

Outline application for demolition of 19 and 21 Nyewood Lane and the erection of a new block of apartments comprising 3no 2Bed flats and 20no 1Bed units.

19 & 21 Nyewood Lane, PO21 2QB.

Planning Statement

1 Introduction

- 1.1 This planning application proposes the demolition of 19 and 21 Nyewood Lane and the erection of a new three storied building with loft area to provide 23 flats based on 3no 2bed flats and 20no 1bed flats.
- 1.2 The application is in outline form with **ALL** matters reserved.
- 1.3 That said, illustrative drawing in the form of: streetscene, site layout and floor plans have been provided to show how 23 flats could be accommodated on the site in an appropriate manner.
- 1.4 This statement describes the site and its surroundings and the proposal itself. The Planning Policy background is set out along with an assessment of the proposal in light of the relevant policies and all other material planning considerations.
- 1.5 The application site is broadly square in shape and measures approximately 985 sq m [0.985ha]. It is located on the west side of Nyewood Lane as outlined in red on the Google Maps aerial photograph below.



- 1.6 The west side of Nyewood Lane is mixed in character but large flatted development dominates – with 4 storey flats to the south and three storied development with flats in the roof in the retail and flatted development to the north which wraps around the junction of Nyewood Lane with Aldwick Road.



- 1.7 In terms of the application sites designation in relation to Local level policies, the site is located within the built up area boundary for Bognor Regis, as defined by

the Local Plan Policy Map 3: Bognor Regis and the Local Area. The site is also identified as being within the Pagham Harbour Buffer Zone B (5km).

- 1.8 The buildings that are to be demolished in order to facilitate the proposed redevelopment are neither listed buildings nor non-designated heritage assets. Nor is the site within a Conservation Area.

2 THE PROPOSAL

- 2.1 As set out above at 1.1, this planning application proposes the demolition of 19 and 21 Nyewood Lane and the erection of a new three storied building with loft area to provide 23 flats based on 3no 2bed flats and 20no 1bed flats.
- 2.2 The application is in OUTLINE form with ALL matters reserved for latter consideration.
- 2.3 That said, illustrative drawing in the form of: streetscene, site layout and floor plans have been provided to show how 23 flats could be accommodated on the site in an appropriate manner.
- 2.4 Since the development is next door to the parade of shops and flats immediately to the north the scheme has sought to draw from that design ethos but provide a scheme of high quality which is in scale with that development. In addition since a house will remain to the south – at 17 Nyewood Lane, the southern end of the development reduces in scale in order to provide an acceptable and appropriate transition.
- 2.5 In this regard an existing streetscene drawing and illustrative streetscene are provided in order to demonstrate that the proposed scale of development can be readily accommodated within its immediate context. This two drawings are reproduced below for initial reference.
- 2.6 In particular, the eaves and ridge lines will be no higher than the development to the north. In addition at the southern end the eaves and ridge lines will mirror those at No 17.



Existing



Proposed

- 2.7 It will be clear from the illustrative drawing that great care has been taken to ensure that the design of the proposed building is of a high quality with appropriate detailing, materials and fenestration.
- 2.8 In terms of site layout the illustrative proposed site plan [see below] shows a large expanse of amenity area to the rear of the flats with communal bin storage on the south side of the rear area adjacent to an existing parking area.
- 2.9 Cycle parking is anticipated to be provided within the building but cycle storage could also be provided outside.

- 2.10 Car parking will be in the form of 10 parking spaces off the road. One parking space will be for specific use by an electric car and has its own car charging point.



- 2.11 Residents of this locality enjoy safe and convenient access to Waverley public house (a minute's walk, to the south) and the Aldwick Road local centre (one minutes walk, to the northeast) where there are a wide range of shops and local services including a Tesco Express convenience store (one minute walk to the northeast) for the purchase of provisions and newspapers,

- 2.12 Slightly further afield is Bognor railway station (0.87 miles) and Bognor town centre (0.8 miles).

- 2.13 Immediately to the north of the site, Aldwick Road forms part of the route followed by two regular bus services. The 62 connecting Aldwick with Bognor town centre and the retail parks; and the 600 which connects Elmer to Chichester.
- 2.14 Whilst it is evident that residents of this locality do not *need* to use a private car to enjoy good access to services (ie. it is an accessible, sustainable location), it is considered appropriate to provide a reasonable number of parking spaces and therefore provision will be made to enable ten cars to be parked on the forecourt. The provision of secure on-site facilities for bicycle storage would promote the use of that alternative to the private car as a sustainable transport mode, as is recognised at paragraph 102 of the 'National Planning Policy Framework' (NPPF3) re. 'Promoting sustainable transport'.

3 **PLANNING POLICY**

The National Planning Policy Framework, February 2019

- 3.1 The latest version of National Planning Policy Framework (NPPF3) was published in February 2019.
- 3.2 The NPPF confirms that planning law, as set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, requires that applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 3.3 The focus of the revised NPPF continues to be achieving sustainable development. The NPPF clarifies that *"at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs"*. However, the Framework sets out at paragraph 8 that in planning terms, and in order to achieve sustainable

development, there are *"three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)"*. These objectives are: economic, social and environmental. Paragraph 9 makes clear that *"Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area."*

- 3.4 Paragraph 12 confirms that *"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."*
- 3.5 Section 5 relates to delivering housing. It reiterates at paragraph 59 that the Government's objective is to significantly boost the supply of new homes. Paragraph 63 confirms that non-major development schemes should not have to provide affordable housing (although a lower threshold is applicable in designated rural areas). Paragraph 68 identifies the important role small and medium sized sites can make to meeting the housing supply of an area. It states that local planning authorities should *"support the development of windfall sites through their policies and decisions - giving great weight to the benefits of using suitable sites within existing settlements for homes..."*
- 3.6 At paragraph 73 NPPF3 sets out that *"Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic*

policies are more than five years old". The Framework also clarifies that "A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement".

- 3.7 Section 9 discusses sustainable transport, including the need to support opportunities, and give priority to walking, cycling and public transport, in addition to creating places that are safe, accessible, address the needs of people with disabilities, and are designed to enable charging of plug-in and other ultra-low emission vehicles.
- 3.8 At paragraph 103 the Framework confirms that *"Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making."*
- 3.9 Paragraph 105 sets out that *"Maximum parking standards for residential and nonresidential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport."*
- 3.10 Paragraph 108 confirms that the main considerations in transport terms when determining specific planning applications is that proposals should provide: *"a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."*

- 3.11 At paragraph 109 the Framework also confirms that *"development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*
- 3.12 Section 11 is entitled 'Making effective use of land'. Paragraph 117 confirms that *"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions"*.
- 3.13 Paragraph 118 sets out that decision makers are required to give regard to benefits of development, including environmental gains, and should *"give substantial weight to the value of using suitable brown field land within settlements for homes... [and] promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively."*
- 3.14 Paragraph 120 states that *"decisions need to reflect changes in the demand for land... applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area."*
- 3.15 Paragraph 122 discusses the need to achieve appropriate densities. Account needs to be given to the identified need for different types of housing and the availability of land suitable for accommodating it, local market conditions, sustainability, existing character and setting, and *"the importance of securing well-designed, attractive and healthy places."*
- 3.16 Section 12 refers to achieving good design. Paragraph 124 states *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development..."*
- 3.17 Paragraph 127 sets out that *"decisions should ensure that developments:*
- a. will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

- b. are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c. are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d. establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e. optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f. 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."*

- 3.18 Paragraph 130 confirms that *"where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development,"* whilst paragraph 131 sets out that *"in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."*

The Arun Local Plan 2011 – 2031

- 3.19 The Arun Local Plan 2011 - 2031 was adopted by resolution of Full Council on 18th July 2018. It comprises a written statement and supporting policy maps 1-4. The plan sets out a spatial vision, objectives and a sustainable strategy for delivering the needed growth of the District over the period 2011 - 2031. This plan replaces the Arun Local Plan 2003 and the saved policies within it and now provides the most up-to-date policy guidance for the District.

3.20 The properties are located within the built up area boundary for Bognor, where, in accordance with **Policy SD SP2** (Built up Area Boundary), development should be focused, subject to consideration against other policies of the Local Plan.

3.21 **Policy SD SP1** is a general policy, which relates to Sustainable development. It states that:

"when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work pro-actively with applicants to jointly find solutions which mean that proposals can be approved wherever possible and to secure development that will contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland). This presumption will not be applicable where development requires an Appropriate Assessment or where consideration of the need for one is being undertaken".

3.22 **Policies H SP1** and **H DM1** are general policies, which relate to The Housing Requirement and Housing Mix respectively. The District is required to provide at least 20,000 new homes over the plan period (up to 2031). This requirement is to be met by the strategic allocations set out in Plan, windfalls, and additional non-strategic allocations that will be made across the District through emerging Neighbourhood Plans and the production of a subsequent Non-Strategic Site Allocations Development Plan Document (DPD). The supporting text to **Policy H DM1** confirms that:

"requirements vary across the District and factors such as proximity to public transport and services, place and site characteristics will determine what is a suitable dwelling mix at any particular location... The Council is keen to promote growth and deliver development that reflects the demand and profile of households in the District".

3.23 **Policy D SP1** refers to Design. It states that:

"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. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development. With major developments (as defined in the GDPO 1995 (as amended(41)) or allocated sites in the Development Plan. In addition to a Design and Access Statement, a context appraisal, context plan and analysis of the site will also be required".

3.24 **Policy D DM1** relates to the more detailed aspects of form and design quality. It states that :

"when considering any application for development the Council will have regard to the following [inter alia] aspects:

- 1. Character. 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.*
- 2. Appearance/attractiveness. Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area.*
- 3. Impact. Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.*
- 5. Adaptability. Acknowledge diversity and difference. Buildings and places should be flexible to future adaptation, including the changing needs of occupants (for example ageing users, family*

circumstances), changes in wider work and social trends, and be able to accommodate potential differing uses of public space.

13. Density. The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity.

14. Scale. The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement.

15. Aspects of form and design quality. Development should also comply with the Arun District Council Design Guide".

3.25 **Policy D DM2** relates to the Council internal space standards. The planning authority will require internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs.

3.26 Table 1 of the DCLG's 'Technical housing standards — nationally described space standard' document (2015) re 'Minimum gross internal floor areas and storage (m²)' call for a two-bedroomed, four-person flat to have a gross internal area (GIA) of 70 m²; a 1b2p flat to have 50 sq m and a 1b1p flat to have 39sq m.

3.27 The illustrative drawings demonstrate the following minimum flat sizes:

1b1p – 40 sq m;

1b2p – 52 sq m

2b4p – 70 sq m

Accordingly all of the illustrative flat sizes meet the minimum described space standards.

3.28 **Policy AH SP2** deals with affordable housing and for schemes of 11 units or more a minimum of 30% of the total increase in units will be provided

as affordable housing or a commuted sum can be paid in certain circumstances.

- 3.29 **Policy T SP1** is a generally policy that refers to Transport and Development.
- 3.30 Finally, **Policy ENV DM2** refers to Pagham Harbour. It states that *"...within Zone B (0-5km) for all new residential development and development which is likely to have an impact on Pagham Harbour will be required to: i. Make developer contributions towards the agreed strategic approach to access management at Pagham Harbour. ii. create easily accessible new green spaces for recreation within or adjacent to the development site. These shall be capable of accommodating the predicted increases in demand for local walking, including dog walking. Good pedestrian links shall be provided between housing areas and new and existing green space in order to discourage car use..."*.

Emerging Supplementary Planning Documents

- 3.31 The LPA has just completed a consultation exercise on a new Parking Standards SPD.
- 3.32 Appendix 1 provides a drawing of the District divided into different zones and the application sites are identified as being within Zone 4.
- 3.33 Table 3.1 *'Expected level of provision for new residential dwellings'* indicates that within 'Parking Behaviour Zone' 4, 1 and 2 bed units require a maximum of 1 parking space per unit.

4. RELEVANT PLANNING CONSIDERATIONS

Principle of the Development

- 4.1 As set out earlier, the application properties are located within the built up area boundary for Bognor Regis, wherein the principle of development is generally accepted, subject to other policies within the development plan.
- 4.2 Any analysis for the character of the area will conclude that it is dominated by flatted development, with large flats to both the north and south.
- 4.3 In terms of housing supply, it is understood that the District Council's position is having now formally adopted the new Local Plan, which includes a housing strategy for the plan period, that whilst the authority considers that it is able to demonstrate 5 year housing land supply it is clear that it is heavily dependent upon the large number of anticipated unidentified housing sites coming forward promptly. This figure partly relies on the delivery of 421 units through existing Neighbourhood Plan allocations, 1,250 homes through Neighbourhood Plans or a Allocations DPD and 847 dwellings to come forward on windfall sites – see Table 12.1 of the Local Plan.
- 4.4 The application development will make a valuable contribution to this urgent need.
- 4.5 When taken with the NPPF's requirement for authorities to significantly boost the supply of housing, and that the housing requirement of the Council are set out as a minimum, these factors combine to provide significant material considerations that indicate that the LPA must continue to approve sustainably located residential development. This must be taken into account in determining this planning application, being a factor to which considerable weight needs to be attached. For these reasons that the planning balance will confirm that the application scheme must be considered positively.

- 4.6 In relation to Policy H SP1 in particular, the application site constitutes a windfall site, which are an integral part of the Council's housing strategy. The District Plan does not provide a definition of windfall sites, however the revised NPPF describes them as *"Sites not specifically identified in the development plan"*.
- 4.7 For the reasons set out in paragraphs 2.11 to 2.14 above, it is plain beyond peradventure that the site is sustainably located, being centrally located and with easy access to public transport and a range of services and facilities within the town centre. In any case, the 5YHLS position should not be considered determinative, given that the site is located within a built-up area, where the principle of development is accepted in broad planning policy terms.

Character and Visual Appearance

- 4.8 The existing dwellings comprise 2no two storey detached dwelling house, with further accommodation within its roofspace. These properties will be demolished in order to facilitate the proposed development.
- 4.9 Nyewood Lane is varied in character, typically comprising a mixture of semi-detached and detached buildings, as well as a considerable amount of flatted development – both 3 and 4 storied.
- 4.10 The submitted illustrative streetscene shows the scale of the development to the north and the main part of the proposed new build seeks to reflect the scale of this building. As mentioned previously the southern end of the new build will reduce in scale in order that it reflects the scale of the remaining house to the south.
- 4.11 Accordingly it is clear that a scheme of the scale proposed can be accommodated on the site in a form that would enhance the character and appearance of the streetscene. It would represent a high quality design that would be in keeping with the established character of the surrounding area in compliance with Policies SP1 and D DM1 of the Arun Local Plan.

Residential Amenity

- 4.12 With regard to the flatted development to the north the only windows on their south gable serve a stairwell. To the rear all of the land is laid for parking and servicing. No adverse impact would arise to this development.
- 4.13 To the south there will be one detached house remaining and as set out earlier it is envisaged that the scheme will reduce in scale at this end of the site in order that it reflects the scale of the remaining house.
- 4.14 Since the application is in outline with all matters reserved if there were any concerns with regard to adverse impact on the amenity of this property then this could be dealt with by way of planning condition[s].
- 4.15 The scheme seeks to avoid rear parking in order that the amenities enjoyed in the gardens of the two houses to the rear are preserved.
- 4.16 The proposal would have areas of both private and shared amenity space in the form of balconies and a communal gardens to the rear of the building. The proposed development amenity space to the rear of the site would be well screened from surrounding developments by existing tree/hedgerow coverage.
- 4.17 Taking into account the above considerations it is plain that the proposed scheme would not have a detrimental effect on the residential amenities of the occupiers of any neighbouring dwelling by way of loss of light, overbearing effect or through the creation of noise and disturbance. It would therefore would be fully compliant with Policies **SP1** and **D DM1** of the Arun Local Plan.

Access and Parking Arrangements

- 4.18 Access to the highway will be via an established access point onto Victoria Drive.

- 4.19 As part of the development, new permeable paving and parking is proposed. The proposed layout arrangement has 10 no. car parking spaces provided, one for each 2 flats. Due to the close proximity to services and facilities and the availability of on street parking it is considered that this level of provision will be acceptable combined with the provision of secure cycle parking.
- 4.20 The road is straight with car speeds low. As such, it is considered that the proposal would be acceptable from a highway safety perspective.
- 4.21 It is also considered that as part of a s106 agreement the requirement for travel plan could be secured. Such a travel plan could include the provision of some form of voucher offering to the initial occupants of the residential units. These would be worth £200 each and could be exchanged for one of the following:
- a. A season ticket for the local bus service;
 - b. A rail season ticket or network card;
 - c. A contribution towards the purchase of a new bicycle
 - d. Bikeability training
 - e. Membership to a local car club.
- 4.22 There would also be one electric car charging point.
- 4.23 Secure and covered cycle parking would be provided in the form of 1 space per 1bed flat and 2 spaces per 2 bed flat.
- 4.24 In addition it is noted that a current application for 22 flats in Burnham Avenue [BE/49/19/OUT refers] The Local highway authority have not raised an objection to the scheme which provides NO parking spaces.

Pagham Harbour SPA

- 4.25 The application is identified as being within the Pagham Harbour Buffer Zone B (5km).

- 4.26 **Policy ENV DM2** of the Arun Local Plan refers to Pagham Harbour. It states that

"...within Zone B (0-5km) for all new residential development and development which is likely to have an impact on Pagham Harbour will be required to: i. Make developer contributions towards the agreed strategic approach to access management at Pagham Harbour. ii. create easily accessible new green spaces for recreation within or adjacent to the development site. These shall be capable of accommodating the predicted increases in demand for local walking, including dog walking. Good pedestrian links shall be provided between housing areas and new and existing green space in order to discourage car use..."

- 4.27 I can confirm that the applicants are agreeable to this financial contribution and a Unilateral this can be included in the section 106 agreement which will be required for affordable housing.

5 CONCLUSIONS

- 5.1 It is submitted that the requirements of the development plan are satisfied by this proposal, as it would not detract from the existing mixed street-scene; would be in keeping with the mixed character of its surroundings; is of a high standard of design; incorporates materials and design elements sympathetic to local character; provides safe access for pedestrians and cyclists; provides satisfactory cycle storage; and respects privacy, outlook and sunlight.
- 5.2 Development of this site in the manner proposed would achieve more efficient use of this accessible urban land without harm to the character or appearance of the locality or the amenities of neighbours. It is contended that this proposal comprises an acceptable form of development that accords with the development plan and no other material considerations suggest otherwise.