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Your Ref:

Our Ref: PAA/134/18/

Please ask for: Andrew Wood

01903 737768

8th March 2019

Dear Mr Armstrong

Pre-Application Advice

Erection of 38 No. Apartments
Gas Works Site Ford Road Arundel

I write regarding the above matter and your enquiry received on 25th October 2018.

Description Of Proposed Development

From the details submitted, I understand that you propose to erect 2 blocks of traditionally designed 2/3 storey flats comprising a total of 38 units (10 no 1bed, 28 no 2 bed) associated communal amenity space and external car parking.

Description Of Site

The application site comprises a redundant former gas works which is currently overgrown with selfseeded low scrub. The slopes gently from Ford road to the north down to the river Arun and at its most southerly point has a ground level below the Arun river bank. The site is 0.43 hectares in size.

Description Of Locality

The area is located close to the A27 and the roundabout on the west side of Arundel. The Arun river is to the south of the site beyond a public footpath, the Arun to Littlehampton Green Link. The site would front onto Ford Road in a suburban area just beyond the edge of the town centre adjacent to residential properties which have a uniform character with terraced properties of 2 storeys in height with some dormers in the front elevation at second storey level, front 'yard' gardens, front elevations close to the road and long rear gardens stretching down the slope toward the Arun river. The site overlooks the cemetery in Arundel on the northern side of Ford road.

Planning Issues

The following issues have been identified for consideration;

Principle

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Design
 Neighbour Amenity
 Amenity Space Provision
 Bin Storage
 Affordable Housing
 Highways, Transport and Parking
 Sustainability
 Flooding/Drainage
 Protected Trees TPO/AB/1/84 and TPO/AB/2/90
 Open Space Provision
 Contamination
 Biodiversity
 Light and Noise Pollution
 Impact on Setting of Arundel

Relevant Planning History

PAA/52/17/	Proposed residential development	Approve Pre App
		02-05-2017

Comment On Site History

PAA/52/17/ - A pre-application enquiry for 35 units of a similar design on the same site was submitted and it was concluded by ADC that 'were an application for planning permission to be submitted it would be likely to be approved conditionally subject to a legal agreement requiring contributions for services and affordable housing.'

In the interim period the Arun Local plan 2011-2031 has been adopted and the National Planning Framework has been updated thus the weight of Local Plan policies and advice within the NPPF have been considered in the report below alongside the Arundel Neighbourhood Plan which has remained the same, part of the adopted Local Development Plan.

The site is still retained within the Arun Local Plan and the Arundel Neighbourhood Plan as an allocated housing development site.

Relevant Policies - the following policies are considered relevant to your proposal:

Arun District Local Plan 2011-2031	AHSP2	AH SP2 Affordable Housing
	DDM1	D DM1 Aspects of form and design quality
	DDM2	D DM2 Internal space standards
	DSP1	D SP1 Design
	ECCDM1	ECC DM1 Renewable Energy
	ECCSP1	ECC SP1 Adapting to Climate Change
	ECCSP2	ECC SP2 Energy and climate change mitigation
	ENVDM4	ENV DM4 Protection of trees
	ENVDM5	ENV DM5 Development and biodiversity
	ENVSP1	ENV SP1 Natural Environment
	HDM1	H DM1 Housing mix
	HSP1	HSP1 Housing allocation the housing requirement
	INFSP1	INF SP1 Infrastructure provision and implementation
	LANDM2	LAN DM2 The Setting of Arundel
	LANDM1	LAN DM1 Protection of landscape character
	QEDM2	QE DM2 Light pollution

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SDSP2	SD SP2 Built-up Area Boundary
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

Arundel Neighbourhood Plan 2014 POLICY 1:	The Presumption in Favour of Sustainable Development
Arundel Neighbourhood Plan 2014 POLICY 2:	A Spatial Plan for the Town
Arundel Neighbourhood Plan 2014 POLICY 3:	Housing Supply
Arundel Neighbourhood Plan 2014 POLICY 4:	Housing Site Allocations
Arundel Neighbourhood Plan 2014 POLICY 6:	Transport, Access & Car Parking

Planning Policy Guidance

Supplementary Guidance:	ADS	The Arundel Design Statement by Arundel Town Council
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Principle

The application site is located within the Parish of Arundel and as such the development plan in the determination of this application will consist of the Arun District Local Plan (ALP) 2011 - 2031 and the Arundel Neighbourhood Plan (ANDP).

Arun District Local Plan (2011-2031):

The key policy considerations in the determination of this application are considered to be SD SP2 and H SP1 of the Arun Local Plan (ALP) 2011 - 2031.

The application site is situated within the built up area boundary (BUAB) as specified by policy SD SP2 which seeks to focus development within the built up area.

Policy H SP1 of the Arun Local Plan says that 'within the plan period 2011-2031 the Council will provide for 20,000 new homes through the Local Plan' most of these houses are to be supplied through strategic (District wide) allocations of housing land however the policy states 'Additional non-strategic allocations will be made across the District through emerging Neighbourhood Plans. The 'Gas works' site has been allocated for housing within the Arundel Neighbourhood Plan (see below).

Policy H DM1 - Housing mix requires that has regard to the most up to date Strategic Housing Market Assessment. The proposed mix of 1 and 2 bedroomed flats has been considered by the Arun District Council Housing Strategy Officer and the mix of dwellings is considered acceptable in the light of the Councils evidence of housing need.

Arundel Neighbourhood Plan (ADP)

The Gas works has been allocated as a housing site within policy 4 of the ANP and on the proposals map - Inset A of the ANP.

The site is located close to the river within flood zone 2 and would be subject to a future Flood Risk Assessment demonstrating how such risks will be managed. In addition the proposed development should be in keeping with the adjoining terrace of houses.

The high value of the riverside scheme is acknowledged along with the additional costs associated with the flood risk mitigation measures and the contamination issues of this previous developed site resulting in the acceptance of a higher density of housing than the surrounding area allocating 37 units on the site. The current pre-application is for 38 dwellings which is 1 more than the 37 units allocated within the ANP Policy 4 however in principle this is not considered unacceptable.

Policy 1; The Presumption in Favour of Sustainable Development sets out a presumption in favour of sustainable development unless material considerations indicate otherwise.

Policy 2: A Spatial Plan for the Parish seeks to locate new development within the town of Arundel.

Policy 3: Housing Supply seeks to provide for the development of a minimum of 60 homes for completion in the period from 1 April 2014 to 31 December 2029 on sites allocated and identified for future allocation in policy 4 (see above).

Arundel parish Council is reviewing their Neighbourhood Development Plan (NDP) and has publicised their NDP for pre submission Reg.14. The Plan documents can be viewed at: <https://www.arun.gov.uk/arundel-neighbourhood-development-plan-2>

The plan review documents 'Site Assessment Report and the 'Pre-Submission Plan states that the allocation of this site will be retained under policy 4 of the Arundel Neighbourhood Plan.

I would note that policies 1,2 and 3 above are proposed to be deleted and replaced by Policy AR1 which defines the built up area boundary and directs development within it. The Gas works site is still located within the built up area boundary in the NDP review plan.

The proposed development would be within the town of Arundel, would be considered sustainable development and is in accordance with housing supply needs on an allocated site within the Arundel Neighbourhood Plan.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The current version of the NPPF was published in February 2019 and is a material consideration in the determination of planning application. It sets out a presumption in favour of approving sustainable development.

The NPPF generally seeks to promoting effective use of all land (para 117) and gives weight to proposals that develop under-utilised land (para 118(d)).

The proposed development is considered to accord with the NPPF in principle.

CONCLUSION ON PRINCIPLE

Based on the policies set out within the Arun Local Plan 2011-2031, the Arundel Neighbourhood Plan, the forthcoming Arundel Neighbourhood Plan Review and the NPPF, the principle of housing development on land located within the built up area boundary is acceptable subject to material considerations set out below in this report.

The proposal complies with the Local Development Plan and it would not be contrary to the core principle within the NPPF. It is considered that the site is in a sustainable location in relation to

community infrastructure (schools, etc.) and is served by public transport making it sustainable in relation to access to employment opportunities. There are therefore not considered to be any adverse impacts which would significantly outweigh the benefits of development in this location.

Design

Planning policies and Central Government advice support the efficient and effective use of land. Central Government advice further indicates that more intensive development is not always appropriate and that design which is inappropriate in its context should not be accepted. Furthermore, new development should be well integrated with and complement the local area in terms of layout, for example.

Arun Local Plan policy D DM1 lists a series of 15 factors that development must comply with - these include character, impact, legibility, public art and public realm. With reference to character the policy states that proposals should 'Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.'

Arun Local Plan Policy D SP1 - Design states:

'All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details....' The policy requires that development proposals should reflect the characteristics of the local area by amongst other things in terms of its character and design.

It is also necessary to consider the guidance within the National Planning Policy Framework. Section 12 states that good design is a key aspect of sustainable development (paragraph 124) and that developments should respond to local character & history, reflect the identity of local surroundings & materials, establish a strong sense of place and be visually attractive as a result of good architecture (paragraph 127).

Paragraph 130 goes on to say that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions,...'It is noted that the application is in outline form and does not seek approval of layout or the design of the dwellings.

Policy LAN DM1 (Protection of Landscape Character) in the Local Plan says that "the historic character and development pattern of settlements within the District should be respected, taking into account their distinct identity and setting". The policy also refers to the setting of the South Downs National Park, specifically saying: "development within the setting of the South Downs National Park must have special regard to the conservation of that setting, including views into and out of the Park, and will not be permitted where there would be harmful effects on these considerations".

Policy LAN DM2 (The Setting of Arundel) seeks to prevent development that would adversely affect views of the town of Arundel including its Cathedral.

Arundel Design Statement identifies the site as being within Character Area 3 characterised by 2 storey Victorian terraced housing and seeks new development to be sympathetic to nearby buildings in terms of in scale, type of building, materials and public amenity (i.e. footpaths to the east and south of the proposed development).

Officer comment

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It is not accepted that the proposed development does not affect key views into Arundel. On the approach to Arundel from the southwest along Ford Road the Cathedral, a key heritage asset within the town of Arundel dominates the medium range view and any development would be expected to be of a high quality of design which should be used to complement and enhance the setting of key listed buildings and the Arundel Town Conservation Area as a whole.

A formal Landscape and Visual Impact Assessment (LVIA) and Landscape strategy would need to be submitted and proposals for the long term maintenance and management of the landscaping provided. The proximity to the National Park and public footpaths to the south including the Littlehampton to Arundel Green Link should be considered.

Subject to the paragraph above, the information provided relating to the views of the development within the town of Arundel and within the South Downs National Park is considered acceptable to demonstrate that the proposal complies with policy LAN DM1 and LAN DM2.

The general mass and scale of the development is in keeping with the road frontage on Ford Road and development along the Arun River is acceptable subject to the following comments relate to the specific design submitted in this pre-application:

Legibility - There is an opportunity to make a higher corner feature at the north eastern corner of the site which would improve the legibility of the development as the first built form on the southern side of Ford Road on leaving or approaching the town centre of Arundel .

Detailing - The use of brick or preferably stone lintels is welcomed along with the brick patterning shown in the elevations submitted. The use of decorative ridge tiles and finials on the roof would be welcomed in the final design.

Flat roof dormers - The use of flat roofed dormers is not considered in character with the local area in the context of the Victorian dwellings nearby. It is advised that pitched roof dormers are used throughout the scheme.

Public Art - consideration of the incorporation of public art within the scheme beyond the external facing elevations i.e. at the north eastern corner on Ford Road or south eastern corner adjacent to the public footpath on the Arun river, is recognised as a policy objective within policy D DM1 of the Arun Local Plan

Materials - High quality materials including facing bricks and clay tiles to match nearby dwellings or similar high quality materials such as grey slate tiles may be appropriate. The boundary landscaping and walling/fencing to the development should be carefully considered to enhance the appearance of surrounding development and public accessways.

Balconies - The use of external boundaries on the north east elevation facing the A27 and the south east elevations facing the river would be appropriate however this would not apply to the north west elevation on Ford Road due to the character of the street scene and the south west elevation due to amenity considerations as the balconies could potentially have an overbearing impact on the rear gardens of family houses on the southern side of Ford Road.

Underground car parking - The incorporation of car parking spaces under the building would increase the amount of amenity space and landscaping within the development. This is subject to negotiations with ADC and the Environment Agency in relation to flood risk.

The final application will be assessed under policy D DM2 and the requirements for the internal space standards of each dwelling must accord at a minimum with Nationally Described Space Standards the internal space standards which can be found at:

The space standards of the apartments as submitted appear to comply with the standards set out above and the proposal complies with policy D DM2 of the Arun Local Plan.

Conclusion

It is therefore considered that the development as proposed subject to the advice set out above would comply with policy D DM1, D DM2 and D SP1 of the ALP 2011 - 2031, the Arundel Design Statement and paragraphs 127 (c) and 130 of the National Planning Policy Framework with respect to design.

Neighbour Amenity

Arun District Local Plan Policy D DM1 (3) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. None of the ADP policies specifically refer to residential amenity issues. However, one of the 'core planning principles' of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 12).

The NPPF further indicates that good design should contribute positively to making places better for people. When more detailed designs are being developed, consideration should be given to the height of properties to ensure that overlooking and loss of light is not an issue in particular where the blocks face the rear gardens of the properties on the southern side of Ford Road.

The most significant issues in relation to residential amenity are as follows:

1) Car parking in the rear garden - If possible the preferred outcome to minimise the impact of the development on the neighbouring properties amenity is for the majority of car parking to be located in underground car parking rather than surface car parking as shown on the submitted plans.

The landscaping and boundary treatment to the south western boundary adjacent to 1 Ford Road should be substantial and could be increased in depth as a result of a reduced car parking requirement and the incorporation of underground car parking (see Highways, Transport and Parking para below).

The car port building should be located closest to the boundary with 1 Ford Road with any open areas of car parking located further away from the shared boundary ideally with the car port intervening providing a noise, visual and fumes pollution barrier. The height of the ridge and eaves of the proposed car port should be kept to minimum in this location to avoid an overbearing impact and/or loss of daylight to the rear garden of 1 Ford Road.

2) The south west facing windows in block A closet to 1 Ford Road particularly at first and second storey level facing the side elevation of 1 Ford Road should ideally be moved to the front and rear elevations of the building as it is noted that there is a velux window in the roof directly facing the side elevation of block A at a distance of approx. 12 metres.

In this case, it is considered that the impact of the proposed development would be acceptable on the residential amenities of neighbouring properties in accordance with policy D DM1 of the Arun Local Plan and guidance within the NPPF subject to the advice above, because there would be no materially adverse overlooking or overbearing impacts given the distances to site boundaries and the size of the development and orientation of the facing windows in the new blocks.

Amenity Space Provision

The NPPF states that good design should contribute positively to making places better for people

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and indicates that creating places, streets and spaces which meet the needs of people, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity and maintain and improve local character. Policy D DM1 of the Arun Local Plan further indicates that development will be permitted provided that amongst other considerations the proposal creates attractive places and spaces with the needs of people in mind.

Para. 127(f) of the National Planning Policy Framework states that new development should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

On this basis, well designed and adequate amenity space provision for residents is considered essential to meet the policy requirements of the Local Plan and the NPPF. Attenuation basins (SuDS) are not counted as useable public open space.

I would further note that Arun District Council are working on the Arun Design Guide which is intended to include further guidance on external amenity space in the future.

The proposal as submitted does not provide any outdoor space allocated to the individual flats. The applicant would be encourage to provide outdoor balconies on the north east elevation facing the A27 (at a significant distance) and on the south east boundary of block B closest to the river to address this where possible.

In addition the re-location of car parking underground and the reduction of car parking space in accordance with West Sussex County Highways advice (see below) would allow for the overall amount of shared external amenity space to be increased.

The proposal is therefore likely to be acceptable subject to advice given above in compliance with policy D DM1 of the Arun Local Plan and guidance within the NPPF due to the provision of usable amenity areas and adherence to the external space standard policy as it currently exists.

Affordable Housing

The Council's Housing Strategy & Enabling Manager has made the following comment: In order to meet the Council's Affordable Housing Policy requirements the development should contribute 30% (11) affordable homes onsite and the tenure should be a minimum of 75% (8) rented and 25% (3) intermediate housing (shared ownership).

The affordable housing would need to be confirmed as part of a planning obligation in the S106 agreement.

The recommended unit mix would be:

3 x 1 bed dwellings
8 x 2 bed dwellings.

The Council's preference is for 4 person 2 bed dwellings in order to accommodate family expansion.

The intermediate housing (shared ownership) dwellings would preferably be the 1 bedroom dwellings due to affordability considerations.

In implementing its Affordable Housing Policy, the Council will seek 30% affordable housing on-site on residential developments of 15+ residential units. The tenure, dwelling type/size and location of on-site affordable housing must be agreed with the Council's Housing Strategy and Enabling Manager.

The tenure, dwelling type/size and location of on-site affordable housing must be finally agreed with the Council's Housing Strategy and Enabling Manager.

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Policy AH SP2 of the ALP 2011 - 2031 seeks a minimum of 30% affordable housing for developments over 11 dwellings. The default position will be 75% to be for rent and 25% intermediate housing. A mix of dwellings sizes should also be sought.

Housing Need: There is high demand for affordable housing throughout the Arun District for both rent and low cost home ownership. As at February 2019, there were over 830 households in housing need on the Council's housing register.

Integration - The affordable housing should be integrated into the overall development avoiding a single cluster of affordable dwellings..

The affordable housing should be constructed and designed to be indistinguishable from the market housing.

Section 106 considerations and Affordable Housing Agreement: The Council would not support capped percentage transfer values to a provider of affordable housing being applied to the affordable housing dwellings.

All of the necessary affordable housing requirements would need to be included in a Section 106 planning obligation, not secured by planning condition.

The applicant should seek to make at least one of the rented affordable dwellings is fully wheelchair accessible.

The Council would request that the applicant engages with one of our preferred registered partners for the acquisition of the affordable housing.

At present, the Council would not support the inclusion of Starter Homes as an affordable housing product as there are no published regulations setting out how these would operate as a new affordable tenure type.

The provision of affordable housing as set out above would comply with the requirements of policy AH SP2.

If you should choose to reduce the provision of affordable housing due to decontamination and other exceptional development costs then a viability appraisal would be required to be submitted. The viability assessment would be considered by appointed valuers to Arun District Council.

Highways Transport And Parking

Planning policies allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians, and car parking.

Provision should be made for the safe movement of pedestrians around the site through footways, crossing points and the use of different materials to demarcate the pedestrian routes.

Highways England can be contacted prior to any application at planningSE@highwaysengland.co.uk to gain pre-application advice.

Policy T SP1 of the Arun Local Plan 2011 - 2031 discusses transport issues including development providing safe highway access.

Regard should be had to paragraph 109 of the National Planning Policy Framework which states that: "Development should only be prevented or refused on transport grounds where the residual

cumulative impacts of development are severe".

WSCC highways have confirmed in their pre-application advice that the application is acceptable in principle subject to advice contained within their pre-application guidance note dated 31/08/2018 which should be adhered to. WSCC would be consulted again at application stage.

Any proposed visibility splays need to be included within the red line of your final application and the landowners notified if need be, on the planning application form.

I note that WSCC have suggested that 53 spaces would be required in accordance with the WSCC Parking Demand Calculator. The location of the proposed development is considered to be sustainable with pedestrian access via the river to the town centre and railway station beyond such that this car parking level is considered acceptable and the level of parking could be reduced from 60 spaces to 53 spaces with particular regard to the Council's preference for additional outdoor amenity space and landscape cushioning of the impact of the development on the rear gardens of the properties on the south side of the Ford road adjacent to the site.

The proposed development would be considered to accord with policy T SP1 of the Arun Local Plan and guidance within the NPPF.

Sustainability

Government planning policy is to encourage appropriate development in a location that will enable a reduction in the need to travel, particularly by private car and that planning should contribute to reduce emissions and reduce climatic change. The proposed development is considered to be sustainable due to the proximity to essential facilities, but there are issues with the availability and proximity of public transport and the application should consider this in the relevant sections of the application submission. Policy SD SP1 of the Arun Local Plan considers sustainable development and seeks to take a positive approach that reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework.

The distances to key local facilities. These are identified as being;

- Arundel Town Centre - 600 metres
- Arundel C of E Primary School - 800 metres
- Arundel Railway Station - circa 1.3 km
- Bus Services - Local bus stops within 200 metres serving Littlehampton, Worthing and the surrounding district to the east.
- Arundel Library - 300 metres
- Canada Road recreation ground - 300 metres
- Arundel Baptist Church 100 metres
- Village centre (Retail uses, public house, employment opportunities) - circa 1km
- Arundel Medical Centre, Green Lane - 300 metres
- Angmering Railway Station - circa 2.5km

The accessibility and sustainability of the site is considered to be enhanced through the presence of an existing footpath running along the south eastern boundary of the site adjacent to Arun River into the Town Centre without the need to cross the A27.

In terms of access to public transport the closest bus stop is situated approximately 200 metres to the north east of the site on the A27. 400m is identified as the desirable maximum (equating to approximately 5 minutes of walking time) this additional 50m is not considered to severely or demonstrably outweigh the benefits of the proposal.

Therefore, it is considered that there would be a choice as to the means of transport, either by

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foot, cycle, or public transport and as such it is considered that a refusal on sustainability of location could not be supported as the proposal would accord with policy of the Arun Local Plan.

Sustainable Construction

Planning applications should consider how well their proposals for development contribute to the Government's ambition of a low carbon economy and how well adapted they are for expected effects of climatic change. Applicants should consider provision of renewable energy in the form of high level insulation, rainwater harvesting and a general minimal energy use, including Carbon Dioxide reduction.

Policy ECC SP2 requires that all new development should be energy efficient and;

- a. Achieve energy efficiency measures that reflect the current standards applicable at the time of submission;
- b. Use design and layout to promote energy efficiency;
- c. Incorporate decentralised, renewable and low carbon energy supply systems, for example small scale renewable energy systems such as solar panels.

All major developments must produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless it can be demonstrated that this is unviable. Energy efficiency measures will be taken into consideration when the total predicted energy requirements are calculated. The Council will consider 'allowable solutions' where it is clearly demonstrated that the provision of on site renewable or low carbon energy generation is unviable or not feasible.

The inclusion of electric car charging points is encouraged in all new developments.

In assessing the achievement of these standards the Council will consider: Site constraints; Technical viability; Financial viability; and Delivery of additional benefits.

Policy ECC SP1 - Adapting to climate change

The Council will support development which is located and appropriately designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding; water stress; health impacts as a result of extreme temperatures and a decline in the quality of habitats and richness of biodiversity.

In order to achieve this, development must be designed to take account of the following issues:

- a. Location (in relation to flood risk and vulnerability to coastal erosion);
- b. Water efficiency;
- c. Shade, cooling, ventilation, solar gain;
- d. Connectivity to the green infrastructure network;
- e. Layout and massing;
- f. Resilience of buildings and building materials to extreme weather events;
- g. Capacity of drainage systems and incorporation of Sustainable urban Drainage Systems (SuDS)

Officer Comment

The proposed scheme is a major development and would require 10% on site renewable or low carbon energy on site. Subject to this and the provision of electric car charging points, the proposed development would be considered to accord with policy ECC SP2 and ECC SP1 of the Arun Local Plan.

Flooding

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The NPPF requires development not to give rise to an unacceptable risk of flooding detrimental to human health or property. There will be a requirement for the submission of a Flood Risk Assessment (FRA).

Arun Local Plan 2011 - 2031 policy W DM2 seeks to limit development in areas at risk of flooding and W DM 3 discusses the need for sustainable urban drainage systems.

Para 160, 161 and 162 of the NPPF sets out the requirement for the Exception test to be applied in the case of this application.

There are requirements regarding the submission of a Flood Risk Assessment, the Sequential test, the Exception test documentation. It is accepted that the Sequential test has been addressed by the Local Plan process of site allocation through the Arun Local Plan and the Arundel Neighbourhood Plan.

The Council's Drainage Engineer have made no objection to the scheme on flooding grounds subject to conditions and informatives contained within ADC Engineers comments below.

In principle subject to there being no objections from the Environment Agency on the basis of the information you provide it is accepted that the proposal could be acceptable with respect to policy W DM2 of the Arun Local Plan and the NPPF.

The Environment Agency website details designated flood zones and guidance and the Agency offers a pre application enquiry service.

Protected Trees

Planning policies seek to protect the environment and avoid damage to protected trees. BS 5837 : 2005 sets out standards for Trees in Relation to construction.

The Council's Arboricultural Officer has made the following comments:

I am already familiar with the site having met with an Arboricultural Consultant earlier this year to discuss the potential for conflict with significant trees, in advance of an application being submitted.

There are trees both on and off this site which could be adversely affected by the proposals. There is no supporting arboricultural information submitted with the application - a requirement of BS5837:2012.

As such, were this application to now proceed, we will not have sufficient information to guarantee such trees would be adequately respected and protected.

Recommendations:

1. The applicants will need to employ the services of an Arboricultural Consultant to carry out a tree survey exercise and then prepare an Arboricultural Implications Assessment (AIA) which must be inclusive of; a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan' - with the trees accurately plotted on same.

2. In the event that a RPA of any tree which is proposed for retention overlaps the development then

BS5837:2012 requires that the Detailed Planning Application is accompanied by an Arboricultural Method Statement (AMS) including a Tree Retentions and Removals Plan and also most importantly a Tree Protection Plan - to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality

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and are given adequate protection both above and below ground.

Conclusion:

I welcome the opportunity to comment at this pre-application stage and anticipate the submission of the above survey reports in due course. In the absence of the above information I am compelled to lodge an OBJECTION to this proposal.

Planning Officer Comment

It is considered that subject to the provision of further information as requested by the Council's Arboricultural Officer the application could comply with policy ENV DM4 of the Arun Local Plan.

Open Space Provision

As this is a proposal for a smaller development of residential flats there would be no requirement for formal POS or play area contribution, however greening to soften the development would be required on a development of any kind and greening appropriate to the site's use would be required.

Proposed planting would need to be sufficient in height with a mix of tree and shrub species that would give year round interest. Any screening proposed will need to provide a good mix of native species which when planted should establish quickly to form a balanced and appropriate planting scheme. This would be realised as it matures and the effects on the landscape of the development will diminish over time. The proposals could provide the opportunity to enhance landscape features with careful on-going management to ensure establishment and future landscape enhancement.

Consideration should be given to species choice for these locations. New planting proposals would be required to be plotted in plan form showing the location of these with quantities proposed, densities and size at time of planting.

Light Pollution

Planning policies emphasise the need to consider the impact of light on neighbouring uses and wider landscape, Light levels should be the minimum required for security and working purposes, and minimise potential glare and spillage.

Policy QE DM2 of the ALP 2011-2031 seeks to consider lighting for all development with outdoor lighting and imposes criteria against which the application must be considered.

It is not considered that the proposed development will adversely harm the existing environment at night (or after 4pm in winter). This is because, the site is located on a well used main artery road out of the town of Arundel on a street with road lighting and with residential development adjacent and opposite which would act as a visual backdrop. Whilst no lighting scheme has been submitted in the pre-application, were the application to be approved these details could be covered by a condition.

It is therefore considered that the application complies with the development plan in this respect.

Noise Pollution

Local Plan policies emphasise that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses.

The proposal north east elevation of the development faces directly toward the A27 at a distance of approximately 100 metres, A noise exposure category (NEC) assesement which considers the impact of this looking and suggesting mitigation strategies in the final development would allow the proposed development to be acceptable with respect to policy QE DM1 of the Arun Local Plan.

Contamination

Development on or close proximity to hazardous sites or contaminated land will be permitted provided the Council is satisfied that appropriate remedial measures can be or have been undertaken in respect of human health and groundwater.

The proposal is could potentially be acceptable in terms of contaminated land associated with the gas utility uses previously on the site subject to a detailed Contamination Report and mitigation measures in accordance with policy QE DM4 of the Arun Local Plan.

Infrastructure Provision

In accordance with policy INF SP1 of the Arun Local Plan the council will seek fair and reasonable contributions to be made by the landowners or developers towards the cost of infrastructure, service or amenity provision, to meet the needs of the occupiers or users of the development. This proposal would generate a requirement in the form of infrastructure provision for County education services, social services, fire service, police and public open space provision.

The proposal is likely to be acceptable subject to the completion of a Section 106 legal agreement. The s106 agreement would need to be completed and signed prior to any planning permission being granted,

The Transport Study (prepared by Systra) for the Local Plan and the Infrastructure Delivery Plan (the IDP) identifies requirements for improvements in relation to the road network. Any transport assessments to be submitted alongside an application for residential development will need to take into account the relevant findings of the IDP and the Local Plan study to make sure that the application contributes to wider transport improvements that may be necessary to ensure that the impact of the development on the local road network is acceptable in isolation and in combination with other potential development in the area.

A s106 agreement would need to be agreed and signed prior to the determination of any future application which would be likely to include the following contributions;

NHS

Education

Libraries

Fire Service

Transport

I am awaiting advice from the NHS on the level of contribution required.

I note WSCC have pointed you toward the planning obligations with respect to Education, Libraries, Fire Service and Transport.

If permission were to be granted for this development the Council would request that the applicant signs up to the Developer and Partner Charter and agrees to use local suppliers wherever possible as well as producing a skills plan.

It is considered that the proposed development subject to the submission of a signed s106 agreement prior to decision would be able to comply with policy INF SP1 of the Arun Local Plan.

The Council Community Infrastructure Levy (C.I.L.) charge is still under consideration with

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estimates of a timescale for implementation of the scheme being in early 2020.

Biodiversity

National Planning Policy indicates that developments should aim to maintain and enhance, restore or add to biodiversity and geological resources of the area. An ecological report will need to be submitted setting out the biodiversity present, how biodiversity impacts can be avoided, appropriate mitigation measures and if necessary, compensation measures in the absence of mitigation and how biodiversity gains can be made. All ecological surveys need to be undertaken by a suitably qualified ecologist and at the right time of year and for the right duration.

Policy AR6 Green Infrastructure Network is a new policy within the Arundel Neighbourhood Plan Review which states:

The Neighbourhood Plan identifies a Green Infrastructure Network, as shown on the Policies Map. It comprises a connected sequence of public and private open spaces and natural green spaces.

Development proposals on land that lies within or adjoins the Network will be supported, provided they can demonstrate how their layout, means of access and landscape scheme will sustain and enhance the functionality of the Network. Proposals that will harm the functioning or connectivity of the Network will be resisted.

The gas works site is adjacent to a footpath, cycleway and bridleway known as the Littlehampton to Arundel Green Link and is located within a Bio Diversity Opportunity Area shown on the Green Infrastructure Map for Arundel.

A habitat survey would need to be commissioned and any recommendations of the report included within the conditions of any planning approval. Clearing of any vegetation must not be carried out during the bird nesting season. A reptile survey would need to be carried out prior to works commencing on site. Vegetation to the boundaries needs to be retained. Bat and bird boxes should be provided to enhance the ecological potential of the site and mitigate for the loss of any mature vegetation.

As an example the applicant is advised to consider the inclusion of bat and bird bricks and tiles within the development to improve the impact on biodiversity of the development as a whole.

This site is close to the countryside and close to a key wildlife corridor and water source, the Arun river. Policies ENV SP1 Natural Environment and policy ENV DM5 Development and biodiversity of the Arun Local Plan apply and the application would be expected to be accompanied with a Phase 1 Ecological Assessment.

Protected Species

Development will need to avoid impacts on protected species on a site such as this, and where this is not possible, mitigation or compensation will be necessary. The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. If there is a possibility that a development proposal will impact on a protected species, surveys will need to be submitted with a planning application to determine the presence or absence of a protected species upfront with a planning application and will not be a condition of a planning permission if granted since their presence is a material consideration that will need to inform decisions. If planning permission is granted, a licence, a development licence or conservation licence, from Natural England may be required. All ecological surveys need to be undertaken by a suitably qualified ecologist and at the right time of year and the right duration.

Landscape

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Planning policies and Central Government advice emphasise that the conservation of the natural beauty of the landscape and countryside should therefore be given great weight in development control decisions.

Policy LAN DM1 (Protection of Landscape Character) in the Local Plan says that "the historic character and development pattern of settlements within the District should be respected, taking into account their distinct identity and setting". The policy also refers to the setting of the South Downs National Park, specifically saying: "development within the setting of the South Downs National Park must have special regard to the conservation of that setting, including views into and out of the Park, and will not be permitted where there would be harmful effects on these considerations".

A formal Landscape and Visual Impact Assessment (LVIA) and Landscape strategy would need to be submitted and proposals for the long term maintenance and management of the landscaping. The proximity to the National Park and public footpaths to the south and north should be considered.

A substantial planting scheme with a selection of semi-mature specimens will be required to provide screening to these neighbouring land uses. New planting proposals must also be considered in relation to the wider viewpoints. Consideration should be given to species choice for these locations. New planting proposals would be required to be plotted in plan form showing the location of these with quantities proposed, densities and size at time of planting. Proposed planting would need to be sufficient in height with a mix of tree and shrub species that are sufficiently fast growing to provide a year round interest. Any screening proposed will need to provide a good mix of native species which when planted should establish quickly to form a balanced and appropriate planting scheme. Over time this would create a different habitat with differing biodiversity habitats forming. The proposals could provide the opportunity to enhance existing vegetation and to secure on-going management of any structural vegetation within the site.

Prior to any permission being granted, a full landscape scheme should be submitted for approval, detailing species choice, position, densities and size at time of planting. The provision of landscaping for the development must be conditioned with any permission. Some indicative planting has been illustrated with the plan provided, this would need further detailing for approval and should be plotted in plan and list form and in relation to the trees and vegetation to be retained in the locale, so that a clear picture of the proposals can be seen. These details are required to assure the adjacent land setting is maintained, the setting is uncompromised and the proposed residential development is appropriate to its setting.

It is recommended that all of the above points are addressed as part of a comprehensive and valid planning application for residential development at the Gas works Arundel.

Archaeology

Archaeological remains are a fragile and finite resource. The Council has set out in detail policy within a Supplementary Planning Guidance "Archaeology" adopted September 2003 which is available on the Council's website. Permission will not be granted for development that would be harmful to the significant archaeological interest of the site. An archaeological watching brief condition is recommended. The proposal is likely to be acceptable/unacceptable due to

Housing Supply

The most up to date position on housing land supply is that the Council has a 5.3 year supply of housing land. As a result of this, full weight can be afforded to policies in the Local Development Plan as set out in the Principles section of this report above.

The site has not been designated for residential development and the proposal is unacceptable as

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there is an adequate and up to date supply of housing units.

Other Considerations

Requirements for public/stakeholder consultation

You have requested information regarding requirements for public/stakeholder consultation. There are no formal requirements for stakeholder/public consultation within the Arun Local Plan or Arundel Neighbourhood Plan however there is guidance within the National Planning Policy Framework at para. 39 - 41, that encourages pre-application and engagement with the local community, statutory and non-statutory consultees to improve the efficiency and effectiveness of the planning application system for all parties and the ultimate outcome for the community.

I would advise contacting the Arundel Parish Council and would encourage public consultation with nearby residential properties prior to submission of the application.

Landscape Comments

As this is a proposal for a smaller development of residential flats there would be no requirement for formal POS or play area contribution.

However greening to soften the development would be required on a development of any kind and greening appropriate to the sites use would be required.

It is good to see that some consideration has been given to providing greenspace in some form within the proposals.

As with any new development the proposals must be sympathetic with those existing and the surrounding location.

This scheme proposes 38 apartments with associated car parking into this derelict site.

The proximity of the proposals to neighbouring boundaries has and would need to have continued consideration both from the point of screening for both those viewing the development and the development looking out and also the proximity of the location to conservation area.

The proximity of the substantial trees to the boundary must be considered and the appropriate protection provided. It would appear that whilst root protection detail and tree survey information has been submitted the group of trees shown as G3 appear to be within carpark location and therefore assumed for removal? These proposals would require consultation with ADC's tree officer for agreement.

Any trees or vegetation that fall within the proposed or periphery of the development, may provide significant aesthetic impact to the location. Whilst there is a considerable amount of naturalised existing vegetation of low value there also appear to be important trees whose root protection areas clearly fall within the construction zone and could be significantly impacted and adversely affected by this scheme.

Any trees have the potential to provide valuable aesthetics and would need protection so as to be retained and valued for their amenity importance. Any tree interface including the agreement of RPA exclusion zones must be agreed with Arun District Councils Tree Officer. Root protection Areas (RPA) should extend into the development site and to those neighbouring. Before construction, a tree protection scheme must be in place for any retained trees including trees any whose root protection areas fall within the construction zone from neighbouring land. This should be in accordance with BS 5837:2012 'Trees in relation to construction'.

An ecological report detailing biodiversity, habitat and tree survey should be included within the planning application.

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Proposed planting would need to be sufficient in height with a mix of tree and shrub species that would give year round interest. Any screening proposed will need to provide a good mix of native species which when planted should establish quickly to form a balanced and appropriate planting scheme. This would be realised as it matures and the effects on the landscape of the development will diminish over time. The proposals could provide the opportunity to enhance landscape features with careful on-going management to ensure establishment and future landscape enhancement.

Consideration should be given to species choice for these locations. New planting proposals would be required to be plotted in plan form showing the location of these with quantities proposed, densities and size at time of planting.

I would recommend that the above information is submitted for approval as part of any valid application.

Drainage Engineers Comments

The Council's Drainage Engineers have made the following comments regarding surface water drainage:

Soakaways must be investigated for surface water disposal. Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also available at the Council's website: <https://www.arun.gov.uk/surfacewater>

Sufficient easement should be provided to watercourses, i.e. 3m from the top of watercourse banks to structures and fences. Any proposed alterations, or discharge to watercourse requires land drainage consent.

Environmental Health Comments

The Council's Environmental Health Officers have not provided any comments on the proposed application at this stage.

Bin Storage

For all new residential development including flat conversions, the applicant must show bin storage/collection provision as follows:-

Each unit should be provided with the equivalent of 240 litres of residual waste storage/bins. For flats, the communal/bulk bins can be used on the basis of 240 litres of residual waste storage/bin per flat. Alternatively one 240 litre wheelie bin for each property can be provided.

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The same amount of storage space/bins for recyclable materials is required to be provided.

Where bin stores are adjacent to the access road serving the development or across a parking area there will need to be a road up to full highway standards and an indemnity provided for the Council's contractors to pass across servicing. The access of this type provided must be accessible/passable for collection schedules i.e. no parking or other obstruction.

It is recommended that if any communal provision is located near or adjacent to the highway, it will be suitably enclosed and landscaped so that the maximum pulling distances and vehicle access requirements are complied with.

Suggested External Consultees:

WSCC Strategic Planning

SU.Local.Development@westsussex.gov.uk

Conclusion

Based on the above comments I conclude that were an application for planning permission to be submitted it would be likely to be approved subject to conditions covering materials, highways and transport, flood risk, hard and soft landscaping, tree protection, foul and surface water drainage, on site renewable provision and legal agreement requiring affordable housing, contributions to education, libraries, fire service and the NHS.

Follow Up Meeting

Your pre application advice fee included a meeting. We have arranged an appointment at Arun District Council on Thursday, if this has not already been held, please contact me to arrange a convenient appointment.

Making an Application

If you decide to proceed with making an application you will need to quote the reference number for this advice in the pre-application advice section of the relevant application form. This will ensure that the application receives priority and a speedy validation process.

You will need to submit the following documentation/information with your application to meet the National Validation Requirements:

Fully completed and signed Application Form with full description of the proposal.
Ownership Certificate and Agricultural Land Declaration
Design and Access Statement
Correct Fee
Location Plan (1:1250)
Site / Block Plan (1:500)
Elevations (Existing and Proposed)
Floor Plans (Existing and Proposed)
Roof Plans

Please note that the Council has a Local Validation Requirements List and you should refer to it before submitting your application. Failure to provide the required documentation and to complete the Validation Checklist and the Biodiversity Checklist will result in the application being treated as incomplete and delay the validation of the planning application.

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Having looked though the Local Validation Requirements List, I would suggest that the following additional documents will be required:

Affordable Housing Agreement

Phase 1 Ecological Assessment Survey and Report

Land Contamination Assessment

Flood Risk Assessment

Foul and Surface Water Drainage Statement

Landscape and Visual Impact Assessment (LVIA) and Landscape Strategy

Lighting Assessment

Noise Exposure Category (NEC) Assessment

Bin Storage and Collection Provision

Parking Plan

Planning Application Summary

Street Scene

Transport Statement including swept path analysis for larger vehicles

Stage 1 Road Safety Audit

Tree Survey and Arboricultural Report including 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan'

Draft S106 agreement

You should be aware that any advice given by the Council in relation to pre-application advice will be based on the case Officer's professional judgement and will not constitute a formal response or decision of the Council with regard to any future planning applications. Any views or opinions expressed are given without prejudice to the consideration by the Council of any formal planning application which will be subject to wider consultation and publicity. Although the case officer may indicate the likely outcome of a formal planning application, no guarantees can or will be given about the decision that will be made on any such application. Any further correspondence will be at the Case Officer's discretion depending on the nature of the further enquiry. It may be necessary to submit a further pre-application advice request. Please note this advice only relates to planning and does not relate to any other legislation which may or may not apply such as Building Regulations or ordinary watercourse consenting. You will need to carry out your own checks to determine whether any other consents or permissions are required.

I trust this is of assistance to you.

Yours sincerely



Neil Crowther
Group Head of Planning

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