

APPENDICES

APPENDIX A



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Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Planning General Enquiries

website: www.arun.gov.uk/planning

Your Ref:

Our Ref: PAA/54/16/

Please ask for: David Innes

01903 737776

6 June 2016

Dear Sir / Madam

Pre-Application Advice

Revised layout for a total of 95 dwellings following refusal of BN/51/15/PL and BN/58/15/PL
Angels Nursery Yapton Road Barnham

I write regarding the above matter and your enquiry received on 16th March 2016.

Description Of Proposed Development

From the details submitted, I understand that you propose a total of 95 dwellings at the Angel's Nursery site, Yapton Road, Barnham.

Description Of Site

Angel's Nursery has been subject to recent planning applications. The site has planning permission for 86 dwellings which has been implemented but as a result of site investigations the location of the sewer pipe that crosses the site was found to be around 20m from the location advised by Southern Water. As there is a requirement for an easement either side of the pipe it will be necessary to re-apply for planning permission to erect a total of 95 units on this site.

The land lies on the south side of the Yapton Road (B2233). It has trees/hedging planted along the frontage to Yapton Road. To the west of the site there is the recently built community hall and neighbouring residential development that fronts the access to the hall. There are playing fields to the south of the community hall. Opposite the site, at the former tree nursery, there is a new development of 44 dwellings that is about to commence on site, site clearance took place in December.

To the east, immediately adjacent, is the former Lillies Caravan Park which is also to be developed for housing with 38 dwellings. The application was approved subject to a s106. Land to the south of the site remains in horticultural use with extensive glasshouses on site.

The site is in close proximity to the village centre and has good pedestrian access to the railway station. This area of Yapton Road, where the site is located, is very much an extension to the existing built up area and the character is clearly more rural to the east where there is residential ribbon development along the southern side of Yapton Road. Further east there is Barnham Windmill and associated small craft shops. The residential use of the site has been established

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and the approved and soon to be approved developments will further establish this site within the built up area.

Planning Issues

The following issues have been identified for consideration.

Principle
Design
Neighbour Amenity
Amenity Space Provision
Bin Storage
Affordable Housing
Highways, Transport and Parking
Flooding/Drainage
Barnham Special Consultation Area
Protected Trees
Open Space Provision
Light Pollution
Noise Pollution
Housing Supply

Relevant Planning History

Comment On Site History

BN/27/09/

Outline application for demolition of all existing structures and redevelopment with up to 95 dwellings (including up to 38 affordable homes) together with associated open space, landscaping and access improvements (This is a Departure from the Development Plan). Refused 09-04-2010. Appeal Allowed 06-01-2011.

BN/29/13/

Application for approval of reserved matters following Outline approval BN/27/09 for demolition of all existing structures and redevelopment with 86 dwellings together with associated open space, landscaping and access improvements. Approve Conditionally 14-03-2014

BN/51/15/PL

Variation of condition 1 imposed under planning ref BN/29/13/ relating to approved plan. Application sought to amend the layout, scale, appearance of the approved layout. Refused.

BN/58/15/PL

Erection of 9 dwellings. The 9 unit proposal has been submitted in a form that if BN/51/15/PL had been acceptable and approved it would create a layout that could accommodate the additional 9 units to form a total of 95 dwellings at Angel's Nursery. Refused

Relevant Policies - the following policies are considered relevant to your proposal:

Arun District Local Plan:	DEV17	Affordable Housing
	EDDM1	D DM1 Aspects of Form and Design Quality
	EHDM1	H DM1 Housing Mix
	EHSP2	H SP2 Affordable Housing
	EOSRDM1	OSR DM1 Open Space, Sport & Recreation
	ESDSP1	SD SP1 Sustainable Development
	GEN12	Parking in New Development

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GEN14	Public Transport
GEN15	Cycling and Walking
GEN20	Provision of Public Open Space within New Development
GEN25	Water Resources
GEN33	Light Pollution
GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
NEBNES5	Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES5
NEBNES6	Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES6
NEBNGA4	Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA4
NEBNH3	Barnham & Eastergate Neighbourhood Plan 2014 POLICY H3
NEBNH4	Barnham & Eastergate Neighbourhood Plan 2014 POLICY H4
NEBNH5	Barnham & Eastergate Neighbourhood Plan 2014 POLICY H5
NEBNH6	Barnham & Eastergate Neighbourhood Plan 2014 POLICY H6
NEBNH7	Barnham & Eastergate Neighbourhood Plan 2014 POLICY H7
NPPG	National Planning Practice Guidance

Planning policy guidance NPPF National Planning Policy Framework

Principle

The Appeal decision and subsequent application for 86 dwellings has established the principle of residential development of the site. A revised application for a total of 95 dwellings will be assessed in relation to the saved policies of the Arun District Local Plan 2003, emerging plan and the Made Neighbourhood Development Plan.

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

Decision makers may find themselves considering applications in an area with a neighbourhood plan that has passed referendum and been "made", and thus forms part of the development plan, but where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. In such instances paragraph 49 of the Framework is clear that "relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites." Paragraph 49 applies to policies in the statutory development plan documents which have been adopted or approved in relation to a local planning authority area. It also applies to policies in made neighbourhood plans.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Barnham & Eastergate Neighbourhood Development Plan was adopted in July 2014 following a referendum.

Barnham has a range of services and amenities which suggests that this site can be viewed as a sustainable location for housing. While many of the amenities and services are within a reasonable walking distance there are regular bus services allowing the site to be appropriate for walking, cycling and public transport links.

The Council is unable to demonstrate an adequate supply of housing land as required by paragraph 49 of the NPPF. The suspension of the Examination into the Local Plan on the grounds that the Council's Objectively Assessed Housing Need should be reviewed higher than that proposed in the Local Plan (580 units p.a). The Council will need to identify more suitable land supply to meet additional housing requirement. The OAN figure has been increased to 845 units p.a as of 3 February 2016.

Design

Planning Policies and Central Government Advice support the efficient and effective use of land. Policy GEN7(i) requires new developments to respond positively to the identified characteristics of a particular site to create developments which respect local characteristics. Central Government Advice further indicates that more intensive development is not always appropriate and that design which is inappropriate in its context should not be accepted. Furthermore new development should be well integrated with and complement the local area in terms of, for example, layout.

The proposed development as set out on drawing no 2124/02 is now considered acceptable on the basis that a number of amendments have been made to the draft layout, taking account of officers concerns which led to the previous refusal.

There are still reservations concerning the pedestrian link adjoining plot 14 as this remains poor in terms of quality environment and overlooking. More work should be done on improving this link and this negative factor will need to be considered but the overall scheme is considered to be acceptable.

Neighbour Amenity

Arun District Local Plan Policy GEN7 indicates planning permission will only be granted for schemes displaying high quality design and layout. It further indicates development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. In this case, it is considered that the proposed development would be acceptable on the residential amenities of neighbouring properties because the layout provides adequate distances between the proposed dwellings and neighbouring properties.

Amenity Space Provision

Policy GEN7 of the Arun District Local Plan indicates that development will be permitted provided that amongst other considerations the proposal creates attractive places and spaces with the needs of people in mind. On this basis, well designed and adequate amenity space provision for residents is considered essential to meet the policy requirements of the local plan and Central Government Advice. The proposal includes a level of open space that is near to the required level of open space. In our discussions we suggested that if the scheme is deficient there would be scope at this location to provide a contribution to allow for improvements at the adjoining recreational area near the Barnham Community hall. The provision of onsite play area equipment

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should be discussed with Sue Howell, Arun Council - Greenspace team. It had been suggested that the LAP should be provided on site as shown on the submission but there may be scope, subject to agreement for contributions to allow for off site play equipment.

Affordable Housing

The proposal seeks to deliver 30% affordable housing on-site which is in accordance with the council's Affordable Housing Policy. An affordable housing tenure split for 50% rented and 50% intermediate housing as prescribed in the NPPF appendix 2 definitions. The council's dwelling mix preference for the rented housing would be for 1 and 2 bed dwellings as the housing register requirements for rented housing are as follows;

- 1-bed - 35%
- 2-bed - 55%
- 3-bed - 5%
- 4-bed - 5%

For intermediate housing we would also have a preference for 1 and 2 bed dwellings but 3 beds are also acceptable but not 4 beds.

The Council's Housing Strategy and Enabling Manager will deal with the issue of working with the Council's preferred registered partners and the cascade clause in the S106 agreement.

Flooding

Planning Policies relating to flood risk requires development not to give rise to an unacceptable risk of flooding detrimental to human health or property. 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. The Environment Agency website details designated flood zones. The proposal is likely to be acceptable due to the low risk of flooding from tidal/fluviol sources. An appropriate drainage scheme was submitted with the previously approved layout. You have also had confirmed that the infill of a ditch to the east side of the site between Angels Nursery and the Lillies does not require land drainage consent.

Protected Trees

Planning policies and Planning Policy Statements seek to protect the environment and avoid damage to protected trees. BS 5837 : 2005 sets out standards for Trees in Relation to construction - Recommendations. The proposal is likely to be acceptable as the protected trees are to be retained in situ. It will be necessary to provide tree protection around existing trees to ensure no damage is caused.

Open Space Provision

The Council's Supplementary Planning Guidance "Open Space and Recreational Standards" Adopted October 2000 is available on the Council's website and sets out the advice on the provision of open space and play equipment within new residential developments. A well designed scheme is required to incorporate well thought out areas of open space, existing landscape features such as mature trees and hedgerows, appropriate new planting, provision of children's play areas and car parking, and a mechanism for long-term management of the developing landscape. It is vital that the landscape scheme maximises the biodiversity of the site by the inclusion of native species and retention of a variety of habitats. The Council's standards apply to developments of houses only and are based broadly upon the National Playing Fields Association's (NPFA) "Six Acre Standard". This requires that 2.4 hectarea of open space (or six acres) are provided for every 1,000 people. This provision will take the form of informal open space, children's play space and sports pitch provision dependent upon the type and size of

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development proposed. In some cases for smaller scale developments, a commuted payment may be appropriate. Full details of the Council's policy on Open space can be found within the Council's SPG.

Conclusion

In summary, there is a lack of an adequate housing land supply in Arun District. The site has a positive relationship to the built up area to the north, east and west which have existing and proposed residential use. The site is near to services and amenities and has a regular public transport bus service. Therefore based on the above comments it is our opinion that if an application were to be submitted for up to 95 dwellings it would be likely to be approved subject to a s106 agreement.

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 also need to submit the following documentation/information:

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

Additionally the following documents will need to be provided:

Please note that the Council introduced a new Local Validation Requirements List in July 2013 which you should refer to 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:

Affordable Housing Agreement

Affordable Housing Statement

Draft Planning Obligation

Flood Risk Assessment

Foul and Surface Water Drainage Statement

Bin Storage and Collection Provision

Parking Plan

Plannning Application Summary

Street Scene

Transport Assessment/ Travel Plan

Transport Statement

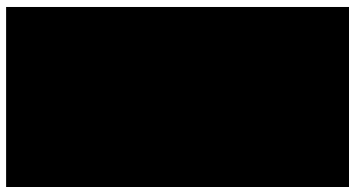
Tree Survey and Arboricultural Report

In this instance given that a number of recent submissions have been made in relation to discharge of conditions I would advise that the documents that have been approved are submitted again as this is a full application. Where it has been necessary to update documents from the approved statements an addendum should be included. Subject to approval, it would be the Council's intention to include the approved documents list as a condition along with approved drawing numbers which would save discharging conditions.

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. 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



Karl Roberts
Director Planning & Economic Regeneration

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