% showing some capacity on street for additional over flow parking. The development itself will provide sufficient parking not only for its own needs but to replace the area of hardstanding parking that was being used by residents, adjacent to the disused garages. Therefore the Local Highways Authority do not consider that an unacceptable level of overspill parking demand, from existing properties, would be created and that some space on street will be available for this'.

8.27 The proposal in this respect is therefore considered to comply with the objectives of policy TR6 of the Chichester District Local Plan 1999 and NPPF paragraph 32 and that there are no highway safety or parking reasons to resist the proposal.

8.28 The Local Highways Authority has requested several conditions relating to construction traffic and the completion of car parking prior to the occupation of the dwellings. In addition an informative has been added to encourage the applicant to enter into a Section 59 Agreement to enable WSCC to recover any costs resulting from damage that may be caused from construction traffic.

Other matters

8.29 Concern has been raised from third parties regarding the impact the proposal will have on wildlife. The existing amenity land is being preserved, as well as most of the mature trees within the site. The garages are unlikely to provide suitable habitats for protected species and this is highlighted within Section 4 of the Ecological Appraisal submitted with the application. However trees and hedges may support habitats for birds, section 4 of the Appraisal provides details of mitigation measures, a condition is proposed to be added to ensure that these mitigation measures are implemented and due care is made during construction. With mitigation measures in place the proposal is considered to comply with policy BE14 of the Chichester District Local Plan 1999.

The emerging Rogate Neighbourhood Plan

8.30 Comment has been made regarding how the development is premature and will prejudice the development of the Rogate Parish Neighbourhood Plan. At the point of determination, there has been no submission, or pre-submission consultation plan submitted and therefore little weight can be afforded to this. Policy CH110 of the emerging Neighbourhood Plan considers the redevelopment of this brownfield site as 'inappropriate' due to the impact of any development here on parking provision and to the limitations of the existing pumping station. Advice has been provided by WSCC Highways which indicates that the loss of garaging is unlikely to lead to increased pressures with the proposed layout providing space for the proposed dwellings as well as local residents. In addition the applicant proposes to connect to the existing foul sewerage system after the pumping station. It is therefore considered that the concerns raised within this emerging policy have been addressed.

9 Conclusion

9.1 The proposal is considered to comply with National planning policy, local policies BE11, BE13, BE14, H4, H9 and TR6 of the Chichester District Council Local Plan First Review 1999 and the first purpose the designation of the South Downs National Park.

10 Reason for Recommendation and Conditions

10.1 It is recommended that the application be approved for the reasons and subject to the conditions set out below.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. The development hereby permitted shall be carried out in accordance with the plans noted below.

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

3. No development shall be carried out unless and until a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes to be used for external walls and roofs of the proposed building(s) and where appropriate surfacing materials have been submitted to and approved by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and to ensure a building of visual quality.

4. Hours of use during construction should be limited to the following:
' 8am ' 1800 hrs Monday ' Friday
' 9am ' 1300 hrs Saturday

No working on Sundays or Bank Holidays in order to reduce the noise impact on neighbouring properties.

Reason: To protect the amenities of adjoining residential properties.

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicles and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structure (eg furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg drainage power, communications cables, pipelines etc, indicating lines, manholes, supports etc) and proposals for restoration, where relevant. Once provided, there shall be no additional fencing, walling or other means of enclosure erected in the approved landscaping/amenity areas, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting or amending that Order).

Reason: In the interests of amenity and of the environment of the development.

6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Once provided, the works shall be retained in perpetuity.

Reason: In the interests of amenity and of the environment of the development.

7. No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details. Once provided, the works shall be retained in perpetuity.

Reason: In the interests of amenity and of the environment of the development.

8. No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities. In addition all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site.

Reason: In the interests of amenity and of the environment of the development and to comply with the Natural Environment and Rural Communities Act 2006.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development.

10. No development, including site works of any description, shall take place on the site and before any equipment, machinery or materials are brought onto the site, until all the existing trees or hedges to be retained on the site have been protected by a fence as indicated within the submitted Arboricultural Impact Assessment Tree Retention Plan dated 18th August 2016 and mitigation measures outlined within the AIA have been implemented. This fencing shall be maintained until all equipment, machinery, surplus materials and soil have been removed from the site. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are

required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered. All in accordance with BS 5837:2012.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area.

11. Before the development hereby permitted is begun, a scheme showing the proposed means of surface water disposal including all necessary on-site and off-site works shall be submitted to and approved by the Local Planning Authority. Before the development hereby permitted is brought into use the approved scheme shall be carried out and completed in full accordance with the details shown in the scheme. The responsibility for securing all necessary agreements and permits from the landowner or other party shall rest with the developer.

Reason: To ensure that the proposed development is satisfactorily drained.

12. Before the development hereby permitted is begun, a scheme showing the proposed means of foul water disposal including all necessary on-site and off-site works shall be submitted to and approved by the Local Planning Authority. Before the development hereby permitted is brought into use the approved scheme shall be carried out and completed in full accordance with the details shown in the scheme. The responsibility for securing all necessary agreements and permits from the landowner or other party shall rest with the developer.

Reason: To ensure that the proposed development is satisfactorily drained.

13. The details and mitigation methods contained within the Ecological Appraisal Report dated August 2016 completed by The Ash Partnership UK Ltd for the development hereby permitted are approved and shall be implemented in full. Specific reference is made to paragraphs 4.11 and 4.12 of the Ecological Appraisal Report. Natural England Protected Species Licence may be required for the works, and this will need to be obtained prior to any works taking place.

Reason: In order not to disturb nor deter the roosting of Bats, a species protected by the Wildlife and Countryside Act 1981.

14. Before the development hereby permitted commences details and locations of 10 bird nesting opportunities for species such as swallows, swifts, housemartins, house sparrows and starlings along with 2 wall mounted bat boxes and the incorporation of 8 bat bricks shall be submitted for the approval of the Local Planning Authority. The approved detailing shall be inserted prior to the completion of the scheme and shall thereafter be left in perpetuity. Appropriate designs can be found in the publication "Designing for Biodiversity: A technical guide for new and existing buildings".

Reason: In order not to disturb nor deter the nesting of birds in accordance with the Wildlife and Countryside Act 1981.

15. No part of the development shall be first occupied until the car parking spaces, including disabled parking bays, have been constructed in accordance

with plans and details to be submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use.

16. 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.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

17. No part of the development shall be first occupied until the vehicle turning space has been constructed within the site in accordance with the approved site plan. This space shall thereafter be retained at all times for their designated use.

Reason: In the interests of road safety

18. No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for the method of access and routing of vehicles during construction, all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access.

19. Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority before the building is occupied]. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the locality and in order not to disturb nor deter the roosting of Bats, a species protected by the Wildlife and Countryside Act 1981.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order) no additions to, or extensions or enlargements of, or alterations affecting the external appearance of, the building(s) hereby approved shall be made or erected without a grant of planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargements/ alterations of the building(s) in the interests of the proper planning and amenities of the area.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting or amending that Order) no windows or other openings other than those shown on

the plans hereby approved shall be formed in the walls of the development without a grant of planning permission from the Local Planning Authority.

Reason: To protect the amenities of adjoining residential properties.

22. INFORMATIVE

The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Asset Management Officer (01243 642105) in order to commence this process.

23. INFORMATIVE

A formal application to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW Tel 0330 303 0119 or www.southernwater.co.uk

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Tim Slaney
Director of Planning
South Downs National Park Authority

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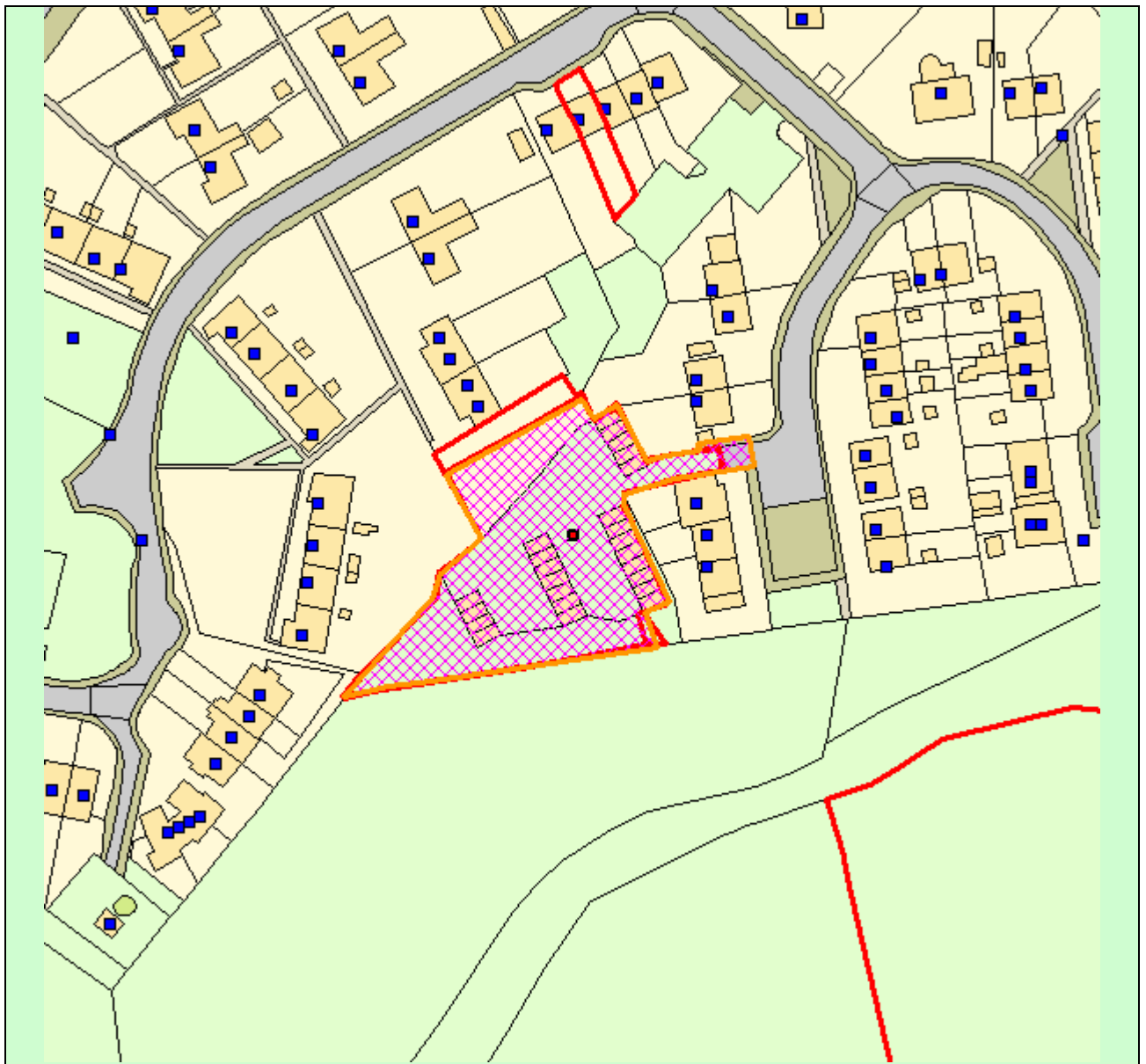
Appendices
Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this
Application

SDNPA Consultees

Background
Documents

Appendix 1

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Site location plan, proposed site plan	20	C	22.08.2016	Approved
Plans - Proposed plans and elevations	22	B	22.08.2016	Approved
Plans - Proposed plans and elevations	23	C	22.08.2016	Approved
Plans - Site technical plan	24	B	22.08.2016	Approved

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