



Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Planning & Building Control General Enquiries
Tel: (01903) 737756 Fax: (01903) 730442
Dx: 57406 Littlehampton
Minicom: 01903 732765
e-mail: planning@arun.gov.uk
website: www.arun.gov.uk/planning

Mr Nigel Locke
120 Littlehampton Road
Ferring
BN12 6PL

Date: 20th December 2019

Please ask for: Amy Myer
Tel: 01903 737776

Your Ref:

Our Ref: PAA/131/19/

Dear Sir/Madam,

Pre-Application Advice

New bungalow.
White Lodge Hangleton Lane Ferring

I write regarding the above matter and your enquiry received on 7th November 2019.

DESCRIPTION OF PROPOSED DEVELOPMENT

From the details submitted, I understand that you propose to erect a new 3 bedroom bungalow within the existing garden to 'White Lodge'. The proposed dwelling would be 24m wide and 13m deep and would have a hipped roof form with an eaves height of 2.6m and a ridge height of 7.4m. There would be parking provision to the front of the new dwelling, a garden area to the front and rear and an access road leading out onto Hangleton Lane.

DESCRIPTION OF SITE

The site forms part of the curtilage of 'White Lodge', a detached chalet bungalow, located off Hangleton Lane in Hangleton, a small hamlet to the east of Angmering and to the north of Ferring. The site consists of a gravel driveway to the front of the main property 'White Lodge', a double garage (that has been converted to habitable accommodation for use ancillary to the main house) located to the rear of 'White Lodge', some outbuildings being used for the maintenance, repair, storage and sales of vehicles, an area where vehicles are stored, and a lawned garden area. The site is predominantly flat. There are some fur/cypress/leylandii trees within the site itself, and some pine trees in the vicinity of the site.

DESCRIPTION OF LOCALITY

The site is located off Hangleton Lane in Hangleton, a small hamlet to the south of Amering and north of Ferring. Hangleton Lane itself consists of a hamlet with a small number of residential properties, and a mix of uses with farm and horticultural buildings. The site is located within a designated gap in the Arun Local Plan between Ferring and Worthing.

Highdown Hill Cottage, which is opposite the site is a Building of Special Character. The area is mixed

in character and has a semi-rural feel. To the south of Hangleton Lane is the A259 and to the north of the site there are agricultural fields which border the southern end of the South Downs National Park. The site is outside the Built-Up Area Boundary, within the designated Countryside. It is also within the area covered by the Ferring Neighbourhood Plan.

PLANNING ISSUES

The following issues have been identified for consideration:

Principle
Design
Neighbour Amenity
Amenity Space Provision
Bin Storage
Highways, Transport and Parking
Sustainable Construction
Flooding/Drainage
Protected Trees
Contamination
Biodiversity
Protected Species
Crime
Landscape Impact

RELEVANT PLANNING HISTORY

A/110/10/CLP	Application for Certificate of Lawful Development for a proposed use to convert existing detached double garage into habitable accommodation for disabled dependant relative & live-in carer, ancillary to the main house	PP Not Required 26-10-10
A/82/07/	Erection of a building for the garaging and maintenance of applicants vintage/historic military vehicles	Refused 16-07-07 Appeal: Dismissed 29-05-08
A/71/01/CLE	Application for a Certificate of Lawfulness for an existing use for storage, repair,maintenance,display and sale of vehicles.	Refused 24-08-01

COMMENT ON SITE HISTORY

A/71/01/CLE

Application for a Certificate of Lawfulness for an existing use for storage, repair, maintenance, display and sale of vehicles.

Refused

16/08/2001

After this refusal in 2001, an Enforcement Notice was issued by the Council. This went to appeal and the Notice was quashed (26 February 2004) and the use was found to have in operation from 10 plus years without permission and therefore found deemed lawful..

RELEVANT POLICIES - the following policies are considered relevant to your proposal:

Arun District Local Plan 2011-2031

<u>CSP1</u>	C SP1 Countryside
<u>HSP1</u>	HSP1 Housing allocation the housing requirement
<u>DSP1</u>	D SP1 Design
<u>DDM1</u>	D DM1 Aspects of form and design quality
<u>DDM2</u>	D DM2 Internal space standards
<u>HERDM2</u>	HER DM2 Locally Listed Buildings or Structures of Character
<u>QESP1</u>	QE SP1 Quality of the Environment
<u>WMDM1</u>	WM DM1 Waste Management
<u>TSP1</u>	T SP1 Transport and Development
<u>TDM1</u>	T DM1 Sustainable Travel and Public Rights of Way
<u>ECCSP2</u>	ECC SP2 Energy and climate change mitigation
<u>WDM2</u>	W DM2 Flood Risk
<u>WDM3</u>	W DM3 Sustainable Urban Drainage Systems
<u>SDSP3</u>	SD SP3 Gaps Between Settlements
<u>ENVDM4</u>	ENV DM4 Protection of trees
<u>ENVDM5</u>	ENV DM5 Development and biodiversity
<u>QEDM4</u>	QE DM4 Contaminated Land
<u>LANDM1</u>	LAN DM1 Protection of landscape character

Ferring Neighbourhood Plan 2014 Policy 10

Sustainable water management

Ferring Neighbourhood Plan 2014 Policy 1A

A Spatial Plan for the Parish

Ferring Neighbourhood Plan 2014 Policy 7

Land north of Littlehampton Road, encouraging of existing rural businesses

Planning Policy Guidance:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

PRINCIPLE

DEVELOPMENT IN THE COUNTRYSIDE

The site lies outside the Built-Up Area Boundary in the Countryside, where the principle of development is considered unacceptable if it does not meet specific tests. Development Plan policies seek to exert a strict control over new development in the countryside to protect its intrinsic character and beauty.

Policy C SP1 of the Arun Local Plan states that outside the Built-Up Area Boundaries land will be defined as Countryside and development will only be permitted in the countryside where the criteria set out in policy C SP1 is met, or there is a strong justification for a countryside location.

Policy 1A of the Ferring Neighbourhood Plan states that proposals for development outside of the built up area boundary that do not accord with the development plan policies in respect of control of development in the countryside will be resisted. Policy 7 requires that development in this part of Ferring be only for established agricultural, horticultural or equine use only.

HOUSING SITE ALLOCATIONS:

Policy H SP1 of the Local Plan establishes strategic housing, parish and town allocations and Policy 6 of the Neighbourhood Plan allocates sites for housing development. The site is in a location that is not allocated in either the Local or Neighbourhood Plans for housing.

WEIGHT AFFORDED TO LOCAL AND NEIGHBOURHOOD PLANS:

The National Planning Practice Guidance (NPPG) has provided clear guidance on the issue of the weight that can be given to both the adopted local plan and emerging or made Neighbourhood Plans where the District Council cannot demonstrate the 5 year supply of deliverable housing sites.

The Council is currently unable to demonstrate a 5 year housing land supply; the current data confirms that the Council has a 3.7 years housing land supply. Where the development plan is absent, silent or the relevant policies are out of date, Paragraph 11(d) of the NPPF applies and the 'presumption in favour of sustainable development' must be applied and permission granted, unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'. In this case the adverse effects of this proposal are such that it outweighs any benefits.

PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT - TESTS FOR SUSTAINABILITY:

As above, in this case, Paragraph 11(d) of the NPPF applies and the 'presumption in favour of sustainable development' must be applied and permission granted, unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'.

Paragraph 8 of the NPPF sets out the three dimensions to sustainable development - the economic, social and environmental objectives. The application is assessed against each of these objectives below:

Economic role -

The proposal would lead to a small increase in Council Tax receipts. This would provide a small benefit to the local economy. This factor weighs in the scheme's favour.

Social role -

The proposal would support the community by providing 1 dwelling which would nominally contribute to meeting future local housing needs. This factor weighs in the scheme's favour.

Environmental role -

Paragraph 79 of the National Planning Policy Framework (NPPF) advises that the development of isolated homes in the countryside should be avoided unless under special circumstances. Given the site's location in a hamlet within a cluster of residential/agricultural/horticultural development off the A259, it is concluded that the proposed dwelling would probably not be considered to be an 'isolated' home within the countryside and as such the restrictions of paragraph 79 of the NPPF would probably not apply.

The site is located within defined countryside in a semi-rural location outside of the nearby settlements of Angmering, Ferring and Goring-by-Sea. The nearest schools, shops, community facilities and pubs are located in Ferring, Angmering and Goring-by-Sea. The nearest are in Ferring, the centre of which is around a 1k/0.6m walk from the site. These facilities and services may be able to be accessed

relatively safely during the day and in clement weather, since there is a footpath and crossing point on this part of the A259 which provides access from Hangleton Lane to Ferring. However, there is no dedicated footway on Hangleton Lane itself and, as such, access would be difficult for disabled users or people with buggies etc. Furthermore, during the hours of darkness or in poor weather these facilities could not be safely and easily accessed on foot given that Hangleton Lane itself is an unmade, unlit road without a designated footway. There is a west-bound bus stop (served by routes 8, 9 and 700) within around 400m walking distance from the site so this provides a sustainable transport option. However, there is no designated footway along this section of the A259 which leads from the site to the east-bound bus stop.

Given the above, use of the private car by the occupant/s this new residential property would be highly likely. The site is environmentally unsustainable due to the poor walking, cycling and public transport in the immediate area, and the resultant reliance of the private car for future occupants to access facilities and services. In the absence of evidence to demonstrate any of the special circumstances set out in the NPPF, it would be contrary to its requirements for sustainable development. The proposals would also conflict with Arun Local Plan policies T SP1 (a) and T DM1 (a), which supports development which is designed to reduce the need to travel by car, and requires new development to be located within easy access of established public transport services.

SUMMARY OF SUSTAINABILITY & PRINCIPLE:

As described above, the proposal would conflict with Development Plan policy relating to unrestricted residential development outside the built up area boundary within the countryside. However, given the Council's lack of 5 year housing land supply, the housing supply policies of the Development Plan are rendered out of date and so the proposals would benefit from the 'presumption in favour of sustainable development' set out in the NPPF unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The proposal would provide limited economic and social benefits. These limited economic and social benefits weigh in the scheme's favour. There would also be no harm in terms of character to the countryside, as this particular location is well-developed with house, sheds, car storage and gravel hardstanding. However, the site is located in an unsustainable location and it is not considered the location of the site would contribute to the achievement of the environmental dimension of sustainable development.

As such, at application stage, it would be likely that the environmental harm would be considered to significantly and demonstrably outweigh the limited economic and social benefits. The proposal would be likely to be considered, at application stage, to be unacceptable in principle due to its unsustainable countryside location.

DESIGN

Paragraph 122 of the NPPF supports development that makes effective use of land and achieves appropriate densities, whilst taking into account the need for different types of housing, local market conditions and viability, the availability and capacity of infrastructure and services, the desirability of maintaining the areas prevailing character and setting, and the importance of securing well-designed, attractive and healthy places.

Paragraph 127 of the NPPF details the design requirements for new developments, including that developments should function well, are visually attractive and sympathetic to local character and history, have an appropriate mix of development including green and public space and create places that are safe, inclusive and accessible.

Policy D SP1 of the ALP states that development should seek to make efficient use of land but reflect the characteristics of the site and local area, in matters such as layout, density, scale, mix, character, landscaping, materials, finish and architectural details. It also states that proposals should adhere to objectives informing sustainable design e.g. attractiveness, inclusivity, security and climate change.

ALP policy D DM1 looks at aspects of form and design quality, including character, attractiveness, innovation, residential amenity impact, adaptability, density, scale, trees, crime prevention. New buildings should be harmonious with their surroundings and successfully integrate with the existing surrounding environment without conflicting policy 7 of the FNP or policy SD SP3 of the Arun Local Plan.

Policy 7 of the Ferring Neighbourhood Plan provides design policy for development to the north of Littlehampton Road, including that: any development will minimise the impacts on the surrounding countryside, all new buildings are to be located within clusters of existing buildings to avoid incursion of the open countryside, suitable measures to improve the screening and setting within wider setting of the National Park.

The applicant is also advised that the Council are in the process of drafting a Design Guide and that once this is consulted on (due early 2020) this will hold some weight and once adopted this will hold material weight in the decision making process. Future proposals should accord with the emerging/adopted Council Design Guide.

Hangleton Lane consists of a mix of residential, agricultural and horticultural related buildings set within relatively spacious plots. There is no regular uniform plot size or layout. The pre-application site is relatively spacious and its proposed sub-division to create the additional dwelling with its own garden and parking would still retain two well-sized plots. The proposals would not disrupt the existing pattern of development, density or layout of the immediate surrounding area.

Notwithstanding this, the new dwelling would only be visible in a limited number of close up views, from Hangleton Lane and a small number of neighbouring properties. It would be visible in longer distance views from within the South Downs National Park, although it would be viewed in the context of the cluster of development in that area.

Highdown Hill Cottage, which is opposite the site across Hangleton Lane, is a Building of Special Character (i.e. non-designated locally listed building). Given the separation distance between the proposed new dwelling and the boundary treatments etc. it is considered unlikely that the proposals would have a harmful impact on and they would preserve the setting of this nearby locally listed building. The proposals would therefore be likely to be considered acceptable in this regard, and to comply with ALP policy HER DM2 and paragraph 197 of the NPPF with regard the preservation of non-designated heritage assets. If an application were to be made, the Council's Conservation Officer would likely be consulted for comment.

The proposed hipped roof form would be sympathetic to the roof form of the main house and annexe and some of the nearby properties. The ridge height of the roof would be very high (7.4m) and the pitch steep for a single storey bungalow with no roof level accommodation. It may be preferable if the height were reduced to make the dwelling more low-profile. However, given its limited visibility and that the existing dwelling on the site 'White Lodge' is a chalet bungalow with a similar roof height to that being proposed, this aspect would be unlikely to be considered visually harmful if an application were to be forthcoming.

If an application were to be made, the proposed design and materials would be required to reflect the materials and architectural features characteristic of the area, and the new building should be harmonious with its surroundings and successfully integrate with the existing surrounding environment.

Detailed floor plans, front, side and rear elevation drawings would be required at full planning application stage in order to make a full assessment of the proposed design and impact on visual amenity and character of the area.

NEIGHBOUR AMENITY

Policy D DM1 of the Arun Local Plan that new development will have minimal impact to users and

occupiers of nearby property and land, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.

Policy QE SP1 states that the Council requires all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity.

Until the Arun Design Guide is adopted (currently being drafted) the Council does not have any specific standards in respect of privacy interface distances. Prior to the adoption of the Local Plan, the Council worked on the basis of a standard of 20m for front to back or back to back distances.

The proposed dwelling would be sited at sufficient distance from the main property 'White Lodge' (around 25m), the annexe (around 25m) and the property to the south of the site 'Carol Anne House' (around 45m) that it would not result in any significant loss of outlook, light or privacy to these neighbouring occupants.

The proposed dwelling would be sited 7m from the boundary with the adjacent single storey property, New House at Cobbins Nursery to the west, and a total of around 20m from the rear/side elevations of this neighbouring property. The new dwelling would be single storey, however, its roof would have a steep pitch and high ridge height at around 7.4m. As such, it would be important to consider the impact this could have on the adjacent property in terms of potential sense of enclosure and loss of outlook and light to its windows and garden area. Given the separation distances involved (20m), and the fact the proposed roof would be pitched and slope away from the boundary, it is considered unlikely to significantly impact the outlook, light or privacy levels to the rear/side openings of this neighbouring property. Given the siting of the new dwelling and the orientation of and relationship to the New House at Cobbins Nursery and its garden, it would also be unlikely to significantly impact on the rear/side garden area to this neighbouring property.

It is noted that the addition of any roof level accommodation e.g. dormer windows etc. could result in significant overlooking and loss of privacy into this neighbouring property and its gardens. As such, the applicant would be advised against this in any future scheme design.

Subject to the above advice, the scheme is likely to be acceptable in terms of its impact on the residential amenity of neighbouring occupants.

AMENITY SPACE PROVISION

INTERNAL SPACE STANDARDS

Policy D DM2 of the ALP states that the planning authority will require internal spaces to be of an appropriate size and that the Nationally Described Space Standards apply. This national guidance advises that for a 1 storey 3 bedroom home, the minimum Gross Internal Area is as follows:

3B4P = 74sqm

3B5P = 86sqm

3B6P = 95sqm

There is also a requirement for at least 2.5sqm of built-in storage.

The plans indicate the property would have a GIA (not including the garage/car port) of around 221sqm. This would exceed the national minimum internal space standards and would comply with policy in this respect. The plans also show that at least 2.5sqm of built-in cupboards would be provided as required by the standards. The accommodation appears to be well-laid out and the proposed position and size of window/glazed door openings would provide the rooms with decent outlook and natural light.

In the event of a planning application being submitted, regard should be had to the minimum bedroom sizes set out in the standards, and sections should be provided to ensure floor to ceiling heights meet the standards.

EXTERNAL SPACE PROVISION

Whilst the Council does not have specific external space standards, the supporting text to ALP policy D DM2 refers to a detailed Design Guide (still to be adopted) which will include guidance on external space standards, and the need for planning applications to have regard to include adequate provision of private external space. Until such time as the Design Guide is published, there is no policy within the Arun Local Plan regarding private garden sizes. However, regard should also be had to paragraph 127 of the NPPF which states that "Planning policies and decisions should ensure that developments (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".

The plans indicate that the new dwelling would have a small rear garden and a large lawn to the front of the property in front of the driveway. This would be of ample size and would be commensurate with the size and type of dwelling and character of the area. It is suggested that at least part of this area should be enclosed to provide suitably private outdoor amenity space, and details of proposed boundary treatment would be required at application stage.

BIN STORAGE

Policy WM DM1 of the ALP advises that all new residential development, including flat conversions, will be permitted provided that:

(a) it is designed to ensure that kerbside collection is possible for municipal waste vehicles

Development proposals must show bin storage/collection provision as follows:-

Each unit should be provided with the equivalent of 240 litres of residual waste storage/bins.

Alternatively one 240 litre wheelie bin for each property can be provided.

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

No specific bin storage details have been provided on the plans. Any future application would need to include details of bin storage/collection provision as per the above requirements and would need to show a bin collection point at or near the highway boundary, to ensure it allows for kerbside collection.

HIGHWAYS TRANSPORT AND PARKING

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".

Policy T SP1 of the ALP supports development which incorporates appropriate levels of parking in line with the West Sussex County Council guidance on parking provision.

West Sussex County Council has produced a parking demand calculator which will provide guidance on the levels of car parking required. This can be viewed at:

<https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-application-advice-for-roads-and-transport/>

A separate pre-application advice service is provided by West Sussex County Council as the Local Highway Authority.

Arun District Council has recently consulted on its own Parking Standards SPD, which is due to be adopted in January 2020. If you apply when these standards are adopted you would be expected to ensure the development reflects the standards. These standards will be available on our website.

The WSCC Parking Standards for a 3 bedroom property in this type of location (Parking Behaviour Zone 2) require a minimum of 2.1 car parking spaces on site. The ADC Parking SPD advises that for a 3 bedroom property in this type of location a minimum of 2 car parking spaces on site would be required i.e. the figure has been rounded down.

The plans indicate that the 3 bedroom house would have an integrated double car port - whilst each of the spaces inside would be 3m wide, which meets the requirements of the ADC Parking SPD, they would only be around 4.5m in length so would not meet the SPD requirements for 6m in length. As such, this would only count as 1 parking space (parking width-wise) rather than 2. The double garage would provide 2 spaces which would internally be 3m wide and 7.5m which would meet the SPD requirements. However, as stated in the emerging SPD, since garages are often used for storage, a garage is only counted as 0.5 of a space. As such, this would only count as 1 parking space. In total, according to the parking standards, there would therefore be 2 parking spaces provided within the car port and garage. There would also be parking for at least two vehicles on the front driveway. As such, the proposals would provide sufficient on-site parking provision.

Electric charging points at rate of 1 charging point per house with a garage or parking space should be provided, as per the ADC Parking SPD.

In terms of cycle parking, the WSCC standards require 2 cycle spaces for a 3 bed property. The ADC Parking SPD requires the same.

No specific cycle storage details have been provided on the plans. Any future application would need to include details of this as per the above requirements, with cycle storage being undercover and secure.

WSCC Highways would be formally consulted at full planning application stage to provide comments with regard to access, highways safety and parking provision.

SUSTAINABLE CONSTRUCTION

Tackling climatic change is a key government priority for the planning system. Applicants for planning permission should consider how well their proposals for development contribute to the Governments 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 high level insulation, rainwater harvesting a general minimal energy use, including Carbon Dioxide reduction.

ALP policy ECC SP2 states that:

All new residential...development...will be expected to be energy efficient and demonstrate how they will:

- (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

Any future planning application would need to include a site plan and drawings with details of proposed energy efficiency measures and sustainable construction methods to meet Local Plan policy.

FLOODING

As set out in the National Planning Policy Framework, inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. There are requirements regarding the submission of a Flood Risk Assessment and Sequential test documentation. The relevant requirements for these are dependent upon the designated flood zone

that the site is located within and the Technical Guidance to the NPPF provides more details on these issues.

Arun Local Plan policy W DM2 provides policy on areas at risk of flooding. Policy W DM3 states that all development must identify opportunities to incorporate a range of Sustainable Urban Drainage (SUDs) systems. These features may include green roofs, permeable driveways, soakaways, water harvesting such as water butts.

Policy 10 of the Ferring Neighbourhood Plan advises that proposals that are able to demonstrate that their sustainable drainage design features will be effective in managing surface water drainage flooding will be supported.

The site is located within Environment Agency Flood Zone 1 (lowest risk of flooding) and is not within Angmering village itself. As such, proposed new development would not require a Flood Risk Assessment nor flood mitigation measures.

Any future planning application should include a site plan with details of SUDs proposed.

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. Policy ENV DM4 seeks to protect trees with TPOs, identified as Ancient Woodland, in Conservation Areas, or contributing to local amenity.

There are some fur/cypress/leylandii trees within the site itself, and some pine trees in the vicinity of the site, and a number of hedgerows around the site.

No tree information has been submitted with the pre-application. If a planning application is forthcoming, trees on or near the site will need to be taken into account, the following information would be required, and the Council's Arboricultural Officer would be formally consulted to provide comments on the acceptability in this regard:

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 the 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) and also most importantly a Tree Protection Plan (to include a Construction Exclusion Zone to protect trees with Heras fencing from the storage/use/passage of construction materials/equipment/vehicles) - 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 and are given adequate protection both above and below ground.

CONTAMINATION

As per policy QE DM4 of the Arun Local Plan, 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 site is currently in both residential use but also partly being used for the storage (and possibly repair and sales) of a high number of vehicles which are related to the owner's motor repair/sales business. If the site has in the past or is currently in use for the repair and maintenance of vehicles then there is a likelihood of possible contaminants in the land such as fuel, oils, paints, metals etc. In addition, the site may have had a previous horticultural/agricultural related use, which could mean there is also contamination from fertilizers.

As such, in the event of an application, the minimum requirement is completion and submission of a Preliminary Risk Assessment (Phase I report). Depending on the results of this Phase I Report, this may then instigate the subsequent stages of the standard pre-commencement planning condition as set out below:

Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A Preliminary Risk Assessment which has identified: all previous (historical) uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.
2. A Site Investigation Scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. Based on the Site Investigation Scheme and the detailed risk assessment (2), an Options Appraisal and Remediation Strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A Verification Report providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Note: Any changes to these components, (1) to (4) require the express written consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a 'long-term monitoring and maintenance plan' for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification report, and for the reporting of this in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adoption Arun Local Plan 2011 - 2031

There is also a precautionary condition which we usually recommend for land which is in proximity (more than 10 metres but close) to potentially contaminated sites and/or to sites which have been remediated which is included below:

If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to

the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adoption Arun Local Plan 2011 - 2031.

There is also an asbestos-related condition which may be relevant in this case (due to the presence of industrial-type warehouse buildings on the site):

The owner(s) of any commercial property (warehouses, offices, etc.) built before 2000 are legally obliged to hold a copy of an asbestos register for each property in their portfolio. As the proposed development is being renovated to residential, the Council need to be satisfied that if any asbestos previously identified is still present, it is either removed or suitably managed to minimise risk to human health as there is no safe threshold for asbestos exposure. A copy of the asbestos register, and any remedial strategy (where appropriate), must be provided in writing to the Local Planning Authority prior to any works commencing.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adoption Arun Local Plan 2011 - 2031

As set out above, the minimum requirement at application stage would be for a Phase I Report (and possibly Phase II Report dependent on findings of Phase I) regarding Land Contamination. In the event of a planning application, the Council's Environmental Health team would be formally consulted and asked to comment.

BIODIVERSITY

National Planning Policy indicates that developments should aim to maintain and enhance, restore or add to biodiversity and geological resources of the area. Biodiversity Net Gain is an important aspect of the Environment Bill and the NPPF. Natural England provide guidance with regard to a range of NBG measures.

Arun Local Plan policy ENV DM5 states that development shall seek to achieve a net gain in biodiversity and protect existing habitats on site.

Given the existence of hedging and vegetation on the site, there may be the possibility for existing habitats on the site which would require protection. However, since the site is not located within any of the designated areas set out in the Local Validation List, an Ecology Survey and Report would not be required upfront with the submission of a planning application.

In the event of a planning application, Natural England and the WSCC Ecology Officer may be consulted to provide comment and to confirm whether any Surveys/Reports including mitigation measures might be required.

With regard to Biodiversity Net Gain, information on this i.e. proposed measures must be submitted at application stage, prior to determination, to accord with the Environment Bill, the NPPF and policy ENV DM5.

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.

Given the existence of hedging and vegetation on the site, there may be the possibility for protected species on the site which would require protection. However, since the site is not located within any of the designated areas set out in the Local Validation List, an Ecology Survey and Report would not be required upfront with the submission of a planning application.

In the event of a planning application, Natural England and the WSCC Ecology Officer may be consulted to provide comment and to confirm whether any Surveys/Reports including mitigation measures might be required to be submitted prior to determination, to ensure the conservation of protected species.

CRIME

Planning policies encourage quality design, layout, landscaping and lighting of new development to help reduce the risk of crime.

Policy D DM1 advises that when considering applications for new development, the planning authority will have regard to crime prevention. Natural surveillance shall be achieved through locating buildings along public routes, making a clear division between private and public land, and that particular regard should be had to the national 'Secure by Design' and 'Safer Places - the Planning System and Crime Prevention'.

In the event of a planning application, consideration should be given in the design of the building and surrounding spaces in relation to crime prevention, and details such as boundary treatments, lighting and natural surveillance (from windows) should be specified in the submission.

LANDSCAPE

The South Downs National Park is a statutorily protected landscape of national importance. Local Plan policy LAN DM1 states that 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.

Policy 7 of the Ferring Neighbourhood Plan provides design policy for development to the north of Littlehampton Road, including that: suitable measures to improve the screening and setting within wider setting of the National Park.

The application site is located around 460m from the southern end of the South Downs National Park. There are a number of public footpaths in the vicinity of the site which lead into the National Park, and the site would be visible in views from within the National Park.

The SDNP has been designated as an International Dark Sky Reserve, and as such it would be necessary to ensure that any proposal would not cause harm through new sources of light pollution. The location and size of glazed openings should be considered in terms of their impact and mitigation measures such as low transmission glazing or automated black out blinds should be considered. Any external lighting details should be designed to minimise light spill e.g. downward shields, maximum 500 lumens, PIR sensors to limit hours of use.

In the event of a planning application being submitted, the South Downs National Park Authority would be formally consulted to provide comment on the impact of the proposals in terms of views and light pollution.

CONCLUSION

Based on the above comments I conclude that were an application for planning permission to be

submitted it would be likely to be refused for the following reason:

By reason of the unsustainable countryside location, the proposal for a new dwelling with unrestricted residential use (i.e. not tied to a agricultural/horticultural etc. use) would be unacceptable in principle. Future occupants of the new dwelling would be likely to rely heavily on the use of a private vehicle. The environmental harm would be likely to significantly and demonstrably outweigh the limited economic and social benefits of a new dwelling in this location. As such, being in an environmentally unsustainable location, the proposals would not benefit from the 'presumption in favour of sustainable development' as set out in the NPPF, which would apply given the Council's lack of a five year housing land supply which renders the countryside policies in the Development Plan out of date. The proposals would also conflict with Arun Local Plan policies T SP1 (a) and T DM1 (a), which supports development which is designed to reduce the need to travel by car, and requires new development to be located within easy access of established public transport services. Additionally, it is in conflict with paragraph 102(c) of the NPPF which seeks opportunities to promote walking, cycling and public transport, and also paragraph 150(b) which requires development to reduce greenhouse gas emissions through its location etc.

In the event of a planning application being submitted, the following comments are made:

- 1) Design - the design should maintain the character and visual amenity of the area, and have an acceptable impact on views and light levels within the South Downs National Park.
- 2) Residential amenity - any roof level accommodation could result in significant overlooking and loss of privacy to neighbouring occupants at 'New House, Cobbins Nursery'.
- 3) Internal and external space standards - the proposed dwelling appears to meet the national internal space standards and would provide adequate outdoor garden amenity space.
- 4) Bin storage - bin storage details should be provided at application stage.
- 5) Car/cycle parking - adequate car parking would be provided to serve the new dwelling, cycle parking details should be provided at application stage.
- 6) Sustainable construction - a site plan and drawings with details of proposed energy efficiency measures and sustainable construction methods should be provided at application stage.
- 7) Sustainable Urban Drainage - any future planning application should include a site plan with details of SUDs proposed.
- 8) Trees - 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' would be required with an application, and potentially an Arboricultural Method Statement (AMS) and Tree Protection Plan (dependent on the findings of the AIA).
- 9) Land Contamination - the minimum requirement at application stage would be for a Phase I Report (and possibly Phase II Report dependent on findings of Phase I).
- 10) Biodiversity/Protected Species - there may be a requirement for an Ecology Survey/Report after submission of application. With regard to Biodiversity Net Gain, information on this i.e. proposed measures must be submitted at application stage, prior to determination. Guidance on potential BNG measures can be found on the Natural England website.
- 11) Crime - consideration should be given in the design of the building and surrounding spaces in relation to crime prevention.

12) South Downs National Park - consideration should be given to the impact on this protected landscape, and the South Downs National Park Authority would be formally consulted to provide comment on the impact of the proposals in terms of views and light pollution.

FOLLOW UP MEETING

If you require a follow up meeting to discuss this pre-application and advice, you will need to forward a written request together with a fee for £30 made payable to Arun District Council if not already included in the fee you have already paid.

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.

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

Land Contamination Assessment
Foul and Surface Water Drainage Statement
Bin Storage and Collection Provision
Parking Plan
Planning Application Summary
Street Scene
Tree Survey and Arboricultural Report

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 consents. 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 faithfully

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning