

PLANNING STATEMENT

Accompanying an application for redevelopment of a
brownfield site previously used for A1 Retail to three
dwellings

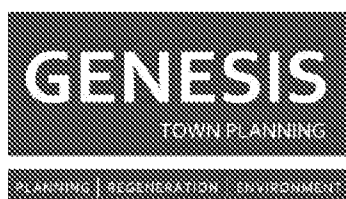
on

Land at 37 Hill Lane
Barnham
West Sussex
PO22 0BL

for Salt Earth Ltd

May 2018

Ref: 18008/PS01



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1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Salt Earth Ltd. It accompanies an application for the redevelopment of the Flower Barn at 37 Hill Lane, Barnham.
- 1.2 The site is a brownfield site within an established cluster of residential properties on the north side of Hill Lane in close proximity to the settlement boundary of Barnham (approximately 150 metres to the north east of the application site). The Barnham and Eastergate Neighbourhood Plan (Policy H2 Windfall Sites) supports small scale residential developments on infill and redevelopment sites within the parishes subject to the policies of this plan being met.
- 1.3 The outline scheme has been developed taking into account the local village scape, landscape character and wider settlement grain in order to make better use of the brownfield site, providing an appropriate and acceptable scale of development that would make a positive contribution to the District's housing stock.

Key Benefits

- 1.2 The key benefits of the scheme are:
- The three dwellings which will provide a suitable mix of units taking into account the small site, and the character of the area. The mix proposed is 1 x 4-bed and 2 x 3-bed houses.
 - The provision of three dwellings would make a positive contribution to the delivery of the District's housing supply.
 - The redevelopment will remove unsightly buildings and clutter and potentially significant activity in terms of customers and vehicle movements particularly relating to the car park which is at the front of the premises close to the neighbouring property in this Rural Area.
 - The proposal represents an effective use of land by reusing land that has been previously developed (brownfield land), a Core Planning Principle of the NPPF paragraph 17, and windfall sites of a brownfield nature are identified as suitable for small scale residential development within the Neighbourhood Development Plan.
 - The proposal would not create isolated new homes in the countryside but rather would be a logical infilling and tidying up of a site contained amongst residential development along Hill Lane. At present the site does not form an important or attractive visual break to the existing development. In contrast the historic (and lawful) use of the site results in significant clutter and visual harm to the character and appearance of the area.
 - The drainage connection would be fully compliant with the requirements of Southern Water and would be enforced with a standard planning condition.
 - The site is in Flood Zone 1 and therefore is not at risk from flooding.

2.0 THE SITE AND SURROUNDINGS

The Site

- 2.1 The application site comprises approximately 0.158 ha (0.39 acres) and forms part of a larger area of land at the former company known as The Flower Barn at 37 Hill Lane, Barnham. This use originated from a wholesale flower nursery and developed into a retail operation selling dried flowers from three buildings on the site. These gained a Certificate of Lawfulness for the "Use of buildings for the sale of dried flowers and associated products (use class A1) together with ancillary vehicle parking in a decision dated 7th January 2005 (ref BN/53/04/CLE). The whole of the frontage of 37 Hill Lane is authorised as a vehicle parking area in association with the lawful A1 use. Beyond the northern limit of the rear garden of 37 Hill Lane there is an area of ancillary horticultural/retail storage in the form of shipping containers and large galvanized water storage bins. The Flower Barn ceased trading around 2012 and the buildings remain vacant.



Fig 1: Aerial photo showing application site (Google)

- 2.2 The Certificate of Lawfulness establishes that the lawful use of the site and it follows that the site now comprises previously developed land (brownfield) albeit in a countryside location. To allow for a comprehensive redevelopment scheme the application site includes the redevelopment of a small commercial storage area immediately north of the rear garden of No 37. This small part of the site together with part of the existing access lies outside the land identified in the certificate. The omission of the access from the Certificate appears to be an anomaly as the buildings could not be stocked and used for retail purposes without access for deliveries etc. It is unknown whether the storage use to the rear was related to the horticultural or retail activities on the site or potentially it had a dual role. In any event, these two areas now constitute a relatively small

proportion of the overall site and their inclusion in the site allows a comprehensive scheme and tidying up of the site by the removal of the unsightly containers. An area of commercial hardstanding and car parking in front of No 37 which was included in the certificated area is proposed to be returned to domestic garden to serve the existing dwelling. In summary therefore, the scheme represents a sensible readjustment of the boundaries to provide the most sensitive solution to tidying up a brownfield site and enhancing the street scene.

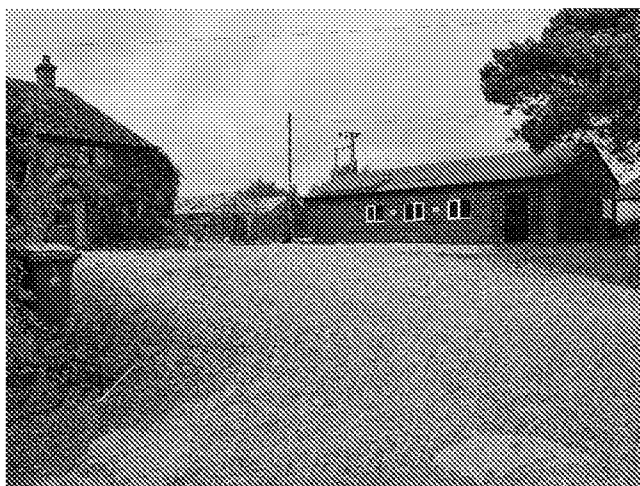


Fig 2: View of site from Hill Lane



Fig 3: Rear of site looking south towards Hill Lane

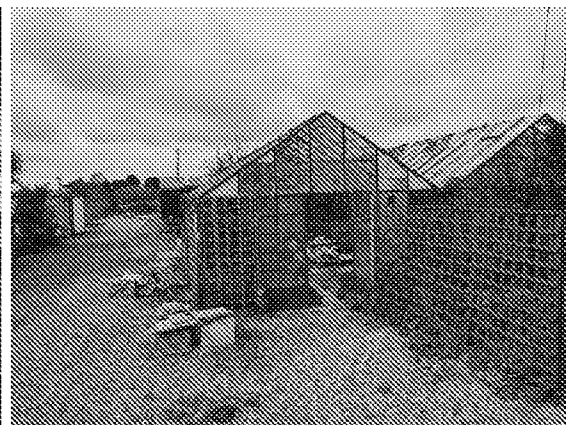


Fig 4: Glasshouses forming part of the Certificated Area

- 2.3 The redevelopment of the site would be in accordance with the core principle of the NPPF (paragraph 17) and paragraph 111, both of which encourage the effective use of land by reusing sites which have been previously developed (brownfield land) and particularly as the site is not of high environmental value. The site is previously developed land and this is self-evident from the definition in the Glossary of the NPPF Annex 2. This national planning policy objective is also supported by the Neighbourhood Plan – which is explored at section 3.0 of this statement.

The Surroundings

- 2.4 The site is one of five pairs of semi-detached houses with associated nursery land to the rear along this northern section of Hill Lane. These houses were of cohesive style and age, originating from early Local Authority smallholdings created after WW1 for returning servicemen. The Barnham Parish Council website notes that at least 20 smallholdings were set up in Barnham in accordance with the *Small Holdings and Allotments Act 1908* and the *Land Settlement (Facilities) Act 1919*. Barnham was established as a place suitable for nurseries and market gardens. The large field bordered by Church Lane, Yapton Road and Hill Lane was purchased along with land to the south and east of Hill Lane for Church Farm and Tile Barn Farm respectively, and land on both sides of Yapton Road. On the north side of Hill Lane there were originally five pairs of smallholdings.



Fig 5: Hill Lane – a narrow lightly trafficked lane unsuitable for retail traffic

- 2.5 Over time, the size of many smallholdings changed with land being sold or transferred to adjacent properties and local farms. Many of the houses are in private ownership and there are several small wholesale nurseries but West Sussex County Council still owns much of the land. The lane has started to see incremental change through the redevelopment of some of the plots, in particular No 43 which has been detached from No 42 and rebuilt in a distinctly modern style with asymmetric mono pitched roofs. Other plots have added individual character in the form of side extensions and front gables. The lane itself (a private road) is narrow and very lightly trafficked. The removal of 424sqm of A1 retail use (of which some 315sqm are confirmed by a Certificate of Lawfulness) would be beneficial in removing a potentially significant level of retail (customer) traffic as well as the associated HGV deliveries. The redevelopment to three dwellings would be likely to result in a reduction in traffic (particularly heavy traffic) on this narrow private road.
- 2.6 To the north of the site there remains some open land formerly comprising glasshouse development. However, within 155m to the north is the Murrells recreation ground and community centre and the new development sites for housing Angels Nursery (approved for 95 dwellings) and The Lillies (38 dwellings) lie some 175m to the north east.

- 2.7 The site is not within any flood risk zone as defined by the Environment Agency's flood maps and there are no constraints on foul drainage.



Fig 6: Flood Zone Map

- 2.8 The site enjoys a rural location but reasonably sustainable location with nearby access to a range of facilities and service. A bus service along Yapton Road and Barnham main line railway station are all within walking distance.



Fig 7: Location of Hill Lane (Google)

3.0 PLANNING POLICY CONSIDERATIONS

- 3.1 Relevant planning policy is set out in the adopted National Planning Policy Framework (March 2012), the adopted Arun District Local Plan 2003 and the 'made' 2014 Barnham & Eastergate Neighbourhood Plan. Emerging policy in the Local Plan 2011-2031 carries some weight given its advanced stage of preparation with an Examination and publication of post Examination Modifications.

National Policy

- 3.2 The National Planning Policy Framework (NPPF) was published by the Department for Communities and Local Government on 27 March 2012. It replaces all of the previous Planning Policy Guidance/Statements (PPGs/PPSs) in England and constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan includes any 'Made' Neighbourhood Plans.
- 3.3 Paragraph 14 confirms that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this framework indicate development should be restricted
- 3.4 Paragraph 17 lists the 12 Core Planning Principles includes (in particular) that planning should "encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value".
- 3.5 Section 6 sets out the guidance for *Housing Delivery* to boost significantly the supply of housing to deliver a wide choice of high quality homes. This requires a Local Plan to meet objectively assessed need (paragraph 47). In their assessment of housing supply paragraph 48 allows Local Authorities to "make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens".

- 3.6 Section 7 considers *Design*. It confirms that the Government attaches great importance to the design of the built environment and the achievement of high quality and inclusive design for all development, including individual buildings. Paragraph 58 confirms that planning decisions should aim to ensure that developments accord with various criteria including responding to local character and history, and should reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; and should be visually attractive as a result of good architecture and appropriate landscaping.
- 3.7 Section 11 considers the *Conservation and Enhancement of the Natural Environment*. Paragraph 109 confirms that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils. Paragraph 111 states that “planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land”.
- 3.8 The weight to be attached to Neighbourhood Plans and Local Plans is set out in paragraph 198 and Annex 1 of the NPPF. Paragraph 185 deals with the relationship between Local Plans and Neighbourhood Plans. It requires Neighbourhood Plans to be prepared in general conformity with strategic policies of a Local Plan. Once a Neighbourhood Plan is brought into force it states its policies take precedence over existing non-strategic policies in the Local Plan.
- 3.9 The glossary in Annex 2 defines previously developed land as follows: “**Previously developed land:** Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.”
- 3.10 In addition the same glossary defines Windfall Sites as follows: “**Windfall sites:** Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.

Adopted Local Plan Policy - Arun District Local Plan 2003

Policy GEN2 and GEN3 – Built-up Area Boundaries and protection of the Countryside

- 3.11 The saved policies of the Arun Local Plan 2003 cover the period up to 2011 thus the Built-up Area Boundary Policy GEN2 and protection of the Countryside policy GEN3 are time expired in so far as they relate to the location of new housing. The application site lies close to but outside the Built-up Area Boundary of Barnham.

Policy GEN7 – The Form of New Development

- 3.12 This policy covers the usual detailed design criteria for high quality development (as reflected in the more up-to-date Neighbourhood Plan). This policy still refers to the requirement for developments to achieve net densities of at least 30 dwellings per hectare however this aspect no longer reflects the NPPF where para 47 local authorities should set out their own approach to housing density to reflect local circumstances.

Policy GEN9 – Foul and Surface Water Drainage

- 3.13 In accordance with this policy, the proposed scheme allows for a Sustainable Urban Drainage System (SUDs) by the use of lined permeable private driveways together with surface water retention using soakaways. Foul drainage will be to the foul sewer.

Policy GEN11 – Inland Flooding

- 3.14 This policy requires development to be located outside flood risk areas and to retain the capacity of the floodplain to store or pass flows of water. The development is located in Flood Zone 1 (the lowest risk of flooding).

Policy GEN12 – Parking in New Development

- 3.15 The Council's maximum parking standards as set out in Appendix 2 of the 2003 Local Plan no longer apply and have been superseded by West Sussex County Council standards. The relevant Neighbourhood Plan policy (GA4) requires the maximum standard to be provided. It is confirmed that these standards are accommodated in the layout.

Policy GEN15 - Cycling and Walking

- 3.16 Hill Lane is lightly trafficked and although there are no footways there is adequate In accordance with this policy the scheme allows sufficient space to accommodate safe and attractive pedestrian and cycle access from Yapton Road and throughout the site. This includes a 3 metre wide cycle track and footway along the Yapton Road frontage. In time it is anticipated that this would connect with similar provision on other sites to provide a continuous cycle network. In addition the application provides for pedestrian and cycle links between plots 14 and 15 into the adjacent Community Hall site (subject to agreement with the adjoining landowner).

Policy GEN20 - Provision of Public Open Space within New Development

- 3.17 This policy requires 2.4 hectares of public open space (POS) per 1000 population and play equipment to meet the needs of the development. Contributions are required where on site provision does not meet this standard. The proposed open space is 4712sqm and includes a LAP.

Policy DEV17- Affordable Housing

- 3.18 This policy has effectively been updated by the Interim Affordable Housing Policy 2010. Discussions have been held with the Housing Strategy and Enabling Manager and it has been agreed that the location, type, tenure and number of affordable units meets current policy. A separate affordable housing statement is included with the application which deals with this aspect in more detail.

Policy DEV30- Local and Village Centres

- 3.19 In order to prevent the loss of local and village shops which are of community benefit this policy resists the change of use from retail for shops which are located outside the defined Principal Shopping Areas. An exception may be made where it can be demonstrated that retailing is no longer a viable use, particularly where the premises have remained vacant for a long period and that reasonable attempts have been made to market the premises for retail purposes.

The Barnham and Eastergate Neighbourhood Plan

- 3.20 The Neighbourhood Plan was 'made' in 2014 and contains many policies of relevance to this application. The following are the key policies that apply.

Policy EE4 Retention of Retail Frontages

- 3.21 It is considered this policy which seeks to retain retail (A1) uses in village centres does not apply to this site which is remote from a village centre and does not satisfy a community need and has historically operated by attracting car borne single trip customers.

Policy H2 Windfall Sites

- 3.22 This policy states that permission will be granted for **small residential developments on infill and redevelopment sites within the parishes subject to the policies of this plan being met**. The application is supported by this policy and represents an ideal opportunity for small scale residential development on a brownfield site.

Policy ES1 – Flooding and Drainage

- 3.23 This policy aims to ensure overall flood risk in the area is reduced and adequate drainage arrangements are included in new developments. In this regard it states that planning permission should only be granted for new development subject to a condition that no development shall commence until full details of the proposed drainage schemes for surface and foul water (including details of their routing, design, and subsequent management and maintenance) have been submitted to and approved by the planning authority.

Policy ES5 – Quality of Design and Policy ES6 – Contribution to Local Character

- 3.24 Other key policies relate to character. These policies state that all new development within the parishes will need to be of a high quality design, to contribute positively to the rich and varied character of the villages and will be expected to conform to the forthcoming Barnham and Eastergate Design Guide. The design and appearance of the development in relation to this policy is covered in the next section.

Policy ES10 – Trees and Hedgerows

- 3.25 The site has been surveyed and the layout avoids impact on the root protection areas of trees to be retained on the frontage.

Policy H3 – Housing Mix and H4 Integration into Surroundings

- 3.26 Policy H3 sets as a guide, a maximum 50% requirement for one and two bed units on sites within 400m of a village centre and 25% in other cases. The application site is further than 400m of Barnham village centre and the 25% guideline would apply. Given that only three dwellings are proposed it is considered that the scheme falls outside the parameters of the policy. Nevertheless the proposed mix of 1 x 4-bed and 2 x 3-bed represents a reasonable balance of smaller dwellings (generally regarded as 2 or 3 bed dwellings).

Policy H6 – Attention to Detail

- 3.27 H6 provides guidance on the provision of standard items associated with new dwellings to be as unobtrusive as possible. The list includes:
- bin stores and recycling facilities
 - cycle stores
 - meter boxes
 - lighting
 - flues and ventilation ducts
 - gutters and pipes
 - satellite dishes, and
 - telephone lines

Emerging Arun Local Plan (2011-2031)

- 3.28 The Arun Local Plan with post Examination Proposed Modifications (2011-2031) was published for public consultation in January 2018. The final Inspector's Report is now anticipated in early July 2018. Given its advanced stage of preparation some weight can be given to its draft policies.

Policy SD SP1a (g) Strategic Approach

- 3.29 This policy SD SP1a(g) in addition to paragraph 6.2.5 of the Plan identify that the effective use of previously developed land is to be encouraged provided that it is not of high environmental value. Paragraph 3.45 identifies the pressure on Arun to "accommodate substantial new development over the next 15-20 years. New development must be planned to minimise impacts on the countryside and environment and, where possible, make best use of available brownfield land and buildings. At the same time it is important to preserve the individual character and identity of Arun's towns and villages."
- 3.30 The application site has no special landscape or heritage designation and the proposed replacement of around 424sqm of retail floorspace with three modest and sympathetically designed houses makes a small but valuable contribution to the housing supply in the Barnham area.

Policy RET DM1 Retail Development

- 3.31 This policy under bullet point 4 headed 'Village and suburban centres' states that "change of use from retail will not be permitted for shops located outside the defined Town Centres and Local Service centres. An exception may be made where it can be demonstrated that retailing is no longer a viable use, particularly where the premises have remained vacant for a long period and where reasonable attempts have been made to market the premises for retail purposes. The Council will require evidence that the unit has not been made deliberately unviable, that marketing has been actively conducted for a reasonable period of time and that alternative retail uses have been fully explored."
- 3.32 An extract from the updated Local Plan policy map is reproduced below.

- 3.38 Policies **ENV SP1**, **ENV DM3** and **ENV DM5** all encourage the preservation and enhancement of biodiversity and **ENV DM4** supports development where TPO trees or others contributing to local amenity are protected.
- 3.39 With regards to infrastructure and services Policies **W SP1** require development to avoid areas at risk of flood and Policy **W DM3** is supportive of sustainable urban drainage systems.

4.0 ASSESSMENT OF PROPOSED DEVELOPMENT

Principle

- 4.1 The existing A1 buildings are of poor quality in terms of their build quality and aesthetics. They comprise a timber building and glasshouses all of which are poorly insulated and it would be unviable to improve them without substantial alteration or rebuilding. They are situated well away from a village or local shopping centre meaning virtually all customers would be arriving by car. Their use for retail purposes therefore has a relatively high environmental impact in terms of; visual amenity, carbon footprint and vehicular activity.



Fig 9: Existing buildings with A1 Retail Use

Location and Layout

- 4.2 The site is reasonably well connected to a range of facilities and services in Barnham village. Connectivity is by both rural lane and public footpaths. (Fig10). Barnham railway station is 1.1km from the site via footpath 157.1. In addition Yapton Road to the north has a regular bus service.

- 4.3 The proposed layout follows the pattern of existing development on the site with three dwellings on the eastern side of the site in the general location of the retail buildings. The majority of the parking is located to the rear of 37 Hill Lane where it is visually screened from public views. The proposals clear all the existing substandard buildings on the site and will result in the efficient use of this previously developed site at a low density of 19 dwelling per hectare. The existing access is retained and the existing forecourt parking area which currently has an adverse visual impact on amenity of Hill Lane is proposed to be removed entirely to provide a front garden for 37 Hill Lane. The additional landscaping will therefore soften the existing street scene.
- 4.4 The nearest dwelling to the east (38 Hill Lane) is some 17m from the boundary with intervening horticultural buildings. The separation between it and the proposed dwelling is more than sufficient to ensure retention of residential amenity.

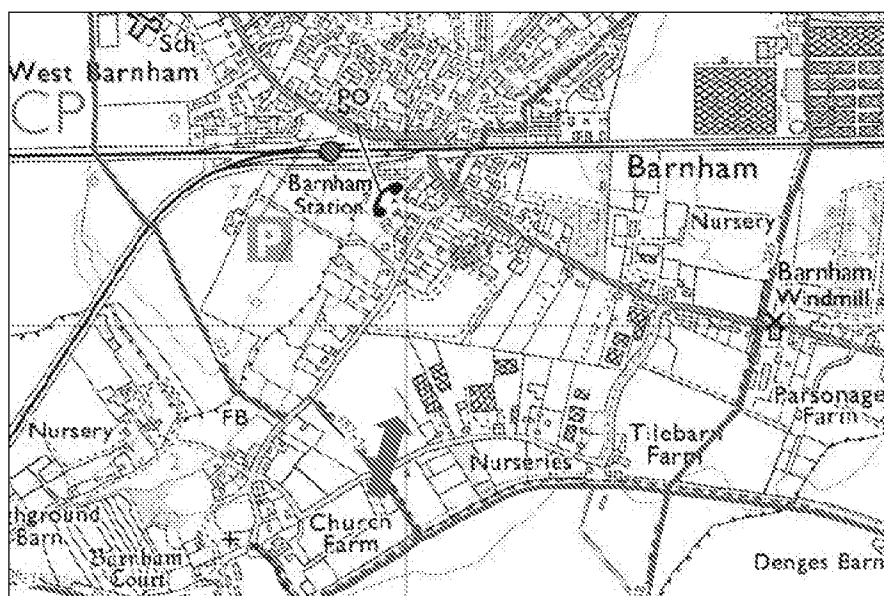


Fig 10: Site Connectivity. Public Footpaths in Purple – WSCC interactive mapping

Scale

- 4.5 The proposed low density residential scheme has been modelled on the scale and massing of houses in the surrounding area. The hipped roofs with low eaves finished in clay tiles have been specifically designed to integrate with the semi-rural character of Hill Lane and whilst introducing two storey buildings the redevelopment of the brownfield site would reduce the site coverage and increase gaps between buildings along the eastern side, to create a more spacious layout that would sit comfortably within the semi-rural setting.

Appearance

- 4.6 The design and appearance of the buildings draw heavily on the local vernacular style of traditional dwelling form and other development in Hill Lane. The use of timber boarding on plot 3 reflects the appearance of the materials in the existing frontage building. The other plots utilise brick and tile hanging reflecting the fairly limited palette of materials used in the immediate surroundings. The dwellings are two storey with hipped roofed to follow the design pattern set by the original pairs of LSA dwellings but with some variety introduced to improve the aesthetic. All the dwellings are two storeys in height but with some variety to help reinforce local distinctiveness.

Landscaping

- 4.7 The frontage of 37 Hill Lane will be landscaped to soften the existing expanse of gravel and provide an improvement to the rural character of the area and mitigate any adverse impacts of the development on surrounding residential amenity. It is anticipated that the details of the landscaping will be provided in due course following the imposition of a planning condition.

5.0 SUMMARY

- 5.1 The site at 37 Hill Lane is a small contained parcel of land that constitutes a brownfield windfall site in the form of previously development land which has evolved to have a detrimental environmental impact and has the potential to harm further the visual quality and special character of the area. The proposals demonstrate that the site is capable of accommodating three new homes of an appropriate mix of dwellings and at a low density, which reflects its location and assimilates the loose knit pattern of development in the immediate locality.
- 5.2 It is acknowledged that the site falls outside of the nearby settlement policy boundary of Barnham and as such is defined as forming part of the rural area for planning purposes according to the Arun Local Plan. Yet in real terms the site is in close proximity to Barnham and as such the site is considered relatively sustainable in terms of easy access to public transport and services and facilities. The site's position in policy terms has been weighed against the opportunity to make better use of the brownfield site, which is strictly a non-conforming use, which has the potential through intensification to have an adverse impact on the local highway network as well as local and residential amenity. Whereas the proposed small scale residential redevelopment of the previously developed land is an opportunity to improve the appearance and openness of the site in keeping with the semi-rural character of the area and the appearance of established residential properties along Hill Lane.
- 5.3 The development proposal is in accordance with the community led Neighbourhood Plan which supports the redevelopment of windfall sites on brownfield land to ensure new development is delivered in a measured way and proportionate to the services and facilities provided by the nearby service villages. The principle of the proposal to reuse previously developed land is compliant with the policies of the Neighbourhood Plan and the NPPF to deliver appropriate sustainable development. The proposals demonstrates that the site has the potential to accord with the development management policies of the Local Plan in terms of appropriate amount of development; housing mix and density; highway safety and minimal visual impact on the wider semi-rural setting.
- 5.4 In summary, this statement has shown:
- The redevelopment of this previously developed (brownfield) site for housing is supported by the Barnham & Eastergate Neighbourhood Plan under Policy H2 Windfall Sites
 - The loss of a shop in this location does not conflict with Development Plan policy.
 - The site is available and deliverable now and will bring an immediate contribution to the Council's 5 year housing land supply.
 - The redevelopment of the site will result in an enhancement to its existing appearance and quality of development.