

SCOTT PLANNING

Land adjacent to 18 Queens Lane, Arundel
Planning Statement
May 2025

Introduction

This Planning Statement has been prepared to accompany an application for full planning permission to provide a single 'eco-house' type dwelling with wood working workshop to ground floor on land adjacent to 18 Queens Lane, Arundel, BN18 9JN (the site).

This application follows on from a pre-application enquiry (PAA/117/24/) that was submitted for a similar design to that now proposed. Further revisions have been made to the design of the proposals and technical aspects including flood risk, that flow directly from the advice provided at pre-application stage.

Taking into account the advice provided at pre-application stage, and with reference to the Council's Planning Validation list, the application therefore includes the following:

- Architectural Plans and Elevations, including 3D renders (Michael Forward, Architect)
- Energy and Overheating Strategy letter (Ellie Burkill, Building Physics Engineer)
- Flood Risk Assessment (GTA Civils)
- Flood Risk Sequential Test (Scott Planning)
- Planning Noise Assessment Report (NSL Noise Solutions Ltd)
- Preliminary Ecological Appraisal (Urban Edge Environmental Consulting)
- Letter from applicants explaining approach to BNG.

The purpose of this Statement is to set out our understanding of the planning context that underpins the proposals, and explain how the proposals respond to that context – both in terms of physical surroundings and relevant planning policy – with reference to the above mentioned technical studies.

Site Description

The site comprises a plot of land that previously formed part of the residential curtilage of 18 Queens Lane (located to the north-east) and which contains a dilapidated garage building. Although previously maintained as garden, since being separated from the adjacent dwelling it has been less well maintained, as described within the accompanying PEA (Urban Edge Consulting Ltd).

The site has an existing vehicular and pedestrian access onto Queens Lane, which lies adjacent to the access to the farmyard that lies to the south-west of the site. This farmyard comprises a collection of large modern agricultural structures of post-war

origin. The site is bounded to the north by a 1960s era telephone exchange building, and to the south-west by a small unnamed watercourse.

Queens Lane itself comprises a mix of generally late 19th and 20th century development, of varying designs and 2 and 3 storeys in height. The local topography is generally flat, with longer range views from the site across open farmland to the south.

Background

Extant Planning Permission

The site which is subject to this pre-application enquiry was purchased by the current owners in 2022 with the benefit of planning permission (AB/136/21/PL) for a pair of 3 storey semi-detached dwellings, as illustrated in the plan extracts below. This extant permission was itself a renewal of an earlier permission (granted in 2018) for an identical proposal.

An application (AB/118/24/DOC) to discharge the single pre-commencement condition on the extant consent has been submitted, but at the time of writing is currently not decided. This discharge of conditions application was submitted in order to allow the extant consent to be implemented, in the event that planning permission is not forthcoming for the current preferred scheme.

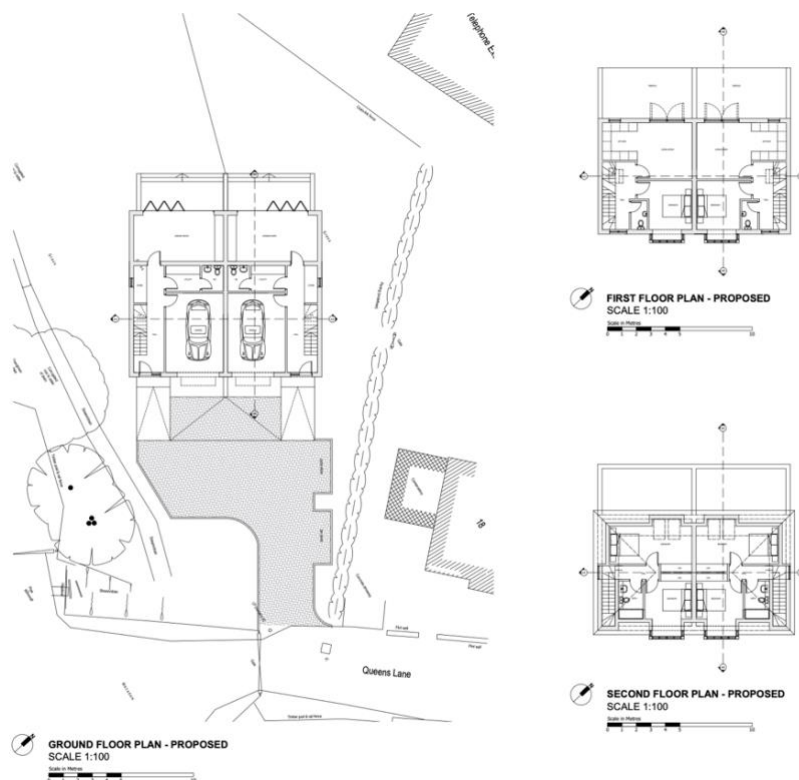


Fig 1: Site plan and floor plans approved under AB/136/21/PL

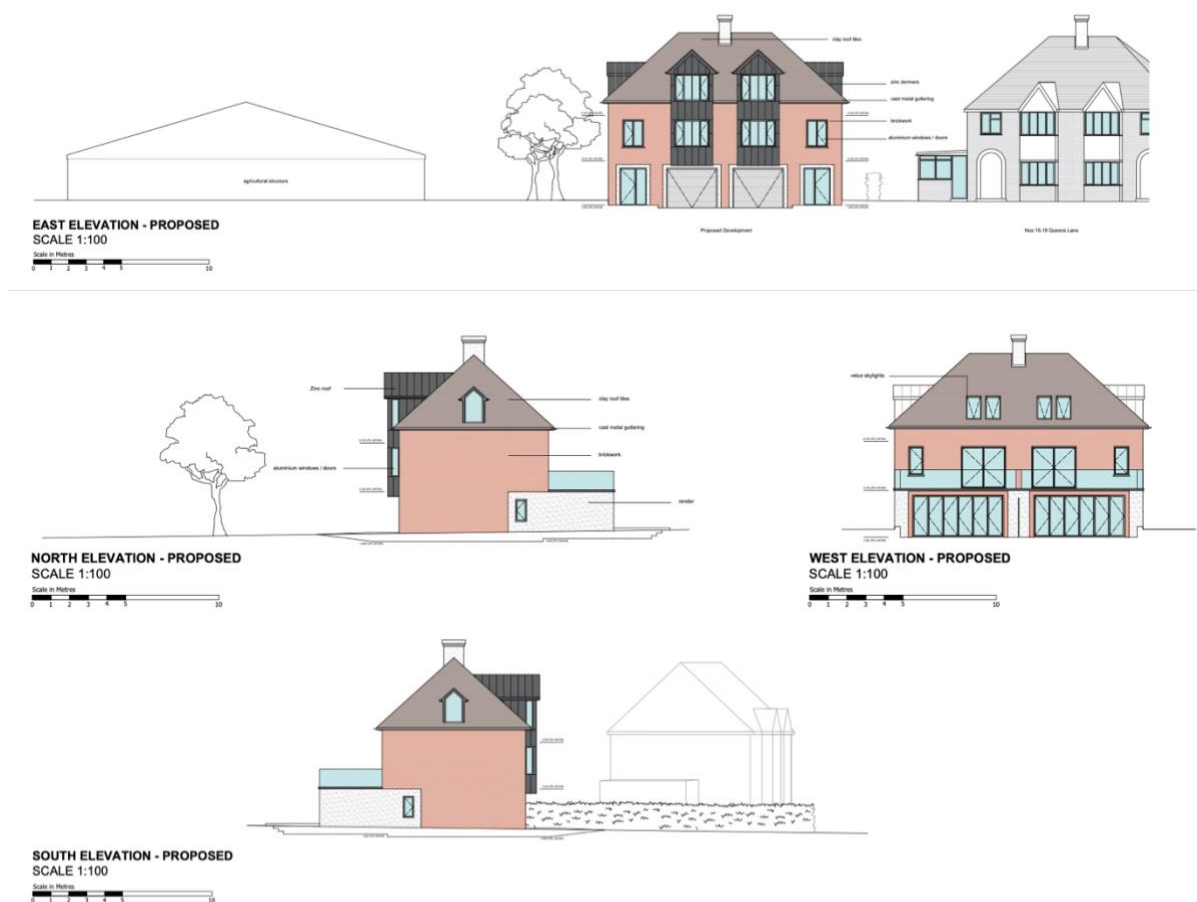


Fig 2: Elevations approved under AB/136/21/PL

This application initially attracted objections from both the Environment Agency and the ADC Flooding Engineer in relation to flood risk, but following the submission of a revised Flood Risk Assessment (FRA) and Sequential Test, these objections were overcome to the extent that the application was approved. In approving the application, the Officers Report concluded that *'the details submitted are sufficient to ensure that the development would be acceptable and not increase the flood risk at the site'*.

It is noted that no objections were received to this application from the Town Council, and no objections subject to conditions in terms of ecology or highways. No representations were received from neighbouring occupants.

The application was approved on 6 July 2022, subject to the following conditions:

1. Standard time condition (3 years from date of permission)
2. Approval of plans
3. Pre-commencement condition requiring submission and approval of surface water drainage scheme
4. Requirement to remove invasive species as part of site clearance

5. Development to be carried out in accordance with submitted FRA, including in relation to floor levels and external earthworks
6. Requirement to cover excavations to prevent trapping of badgers and other mammals
7. Requirement to install and maintain obscure glass to screen balconies
8. Prior to occupation condition requiring cycle parking
9. Limitation on working hours during construction
10. Requires submission and approval of external materials prior to development above DPC level
11. Requirement for precautions for hedgehogs and small mammals during construction
12. No clearance works to be undertaken during nesting bird season (March – September), unless checked by a qualified ecologist
13. Prior to occupation condition requiring implementation of ecological enhancements
14. No external lighting to be installed unless first approved by LPA
15. Prior to occupation condition requiring installation of EV charging facilities
16. Requires submission of renewable energy provision, prior to development above DPC.

Taking the above into account, the only further approval required to allow for development to commence under this permission relates to the submission of surface water drainage details under Condition 3. Subsequent to this, further details relating to external materials and renewable energy provision is required prior to development above DPC.

An application (AB/118/24/DOC) to discharge the single pre-commencement condition on the extant consent has been submitted, but at the time of writing is currently not decided. Once approved, the extent permission will be able to be implemented, providing a fall-back position to the applicants in the event that planning permission is not forthcoming for the current preferred scheme.

The presence of this extant consent is considered to be an important material consideration for the deciding of this current application.

Planning Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 directs LPAs to determine planning applications in accordance with the policies of the Development Plan unless material considerations indicate otherwise. Section 38(3) of the Act provides that the Development Plan includes the “development plan documents (taken as a whole) which have been adopted or approved in relation to that area”.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires that all material considerations are taken into account in decision-making.

The site falls within the jurisdiction of Arun District Council, and within Arundel Town. Accordingly, the relevant development plan for the area is made up of the Arun Local Plan (ALP), (Adopted July 2018), and the Arundel Neighbourhood Plan Review (NDP2, Adopted 2019).

The ALP Policy Map shows that the site is located within the Built-up Area Boundary for Arundel (as defined by ALP Policy SDSP2) which is consistent with the Built-up Area Boundary defined by Policy AR1 of the Neighbourhood Plan. The site is also shown as lying outside of Arundel Conservation Area.

The following Development Plan policies are also considered to be relevant to the current proposals:

- D SP1 Design
- D DM1 Aspects of form and design quality
- SD DM2 Internal space standards
- ECC SP1 Adapting to Climate Change
- ECC SP2 Energy and climate change mitigation
- ENV SP1 Natural Environment
- ENV DM1 Designated Sites of Biodiversity or geological importance
- ENV DM3 Biodiversity Opportunity Areas
- ENV DM4 Protection of trees
- ENV DM5 Development and biodiversity
- QE SP1 Quality of the Environment
- QE DM1 Noise Pollution
- T SP1 Transport and Development
- W DM2 Flood Risk
- W DM3 Sustainable Urban Drainage Systems
- WM DM1 Waste Management

In addition, Arun District Council have produced various Supplementary Planning Documents (SPD) and guidance which are relevant to this proposal, including:

- Arun District Design Guide SPD, 2021
- Arun Parking Standards, 2020

The most recent version of the NPPF was published on 12 December 2024. Although it does not form part of the Development Plan, it is an important material consideration in planning decisions.

The following sections of the NPPF are considered to be directly relevant to the current proposals:

- 2. Achieving sustainable development
- 12. Achieving well designed places

- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

Previous changes (in December 2023) to the NPPF have re-emphasised the need to promote good design, and this has been carried over and further emphasised within the most recent version. This extends to the Presumption in Favour of Sustainable Development having been revised to (at paragraph 11.d),ii. Setting out 'key policies' of the NPPF that decision makers should have 'particular regard' to when applying the presumption, and which includes 'securing well designed places' as well as directing development to sustainable locations and making effective use of land.

This change reflects the wider approach to ensuring well designed outcomes set out in the NPPF, with paragraph 139 directing LPAs to give 'significant weight' to 'outstanding or innovative designs which promote high levels of sustainability, or which help raise the standard of design more generally' and refuse planning permission for development that is 'not well designed'. This approach, carried over from the previous NPPF, replaced the earlier approach of refusing permission for 'poor design', and it is understood that this approach is consistently being supported by the Planning Inspectorate (see *Appealing Designs*, Carmona 2022).

It is also noted that the above mentioned Presumption in Favour of Development (under paragraph 11.d) has also been updated so that in situations where the 'most important policies' are considered to be out of date, applications should be approved unless (under 11.d)i) the application of policies in the NPPF that protect assets of particular importance (under footnote 7), provide a 'strong' reason for refusing the development. This includes 'areas at risk of flooding or coastal change'.

The NPPF sets out the approach to planning and flood risk in paragraphs 170 – 182 of the updated NPPF. This largely carries over the approach from the previous version except for (at paragraph 175) stating that a sequential test will not now be required in 'situations where a site specific flood risk assessment demonstrates that no built development within the site boundary would be located on an area that would be at risk of flooding from any source'. However, in this instance, and with reference to the submitted FRA, it is accepted that a sequential test will be required to be submitted.

Proposal

The submitted plans and visualisations (by Michael Forward, Architect) shows a single dwelling designed to comprise two offset parallel wings, connected by a small flat roof section. This approach directly responds to the overall shape of the site (which narrows at the front) whilst allowing the northern most wing to be sited further forwards so that it responds to the building line established by dwellings to the north of the site, along Queens Lane. Parking for three cars is provided directly in front of this wing, accessed directly from Queens Lane via the existing access.

The adjacent, larger, wing is sited further back in the site in order to allow for the retention of the existing walnut tree, and also to provide for a degree of spatial transition between the siting of dwellings along Queens Lane and the farm buildings located to the south-west of the site.

The siting of the approved pair of semi-detached dwellings is shown on the site plan with a lightweight red-line, which demonstrates that the current proposals respond better to the siting of adjacent dwellings than the dwellings which are the subject of the extant permission.

The overall massing of the approved dwellings is also indicated on the elevational drawings, which show the current proposal sitting much lower overall, with the two storey northern wing in particular sitting much lower and therefore achieving a better relationship in massing terms with the existing dwelling at No.18.

Although the southern wing of the proposed dwelling is taller, at 2.5 storeys, the overall perceived effect of this element will be reduced in the street scene due to it being sited further back into the site – which does not immediately ‘read’ in flat elevational drawings.

Architecturally, the proposed dwelling is unashamedly modern in design, but the palette of materials has been revised following previous pre-application advice to feature traditional materials, albeit within a contemporary idiom. The ground floor of the dwelling is designed to feature traditional Sussex red / brown bricks (with lime mortar) selected to complement brick built dwellings found in and around Arundel. The upper parts of the elevations being vertical timber cladding, which will be left untreated in order to silver naturally. This material choice directly responds to the vernacular of modern agricultural buildings found locally, such as those immediately adjacent to the site.

The design and arrangement of fenestration has been re-designed to produce a more regular and proportionate elevational treatment, acknowledging the previous pre-application advice. The arrangement of openings is however, in light of the overall modern approach to the design, balanced to produce a playful and informal appearance to the dwelling.

The proposal contains no windows to the northern elevation, in order to avoid any overlooking to the private amenity garden area of No.18. This, in conjunction with the reduced massing to the wing that sits adjacent to the boundary of this property works to improve the impact of the proposal on the amenities of occupants of that existing dwelling.

The proposals take a forward thinking approach to sustainability, through the erection of a dwelling that is designed to incorporate active and passive design measures that reduce occupational energy consumption. This includes:

- Orienting the dwelling to reduce overshadowing and maximise solar gain
- Reducing heat loss through reducing surface area relative to floor area

- Optimising glazing ratios
- Incorporating high levels of insulation and high performance triple glazing
- External walls to be constructed using 'ecobrix' – a highly efficient type of insulated concrete formwork
- Designing to create an airtightness value of 3.0 m³/m²·hr; well below the Part L 2021 limiting value of 8.0 m³/m²·hr
- Installing mechanical ventilation and heat recovery (MVHR) system, with a heat recovery efficiency of 75-85%
- Installing PV panels resulting in CO₂ savings of 1008 kgCO₂e/annum, an almost three fold improvement compared with the approved scheme.

The features listed above go well beyond that required by current planning policies and arise out of a commitment on the part of the applicants to deliver a highly sustainable building that will house their home as well as woodworking workshops to the ground floor. This mix of uses further enhances the sustainability of the site, by making an effective use of land and reducing the need to travel between the two uses.

Planning Assessment

With reference to the site and planning context, and the points raised in the previous pre-application response, it is considered that the key issues to be addressed in this application are as follows:

- Principle of development:
- Character and design:
- Flood Risk and Drainage
- Quality of Accommodation
- Neighbouring Residential Amenity
- Biodiversity and Trees
- Parking and Access

Each of these points are discussed below.

Principle of development

As noted above, the site lies within the Built-Up Area Boundary as defined by the Arun Local Plan and the Arundel Neighbourhood Plan (first review) in which the principle of both residential and commercial development is acceptable.

In specific relation to the residential option, it is noted that since the Council cannot at the current time demonstrate a 5 year housing land supply, then the 'tilted balance' within the NPPF would be relevant.

It is noted - as mentioned in the previous pre-app response - that footnote 7 of the NPPF includes for 'areas at risk of flooding'. However, following the most recent update to the NPPF, footnote 7 will only apply where the policies of the NPPF – read as a whole – provide a 'strong' reason for refusing the development.

Since the submitted FRA shows that the proposals will not lead to an unacceptable risk in terms of flooding, it is not considered that this constraint would in itself represent a 'strong' reason to refuse residential development on the site.

In addition, and notwithstanding the above, it is considered that the existing planning permission for a pair of dwellings on the same site represents a strong material consideration to which significant weight should be given in deciding any application for a single dwelling on the same site. The weight attached to this material consideration will also significantly increase at the point that the single outstanding pre-commencement condition attached to that permission (relating to surface water drainage) is discharged, in order to provide for a fully implementable extant consent.

Character and design:

The revised proposals seek to take on board comments raised in the previous pre-app discussions, notably in relation to siting, form, fenestration and external materials.

In terms of siting and form, the proposal has been designed to break up the overall bulk of the building into two offset parallel wings, joined by a flat roof connecting element. This layout allows the two storey element that is nearest to the existing dwelling (18 Queens Lane) to be brought forward so that it more closely responds to the building line established on this side of the lane.

The larger wing (being 2.5 storeys in height) is sited further back in order to respond to the particular shape of the site, but also step back to transition between the building line along Queens Lane, and the siting of the agricultural buildings within the adjacent farmyard. The stepping of this element further back compared with the 2 storey wing will also serve to reduce the apparent bulk and massing of this element when viewed in the street scene.

The proposals have also been amended in terms of fenestration in order to improve the overall proportions and arrangement to the front elevation in particular. Although the overall modern design of the dwelling dictates a less formalised approach to window size and arrangement, it is considered that the overall design responds well to the context provided by neighbouring dwellings in terms of solid-void ratio, and interrelationship of openings.

Lastly in terms of materials, the submitted plans have been revised in order to show a palette of materials which draws on both the context provided by residential development in the area – being generally brick, and that drawn from nearby agricultural buildings, including those found on the adjacent farm.

This contemporary approach to the use of vernacular materials is considered to be a robust design response to the context of the site and will serve to create a building that will help to enhance local distinctiveness and sense of place.

Taken together, the proposals are considered to exhibit a strong and contextual design response that will represent a significant improvement on the design of the dwellings approved by the extant permission, and by doing so meet with the objectives of national and local policy, including the local design guide.

Flood Risk and Drainage

The above mentioned pre-application response letter (PAA/117/24/, dated 21 February 2025), confirmed that based on current flood mapping provided by the Environment Agency, the site lies wholly within Flood Zones 2 and 3.

This is confirmed by the submitted Flood Risk Assessment (GTA Civils, April 2025), which also confirms that that no part of the site is located within Flood Zone 3b (functional floodplain). The FRA also confirms that there are no historical flood events occurring within or near the site.

The FRA notes that the design of the proposed mixed use building, with living and sleeping accommodation provided to upper floors only means that a sequential approach to flood risk has been followed on a site-based scale. The proposed woodworking workshop to the ground floor of the proposed building is a 'Less Vulnerable' use in flood risk terms.

Nevertheless, the FRA confirms that since the site is located within an area susceptible to flooding, the proposal must pass the Sequential Test and that for 'More Vulnerable' development in Flood Zone 3 (including residential) it will also be necessary for the proposal to pass the Exceptions Test.

To pass the exception test, it should be demonstrated that:

- Development that has to be in a flood risk area will provide wider sustainability benefits that outweigh flood risk; and
- The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.

It is considered that the submitted sequential test demonstrates that there are no available alternative sites that are at a lower risk of flooding, and the same document shows that there are wider sustainability benefits, notably in relation to the particular low-energy design of the proposal compared with the extant permission.

The submitted FRA also confirms that:

- The risk of the development being flooded is reduced
- The site will continue to operate and safely during flood events, and
- The development of the site will not have an adverse impact on flood risk elsewhere.

Quality of Accommodation

The residential accommodation proposed has been designed to meet Nationally Described Space Standards (NDSS).

Neighbouring Residential Amenity

Following concern raised about the impact of the previous design on the amenities of the adjoining property to the north (18 Queens Lane), the proposals have been amended in order to reduce the size and bulk of the wing nearest to the boundary with that property and remove any overlooking windows.

In response to the point relating to potential noise disturbance from on-site workshops, the applicant has commissioned a Planning Noise Assessment Report for both submitted options (being residential with ancillary workshops, and workshop with no residential element).

In both cases, these reports show that noise from the use of woodworking equipment is likely to result in rating levels below the existing daytime background sound level, and no adverse noise impact is therefore expected.

Biodiversity and Trees

An up to date Preliminary Ecological Assessment (PEA) has been prepared for the proposals. As the residential element is to be a self-build dwelling, then this will be exempted from mandatory BNG requirements, although it is acknowledged that local policy expects an overall net gain in on site biodiversity, which will be achieved through the proposed high quality landscaping of the site.

The enclosed PEA shows that the proposals will not result in any significant adverse impact on protected and important species, and will provide an opportunity for on-site enhancement in accordance with local policy. No further botanical or protected species surveys are required.

Parking and Access

As noted above, both proposals seek to make use of the existing access to the site, which has been assessed as suitable in access terms under previous applications.

The residential proposal shows parking for 3 cars, of which one will be provided with EV charging facilities. Cycle storage will be provided within the proposed buildings.

Although no objections were raised to the extant permission for 2 dwellings, it is noted that the replacement of this consent with one for a single house would result in an overall reduction in traffic demand for the site.

Conclusion

It is considered that the current proposals represent a significant improvement in design and sustainability terms compared with the previously approved scheme, and that – with reference to paragraph 139 of the latest version of the NPPF – this should be given ‘significant weight’ in the decision making process. It is noted that the most recent pre-application response indicates a good level of officer support for the current proposals in design and sustainability terms.

The proposals have also been designed to respond to the particular characteristics of the site, not least in terms of the identified flood risk by placing less vulnerable workshop floorspace to the ground floor, with living accommodation above.

Notwithstanding this sensible approach, the submitted FRA shows that the site will not lead to any unacceptable risks in flooding terms, and will not serve to increase flood risk elsewhere through the provision of on-site flood water storage capacity.

The technical studies submitted with this application also shows that there will not be any detrimental impact in terms of noise and biodiversity – and although exempt from mandatory BNG requirements, the proposals provide for an overall improvement to local biodiversity through the introduction of a high quality landscaping scheme for the site.

As demonstrated above, the revised proposals have sought to address the advice provided notably in relation to site layout, overall form of the proposal and material choices. It is therefore considered that the current plans represent a step forward in terms of producing a high quality and sustainable design, certainly so in comparison with the plans approved under the extant permission.

This being the case, officers are invited to agree with this conclusion and lend their support to this application.