



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

Your Ref:

Our Ref: PAA/54/18/

Please ask for: Mr S Davis

01903 737874

16th October 2018

Dear

Pre-Application Advice

Demolition of 1No. dwelling & erection of 1No. dwelling.

Mow Cottage Worms Lane Felpham

I write regarding the above matter and your enquiry received on 14th March 2018.

Description Of Proposed Development

From the details submitted, I understand that you propose to build a new 1 bedroom bungalow on the site to replace that which was partially destroyed by fire in 2006. You have provided a floor plan and elevations but no details of site layout, parking or extent of gardens.

Description Of Site

The site comprises the derelict remains of the former Mow Cottage and its associated outbuildings set within open but overgrown grassland. There are a number of trees within the site including close to the derelict buildings but with the more mature specimens to the site boundaries. The land is considered to be predominantly flat. The site is bordered to the south by a 3-4m high hedge which is lower and with more gaps towards the eastern end. The eastern boundary has a post and wire fence with further hedging and trees but is more open than the southern boundary. The site is bordered by a drainage ditch which, at the time of a site visit (April 2018), was full of water. The site is accessed from Worms Lane, an unmade single width track which has a road junction with the A259 to the north east but also has footpath links to the settlement of Felpham to the south and west.

Description Of Locality

This is an edge of settlement location. There is a long established housing estate to the south but open land to the west, east and north. There is a small Council depot a short distance to the east and the adjoining land to the west is in use as a recreational 'fit farm'.

Planning Issues

I consider that there are two ways of taking this proposal forwards. Either, you could apply for a Certificate of Lawfulness with the aim of proving that the residential use of the site has not been

decmaa

abandoned and also seeking to prove the extent of residential curtilage. This would establish the principle of residential development in the countryside and the extent of the site and you could then apply for permission for a new dwelling with only matters of design etc. to consider.

Alternatively, you could simply apply for planning permission for a new dwelling. However, this would be subject to an assessment of the principle of new residential development in the countryside, of new residential development on agricultural land and of new residential development in a flood risk area. This response will now consider the merits of a planning application where the principle of development has not been established.

The following issues have been identified for consideration:

Principle;
Design;
Neighbour Amenity;
Amenity Space Provision;
Bin Storage;
Highways, Transport and Parking;
Sustainable Construction;
Flooding;
Barnham Special Consultation Area;
Protected Trees;
Biodiversity; and
Loss of Agricultural Land.

Relevant Planning History

FP/180/05/	Outline Application for residential development comprising 96 dwellings, including affordable housing, open space, structural landscaping and associated works (Departure from the Development Plan)	Refused 15-11-2005	Appeal: Dismissed 03 05 2006
FP/186/99/	Residential development comprising 90 no. 1, 2, 3 & 4 bedroom flats and houses together with access road, public open space and play areas and demolition of Mow Cottage (Departure from Development Plan).	Refused 18-08-2000	

Comment On Site History

Planning permission was refused and an appeal dismissed in May 2006 for a scheme of 96 dwellings on the land to the west of the site (FP/180/05/). The officers report written in November 2005, references that Mow Cottage was derelict at that time.

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

Arun District Local Plan 2011-2031	CSP1 DDM1 DDM2 DSP1 ECCSP1 ECCSP2 ENVDM4 ENVDM5	C SP1 Countryside D DM1 Aspects of form and design quality D DM2 Internal space standards D SP1 Design ECC SP1 Adapting to Climate Change ECC SP2 Energy and climate change mitigation ENV DM4 Protection of trees ENV DM5 Development and biodiversity
------------------------------------	--	--

decpa

ENVSP1	ENV SP1 Natural Environment
GISP1	GI SP1 Green Infrastructure and Development
HSP1	HSP1 Housing allocation the housing requirement
LANDM1	LAN DM1 Protection of landscape character
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
SDSP2	SD SP2 Built-up Area Boundary
SODM1	SO DM1 Soils
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

Felpham Neighbourhood Plan 2014 POLICY BT7	Communications infrastructure
Felpham Neighbourhood Plan 2014 POLICY ESD1	Design of new development
Felpham Neighbourhood Plan 2014 POLICY ESD2	Development in flood sensitive areas
Felpham Neighbourhood Plan 2014 POLICY ESD5	Surface water management
Felpham Neighbourhood Plan 2014 POLICY ESD8	Building design
Felpham Neighbourhood Plan 2014 POLICY ESD9	Tree protection
Felpham Neighbourhood Plan 2014 POLICY ESD10	Design details
Felpham Neighbourhood Plan 2014 POLICY ESD11	Increasing the energy efficiency of our buildings
Planning Policy Guidance	
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

Principle

THE DEVELOPMENT PLAN:

The new Arun Local Plan 2011-2031 (ALP) was adopted on the 18th July. With this new Plan in place, the Council can now demonstrate an NPPF compliant 5 year housing land supply. The application site lies outside of the defined settlement boundary as shown within the ALP and therefore falls within countryside. Policy C SP1 states that development in the countryside will only be permitted where it relates to certain criteria. The proposal does not meet any of the stated criteria and therefore would be unacceptable in principle. However, it is not considered that this should automatically result in a refusal unless there is also harm to the countryside in respect of another matter.

It is also necessary to consider the policies of the Felpham Neighbourhood Development Plan (FNDP). This was made (adopted) in July 2014 on the basis of the saved policies in the 2003 Arun District Local Plan and the draft policies in the 2014 publication version of the emerging Arun

Local Plan. The FNDP does not set a built up area boundary (BUAB) and there are no policies within the Plan specifically regarding new housing development.

Section 38 (5) of the Planning and Compulsory Purchase Act 2004, states that: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document". This makes it clear therefore that the BUAB and countryside policies within the ALP must be considered despite the lack of corresponding policy with the FNDP.

SUSTAINABILITY:

Policy SD SP1 of the ALP states that: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work pro-actively with applicants to jointly find solutions which mean that proposals can be approved wherever possible and to secure development that will contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland)."

It is considered that this is a sustainable location for residential development being as it is, adjacent to the edge of the BUAB of Felpham. Future residents can therefore take advantage of lit footpaths through the adjacent estate to access shops and services in Felpham to the south and southwest. Furthermore, there are bus stops within walking distance of the site, either on Flansham Park to the south or the A259, Flansham Lane to the west. It is therefore not considered that this site could be considered a sustainable location for new residential development.

The proposal will also result in minor social and economic benefits and as such, it is considered that the proposal is sustainable development and does therefore benefit from the presumption in favour of such development as set out in both the NPPF and policy SD SP1 of the ALP.

SUMMARY:

It is considered that your proposal would conflict with ALP policy C SP1 (but not with SD SP1). However, this conflict does not automatically mean that the proposal would be unacceptable as it would be necessary to identify additional harm arising from the countryside location.

Design

Arun Local Plan policy D DM1 requires that the Council have regard to certain aspects including:

(1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";

(2) Appearance/attractiveness - "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area";

(13) Density - "The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity"; and

(14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial

visual improvement."

Furthermore, policy D SP1 "Design" states that:

"All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development. With major developments or allocated sites in the Development Plan, in addition to a Design and Access Statement, a context appraisal, context plan and analysis of the site will also be required"

Felpham Neighbourhood Development Plan (FNDP) policies ESD1, ESD8 & ESD10 are all relevant. These set out the following:

ESD1 - "New development which would have an effect on the appearance or character of the surrounding area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to its location."

ESD8 - "The design of new buildings must reflect the design principles of their time so that the richness of varied character would continue and would be extended into the future. However, the quality of design must ensure that new buildings contribute positively to the historic character of the area. Listed Buildings and their setting, and Conservation Areas and their settings, will be conserved or enhanced to reinforce the quality and character of Felpham."

ESD10 - "The following items must be considered early in the design process and integrated into the overall scheme:

- bin stores and recycling facilities
- cycle stores
- meter boxes
- lighting
- flues and ventilation ducts
- gutters and pipes
- satellite dishes and telephone lines"

The current proposal as described by the floor plans and elevations is considered to be small in footprint & scale and would be unlikely to result in any harm to this semi-rural landscape, particularly given the existing natural screening to the boundaries and the presence of existing ruined buildings on the site which set the existing scene in visual terms.

The proposal would therefore likely be considered acceptable and in accordance with policies D DM1, D SP1 and also policies ES1 & ES8 of the FNDP.

Neighbour Amenity

Arun Local Plan policy D DM1 requires that the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance." It is also considered necessary to have regard 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

ALP policies QE SP1 is also relevant:

"The Council requires that 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, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District."

In this case, it is considered that the proposed development will be acceptable in respect of residential amenity because it is set well away from the windows of the nearest residential dwellings on the residential estate to the south. It is also noted that the site is fairly well screened with hedge and tree planting to all boundaries and that this screening could be strengthened through additional landscaping.

The proposal is therefore likely to be acceptable and in accordance with ALP policies D DM1 and QE SP1.

Amenity Space Provision

Arun Local Plan policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to replace policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until such time as this Design Guide is published, there is no policy within the Arun Local Plan regarding private gardens 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

On this basis, we currently have no size standards in respect of private gardens but would instead take a view at the time of an application (unless the Design Guide was in use at that time) as to the quality & quantity of proposed private amenity space. We will also need to be satisfied that the size of residential curtilage as applied for is consistent with the extent of curtilage associated with the former dwelling.

The proposal is likely to be acceptable and in accordance with ALP policy D DM1 subject to the new house having a decent amount of private amenity space but not in excess of what was the case for the previous dwelling.

Highways Transport And Parking

Arun Local Plan policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.

In respect of parking, it states that:

"The Council will support transport and development which: Incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

decpa

In respect of highway safety, it states that:

"The Council will support transport and development which: Explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

Policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes and also seek to contribute to the improvement of such routes & facilities.

The parking standards can be found on the following West Sussex County Council webpage: <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-application-advice-for-roads-and-transport/>

Regard should also be had to paragraph 109 of the NPPF which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

I am not able to consult with West Sussex County Council on pre-application enquiries and so I am unable to provide any comments on the highway safety aspects of the proposal. However, you can contact them yourself for pre-application advice:

http://www.westsussex.gov.uk/living/roads_and_transport/roads_and_footways/development_control_plans_and/development_control_for_roads/pre-application_advice_for_roa.aspx

I am unable to say for sure as to whether the proposal will be acceptable or not as this will depend partly on West Sussex Highways advice in respect of the use of & intensification of the junction of Worms Lane with the A259.

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 Government's 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 of high level insulation, rainwater harvesting a general minimal energy use, including Carbon Dioxide reduction.

Arun Local Plan policy ECC SP2 "Energy and Climate Change Mitigation" states that:

"All new residential and commercial development (including conversions, extensions and changes of use) will be expected to be energy efficient and to 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; and
- c. Incorporate decentralised, renewable and low carbon energy supply systems, for example small scale renewable energy systems such as solar panels.

All major developments must produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless it can be demonstrated that this is unviable. Energy efficiency measures will be taken into consideration when the total predicted energy requirements are calculated. The Council will consider 'allowable solutions' where it is clearly demonstrated that the provision of on site renewable or low carbon energy generation is unviable or not feasible."

decpa

And that:

"In assessing the achievement of these standards the Council will consider:

- * Site constraints;
- * Technical viability;
- * Financial viability; and
- * Delivery of additional benefits."

Please ensure compliance with this policy if you prepare a planning application.

Flooding

Policy W DM2 of the Arun Local Plan states that:

"Development in areas at risk from flooding, identified on the latest Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment (SFRA) , will only be permitted where all of the following criteria have been satisfied:

- a. The sequential test in accordance with the National Planning Policy Guidance has been met.
- b. A site specific Flood Risk Assessment demonstrates that the development will be safe, including access and egress, without increasing flood risk elsewhere and reduce flood risk overall.
- c. The sustainability benefits to the wider community are clearly identified.
- d. The scheme identifies adaptation and mitigation measures.
- e. Appropriate flood warning and evacuation plans are in place; and
- f. New site drainage systems are designed to take account of events which exceed the normal design standard i.e. consideration of flood flow routing and utilising temporary storage areas.

The reports prepared as part of the criteria above must take into account contingency allowances, taking climate change into account as set out in Flood Risk Assessments: climate change allowances section of the NPPG.

In locations where strategic flood defence or resilient and resistant construction measures are necessary within the site itself, proposals will be required to demonstrate how measures have been incorporated as an intrinsic part of the scheme in a manner which is compatible with the latest Strategic Flood Risk Assessment."

The relevant requirements for a Flood Risk Assessment and Sequential test documentation are dependent upon the designated flood zone that the site is located within.

FNDP policy ESD2 states that: "All developments in flood sensitive areas, including new green spaces, will be designed and constructed to reduce the level of flood risk when compared to current use."

The Environment Agency website details designated flood zones and it would appear that the site is a mix of Flood Zones 1-3 but that the majority of the former buildings lie in either Flood Zone 1 or 2.

The National Planning Policy Guidance defines residential dwellings as "More Vulnerable" development. Table 3 (paragraph 67, ID 7-067-20140306) states that such development is only acceptable within Flood Zone 3 where the Exceptions Test has been met. This test requires that the development demonstrate that it will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

I also note that you have provided your own Flood Risk Assessment. This states that the site lies within the Flood Zone 3 (high probability of flooding) and that the risk varies from medium to high. This also sets out mitigation in the form of the raising of finished floor levels and the incorporation of flood resilience measures. I am not able to seek the advice of the Environment Agency on this confidential pre-application advice request as they are an external organisation and they have their own paid for pre-application service.

The proposed development is likely to be acceptable subject to the Exceptions Test being met and subject to the support of the Environment Agency.

Barnham Special Consultation Area

Due to specific flooding problems during the winter of 1993/94 in the Barnham area, a Barnham Rife Catchment Area was defined. Special development control consultation procedures with Southern Water services and the Environment Agency apply to this area. Recently there have been significant pollution problems associated with an inadequate foul sewer network which is unable to cope especially in times of high rainfall. In light of this, the Environment Agency is advising that proposals for new development should be resisted because they are likely to increase the pollution risk to local watercourses.

Part 3 of Arun Local Plan policy W DM1 is relevant. It states that:

"Major development within this area must also be accompanied by a full Drainage Impact Assessment which must take account of surface water disposal and foul water disposal. Although minor developments are unlikely to raise significant flood risk due to the cumulative impact all development within this area must also be accompanied by a Drainage Impact Assessment that must take account of both the individual and cumulative impact upon foul water disposal; flood storage capacity and surface water drainage or flood flows within the Lidsey Wastewater Treatment Works Catchment Area.

Where surface water and foul water drainage systems are approved as part of the consideration of a planning application, conditions may be imposed upon the permission relating to dates for implementation or other detailed technical requirements. In order to discharge conditions, the developer will be required to submit a statement from a suitably qualified and experienced engineer that the measures have been adequately and satisfactorily implemented."

Please also have regard to the relevant drainage policies namely Arun Local Plan policy W DM3 and FNDP policy ESD5.

The Council's Drainage Engineers have made the following comments:

"A sustainable drainage system must be employed for the new development. The design should follow the hierarchy of preference for different types of surface water drainage systems as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. The first option in this respect is to investigate the discharge of surface water to ground via infiltration.

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

decpa

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. Supplementary guidance notes are available. The development must not cause any detriment to culverted or open watercourses. Any proposals to alter or culvert this will require ordinary watercourse consent. And a minimum of 3m easement to watercourses will be required to enable future maintenance of the watercourse."

The proposal is likely to be acceptable provided that a Surface Water Drainage Statement (incorporating a Lidsey Foul Water Treatment Catchment Area Statement) is provided.

Protected Trees

Planning policies and the National Planning Policy Framework seek to protect the environment and avoid damage to protected trees. BS 5837:2012 "Trees in Relation to Construction - Recommendations" sets out appropriate standards.

Policy ENV DM4 of the Arun Local Plan 2011-2031 states that "Development will be permitted where it can be demonstrated that trees protected by a Tree Preservation Order(s), (TPO) identified as Ancient Woodland, in a Conservation Area or contributing to local amenity, will not be damaged or destroyed now and as they reach maturity, unless development:

- a. Would result in the removal of one or more trees in the interests of good arboricultural practice. This shall be demonstrated by the developer following the advice of a suitably qualified person which shall be guided by BS 5837 (2012). Details of any advice received having regard to BS 5837 (2012) shall be submitted, in writing, as part of a planning application; or
- b. Would enhance the survival and growth prospects of other protected trees;
- c. The benefits of the proposed development in a particular location outweigh the loss of trees or woodland, especially ancient woodland."

FNDP policy ESD9 states that: "Development that damages or results in the loss of ancient trees or trees of arboricultural and amenity value will not be permitted. Development proposals must be designed to retain ancient trees or trees of good arboricultural and amenity value. Proposals should be accompanied by a tree survey that establishes the health and longevity of any affected trees and a management plan to demonstrate how they will be so maintained."

The Councils Arboricultural Officer has provided the following advice:

"There are significant trees both on and off this site which might be adversely affected by the proposals. No arboricultural information has been submitted with the application - a requirement of BS5837:2012. As such, were this application to now proceed, we will not have sufficient information to guarantee such trees would be adequately respected and protected. There is insufficient information submitted on which to base a decision and guarantee that both on and off site trees will be adequately respected and protected.

(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 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 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.

decpa

(3) As things stand I will have to lodge an OBJECTION to these proposals."

The proposal is likely to be acceptable provided that the application is accompanied by an Arboricultural Implications Assessment (AIA), also comprising of a Tree Survey Schedule, a Root Protection Area (RPA) Schedule and a Tree Constraints Plan.

Biodiversity

Arun Local Plan policy ENV DM5 states that:

"Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not). Development schemes shall also be appropriately designed to facilitate the emergence of new habitats through the creation of links between habitat areas and open spaces. Together, these provide a network of green spaces which serve to reconnect isolated sites and facilitate species movement.

Where there is evidence of a protected species on a proposed development site, planning applications shall include a detailed survey of the subject species, with details of measures to be incorporated into the development scheme to avoid loss of the species. This involves consideration of any impacts that will affect the species directly or indirectly, whether within the application site or in an area outside of the site, which may be indirectly affected by the proposals. All surveys shall be carried out at an appropriate time of year and shall be undertaken by a qualified and, where appropriate, suitably licensed person.

All developments shall have regard to Natural England's standing advice for protected species."

Given the open green nature of the site, the presence of further open fields in the surrounding area, the trees/hedges & ditches on the boundaries, the presence of derelict buildings suitable for bats on the site, I consider that the site should be surveyed to check for signs of wildlife and their habitats. A Phase 1 Habitat Survey Report should therefore accompany any future planning application. Should the results of this identify the need for further survey work, then these should be completed prior to submission of the application. All ecological surveys need to be undertaken by a suitably qualified ecologist and at the right time of year and for the right duration.

Loss Of Agricultural Land

The presence of best and most versatile land (defined as land in grades 1,2 and 3a of the Agricultural Land Classification), should be taken into account alongside other sustainability considerations when determining planning applications.

I have used Defra's Magic mapping tool to assess the likely soil quality. This is not exact due to the scale of the mapping but it does suggest that the land is likely to fall within grades 1-2.

Policy SO DM1 of the Arun Local Plan states that:

"Unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term.

The requirement to protect the best and most versatile land can be outweighed if it is demonstrated through sustainability and options appraisals that:

a. Preservation of land of lower agricultural quality has greater benefits in terms of ecosystem

decmaa

services (for example carbon storage, flood water retention, support of biodiversity);

b. That any site preferred for development is demonstrated to be the best and most sustainable option, including but not limited to the terms of land quality, ecosystem services, infrastructure and proven need; and

c. The proposed development meets the requirements of the countryside policy and/or equine development policy.

Where development is permitted it should, as far as possible, use the lowest grade of land suitable for that development. Development will not be permitted unless:

d. The applicant has submitted sustainability and options appraisals, mitigation measures, and a soil resources plan for the development site;

e. Site appraisal documents submitted by the applicant must demonstrate that consideration has been given to DEFRA's Soil Strategy for England;

f. The productivity of the land is demonstrated using a methodology for assessing gross margins as contained in the Arun Soils and Agricultural Land Assessment Report; and

g. The applicant has submitted a comprehensive soil resources plan for the development site which demonstrates that care will be taken to preserve the soil resource, such that it can be incorporated into a Productive Green Environment following development."

I consider that your proposal may conflict with the Arun Local Plan in respect of the loss of high quality soils but only if the new house was sited in an area of the site not previously developed.

Other Considerations

SPACE STANDARDS

Please note that policy D DM2 of the Arun Local Plan 2011-2031 states that:

"The planning authority will require internal spaces to be an appropriate size (having regard to the exceptions that may apply as referred to in paragraph 13.3.4) to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance."

We have been using these standards for some time for development management purposes and these have been subject to testing on appeal. Our position in respect of these has now been strengthened by the adoption of the new Local Plan.

Please ensure that any new dwellings are designed to meet the relevant space standards. For your information, a one bedroom, two person bungalow would require as gross internal floor area of 50 square metres.

Bin Storage

For all new residential development including flat conversions, the applicant must show bin storage/collection provision as follows:-

Each unit should be provided with the equivalent of 240 litres of residual waste storage/bins. For flats, the communal/bulk bins can be used on the basis of 240 litres of residual waste storage/bin per flat. 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.

Where bin stores are adjacent to the access road serving the development or across a parking area there will need to be a road up to full highway standards and an indemnity provided for the

decpa

Council's contractors to pass across servicing. The access of this type provided must be accessible/passable for collection schedules i.e. no parking or other obstruction.

The maximum pulling distances allowed under Health and Safety legislation are 10 metres 1100 litre bins and 50 meters for 240 litre bins.

It is recommended that if any communal provision is located near or adjacent to the highway, it will be suitably enclosed and landscaped so that the maximum pulling distances and vehicle access requirements are complied with.

You may also need to show a bin collection point at or near the highway boundary as it is unlikely that collections will be made from within the new dwelling.

Please also note that policy WM DM1 of the Arun Local Plan states that:

"New residential development, will be permitted provided that:

- a. It is designed to ensure that kerbside collection is possible for municipal waste vehicles
- b. Where appropriate, communal recycling bins and safe bin storage areas are available to residents of flats."

The proposal is likely to be acceptable subject to compliance with the above.

Conclusion

Based on the above comments, I conclude that were an application for planning permission to be submitted it would likely be considered to conflict with countryside policy in respect of new residential development and may also be in conflict with policy designed to safeguard agricultural land. However, it is not considered that the proposal would also result in any harm to the character of the area and therefore, subject to their being no Highways or Environment Agency objection, it is likely that the development could be supported. You will also need to prove that the extent of residential curtilage is in accordance with the historical situation and you may wish to do this first through a certificate of Lawfulness application which could also be used to establish the principle of residential development in the countryside.

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.

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;
Correct Fee;
Location Plan (1:1250);
Site / Block Plan (1:500);
Elevations (Existing and Proposed);

decpa

Floor Plans (Existing and Proposed); and
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 through the Local Validation Requirements List, I would suggest that the following additional documents will be required:

Biodiversity Survey and Report;
Land Contamination Assessment;
Flood Risk Assessment;
Foul and Surface Water Drainage Statement;
Bin Storage and Collection Provision;
Tree Survey and Arboricultural Report; and
Lidsey Foul Water Treatment Catchment Area Statement and possible Environmental Assessment.

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 consenting. 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 sincerely



Neil Crowther
Group Head of Planning