

"Wood End", Peak Lane
Kingston Gorse
East Preston
Littlehampton
BN16 1RN

FAO ~~Kathryn Welch~~ *MR A WOOD*
Development Control, Arun District Council
Arun Civic Centre, Matthevans Road
Littlehampton, West Sussex
BN17 5LF

3rd June 2022

Dear Sir / Madam

RE: K/19/22/MH | Location: Flint Barn Peak Lane Kingston BN16 1RN | "Conversion of Hobby Room to Self-Contained annexe with alterations to fenestration"

We write to object strongly to the above application at Flint Barn on a number of grounds.

Being immediately adjacent to Flint Barn we have been subjected to 10 applications now in 2 years by the applicant since they moved into the property. We feel this is very much tantamount to "harassment" by planning application and is beginning to take its toll on us.

It could be argued the applicant has undertaken a deliberately bewildering campaign of applications, in order to effectively disguise this one amongst them, which is effectively for a new dwelling. Part of this orchestrated campaign may have been using baffling, long-winded descriptions which all have to be changed, a constant flow of NMAs to amend the applications which are approved and an attempted shortcut via a Certificate of Lawful Development to obtain permission for the garage to a dwelling previously.

Now, after an already exhaustive onslaught, a full planning application has finally been submitted for the conversion of the garage (hobby room) to a dwelling.

The first thing that stands out is the absolute lack of detail, lack of information and lack of ambition present for such an application as well as the scarcity and poor quality of that information which is provided.

Description

Whilst we understand the original description by the applicant was too long to be validated by ADC, it still stands as the current description online and on the validation letter, despite the applicant consenting to changing the long description to the agreed shorter description. We wish to question which is the current valid description of the application?

If it is the shorter version then whilst the brevity is appreciated and understood, it is an apparent oxymoron and would appear to require further amendment. There would appear to be no such thing as a "self-contained annexe". An "annexe", by its very definition, implies an ancillary or an additive relationship to another building. It cannot ostensibly be a self-sufficient thing, it (normally) relies on something else to sustain it.

The original description, if lost, contained details which the applicant had stipulated such as limits of its time for the intended use and explaining its ancillary relationship to the main house. These details and limitations have not been replicated elsewhere in the application, resulting in a more onerous, open to interpretation description, another reason we feel it needs further clarification. Is an application for a self-contained annexe in fact an application for a new dwelling? If so, we would implore you to then treat this application as such.

Requirements for a New Dwelling

We have already evidenced a new separate service trench being installed to the garage ~~footprint~~ ¹⁹ which is a very clear indication this will not be an annexe, as described, but rather a self-contained, as described, aka separate dwelling. Additionally, further work has been undertaken in advance of obtaining permission, including installing an extractor fan, taking out a window and installing a new lintel for the door and screen to the west elevation.

As a new dwelling we would expect and trust that the application would be assessed in terms of key criteria for:

- **Design** (See Attached Report "Material Planning Considerations" Section A Parts 4.1, 5.1, 6.1, 7.1, 13.1, 19.1, Section C Parts 1.1, 2.1, 3.1, 4.1, Section D Parts 8.1, 9.1)
- **National Space Standards** (See Attached Report Section A Parts 8.1, 9.1 & 10.1, 18.1)
 - ADC has adopted National Guidance, which for a 1-bedroom 2-person dwelling, as proposed, states 50m², or minimally, for a 1-bedroom 1-person dwelling, 39m²
 - The accommodation proposed shows a gross internal area of approx. 29m², so well the short of the adopted National standard.
 - There is no details in the application of any external amenity spaces
- **Environmental/Water Saving Standards** (See Attached Report Section A Parts 11.1, Section C Parts 5.1, 6.1, Section D Parts 7.1)
- **Parking** (See Attached Report Section B, Section D Parts 11.1, 12.1)
 - Arun District Council Parking Standards Supplementary Planning Document shows a requirement for 2 parking spaces plus electric vehicle charging
- **Noise + Light Pollution** (See Attached Report Section A Parts 7.1 (ii), 13.1, 14.1, 15.1, 16.1, Section C Parts 1.1 (iii), 3.1)
- **Privacy** (Section C Parts 1.1 (i))
- **Flooding** (Section D Parts 3.1)
 - Whilst in Flood Zone 1, in the Kingston Parish Neighbourhood Plan, just over three-quarters of respondents (78.6%) identified that they were concerned about flooding and coastal erosion in Kingston Parish both now and in the future.
 - In the Arun Design Guide SPD, on p.104, "make sure the scheme demonstrates ability to cope with rising temperatures as for a projected climate change scenario as per UKCP 2018, applied to modelling outlined in K.06."

Relevant Local Policy

We understand all planning policy is concerned with promoting sustainable development, albeit balanced by the principles set out in the Special Planning Document (SPD) Arun Design Guide or by the "Statement of Vision and Intent" in the Kingston Parish Neighbourhood Plan (KPNP), adopted policy, which enshrines "Retain its distinctive local character and its surrounding countryside and views, with limited new development to meet its needs" as its primary principle.

"A neighbourhood plan attains the same legal status as a local plan (and other documents that form part of the statutory development plan) once it has been approved at a referendum. At this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (see section 38(6) of the Planning and Compulsory Purchase Act 2004)."

The Kingston Parish Neighbourhood Plan became legal planning policy by referendum on 28th January 2015.

The Built-Up Area Boundary

In the KPNP, the proposed application site is identified/located as being outside the "Built-Up Area Boundary" (See Attached Report Section 2, Parts 13.1, 1.1, 2.1, 3.1, 4.1, 5.1, 10.1)

As the proposal lies outside the Built-Up Area Boundary and in accordance with the KPNP 6(iii) "to safeguard the countryside against unnecessary development, thus preserving the setting of existing settlements" we strongly feel this type of application should be subjected to a higher level of scrutiny.

Scrutiny of Applications outside the Built-Up Area Boundary

We suggest an application, such as that proposed, for development outside the Built-Up Area Boundary, should be called to Planning Committee for further discussion given its potential impact on a multitude of local issues and as a minimum meet the standard and requirements of the adopted planning policy as outlined in the attached report.

A Key intention in the Kingston Parish Neighbourhood Plan is "that any development, building or landscape redesign within the designated Gap Between Settlements should not be detrimental to the districts character, sense of place, views to and from the coast, and tranquillity, or endanger the biodiversity within the gap between the coast and the South Downs National Park." (KPNP p.19)

Furthermore, in the KPNP 84.3% of respondents supported policies preventing 'back garden' development that creates an additional property. (KPNP p.12)

Likely Use of Proposal and its fundamental impact on our amenity currently enjoyed

Whilst the description mentions "hobby room" as the existing condition, we would suggest politely the building still appears fundamentally from the outside as a "garage" and therefore the following are concerns as walls may not be insulated etc:

- Noise pollution
- Smells
- Heat Loss
- Light pollution

A likely possibility, given its proximity to the coast (approx. 150m), is that this "dwelling" will be used as a holiday let for much of the year. We feel that the absolute lack of detail in the application and further to the omission of detail from the description, has created a great deal of ambiguity with relationship to this planning application, and as an immediate neighbour that worries us immensely.

Tranquillity was identified as a key aspect of life in the Kingston Parish by the KPNP (p.06), which along with the Local Plan are the key documents by which we understand all planning applications in the Parish should be assessed.

Proximity of Impact

The garage (hobby room) proposed for conversion is immediately adjacent our property and could result in an ever-changing roster of holidaymakers / revellers all partying literally right next to our small peaceful garden and 6.9m from our living space. This would cause nuisance through:

- Noise e.g. shouting, partying, talking late into the night onto the terrace
- Playing music on the terrace
- Smells e.g. constant barbecuing in the summer months, and cooking smells from the extractor which has already been installed.
- Loss of privacy from sheer proximity – the garage wall is 5cm from our boundary and possibly only single skin construction.

Any nuisance caused by the change of use of the garage and its terrace will be closer to our garden and patio than to the applicant's and therefore impact more on us than it will on the applicant themselves, whose living spaces and terraces are to the south of the property and the opposite side of the main dwelling.

Worsening of Loss of Amenity already suffered

Already we have been subject to continual building work and builders playing radio on and off for approximately 2 years while various works are carried out next door and including works to the garage/hobby room.

This has already impacted on our amenity and our enjoyment of our garden, but the application as proposed would take this to a whole new level, causing a fundamental loss of amenity for us as retirees who spend much time in our garden.

In addition to the loss of amenity caused by a potential holiday let, it would also cause increased traffic over a private road (Peak Lane, see attached Report Section 8 Parts 11.1, 12.1) in turn causing potentially excessive extra use of this road and extra maintenance, the cost of which would be unfairly borne by the other residents of Peak Lane.

We have already had construction lorries for approximately 2 years already up and down the Lane to service the applicants constant building works and the effects and after-effects of this e.g. rubbish left, skips, increased traffic and noise, previous infringement of BOAT.

Car Use in Peak Lane and the Parish of Kingston

The site is not accessible by public transport and its relatively rural location would mean that users of the annexe would in all likelihood, require or be using at least one car. In the Kingston Parish Neighbourhood Plan, the vast majority of respondents (99.1%) identified the car (owner/driver) as their mode of transport (KPNP p.12)

As the garage has been removed and no parking provision is stipulated or details provided, how can we be sure this will not create a problem with on street parking on Peak Lane, which is narrow and only one car width wide? (See Attached Report Section 8, Section 9 Parts 11.1, 12.1). Again, no details are provided. As a Byway the public have a right of access over Peak Lane using certain methods of transport, but critically excluding powered motor vehicles.

Ambiguity of Current Proposal

Whilst professing to be a self-contained annex and the ambiguity that creates, whilst not professing to be a new dwelling, with the positive benefits that may or may not bring in terms of the general housing shortage, it should be surmised that ultimately the chief benefit arising from this application lies with the applicant themselves, be it as an annexe for some relatives or family member, or as a space that can be let for the benefit of the applicant to all and sundry.

Lack of ambition for the proposal and the area it directly affects | | Insufficient Detail to Demonstrate Compliance With Planning Policy

Whilst we would fully expect that applicant would perhaps receive chief benefit from the planning application, what we are concerned about is that the proposal, through its lack of design considerations and contraventions of so many ADC policies, along with the threat of real harm to our amenity that it poses, is not being scrutinised properly and has provided insufficient information to be judged in accordance with or to demonstrate any level of compliance with, Local, National and Neighbourhood Planning policy (as outlined more fully in the attached report "Material Planning Considerations")

Real Threat of Harm to our property

This is the essence of our objection and the very real irreparable damage to our current amenity enjoyed in our garden it threatens, which is something we enjoy very much and cherish dearly in our retirement.

We therefore respectfully request that you refuse the application based on the complete inadequacies and inaccuracies contained within it and the evidence provided herein our letter and attached report.

Our sincere thanks in appreciation of your time,

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Mr & Mrs K Buckenham

"Wood End", Peak Lane

REPORT - SUMMARY OF THE MATERIAL PLANNING CONSIDERATIONS

RE: K/19/22/HH

This document is comprised of 4 no. sections:

- A. Arun District Local Plan (July 2018)
- B. Arun District Council Parking Standards SPD (January 2020)
- C. Arun Design Guide SPD (January 2021)
- D. Kingston Parish Neighbourhood Plan (November 2014)

Whilst the Local Plan (A) and Neighbourhood Plan (D) may be the key policy documents in determining the application the Arun Design Guide (C) provides a wealth of useful information in helping to determine the success of residential applications and (D) is also adopted policy as an SPD.

The type of text used in the following report e.g. *Italic* **Bold** *Bold Italic* Or Highlighted is explained at the beginning of each section.

Report prepared by:

Mr and Mrs K Buckenham, of

"Wood End", Peak Lane, Kingston Gorse, East Preston, Littlehampton. BN16 1RN.

3rd June 2022

TO BE READ IN CONJUNCTION WITH OBJECTION LETTER

A. ARUN DISTRICT LOCAL PLAN (July 2018)

- **Key Policy in Bold Italics**
- *Arun District Local Plan Detail Points in Italics*
- **Comments in Bold**
- *Key Information Highlighted*

1.1 Providing a high quality and sustainable visitor economy

- 3.44 Arun is an established visitor destination and its visitor economy is a major asset to the District. However, much of Arun's visitor market is seasonal and the amount of money spent by visitors to the District is relatively low. Arun needs to respond to changing visitor demands and look to increase visitor spending. There is a recognised need to diversify Arun's tourism product by providing more and better quality facilities, targeting specific niche markets, providing better marketing, and increasing the proportion of staying visitors.
 - **If this to be a holiday let / Air BnB type property the proposed drawings reveal a low grade quality conversion with no design aspiration and not meeting minimum space standards.**
- 4.5 New development will have been successfully integrated within the District, creating attractive places to live, whilst protecting and enhancing the character of Arun's environment. By providing market and affordable homes, a wider range of local jobs, improved transport and community facilities, new development will have helped to improve the quality of life for Arun's residents and assisted economic and social regeneration, particularly in the coastal towns.
 - **In the contrary to the above this proposal will not create an attractive place to live as currently shown. No architect or professional designer appears to have been employed.**
- 4.7 Arun will play host to a successful and vibrant business economy, providing a wider range of better quality jobs, supported by a better trained and more skilled local workforce. The District will support a better quality, year round visitor economy and Arun will be viewed as a first class visitor destination.
 - **The proposal will not contribute towards this and may detriment it.**
- 4.10 The special qualities of the District's natural, built and historic environment which make up Arun's towns, villages, coast and countryside will have been protected and enhanced, whilst at the same time seeking to address the social and economic issues faced by people living in rural areas.
 - **Whilst admittedly a small proposal, the application makes no attempt to address any issues, least of all how to mitigate its impact on its neighbours.**

2.1 13.1.1 The importance of good design in securing high quality development has been recognised by Central Government. Great importance is given to having a holistic approach to good planning and good design being integral to our quality of life.

- 13.1.6 Proposals should seek to provide a clear and coherent design framework that incorporates the policy objectives.
 - **The proposal lacks any clear and coherent design framework or aspiration to one.**
- 13.1.7 The Council requires all applications to have regard to statutory planning and design requirements, the emerging Arun District Council Design Guide, relevant Village Design Statement³ (where applicable) and any other guidance documents which may be published or referenced by the Council on site specific proposals.

³ Read: "Neighbourhood Plan" / Kingston Parish Neighbourhood Plan

- The proposal shows now evidence of having paid any attention to the statutory planning and design requirements of the Arun District Council Design Guide or the Kingston Parish Neighbourhood Plan.

3.1 Policy D SP1

• Design

- 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.*

4.1 13.2 Aspects of form & design quality

- 13.2.1 Arun District is a diverse area rich in architecture of every period and style. As a result of this complex mixture, expectations for quality in design is therefore paramount to achieve a better built environment in the future.*
 - **The proposal exhibits zero aspiration towards quality in design**
- 13.2.2 The successful introduction of new buildings into established townscapes and landscapes relies on the use of materials, high standards of workmanship, detailing and limits on scale and massing ensuring that 'new' buildings are harmonious with their surroundings.*
 - **Whilst not a new building per se, does not converting a garage to a "dwelling", rely also on use of the above ensure that 'new' buildings are harmonious with their surroundings?**
- 13.2.3 Proposals for new buildings will be expected to demonstrate: a creative design solution specific to the site; attention to quality of materials, methods of construction, finishes and details; visual interest when viewed as a whole and in detail; attention to proportions, massing, form and scale; and integration between the different parts of the building to create a coherent whole.*
 - **Does this not also apply to a conversion of a garage to a place where ultimately someone will be living?**

5.1 Design quality

- 13.2.4 Design quality in the built environment contributes to the successful delivery of sustainable development, shaping how buildings, streets, spaces and places function, look and feel. New development has the potential to enhance or even transform the quality of life for people who work, live or visit an area. The more effective the design quality of buildings and places, the more likely they will be cherished, valued and maintained by those who use them, ensuring development is enjoyed and shared by future generations to come.*
 - **Likewise, as above, who will long term cherish low grade conversions, are they fit for living, will they cause harm to the intrinsic character and beauty of the environment if they are allowed to be converted with low quality materials and an absence of high quality design and integration of local features and carefully defined external spaces and adequate provisions for parking and storage. These are the ultimate test of whether new homes contribute positively to the built environment and whether owners/ and or possibly tenants will cherish them.**
- 13.2.5 Arun District Council expects a high standard of design in all planning applications. To achieve this, applicants shall ensure that:*
 - A comprehensive design process has been carried out including:*

- I. a site and context appraisal and assessment of relevant policies;
 - II. involvement with the local authority and local community;
 - III. evaluation of collected information; and
 - IV. the design of the development scheme based on assessment, involvement, and evaluation of information collected;
- The proposal shows no evidence of a context appraisal, which would have picked up the proximity of our property and garden and responded to it – perhaps? There has been no community involvement to speak of. The design is not based on assessment or evaluation of information collected.

6.1 Innovation

- i. 13.2.13 Innovation can be incorporated into development schemes via building construction methods, building materials, and the use of new technologies (eg. solar panels and electric car re-charge outlets). Innovation is an important design element as it raises the standard of a development scheme by enhancing its performance, quality and aesthetics, resulting in its desirability, longevity and status. Innovation does not have to be limited to one-off developments or modern districts of cities, by utilising sensitive and intelligent design new and old can co-exist without disguising one as the other.
- There is no evidence of any innovation at any level in this proposal. It is inherently a lowest common denominator scheme that will impact negatively on the area.

7.1 POLICY D DM1

- 2. Appearance/attractiveness
 - i. Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area.
 - The application does not demonstrate the above
- 3. Impact
 - ii. 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
 - The application will impact negatively on users and occupiers of nearby property and land and cause unacceptable noise and disturbance.

8.1 Policy D DM2

- Internal space standards
 - i. 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.
 - ii. Nationally Described Space Standards will provide guidance.

9.1 13.3 Internal space standards

- Internal space standards
 - i. 13.3.1 Low space standards lead to dissatisfaction and reduced quality of life for residents. Arun District Council requires accommodation to be tailored to numbers and characteristics of expected residents. Internal space standards need to be met in order to achieve a satisfactory environment for both residential and non-residential developments but primarily for housing purposes. Reasonable standards need to be maintained because people must have room to settle satisfactorily into what is likely to be their long-term home.

- ii. 13.3.2 There is increasing evidence that the internal space and storage within new housing is inadequate to meet the requirements of occupants and their changing needs. In response to this several minimum space standards have surfaced over the years by individual planning authorities to guide the design of new dwellings.
 - iii. 13.3.3 The Government has Nationally Described Standards to replace the many different existing space standards used by Local Authorities
 - iv. 13.3.4 There might be occasions where development schemes cannot comply with all the space standards required (such as the conversion of an existing building, or where compliance with the standards may harm the historic character of a building). Arun District Council will consider these on a case-by-case basis.
- This garage is to be a "self-contained" annexe / separate dwellinghouse. Ultimately this is what this application may become immediately or at some point further down the line. Therefore:
 - a) National guidance states for 1b2p 50m², 1b1p 39m².
 - b) The application has a gross internal area of 29m and is 1b and could accommodate 2 people in the proposed bedroom, plus possibly more in the living space if it was a holiday let.
- 10.1 External Space Standards
 - i. 13.3.5 The Council will prepare a detailed Design Guide which will include guidance on external space standards. Planning applications will be expected to have regard to these when submitting proposals for development to include adequate provision of private external space.
- No details of the external space for the dwelling have been provided. This is a concern in terms of minimum standards as well as being able to consider the full extent and implications of the application.
- 11.1 Energy efficiency
 - i. 13.5.7 The Council will support proposals which contribute to both mitigating and adapting to climate change and to meeting the national targets to reduce carbon emissions.
- 12.1 21.1 Quality of the environment
 - i. Arun's Local Plan strategic objective for the Quality of the Environment is to: "Promote strong, well integrated and cohesive communities, through the promotion of healthy lifestyles, provision of good quality accessible community facilities and a safe environment, which delivers an enhanced quality of life to all. This includes meeting the needs of a growing elderly population."
- 13.1 Policy QE SP1
 - Quality of the environment
 - i. 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.
- 14.1 21.2 Noise pollution
 - i. 21.2.1 It is recognised that noise exposure can impact upon quality of life and give rise to adverse health effects. The Noise Policy Statement for England(73) (NPSE) seeks, where possible, to positively improve health and quality of life through the pro-active management of noise.
- The use of proposal as a holiday let would create unacceptable levels of noise pollution in very close proximity to other dwellings.
 - ii. 21.2.11 In most cases, proposed noise generating development will need to be accompanied by a Noise Report unless the proposal requires an

Environmental Impact Assessment, in which case, the impact of noise will be considered in the Environmental Statement. Developers should seek advice at an early stage to ascertain whether a Noise Report is required.

15.1 Policy QE DM1

• Noise:

- i. District tranquillity maintained/improved. Resident and businesses protected from negative impacts of new development.*
 - The proposal would negatively impact the District tranquillity for other residents and those enjoying walking on the adjacent field.

16.1 Policy QE DM2

• Light pollution:

- i. District tranquillity maintained/improved. Resident and businesses protected from negative impacts of new development. Dark skies protected in Arun District and SDNP*
 - Without relevant scrutiny and measures in place in the design, the proposal may negatively impact on Light Pollution in the Area, not just contributing to deterioration of Dark Skies, but also as potential nuisance for other nearby residents.

17.1 D SP1

• To deliver:

- i. Inclusive Places, Attractive Places and Buildings, Legible Places, Original and Innovative Design*
- ii. Locally distinctive sustainable development*
 - The proposal does not propose anything locally distinctive, original, attractive or innovative.

18.1 D DM2

• Adequate internal space and storage

- The proposal, as it stands, does not conform with adopted Internal Space Standards and does not show storage provision.

19.1 D DM4

• To deliver:

- i. Attractive As for D SP1 Places and Buildings*

8. ARUN DISTRICT COUNCIL PARKING STANDARDS SUPPLEMENTARY PLANNING DOCUMENT (January 2020)

- *Arun District Council Parking Standards SPD Policies in Italics*
- **Comments in Bold**

1.1 Electric Vehicle Charging

- 2.5 The WSCC GPND approach to Electric Vehicle Space Allocations differs to that set out in the ADC Vehicle Infrastructure Study. In particular, the WSCC GPND requires that a % of parking spaces on a new development must provide active Electric Vehicle (EV) charging facilities. This percentage increases annually until 2030 when 70% of spaces on a site should have EV charging facilities.*
- 2.6 However, the ADC Electric Vehicle Infrastructure Study (November 2017) requires that all houses with a garage and a driveway must have a charging point but that for new flatted and all other types of development, provision should be made for dedicated EV charging bays in 2% of the parking spaces provided.*
- 2.8 The proposed standards will mean that all new houses with a driveway or garage will be required to provide active EV charging points (in accordance with current ADC Vehicle Infrastructure Study (2017)).*

2.1 3. Residential Parking Guidance

- 3.1 The values of parking demand presented in Table 3.1 will be used as expected levels of demand for the design and master planning of new residential developments. These include provision of EV spaces as set out in Principle 3. As part of the Design & Access Statement applicants will be expected to schedule the parking provision, detailing the number of allocated and unallocated spaces including garages and electric vehicle charging spaces (active and passive). The Design & Access Statement should explain how the provision of parking will meet the needs of the development including how these needs are expected to change in the future.*
- **Table 3.1 shows a requirement of 2 parking spaces for a new dwelling in Parking Behaviour Zone (PBZ) 2**

C. ARUN DESIGN GUIDE SPD (January 2021)

- Arun Design Guide General in Italics
- Key Information Highlighted
- Comments in Bold

1.1 Welcoming Streets & Spaces

i. H.04 Residential Outdoor Amenity & External Space Standards

- a) All development should provide residents with access to outdoor amenity space: • Private residential amenity spaces are the enclosed area within a curtilage from which the public is excluded. Privacy should be ensured by using the 25-degree and 45-degree rules explained in Section G.03 in order to minimise overlooking
- b) Amenity spaces should be of an appropriate size and shape to be usable and enjoyable. Private rear gardens should have a minimum depth of 10.5 metres, and balconies a minimum of 3sqm of usable space clear from door swings and be able to accommodate a table, chairs and space for planting. Other innovative design solutions to smaller private rear gardens may also be acceptable in specific circumstances (especially when communal gardens are provided), when justified.

- No details of The above have been provided by the applicant

ii. J.02 Scale & Massing

- a) Privacy Measures The following design measures should be considered where possible in order to ensure the privacy of residents, according to the separation distances between habitable rooms of neighbouring buildings: •

- I. Building separation distances between habitable rooms are 21m or above - No additional measures are needed to achieve a reasonable level of privacy. •

- II. Building separation distances between habitable rooms are between 16-20m – Design initiatives such as offsetting windows and landscape screening should be used. •

- III. Building separation distances between habitable rooms are 15m or less – Multiple design initiatives will likely be necessary, such as staggered façades, recessed balconies, mature landscaping and louvres on windows. Further details on building separation distances are provided in section H.04. In addition, the scale and massing of all new housing should follow the 45-degree and 60-degree rules: minimising overshadowing and maximising privacy by keeping single-storey elements of neighbouring buildings within a 45-degree line and two-storey and higher elements within a 60-degree line taken from the edge of the nearest ground and first floor windows of habitable rooms in the neighbouring property.

- The distance between the proposal and our living space is 6.9m and therefore the proposal does not comply with the appropriate adopted Building Separation distances.

iii. J.06 Noise & Overshadowing

- a) All development, but particularly residential uses, should ensure that amenity is not compromised by unacceptable noise or overshadowing. Noise pollution from external sources such as railway lines and busy roads can be a particular source of frustration at night, but can be mitigated through design solutions such as the placement of habitable rooms at the rear of buildings; introduction of garages and

walls between noise sources and dwellings; features such as recessed balconies and acoustic lobbies; or use of noise-absorbing materials. Noisy external activities such as play areas should be located in close enough proximity to dwellings to be safe and usable but far enough away to avoid noise disturbance.

- The proposal compromises amenity of neighbours, residential uses, by potential for unacceptable noise. The proposal also intimates, without detailing, an external terrace space, with potential noisy external activities, immediately adjacent our garden where currently as residents we enjoy our maximum amenity as retired garden lovers.

2.1 Arun District is lucky to enjoy more sunny days than the national average. Care should be taken to maximise sunlight and daylight within habitable rooms and to avoid overshadowing through building orientation and configuration, particularly in higher density areas. Habitable room windows should generally be at least 14 metres from the flank wall of the neighbouring property.

- i. Maximising levels of sunlight through a southern orientation and east-west street pattern will also allow developments to exploit passive solar energy.

3.1 Noise & Overshadowing --

- i. Make sure that the scheme:

- a) Orientates habitable rooms and amenity space away from potential noise sources.
 - The proposal does not do this.
- b) Incorporates appropriate design features to mitigate noise pollution, which may include recessed balconies, acoustic lobbies, barriers between noise sources and dwellings and noise-absorbing materials.
 - The proposal does not do this.
 - Locates noisy activities in sufficient proximity to dwellings for safe access, but far enough away to minimise disturbance.
 - The proposal does not do this.
- c) Considers the configuration of the Strategic Road Network in relation to dwellings in order to avoid likely future occupants seeking to restrict the network on the basis of noise or other impacts on amenity. *
- d) Maximises levels of sunlight and daylight and minimises levels of overshadowing to adjacent buildings and open spaces through building orientation and configuration.

4.1 p.97 | Part J

- i. "Buildings should permit flexible use and adaptation, allowing internal layouts and rooms to be changed or expanded without fundamental restructuring or rebuilding.
- ii. This may be achieved through higher than minimum floor to ceiling heights, and use of demountable partitions and modular components.
- iii. This allows for flexible conversion so that a disabled individual can be accommodated (eg. non-slip handrails, changeable tap heads and door knobs).
- iv. While quantitative space standards are a useful tool, applicants should avoid a numbers-based approach to design and instead think qualitatively about commonly required furniture and the accommodation or provision of elements which enable a home to become a comfortable and liveable place including adaptation for reduced mobility; responding to this through the size, shape and layout of rooms.
- v. Doing so will ensure that neither residential amenity nor the need to make efficient use of land are compromised."

- The proposal does not afford for flexible use and adaptation, it has low ceiling heights, potentially lower if and when insulated.
 - p.100 | Part K
 - Climate Change & Sustainability
- 5.1 K.01 Energy & Carbon Energy & Carbon ~
- i. *"All new development including conversions, extensions and changes of use must be designed to reduce energy demand and carbon emissions in line with national and local standards including the Arun Local Plan. Approaches to design must demonstrate that each step of the energy hierarchy set out in Figure 233 has been followed whilst also ensuring the incorporation of low and zero carbon (LZC) technologies and clear commitments to comprehensive energy monitoring and transparency of performance. Passive design should be the first step, considering form and orientation, effective insulation, air-tightness and utilising natural ventilation where this can avoid the risk of overheating, both today and in the future. Existing buildings should incorporate retrofitting measures such as cavity wall insulation and additional glazing, but these interventions must be supported by detailed analysis of moisture risk.*
 - ii. *Make sure the scheme:*
 - a) *Sets targets for energy and carbon reductions beyond the relevant Part L Building Regulations.*
 - b) *Demonstrates consideration of embodied carbon (emissions from the manufacture, transport and construction of building materials, together with end of life emissions).*
 - c) *Incorporates passive solar design measures such as avoiding single aspects, including south facing windows on habitable rooms, minimising north-facing glazing, using roof lights and sunpipes and providing shading to south facing windows through tree cover.*
 - d) *Uses heat recovery systems wherever mechanical ventilation is installed (MVHR).*
 - e) *Considers the ventilation strategy alongside proposed air tightness levels, to ensure buildings are not left susceptible to mould growth. This may include hydrothermal modelling."*
 - iii. *"Feasibility studies should be carried out to explore a range of passive design measures and low and zero carbon technologies appropriate to the site, to reduce energy consumption to a minimum. Following the energy hierarchy, once maximum savings have been achieved through passive design, a further minimum 10% of the energy requirement should be generated through on-site renewable or low carbon technologies."*
 - iv. *"Prepare a report that considers the maintenance of low and zero energy technologies, adaptive capacity and flexibility to integrate more efficient systems and new technologies in future."*
- **The proposal has not demonstrated evidence of reducing energy demand and compliance with the above.**

6.1 K.02 Water and Material Management

- i. *The consumption of potable water should be minimised in developments through all viable measures. The approach should follow the water hierarchy set out in Figure 246, with low flow technology water fittings, and rainwater harvesting and grey water recycling systems integrated where viable. The placement of features such as water storage tanks must not impact negatively on buildings or the street scene, which may be achieved by placing these underground, although this is not appropriate for all locations (e.g. on the coastal plain).*

- ii. *Where possible targets potable water consumption of <110l/person/day through the incorporation of high efficiency fixtures and fittings and grey and rainwater harvesting systems to reduce demand on local water supplies.*
 - **The proposed application provides no information of how it intends to minimise water consumption.**

D. KINGSTON PARISH NEIGHBOURHOOD PLAN (November 2014)

- **Key Policy in Bold Italics**
- *Kingston Parish Neighbourhood Plan Detail Points in Italics*
- **Comments in Bold**

1.1 POLICY KPNP 2 - BUILT-UP AREA BOUNDARY

- Development will be permitted within the area defined in map 7(ii) of this plan, as the Built-Up Area Boundary, subject to all other policies in this Neighbourhood Plan. Account should be taken of the intrinsic character and beauty of the countryside outside the Built - Up area and the need to support thriving rural communities within it, in the context of a presumption in favour of sustainable development*
- The application site lies outside the built-Up Area Boundary and therefore should not automatically be considered as permissible development and the application should be subject to higher standards as it falls outside the boundary, with a presumption against development.

2.1 6.(iv) SETTLEMENT STRUCTURE & GREEN INFRASTRUCTURE

- *Justification*
 - i. *Key to the protection of the landscape is the identification of the Built-up Area Boundary which defines urban areas from that of the countryside (see Map 7(ii)).*
 - ii. *Development outside this boundary should be strictly limited to that considered necessary for its location so that the countryside is protected for its own sake. The intention should be to maintain and enhance the Green Infrastructure and prevent coalescence of settlements with policy provision for Green Infrastructure and Gaps Between Settlements (see map 7(v))*
 - **The proposed site lies outside the Built-Up Area Boundary**
- 3.1 *The Gap Between Settlements provides flood attenuation in the area. Any development must not enhance the risk of flooding.*
- **The site is adjacent a drainage ditch in Peak Lane**
- 4.1 *The Gap Between Settlements is characteristically tranquil as a result of its rural nature and darker night skies and also acts to retain Kingston Parish's distinctive landscape character and sense of place.*

5.1 POLICY KPNP 3 - SETTLEMENT STRUCTURE & GREEN INFRASTRUCTURE

- Development will only be permitted within the Gap Between Settlements if:*
 - i. It cannot be located elsewhere;*
 - ii. It would not undermine the physical and/or visual separation of settlements or be detrimental to the district's character and strong sense of place;*
 - c) iii. It would not compromise the integrity of the gap, either individually or cumulatively with other existing or proposed development;*
 - d) iv. It would not compromise recreational access along the coast and connections between the coast and the South Downs National Park;*
 - e) v. It would not endanger the biodiversity of the gap between the coast and the South Downs National Park.*
 - f) vi. The views towards the coast and the South Downs National Park are conserved or enhanced.*
 - g) vii. It would not undermine the natural flood attenuation; and*
 - h) viii. It would not destroy the tranquillity, dark night skies and rural nature of the Gap Between Settlements*

6.1 6.(v) NATURAL ENVIRONMENT

- Justification
- i. Kingston Parish's rural character, as described in 4(i) State of the Parish Report, would be destroyed unless noise, light and air pollution is carefully controlled.
- The proposal makes no attempt to control noise, light and air pollution.
- ii. Intention - Any development, alteration to land use or application of any kind that directly, or indirectly, affects the quality of the natural environment, as described above, will be vigorously opposed.

7.1 6.(vi) WATER

- Justification
- i. Poor drainage within Kingston Parish could affect water quality, if there is any significant increase in foul and/or surface water discharges, without the delivery of necessary sewerage infrastructure to serve new development.
- The site is adjacent a drainage ditch in Peak Lane

8.1 6.(viii) DESIGN & DEVELOPMENT

- Justification
- i. Being entirely residential the distinctive character and sense of place of Kingston Parish lies solely with its landscape and dwelling places.
- ii. There is little capacity of the infrastructure to support increases in housing stock.
- iii. Infilling can impinge on the integrity of the Green Infrastructure Network, particularly where this conflicts with sea or landscape views.
- iv. One of the most significant contributory factors in the overall ambience of Kingston Parish is the very low housing density

9.1 Proposals should ideally demonstrate the potential benefits of the development to the residents of Kingston Parish;

- Intention
- i. It is imperative that any new development within Kingston Parish maintains the established special character and sympathetically relates to and is visually integrated with, the existing dwellings, or existing building in the case of extension, with regard to siting, massing, design, form, scale and materials. Change should be managed and not prevented but must retain the character with limited new development only to meet the needs of the Parish.
- The proposal does not outline its benefits

10.1 POLICY KPNP 7 – DESIGN & DEVELOPMENT 1.

- i. Planning Permission will normally be approved for development within the Built-up Area Boundary, subject to compliance with other policies of the plan, providing:
 - a) The design and location of the development is appropriate and sympathetic to the Parish's character and appearance in terms of scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, design features, and specifically does not encroach upon any roadway or tarmac so as to alter the outstanding landscape, coastline, historic build and archaeological environment;
 - b) It seeks to protect and enhance onsite habitats and associated networks thus protecting biodiversity.
 - c) It is in-scale with adjacent buildings, takes account of the ridgeline of existing structures and is of a size that does not dominate the surroundings, or the wider Parish;

- d) It has a minimal impact on users and occupiers of nearby property and land and does not cause loss of sunlight, over-shadowing, over-looking issues, loss of privacy, antisocial noise/disturbance or have an over-bearing presence;
 - e) It has been demonstrated how the development will incorporate green technology where possible and be energy efficient;
 - f) It does not add to air, light or noise pollution and in any way increase the flood risk to the Parish;
 - g) It provides sufficient off-road car parking for its intended use; and
 - h) In the case of the installation of solar panels and/or wind turbines to residential properties that require planning permission, they sympathetically relate to and are visually integrated, and are compatible with the landscape in both scale and positioning to not intrude upon the skyline, or generate noise or vibration nuisance for neighbours.
- The proposed site is outside the The Built Up Area Boundary

11.1 6.(x) TRANSPORT INFRASTRUCTURE

- Justification
- i. Kingston Lane is a narrow winding lane with no pavements, lined with hedgerows in places, prone to flooding in certain areas, has no lighting and is one of only two main entry points into Kingston Parish; it is inherently dangerous to users either walking, cycling or driving, especially in adverse weather conditions or during the hours of darkness.
- The extra traffic created on Kingston Lane, caused by a potential holiday let, with a flood of different people arriving all the time, who are unfamiliar with these particularly unusual roads and lanes could cause a very real danger.
- ii. Peak Lane is classified as a Restricted Byway. The public's rights along this restricted byway are to travel:
 - a) On foot
 - b) On horseback or leading a horse
 - c) By any vehicle (eg. bicycles, horse-drawn carriages) other than mechanically propelled vehicles (eg. motorbikes or cars) unless vehicular rights pre-existed then the act did not extinguish those rights.
- The extra motor vehicle traffic created on Peak Lane, caused by a potential holiday let, with a flood of different people arriving all the time, technically has no right of access to Peak Lane by motor vehicle based on the above (c)

12.1 POLICY KPNP 9 – TRANSPORT INFRASTRUCTURE

- i. This Neighbourhood Plan will support development which:
 - a) Is not detrimental to the character of the Parish rural roads, or will not unduly increase the volume of traffic using the access roads to Kingston Parish or the surrounding major road network;
 - As outlined above the proposal will unduly increase the volume of traffic with the associated complication as highlighted previously by peak Lane being a Restricted Byway.
 - b) Will reduce the need to travel by car by identifying opportunities to improve access to public transport routes and community transport services whilst making provision for car use through improvements to the existing road network and the promotion of

vehicles which use low-carbon energy by installing charge points, including 'rapid charge' points.

- The proposal will increase the need to travel by car.
- c) *Respects and protects the Parish's green infrastructure network and gives priority to pedestrian and cycle movements;*
 - The proposal makes no provision to cycle storage.
- d) *Makes provision for off-road parking for all vehicles intending to use the development.*
 - The proposal makes no provision for off road parking

13.1 6.(iii) BUILT-UP AREA BOUNDARY

- *Justification*
 - i. *The National Planning Policy Framework 2012 (NPPF) recognises the intrinsic character and beauty of the countryside, whilst supporting thriving rural communities within it. (NPPF para 83)*
 - ii. *This defines the area outside which the countryside should be safeguarded against unnecessary development thus preserving the setting of existing settlements. (NPPF para 83) - (see map 7(ii))*
 - iii. *The boundary is important in identifying the point of transition between the built form of a main settlement and the surrounding countryside. It is not simply a means of showing the limits of existing development, as some developed areas lie outside it and some undeveloped areas lie within it. Kingston Parish Neighbourhood Plan: Submission Document - 18 - Intention To protect and enhance Kingston Parish's outstanding landscape, countryside, coastline, historic, built and archaeological environment thereby reinforcing local character and identity*
- *The proposal lies outside the Built-Up Area Boundary and in accordance with the above, "to safeguard the countryside against unnecessary development, thus preserving the setting of existing settlements" should be subjected to a higher level of scrutiny. We suggest an application, such as that proposed, for development outside the Built-Up Area Boundary should be called to Planning Committee for further discussion given its potential impact on a multitude of local issues, or as a minimum meet the standard and requirements of the adopted planning policy as outlined in this report.*