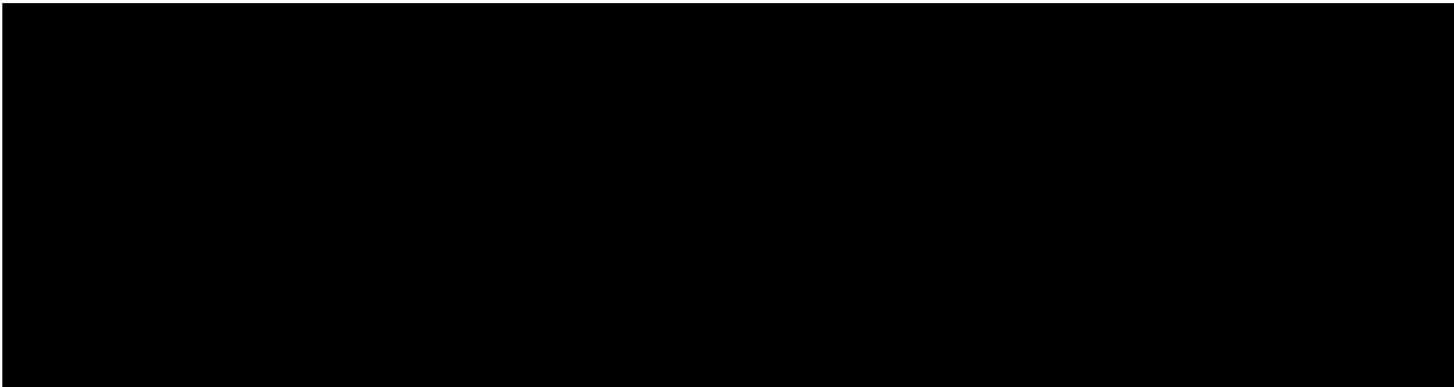




From: James Cross <James.Cross@arun.gov.uk>
Sent: 03 January 2020 13:58
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: RE: FP/185/19/PL - Mermaid and Playbox, Sea Road, Felpham, PO22 7AW

Hi Planning Responses,

Could the below email thread be uploaded onto the above application file but be retained as 'Confidential' please?

Kindest regards,

James Cross Bsc (Hons) MSc Lcgi TP. MRTPI
Senior Planning Officer
Arun District Council, Maltravers Road, Littlehampton, BN17 5LF

From: 
Sent: 03 January 2020 13:56
To: James Cross <James.Cross@arun.gov.uk>
Subject: RE: RE: FP/185/19/PL - Mermaid and Playbox, Sea Road, Felpham, PO22 7AW

James,

Thank you for your e-mail.

It would appear that all options have now been exhausted for this application, we look forward to receiving the refusal.

Kind Regards,

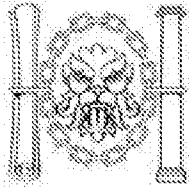
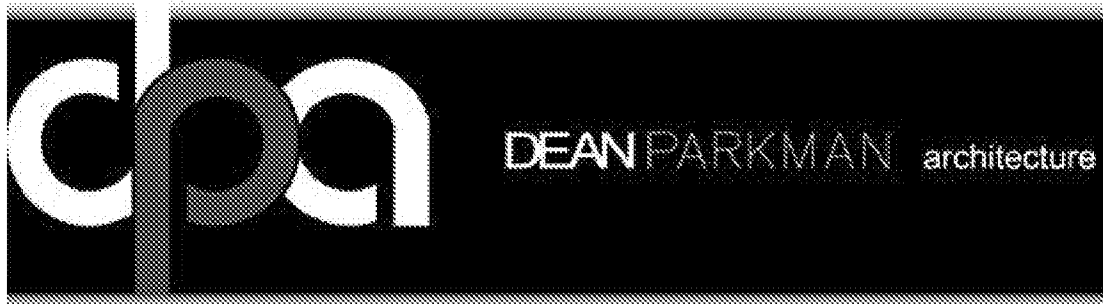
Dean Parkman BA(Hons)Arch.Tech., MCIAT, AssocRICS
Director

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However, in accordance with good practice the recipient is responsible for ensuring that it is actually virus free before opening it.

From: James Cross <james.Cross@arun.gov.uk>

Sent: 19 December 2019 10:39

To: D [REDACTED]

Subject: RE: RE: FP/185/19/PL - Mermaid and Playbox, Sea Road, Felpham, PO22 7AW

Hi Dean,

Further to my below email I'm just drafting up the delegate report in anticipation of the favourable EA comments that I anticipate will be returned mid-January 2020. In my below email I stated that you wouldn't require an Exception Test. However, having read the NPPG guidance re Flood Risk in further detail, the NPPG definition of minor development for the purposes of applying flood risk policy differs to the Development Management Procedure Order. This is also reiterated in footnote 51 of the NPPF. This disconnect is highly rare and the ramifications of this is that single residential dwellings do require both a Sequential Test. Once the Sequential Test has been satisfied we would then look to undertaking an assessment under the Exception Test and once this is satisfied, undertaking an assessment under a Site Specific Flood Risk Assessment.

In the current absence of the Sequential Test I envisage that the EA will return comments that state suitable sites within Flood Zones 1 and 2 should be explored in the first instance; and will maintain their objection.

Whilst I acknowledge that the Site Specific Flood Risk Assessment details that the development would not result in adverse impacts from flooding, the Council are unable to direct new residential development to areas at high risk of flooding without first requiring applicants to explore the delivery of housing in areas of lower risk of flooding.

Therefore, you will need to provide a Sequential Test that explores alternative sites in both Flood Zones 1 and 2, before we would be able to assess an Exception Test and Site Specific Flood Risk Assessment.

I trust this makes the Council's position clear on this matter and please do not hesitate to contact me on this email address should you require any further information in respect of this matter.

Kindest regards,

James Cross Bsc (Hons) MSc Lcgi TP. MRTPI
Senior Planning Officer
Arun District Council, Maltravers Road, Littlehampton, BN17 5LF
Email: james.cross@arun.gov.uk | DD: 01903 737784

From: James Cross
Sent: 18 December 2019 13:04
[REDACTED]
Subject: RE: FP/185/19/PL - Mermaid and Playbox, Sea Road, Felpham, PO22 7AW

Dear Dean,

Further to your previous correspondence with my colleague Richard Castro-Parker, I am writing to update you that this application has now been passed to me for determination, following Richard's end of contract with the Council. I spoke with Richard before he left regarding this application and have also discussed matters with line management. At present, there are two main issues outstanding comprising (1) Flood Risk and (2) Impacts upon Neighbouring Amenity.

(1) Flood Risk

National Planning Practice Guidance dictates (paragraph: 035 Reference ID: 7-035-20140306) that the Exception Test only need be applied following the application of the Sequential Test. Sequential Tests are only required for major developments. This development would be classified as a Minor Development under the Development Management Order and would therefore not require a Sequential or Exception Test.

I have had an opportunity to review the Site Specific Flood Risk Assessment. At the moment, I will need further information regarding how long flood waters will reside on the site in the event of a flood and where the escape routes/egress points would be for the occupants. Without this information I am unable to state that risks from flooding can be adequately managed, which I will need to do to address this matter.

I would be grateful if this could please be provided asap?

I also note that the site is detailed as being liable to flooding from Groundwater Sources under EA and Arun District Council mapping. The Council's Local Plan Strategic Flood Risk Assessment (Levels 1 and 2) notes that this designation needs to be considered with other information, for example, local and historical data. Page 40 of the SFRA advises that the designation should not be used as sole evidence for any specific flood risk management, land use planning or other decisions at any scale. However, we will need some disclaimer from yourself as the applicant to address this matter formally, which makes reference to local and historic data etc...

I would be grateful if this could please be provided asap?

Once I am in receipt of this information I will forward it onto the consultee at the Environment Agency for consideration. They are away until 07 January 2020 so no decision will be able to be issued until that point. However, I envisage they will come back according with the above.

(2) Impacts upon Neighbouring Amenity

Having reviewed the proposed development, including its proximity to the western windows of the adjacent property to the east, I would consider that the development, combined with its overall height, will result in an adverse impact upon neighbouring regarding access to sunlight and daylight and also result in an over massing and overbearing. This would result in demonstrable harm to the amenities of neighbouring occupants. Whilst the submission of a BRE sunlight/daylight study may overcome concerns to access to sunlight and daylight, this would not overcome and resolve the Council's concerns regarding the over massing and overbearing impact upon neighbouring amenity.

I discussed whether a reduction in height, scale and massing of the building would overcome concerns with our management. However, it is the proximity of built development being 1.7m at best, and 0.9m at worst, being so close to the windows of the neighbouring property, that causes these issues. A reduction in height to a single storey on the same footprint would not be able to overcome these issues as the proximity would remain the same.

On this basis, the Council would be unable to support the development in its current form.

I will await the consultation responses back from the Environment Agency after the 07 January 2020 before issuing a formal decision. However, if you wish to withdraw the application and re-submit with a revised design proposal then I am happy to action this on your behalf.

I would be grateful if you could notify me in writing, by return of this email, as to how you would like me to proceed? Please do not hesitate to contact me on the below details to discuss this matter further should you wish.

Kindest regards,

James Cross Bsc (Hons) MSc Lcgi TP. MRTPI
Senior Planning Officer
Arun District Council, Maltravers Road, Littlehampton, BN17 5LF

<http://www.arun.gov.uk>

DX 57406 Littlehampton

You can view Arun District Council's Privacy Policy from <https://www.arun.gov.uk/privacy-policy>

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