

From: Amanda Scholes on behalf of Planning.Responses
Sent: 21 December 2020 13:02
To: Planning Scanning
Subject: FW: A/109/20/RES - Re-consultation
Attachments: APC OBJECTION to A 109 20 RES 17122020.pdf

Amanda Scholes | Receptionist, Department, [Arun District Council](#) | Location: Ground Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37736 | External: +44 (0) 1903 737500 ext 37736 | E-mail: amanda.scholes@arun.gov.uk



Visit Arun's web site at [Error! Hyperlink reference not valid.](#)



Save the environment - think before you print.

From: Michael Eastham <Michael.Eastham@arun.gov.uk>
Sent: 17 December 2020 17:01
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: A/109/20/RES - Re-consultation

Please upload onto Ocella the email below and the attachment from **Angmering Parish Council** objecting to reserved matters application **A/109/20/RES** relating to Land South of Water Lane, Angmering.

Thanks,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772
E: michael.eastham@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk



Sign up to our newsletter [here](#)



From: Katie Herr [REDACTED]
Sent: 17 December 2020 15:19
To: Michael Eastham <Michael.Eastham@arun.gov.uk>

Cc: Cllr. Martin Lury <[REDACTED]> Cllr. Jamie Bennett <[REDACTED]>
Subject: A/109/20/RES - Re-consultation

Good Afternoon,

Please see the attached objection to A/109/20/RES, due to be heard at Development Control Committee on 6 January 2021.

We believe the application remains non-compliant with policy and that the outstanding issues as detailed in our attached objection provide sound defensible planning reasons to either reject or request that this application be withdrawn and resubmitted:

- The changes to the parameter plans are unacceptable. They have not been justified or consulted on.
- The application has provided new evidence about the height of the boundary hedgerow that contradicts assurances given in A/99/17/OUT, that it would limit *"any views from the South Downs National Park to glimpses of roofs over the existing vegetation"*. It is reasonable to assume that had this information been available, the application would have been refused as unachievable and support given to the officer's request that the width of the buffer in the parameter plan be increased to a minimum 15m to achieve the "assured" level of screening.
- The proposed site layout fails to follow the guidance given in the Arun Design Guide SPD on density or layout.
- There are still significant gaps in the site drainage information required by Arun's guide: "Supplementary Requirements for Surface Water Drainage Proposals" as highlighted by Arun's Drainage Engineer.

It is our understanding that Planning Inspectors and the Secretary of State will give substantial weight to SPDs and SPGs as a 'material consideration' in making planning decisions at appeal (or after an application has been 'called in' by the Secretary of State) where they derive out of, and are consistent with, the Development Plan

- Arun's Design Guide (SPD) says: *"All development is subject to national, county, district and neighbourhood planning policy and guidance, ranging from prescriptive requirements set within a legal framework, to supplementary planning guidance documents."* We believe the prime objective of the proposed site layout, is to accommodate 175 dwellings at the expense of Policy.

Please upload our objection and covering email to the portal for this application.

Kind Regards

Katie

Katie Herr
Clerk to Angmering Parish Council

[REDACTED]



Angmering Parish Council

The Corner House

The Square

Angmering

West Sussex BN16 4EA

Angmering Parish Council continues to **OBJECT** to this application. Despite numerous changes to the site layout plans, the applicant has failed to address the majority of the issues raised by the Parish Council.

The Planning Statement (May 2017) submitted with the approved A/99/17/OUT says 175 dwellings *“could be accommodated on this site without conflict with the development plan the emerging Arun Local Plan or the NPPF”*. Whilst adding the caveat that: *“Policy compliance would ultimately be assessed once the proposed design and layout has been submitted for approval within a reserved matters application.”*

In attempting to squeeze 175 dwellings onto this site, the site layout is now materially different to the Parameter Plans approved by A/99/17/OUT, which granted permission in principle for **up to 175 dwellings** in recognition of the site's constraints, including the adjacent National Park, Conservation Area and Listed Buildings. It is also non-compliant with national, local and neighbourhood planning policy and guidance.

1. Non-Compliance with the Parameter Plan

‘Application for Approval of Reserved Matters following Outline Approval Article 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015’ says *“details of the reserved matters application must be in line with the outline approval . . . If your proposals have changed in any way, you may need to reapply for outline or full planning permission.”*

Removal of Weavers Hill Emergency Access: Provision of an emergency access off Weavers Hill for fire and rescue, police and ambulance service was part of the approved Parameters Plans. Without a through road onto Weaver Hill this isolated section of housing is effectively a dead-end access route for the emergency services.

The Parish Council insist on the reinstatement of this Emergency Access road as shown in the approved Parameter Plans. **People’s safety shouldn’t be compromised in the pursuit of profit.**

No explanation or thought has been given to the increase in risk to residents at this location, by removing an additional access point that would save time in attending an incident by giving the emergency services better and quicker access to this section of houses, as well as an alternative route in and out if an incident were to occur with multiple emergency vehicles in attendance.

Removal of Landscape Buffer: The landscape buffer shown in the approved Parameter Plan between the start of the development and the Conservation Area has removed. This is not acceptable.

- National Planning Policy Guidance is clear that details of the reserved matters application must be decided in accordance with the terms of the permission in principle granted for the site. Also, that the decision to grant approval must be made in accordance with relevant policies in the development plan, unless material considerations, such as those in the NPPF and national guidance, indicate otherwise.

- The NPPF 2019 puts the responsibility on the applicant to demonstrate their understanding of the significance of any Heritage assets, their setting, and ongoing preservation and how this has informed changes to the Parameter Plan.
- The application provides no justification as to why the landscape buffer on the south-eastern boundary was removed or the impact this will have.

The Parish Council requests the removal of the additional houses which have unfilled the original proposed landscape buffer. We believe they are insufficient in number in relation to the development as a whole, to be of public benefit that would outweigh the significant harm removal of the landscape buffer will have on the setting of the Conservation Area.

(See also APC submission dated 25 Nov 2020, on the portal)

2. Heritage Compliance Statements believe the landscape buffer has been retained!

The removal of the landscape buffer has gone unnoticed by the updated Heritage Compliance Statements, which assess the impact of the development on the basis that the landscape buffer still exists and has been further enhanced by A/109/20/RES.

- The Statement submitted 2 Nov 2020 says the plans *"retain and introduce a series of generous landscape and planting buffers"* and that *"additional design measures will go further to mitigate heritage impact beyond that achieved as part of the approved outline application."*
- The Statement submitted 30 Nov 2020 says additional tree planting *"Paired with the previously proposed generous offset, beyond which is the development (set back to the north). The revised proposal represents an improvement and enhancement to the boundary treatment when compared to that proposed to date"*

The conclusions reached by these reports are clearly not based on the changes to the proposed site layout and therefore should be considered unreliable.

(See also APC submission dated 25 Nov 2020, on the portal)

3. Building Design

The reduction in the height of the block of flats is welcomed. However, as this building will dominate the approach to the development, its treatment should be sympathetic to buildings in the surrounding area.

- The materials used do not reflect that of the adjacent Conservation Area and listed buildings (including barns), which are predominantly flint and brick.
- All buildings adjacent to the Conservation area and other listed buildings where flint is used should be faced with real flint work and not flint panels so that they reflect the vernacular of the surrounding area.

This is consistent with other applications approved by Arun. Notably LU/214/ 20/PL. We therefore request that it is included in Condition 5 (details of materials).

Light pollution: The Velux type roof lights which have been added to block will result in uncontrolled light spillage adjacent to the national park, which is a dark skies reserve.

These should be removed as are non-compliant with Policy.

We also request that to avoid any future issues, a Condition is placed on the development to remove Permitted Development rights in respect of future addition of roof lights and upward extensions that impact on the setting of the national park.

4. Site Layout and Density

The Planning Statement (May 2017) submitted with A/99/17/OUT for “**up to 175**” dwellings, includes a caveat that says “*Policy compliance would ultimately be assessed once the proposed design and layout has been submitted for approval within a reserved matters application.*” The site layout proposed by A/109/20/RES fails to comply with Policy as well as the Arun Design Guide SPD, Fig 79 Hierarchy of Centres.

At an estimated density of “less than 35dph”; which Arun’s Design Guide shows as reflecting indicative density ranges for Local Service or Suburban Centres, it owes more to the urban design principals of recent new builds. Not the site’s rural setting in the north of the village on the edge of the settlement.

This can be traced back to the A/99/17/OUT Design & Access Statement (Part 1), which confirms the context for the layout and density of the site was taken from recent planning applications and developments in the south of Angmering i.e. Bramley Green and east of Roundstone Lane, which it said reflected the existing character and form of “the village”.

Our ongoing objections to the impact of the proposed site layout on Heritage assets and the National Park can be found under points 1, 2, 7 and 8 of this submission.

(See also APC submission & consultation attachments dated 15 Sept 2020 on the portal)

5. Site Layout and Open Spaces

The latest proposed changes to the site layout have done nothing to address any of our previous issues.

(See APC submission dated 4 Sept 2020, on the portal)

6. Site Drainage

Planning Policy Guidance states that a reserved matters application must specify all matters necessary to enable full planning permission to be granted for the site, as well as comply with Policy.

Arun’s guide to “Supplementary Requirements for Surface Water Drainage Proposals”, requires a strategy for mitigating surface water that is not just assumed, but can be demonstrated as being feasible upon implementation.

The Parish Council welcomes this robust approach, as well as the addition of:

- Condition 23 requiring development details of all aspects of a sustainable drainage scheme to be approved in writing by the LPA prior to **commencement of development**.
- Condition 28 requiring approval of a **detailed** Flood Risk Assessment and drainage strategy by the LPA prior to **development**.

On 25 August, Arun's Drainage Engineer placed a hold on A/109/20/RES, saying ***"It is essential to establish if there is adequate space for surface water drainage prior to agreement of site layout."***

On 1 December, Arun's Drainage Engineer said she was willing to withdraw the holding objection "at this stage", but emphasised that *"further information will be required at discharge of conditions stage to demonstrate that the development's drainage meets policy requirements and fully resolves the comments we have raised as part of this reserved matters application."*

There continues to be insufficient information to establish whether there is adequate space for surface water drainage on the proposed site layout or that the eventual solution will meet Policy requirements.

Information on groundwater monitoring at the basin is still not available, but the applicant is confident (*or rather assumes*) that free volume can be provided within the proposed site layout if wider changes, such as to the pipe network or additional storage, needs to be provided and is willing to provide additional features if required at a later stage.

Infiltration must not be assumed. Retrofitting a drainage solution into an approved site layout, or indeed a completed development, is not acceptable and can lead to poor outcomes. Factors such as groundwater levels may affect infiltration results. Therefore it is essential to complete all outstanding testing, as results could significantly impact on the size and/or design of the drainage system, and as Arun's Drainage Engineer has already pointed out, the proposed site layout.

Surface and groundwater drainage is a major concern throughout the district. Approving this application with these matters still outstanding is against Policy and will set a precedent for other developers seeking approval of drainage solutions on sites beyond the immediate locality.

(See also APC submission & consultation attachment dated 1 Oct 2020 on the portal)

7. Southern Water Comment

An existing water main transverses part of the site.

On 29 September 2020 Southern Water in their consultation response stated: *"Construction over or within the standoff distance of public water main will not be permitted. Southern Water requests that this application is not determined until such time as the applicant produces a suitable layout."*

The applicant has said they are proposing to relocate the existing water main into the highway and that they *will liaise as appropriate with Southern Water*". As far as we can

see, the latest site layout plans do not show any proposed rerouting of the existing water main.

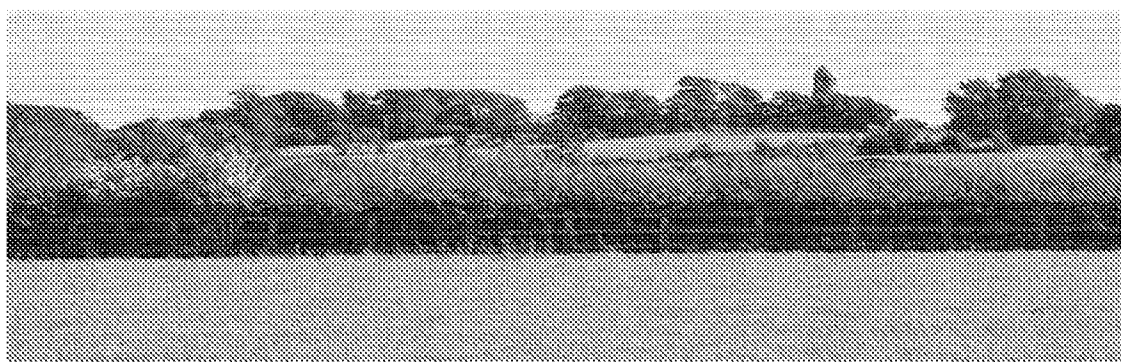
Their latest email dated 15 December says *“Southern Water would not recommend approval of layout, until the applicant demonstrates that the standoff distance from the public water distribution main is to be maintained. The comments in our response dated 29/09/2020 remain unchanged and valid.”*

8. Parameter Plan: Eastern Landscape Buffer with the South Downs National Park

The Landscape & Visual Impact Assessment (LVIA) submitted with A/99/17/OUT claimed views of the site from the National Park *“would be limited to glimpses of roofs over the existing vegetation”*. Details recommending approval can be found in the Officers Report.

Had this claim been validated against evidence provided in the Design & Access Statement (DAS) May 2017 (Part 2), we believe officers and DCC members would have come to a different conclusion as to how wide the landscape buffer on the site’s eastern boundary shown in the approved Parameter Plan needed to be to comply with local and national planning policy, as well as mitigate against concerns raised by the Local Plan Inspector.

The 2017 DAS confirms that *“there are open views of the site from the national park”*. It also provides photographic evidence (below) showing the hedgerow vegetation at the time was only about 2m to 3m high.



A new LVIA submitted with A/109/20/OUT does not repeat the screening claim made by A/99. It estimates the hedgerow as approximately 4m high and includes a photograph of the site (below) looking north towards Water Lane showing the hedgerow on the right.



The latest substitute technical plans submitted with A/109/20/RES confirm the fence height as 1.4m and that the hedgerow is 3m high.

The new evidence provided by A/109/20/RES confirms the existing vegetation **will not** limit “*any views from the South Downs National Park to glimpses of roofs over the existing vegetation*” as claimed. The Parish Council therefore support Arun Officer’s original request that the applicant increase the site’s eastern landscape buffer to (at least) 15m.

9. Impact of the development on the South Downs National Park

An email attached to the Planning Statement submitted with A/99/17/OUT from Karl Roberts (Director of Planning and Economic Regeneration) advised the applicant that:

“Pre-application advice could also be sought directly from the South Downs National Park Authority in order to get an early view on the likely impact of the development in this location on the setting and views from the SDNP. This would ensure that the LVIA also addressed any concerns that the SDNPA may raise.”

“Overall, the landscape sensitivity will be a key issue that will need to be carefully considered and addressed through the application, taking the setting and views from the SDNP into account.”

It is clear that despite advice from Arun’s Planning Officers and assurances that the development would be landscape led with the SDNPA involved at an early stage (see assurances made by the A/99/17/OUT Officers Report), the applicant has made no attempt to engage with them and have not responded to the concerns and suggestions made by the neighbouring planning authority.

As a result of the new information provided by this application, the proposed site layout and landscape boundary treatment will result in views of the development and have an impact upon the setting of the national park, and is therefore non-compliant with national, local and neighbourhood planning policy and guidance.

As pointed out in our submission (dated 25 Nov 2020 on the portal), Arun as the local planning authority has a duty to uphold the “*delivery of the statutory purposes of the national park*” and hence be mindful of the issues raised by the SDNPA and compliance with Policy.