



From: Jeremy Farrelly [REDACTED]
Sent: 23 December 2020 15:24
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: Kris Mitra [REDACTED]
Subject: Planning Application AL/79/20 - PACSO site, Land West of Hook Lane, Westergate

Dear Simon

Further to your e-mail of 19th November 2020 and our recent telephone conversation please see the following attachments:

1. Amended Drawings – Highway and Drainage Matters

- Drawing No. 5399/001 Rev B - Access Visibility
- Drawing No. 001 Rev P03 – Site Location Plan
- Drawing No. 002 Rev P03 - Existing Site Plan
- Drawing No. 003 Rev P06 - Proposed Illustrative Site Plan

The above drawings show the amended visibility splays for new main access road (serving Plots 3 to 10) and for the new vehicular crossover serving Plots 1 and 2. The length of each visibility splay has been increased slightly to reflect the comments made in WSCC Highways Consultation response of 16th November 2020. The visibility splays now measure 2.4m x 40m to the north and south for both of the proposed access points. Drawing No. 5399/001 Rev B also shows the full extent of the existing pavement arrangement along Hook Lane in the vicinity the application site. As there is no pavement on the eastern side of Hook Lane opposite the application site the tactile paving and pedestrian crossing points shown on the original Access Visibility drawing forming Appendix 6 of the submitted Transport Statement have been deleted.

In response to the first sentence of the third paragraph of the District Councils Drainage Engineer comments of 1st December 2020 the red line on Drawings No's 001 Rev P03; - 002 Rev P03 and – 0003 Rev P06 has also been extended to include an existing drainage ditch to the north-west of the development site. This ditch connects into the watercourse to the west of the reservoir. The inclusion of this ditch within the red line of the application site will enable a connection between the application site and the watercourse. This means the proposed surface water drainage strategy as set out in the Flood Risk Assessment submitted with the application can be implemented. The drainage ditch is owned by Mr & Mrs Gillbard (who have bequeathed the main part of the application site to PACSO). Although the applicant served notice on Mr & Mrs Gillbard when the application was first submitted we have for completeness served notice on them a second time alerting them to this change.

The applicants have commissioned a Stage 1 Road Safety Audit and Designers Response which is nearing completion. This should be completed in early January 2021 and will be sent to you and WSCC Highways Department upon receipt.

2. Consideration of the Ten Characteristics of the National Design Guide – This explains how the proposed development addresses the 10 characteristics.

With regard to the other matters raised in your e-mail I respond as follows:

A) Agricultural Land Quality

Local Plan **Policy SO DM1** relates to soils. Paragraph 11.1.6 of the explanatory text confirms that

“It is national policy to take into account the economic and other benefits of the most versatile agricultural land. Therefore the Council requires that a planning application on agricultural land falling within Grades 1, 2 and 3a of the Agricultural Land Classification, which involves permanent loss of one hectare or more, shall be accompanied by a Report on the agricultural land to include its economic status, an assessment of the land’s environmental and other benefits, a plan demonstrating how soils and soil qualities are to be conserved and where development is proposed mitigation measures for the loss of soils. The applicant, their agent or another party to be agreed by Arun District Council will be responsible for fulfilling this requirement”.

As the application site is only 0.4 hectares in size it is below the one hectare threshold referred to above and a detailed Agricultural Land Quality Report is not required. Notwithstanding this the applicant recognises that land quality is an important consideration and makes the following comments:

Current and Previous Uses - The application site comprises 0.4 hectares managed grass that is cut on a regular basis. A septic tank and a 20m² concrete hardstanding area are located in the central part of the site. An underground pipe connects the septic tank to a toilet block located about 3.0m to the south of the southern boundary of the application site. There is also a telegraph pole and an electric box within the site. Google satellite images dating back to 2001 show that the site has been left as mown grass for at least the last 19 years with parts of the eastern area used for the storage of packaging crates linked to the neighbouring nursery use.

Previous Land Classification Surveys - Based upon the London and South East Region 1:250,000 Series Agricultural Land Character Map published by Natural England in 2010 the application site and surrounding area is within an area mapped as Grade 2 – (Very Good Quality Agricultural Land). This map is for strategic purposes only and is not sufficiently accurate for the assessment of individual fields. There are no detailed agricultural land classification surveys mapped on the Magic website nor are there any known previous detailed surveys of the land. Approximately 0.95 hectares of land located immediately to north of the application (which now forms part of Metis Homes “Summer Meadows” development) was surveyed by RSK ADAS Ltd in respect of **Application No. AL/83/16/OUT – Residential Development of up to 8 dwellings on land south and west Barnside, Hook Lane**. The RSK ADAS report confirmed that 50.52% of the Barnside site was Grade 2 land with 46.31% of the site being non-agricultural and 3.17% being open water. Based on the above the majority of the application site it is therefore likely to be Grade 2 Agricultural Land. The septic tank/concrete hardstanding area and the connecting drainage pipes plus the areas close to the telegraph pole and electric box are likely to be classed as non-agricultural which would require remedial action to return these parts of the site to agricultural use.

Although the land is not currently in agricultural use (and has not been for at least 19 years) it does theoretically have potential to be used for agriculture related activities. This, however, is unlikely because the land is now in separate ownership to the adjoining nursery use to the south. It is also separated from the agricultural land further to the west by a reservoir which itself acts as a barrier. The application site is also relatively small at only 0.4 hectares and is unlikely to be of a sufficient size that would support a financially viable standalone agricultural business.

The development of new homes on Grade 2 agricultural land was recently considered as part of an appeal at Clays Farm, Yapton (Y/62/18/OUT – PINS Ref : APP/C3810/W/19/3234972) which was allowed on 25th February 2020. This granted planning permission for 33 No. new homes on Grade 2 agricultural land. The Inspector noted that although adjacent land was used for growing crops, there was no evidence that the site itself would in the future be so used. The Inspector stated that whilst this does not in itself justify the loss of the land, it does act to reduce the level of environmental and economic harm that would be caused by its development. The Inspector considered the loss of Grade 2 agricultural land represented only moderate harm. He decided that the benefits of the proposal including economic and social benefits alongside the contribution to the housing land supply shortfall outweighed the moderate harm to the loss of the Grade 2 land. This appeal decision, and the grant of planning permission on

Grade 2 land at Barnside (located immediately to the north of the current application site) share many similarities with this application and a similar conclusion could be reached.

In terms of the planning balance it is considered that the severe housing land supply shortfall in the District (only 2.9 years) and the loss of less than 0.4ha Grade 2 land is outweighed, particularly as the land is not currently used for agriculture and there is no realistic prospect of it being used for this purpose in the future. In addition to this, Arun District benefits from having a high proportion of land that falls within the best and most versatile (BMV) classification grades. According to DEFRA estimates, around 64% of agricultural land in Arun District is best and most versatile (Grades 1, 2 and 3a) compared to around 42% nationally. On this basis the development of the application would represent an insignificant reduction of the agricultural land area of District in overall terms. In essence the benefits of granting permission outweigh any harm.

B) *Lidsey Wastewater Treatment Works Catchment Area*

The application site falls within this Catchment Area. As set out in paragraph 4.4 and illustrated in Drawing No.5399/002 Rev A of the Flood Risk Assessment prepared by Bellamy Roberts LLP it is proposed to connect the development to the existing 150mm Southern Water foul sewer located in Hook Lane. Although Local Plan Policy W DM1 requires major development proposals to be accompanied by a Drainage Impact Assessment the current Arun DC "Validation Requirements List for Planning Applications" dated 16th December 2020 confirms on page 15 under **Item 8. Lidsey Foul Water Environmental Assessment Statement** that a statement is required in cases where non-mains drainage is proposed. As set out above this application proposes to connect to the existing main sewer in Hook Lane. This, combined with the consultation response of Southern Water dated 25th November 2020 which does not object to the proposed connection to the existing foul drainage system, suggests that the proposed foul drainage means of disposal is acceptable and that this matter can be controlled by a planning condition.

C) *Air Quality*

According to the West Sussex County Council web page on Air Quality (last updated 29th October 2020) there are no Air Quality Management Areas (AQMA's) in Arun District. Local Plan Policy QE DM3 relates to Air Quality and requires major development to be located within easy reach of established transport services; maximise provision for cycling and pedestrian facilities, including electric car charging points and contribute towards the improvement of the highway network. As set out in paragraph 2.16 of the Transport Statement by Bellamy Roberts LLP the nearest bus stops to the application site are located on Westergate Street close to the Hook Lane junction. These are within 450m walking distance of the site. Bus Service No's. 66A/66C operate along this route (Bognor Regis – Yapton – Bognor Regis) on a regular basis between Monday and Saturday. These routes provide links to the mainline railway stations at Barnham and Bognor Regis. As such the application is within easy reach of public transport services. As recommended in the consultation response of the District Councils Senior Environmental Health Officer of 3rd December 2020 the applicant supports and agrees to a condition that requires the provision of facilities to enable the charging of electric vehicles for each dwelling. Based on the above, the proposed development has the ability to mitigate any negative impacts on air quality and overall it accords with Local Plan QE DM3.

D) *Policy SD10 of the South Downs National Park Local Plan*

This Policy relates to various International Sites including The Mens SAC, Ebernoe Common SAC and Singleton & Cocking Tunnels SAC which support Barbastelle and Bechstein's Bats. This policy requires development proposals on greenfield sites or in close proximity to woodlands and hedgerows to ensure that key features (foraging habitats and commuting routes) are retained. As set out in paragraph 4.3.1 of the Preliminary Ecological Appraisal by Bright Green Environmental Consultancy Ltd (forming part of the application submission documents) the Singleton & Cocking Tunnels SAC is located 11.1km north-west of the application site. This means that the site is just within the 12km - Wider conservation area of this SAC and significant impacts or severance to flight lines should be considered.

Paragraph 4.1 of the Appraisal is headed 'Site and Habitat Description'. This confirms that the application site is managed grass which previously formed part of the nursery business to the south. It refers to the northern boundary comprising a newly erected timber fence and that the southern boundary consists of a mix of storage buildings, concrete loading bay and vehicle parking area and welfare cabins. The eastern boundary comprises a roadside hedge fronting Hook Lane. The western boundary is formed by the scrub covered banks of the irrigation

reservoir which provides water to the neighbouring nursery. The final paragraph 4.4.1 *Habitats and Species* of the appraisal refers to a small number of trees within the site. These include a young sycamore to the north eastern corner that is to be felled; and a group of 3 young silver birch to the south of the site next to the existing concrete road serving the nursery, which are to be retained. Paragraph 4.4.2.1 confirms that none of the trees on the site present suitable opportunities for roosting bats as they are not of an age where cavities form and no significant wounds were evident. In terms of Foraging and Commuting Bats (see paragraph 4.4.2.3 of the appraisal) the application site itself offers limited foraging habitat along the eastern boundary and the western scrub around the irrigation pond/reservoir, which connects with the mature hedgerow field boundaries further to the west. It acknowledges that these hedgerows link to the wider landscape and may form part of the network of commuting routes. The timber fence that forms the northern boundary presents a break in connectivity of the east and west boundary hedges compared to the previous conifer hedge that was removed. This section goes on to recommend the implementation of external lighting precautions during and post construction to minimise the risk of disturbance to potential foraging and commuting bats. These measures include:

- Any task lighting (during construction) or security lighting on the new buildings, should not be directed at boundary vegetation
- Any necessary security lighting should be sent on short timers and be sensitive to large moving objects only
- Other lighting around the site should be kept to the minimal feasible level and be directed downward and shielded to minimise light spillage
- Hoods, cowl or directional lighting should be used to avoid light directed at the sky or towards boundary vegetation or ditches
- Lighting timers should be limited, to provide dark periods
- Low pressure sodium security lights with glass glazing are recommended as these produce the least amount of UV light. Avoid white and blue wavelengths of the light spectrum. The brightness of the lamps should be kept as low as feasibly possible (ILE/BCT, 2007; BCT interim guidance 2014)

In addition to the above measures there is also an opportunity to enhance the site for foraging bats through adopting a sensitive landscape design including the planting of hedgerows along the northern and southern boundaries to provide ecological connectivity with the east and west boundaries. These measures could be secured by suitable planning conditions and are generally supported by the consultation response of the Environment Officer dated 3rd November 2020. Based on the above comments it is clear that the proposed development accords with South Downs Local Plan Policy SD10.

I trust the above comments and attachments are of assistance. Please do not hesitate to contact me should you require additional information or clarification on any matter.

Kind regards

Jeremy

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