

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
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From: Simon Davis
Sent: 26 August 2021 16:37
To: Elizabeth Lawrence [REDACTED]
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: RE: AL/75/21/PL - Lidsey Lodge Farm

Hi Liz,

As I said, I acknowledge that the layout suggests that no trees are likely to be affected by the new buildings however I am unable to say this for sure or assess harm from any other parts of the site area as there is no survey plan. It was clear from my visit that there are trees to the boundaries including as part of the hedge on the western side, to the southern boundary and to the eastern edge, some of which are within and some adjacent to the site. The Landscape Strategy and Eco Assessment also refer to trees/hedges within/adjacent the site. The planning application form states if there are trees or hedges on the proposed development site or adjacent to the proposed development site then a Tree survey may be required.

I accept that WSCC raised no objections to the parking provision but they referred to their own standards whereas we use our own parking guidance
(<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n17867.pdf&ver=18547>)

I acknowledge that neither the EA nor our Engineers raise objection re future flood risk. However, the EA do not consider future flood risk in their responses and our Engineers only consider it if it is surface water related. It is a planning consideration and we have had previous legal advice to confirm that a sequential assessment is required where a site is at risk from future flooding. There is no way that a report to Committee would be signed off without the sequential test having been passed.

The proposed refusal reasons are as follows:

The site is in an area which is predicted to be Flood Zone 3 by the year 2111 and there is no guarantee that existing sea defences will be maintained. A sequential site assessment is required to demonstrate that there are no other suitable sites in areas of lower flood risk elsewhere in the district. As no sequential assessment has been provided, the application is in conflict with Arun Local Plan policy W DM2, the National Planning Policy Framework and associated guidance.

The site has significant trees to the east boundary and elsewhere within or adjacent to the site boundaries but no supporting tree documents has been provided to enable an assessment of the proposal's impact on these. In the absence of such information, the application is contrary to policy ENV DM4 of the Arun Local Plan, policy EH6 of the Aldingbourne Neighbourhood Development Plan and the National Planning Policy Framework.

The proposal fails to provide sufficient car parking provision for this semi-rural location and this will result in overspill onto Sack Lane with impacts on highway safety/convenience and conflicts with existing local residents. The proposal is therefore contrary to Arun Local Plan policy T SP1, the Arun Parking Standards SPD and the NPPF.

These have been agreed with Daniel Vick and Neil Crowther.

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

T: 01903 737874
E: simon.davis@arun.gov.uk



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From: Elizabeth Lawrence [REDACTED]
Sent: 26 August 2021 13:55
To: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: Re: AL/75/21/PL - Lidsey Lodge Farm

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Hi Simon

There are no trees on the site so there is no need to undertake a tree survey. Had any trees anywhere been even remotely likely to be affected we would have had a survey done. The site is a former farmyard and the closest trees are on the opposite side of a wide ditch, outside the site and a considerable distance from any proposed built development. As you say the 2 parking spaces can easily be sorted as there is so much room on the site. However, WSCC highways considered that the proposed parking provision was sufficient and no concerns have been raised previously by any consultee or officer. Our proposal considerably increases the number of trees and shrubs and in no way affects any existing trees, as there are none to affect.

With regard to the Sequential and exception tests, they are addressed in the FRA. Based on this FRA no objections were raised by the Environment Agency, or your own engineers. Your own engineers also copied in WSCC in case they wished to make any comments. They raised no concerns and were in consultation with our engineer before the

application was submitted. Hence I am surprised that concerns are now raised at this late stage and despite no objections being raised by the appropriate authorities.

The parking requirement exceeds the current WSCC Maximum by one, as shown on drawing 2021-6347-001 we propose 19 formal spaces, not 18. In addition, there is space to informally park three cars to the front of unit 2 which would not affect the swept paths for any vehicles. Hence the reality is that we have provided space for 22 cars, although we do not consider that the informal space will be required.

In view of this would it be possible for you to consider this again in light of the above.

Finally, if you feel unable to reconsider the proposal, can you please advise on your reasons for refusal. This is because I would like to make sure that my client is fully informed when he makes any decisions regarding whether to continue or withdraw the application. I look forward to hearing from you and thank you for your prompt response.

Kind regards

Liz

On Thursday, 26 August 2021, 12:27:13 BST, Simon Davis <simon.davis@arun.gov.uk> wrote:

Dear Liz,

I acknowledge that my plan was to take this application to our Development Control Committee in September however, in writing up the application, I have become aware of some policy conflicts which prevent us from making a positive recommendation.

I recall advising you on the last application that the whole of the site is shown on our Strategic FRA to be FZ3 by 2111 so we will need to consider future flood risk and as per national policy, a sequential site assessment is required. I also previously stated that as there are trees to the site boundaries, a tree survey will be required.

I acknowledge that the FRA states that a sequential is not required as the site is protected from tidal flooding but there is no guarantee that such defences will be maintained to ensure future protection and it is our policy not to take such into account. On a recent nearby application (BE/109/19/OUT) we required a sequential assessment due to future flood risk, despite tidal defences and the applicant provided this.

I also acknowledge that the layout suggests that no trees are likely to be affected but without a survey this cannot be confirmed and any impacts assessed.

A further policy conflict has arisen in respect of the parking provision which is two short versus the standards in the Arun Parking Standards SPD (18 proposed vs 20 required). I acknowledge that this aspect could be easily fixed.

I have written the report up for refusal and this has been agreed by senior colleagues. I am therefore writing to you as per our practices to alert you to this and allow yourself the opportunity to withdraw. We will not allow any further extensions of time and will also not allow the further submission of information/plans as we would not then be able to take this to Committee within the current timeframe. If you wish to withdraw then please advise by the end of Friday 27th otherwise we will issue the refusal.

Kind Regards

Simon

Simon J Davis MRTPI

Principal Planning Officer

Directorate of Place



T: 01903 737874

E: simon.davis@arun.gov.uk

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