RODWAY PLANNING
CONSULTANCY LIMITED

PLANNING SUPPORT STATEMENT

On behalf of:

Birchside Management Limited

In relation to:

'Demolition of the existing building and cessation of mixed commercial/residential use, and redevelopment of the site with a new two storey building, comprising 4 no. residential flats'.

'Roseland', The Causeway, Arundel, West Sussex, BN18 9JL

May 2017

91 VICTORIA ROAD, SHOREHAM-BY-SEA, WEST SUSSEX, BN43 5WR
T +44 (0)1273 465 240 / INFO@RODWAYPLANNING.CO.UK / RODWAYPLANNING.CO.UK
COMPANY NUMBER: 10553422 VAT REGISTRATION NO: 217 9600 05

RTPI Chartered Town Planner

ARUN DISTRICT COUNCIL LY/9/17/PL

RODWAY PLANNING
CONSULTANCY LIMITED

1. INTRODUCTION

This proposal seeks planning permission for the redevelopment of the site with a replacement building, comprising 4 No. residential units.

This Planning Statement is submitted in support of the above planning application. The statement describes the site, its surroundings and the proposal itself. The Planning Policy background is considered along with an assessment of the proposal in light of the relevant policy and all other material planning considerations.

2. SITE CONTEXT

The application site is triangular in shape and located within the Arundel train station complex. It is accessible from the south west side of Station Road. The site has a total area measuring approximately 0.03 hectares, with a frontage of 22 metres.

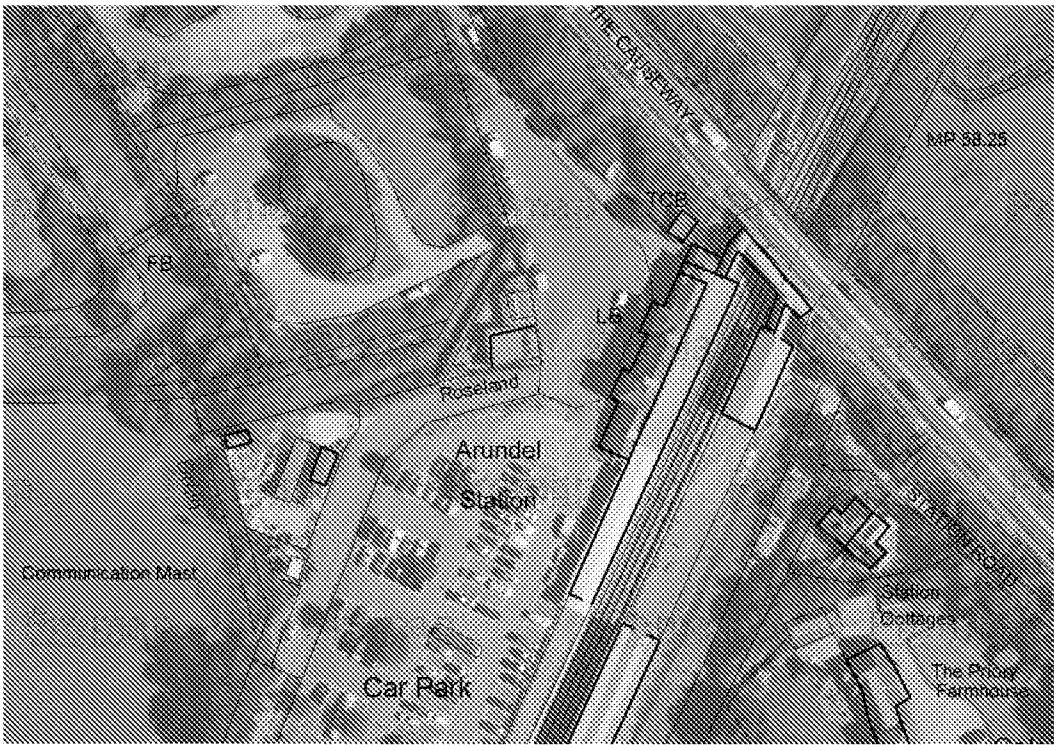

Fig 1. Aerial Map of the site (courtesy of Promap)

91 VICTORIA ROAD, SHOREHAM-BY-SEA, WEST SUSSEX, BN43 5WR
[redacted]
RTPI
Chartered Town Planner

ARUN DISTRICT COUNCIL LY/9/17/PL

The site comprises a single storey building, which was previously in use as a former commercial workshop with residential element. The building comprises 2 No. bedrooms, a living room, kitchen area, workshop and storeroom. The building has an enclosed rear garden area and off-road parking.

The existing residential floor space has a gross internal area of 58.7m², whilst the existing workshop and associated store (B1 use) has a gross internal area of 39.78m².

In terms of site designations, the Arun District Local Plan (2003) confirms that the site lies outside of any defined built-up area boundary, and consequently is within an area that is designated as countryside.

The site is located within the Arundel and Littlehampton Strategic Gap. Further, the site is identified as being within an area designated as affecting the 'Setting of Arundel'.

The site does not lie within any Conservation Area

The existing building is not statutorily Listed and as such, there is no reason to warrant its retention.

3. THE PROPOSAL

This proposal seeks permission for the re-development of the site with the demolition of the existing building and its replacement with 1 No. two storey detached building, comparing 4 No. one bedroom residential units.

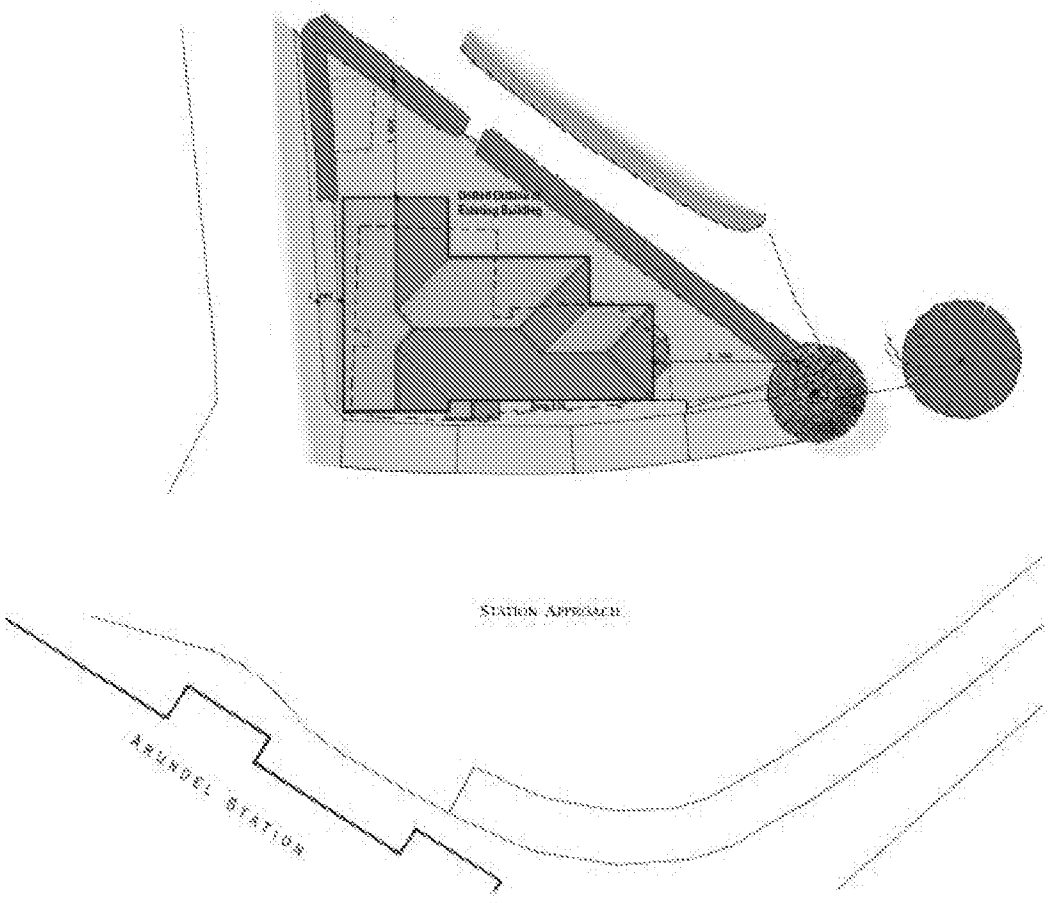

Fig 3. Proposed Site Plan

Two of the units would be situated at ground floor level, whilst the remaining two would be positioned at first floor level. Each of the units would be modest in size, comprising 1 No. bedroom, living room, kitchen and bathroom.

Provision will be made for bin and cycle storage. An area of communal private amenity space is located to the north and west sides, as shown on **Fig 3** above.

4. POLICY CONTEXT

a. National Planning Policy

(i) National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was published on 27th March 2012, and at that time the policies in the Framework came into use, with immediate effect. This guidance is now the most-up-to date Government planning policy document.

The focus of the new NPPF is achieving sustainable development, the definition of which is summarised in paragraph 6 as being the whole of paragraph's 18-219 of the Framework. Paragraph 7 goes further as it specifies that there are three dimensions to sustainable development: economic, social and environmental. Under the social role it states that the planning system should provide *"the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment..."*

Under paragraph 11, the NPPF confirms that planning law requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan.

Paragraph 14 is an important element of the NPPF. It states that: *"at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking"*. It details that objectively assessed needs, such as housing, have to be met unless *"any adverse impact of doing so would significantly and demonstrably outweigh the benefits"*. This is assessed against all the policies of the NPPF, as a whole, or specific policies relating to SSSI, Green Belt, Local Green Space, AONB, Heritage Coast, National Park, designated heritage assets, flood risk locations and coastal erosion. It also states that decision makers should be *"approving development proposals that accord with the development plan without delay"*.

The NPPF advises that a set of 12 core land-use planning principles should underpin both plan-making and decision-taking, and these principles are listed under paragraph 17. Although the NPPF omits the wording that was present in the draft which referred to the default position of "yes" to applications for sustainable development, it does retain the significant change that requires a response to market signals. Each of the bullet points are important, but of particular note is no. 5, where it details that account should be had of the character of different areas, and no. 11 which requires development to be focused *"in locations which are or can be sustainable."*

Section 2 relates to Supporting a prosperous rural economy. Paragraph 28 notes that "*policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:*

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;

- promote the development and diversification of agricultural and other land-based rural businesses;

-support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and

- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship".

Section 6 of the NPPF is entitled 'Delivering a wide choice of high quality homes'. It seeks to *"boost, significantly"* the supply of housing, whilst placing more reliance on windfall

ARUN DISTRICT COUNCIL LY/9/17/PL

sites as a source of housing supply. Realistic historic windfall delivery rates and expected future trends are legitimate sources of supply. Paragraph 49 states *"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites".*

Under paragraph 53 the Framework accepts that development on garden land is acceptable provided it would not cause harm to the local area. There is no reference to minimum densities etc.

Paragraph 54 relates to rural areas, noting that *"local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs..."*

In addition, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Most notably, *"local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:*

- *The essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- *Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
    - *The exceptional quality or innovative nature of the design of the dwelling should:*
    - *Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;*
    - *Reflect the highest standards in architecture;*

ARUN DISTRICT COUNCIL LY/9/17/PL

- *Significantly enhance its immediate setting and;*
- *Be sensitive to the defining characteristics of the local area".*

Section 7 discusses the need for good design. Under paragraph 58 the NPPF provides clear and robust approach to design, whilst at par 59 is confirms that policy intends to avoid unnecessary prescription or detail, whilst the key criteria of scale, density, massing, height, landscape, layout, materials, access, relationship to neighbouring buildings and relation to the local area more generally remain. Paragraph 61 requires the *"integration of new development into the natural and historic environment."*

Section 10 refers to meeting the challenge of climate change, flooding and coastal change. It notes at paragraph 103 that *"when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:*

- *within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and*
- *development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems".*

b. LOCAL PLANNING POLICY

(ii) Arun District Local Plan (2003)

This document continues to be the most relevant local planning policy document.

As detailed at **Fig 4.** below, the application site is defined as being outside of any defined built up area boundary. The site is also located within the Arundel and Littlehampton

Strategic Gap. Further, the site is identified as being within an area designated as affecting the 'Setting of Arundel'.

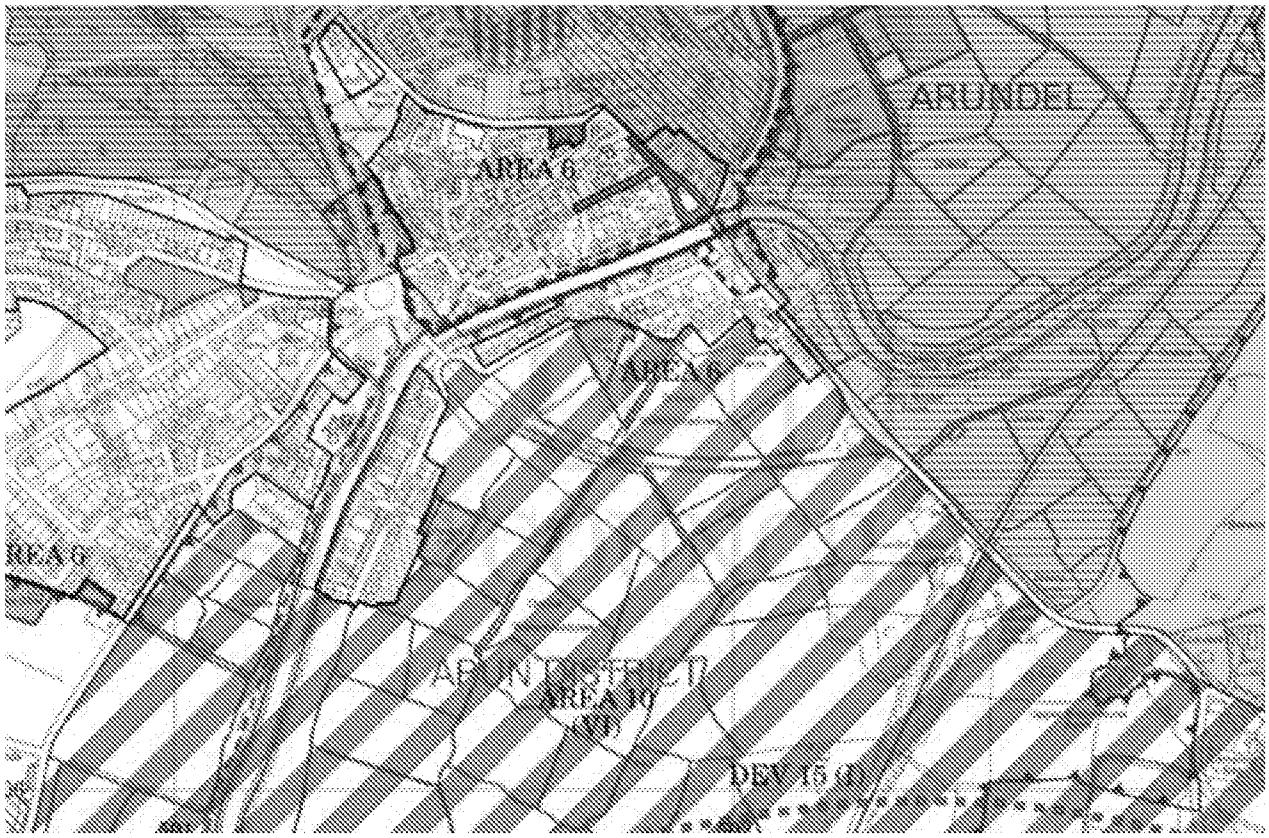

Fig 4. Extract from Arun District Local Plan 2003 Proposals Map (*Inset K: Arundel*)

Saved Policy GEN3 relates to the protection of the countryside, stating that "*Outside the Built-Up Area, as defined on the Proposals Map, the countryside will be safeguarded for its own sake. Development will not be permitted unless:*

(i) it meets the operational needs of agriculture, forestry, the extraction of minerals or the deposit of waste; or

(ii) for quiet, informal recreation; or

(iii) for the diversification of the rural economy; or

(iv) for essential road schemes; or

(v) it is in accordance with a policy in Sections 2 and 3 of the plan referring to a specific use or type of development".

ARUN DISTRICT COUNCIL LY/9/17/PL

Saved Policy GEN7 is a general policy that relates to The Form of New Development and states that *"planning permission will only be granted for schemes displaying high quality design and layout"*. Developments are considered in relation to a number of criteria.

Saved Policy GEN8 relates to the Development and provision of infrastructure and notes that *"development will not be permitted unless the infrastructure or facilities made necessary by the development are available or will be provided at the appropriate time"*.

Whilst **saved Policy GEN20** relates specifically to the provision of open space within new development.

Saved Policy GEN9 relates to Foul and Surface Water Drainage, whilst **saved Policy GEN12** relates to Parking in new development.

Saved Policy GEN11 relates to Inland Flooding and states that *"Permission for development which would be at risk from flooding and/ or materially decrease the capacity of a floodplain to store or pass flows of floodwater, will be refused unless the Local Planning Authority is satisfied that compensatory flood storage/ waterway areas can be provided as part of the development and the function and effectiveness of existing watercourses, or their replacements, are not adversely affected"*.

Saved Policy DEV11 relates to the setting of Listed Buildings.

Saved Policy AREA3 relates to 'The Setting of Arundel' and reads as follows:-
"No development will be permitted, particularly within the area shown on the Proposals Map, which would adversely affect views of Arundel or its special setting.
Development will not be permitted within the town of Arundel or beyond which would adversely affect the rural views outwards from the town and in particular from the following locations:
(i) London Road, in the vicinity of 9 and 11 London Road (north-westerly views);

(ii) London Road, in the vicinity of the Roman Catholic cemetery (southerly views);
(iii) the northern ends of Mount Pleasant, King Street and Parsons Hill and at their junction with London Road (southerly views);
(iv) London Road, in the vicinity of Tower House (easterly views);
(v) the northern end of High Street (southerly views);
(vi) Bakers Arms Hill and its junction with Maltravers Street (southerly views);
(vii) Kings Arms Hill and its junction with Maltravers Street (southerly views);
(viii) Mount Pleasant, in the vicinity of the Old Poor House (southerly views);
(ix) the Arundel river bridge, in Queen Street (easterly views).
Development will not be permitted which would adversely affect the long distance views of Arundel Castle or Arundel Cathedral".

Finally, **Saved Policy AREA10** relates to Strategic Gaps and identifies such a gap between the settlement of Arundel and Littlehampton. This policy states that in these areas, development will only be permitted if:
"(i) it is demonstrated to be necessary to meet the requirements of, or is consistent with, other policies of the Development Plan; and
(ii) it would not compromise, either individually or cumulatively, the objectives and fundamental integrity of the strategic gap; and
(iii) attention is given to the long term enhancement of the landscape, amenity and conservation value within the gap and, where possible, to the improvement of public access".

(ii) Supplementary Planning Guidance

The following Supplementary Planning Guidance is considered of relevance to this proposal:-

- Open Space & Recreation Standards - October 2000
- Parking Standards - October 2000

ARUN DISTRICT COUNCIL LY/9/17/PL

(iii) Emerging Local Plan

The Arun District Local Plan 2011-2031 was submitted on 30th January 2015 for independent examination to the Secretary of State for Communities and Local Government via the Planning Inspectorate. The Local Plan sets out a vision for the future of Arun District up to 2031. The Council have previously suggested that in determining development proposals at this time, regard should be given to the policies contained within this emerging Local Plan, as it is considered that some weight in the planning balance can now be given to this document. However, this weight must be tempered by the fact that the Plan is still to undergo its examination in public.

Further, the Local Plan Examination-in-Public was formally suspended by the Planning Inspector in February 2016 following a Procedural Meeting and initial Hearing sessions. The suspension was granted to enable the Council to undertake further work and produce proposed modifications to the Local Plan in response to a range of observations and concerns identified by the Planning Inspector.

We are aware that a report was presented to the Councils Local Plan Sub Committee on 6th March 2017, which presented the proposed modifications that have been produced to the Arun Local Plan for approval so that they can be published and representations be invited accordingly by the Council for consideration by the Inspector. Following the six-week publication period, the modifications, together with representations received and all other supporting documentation produced by the Council, will be submitted to the appointed Planning Inspector in order to enable the Examination-in-Public of the Arun Local Plan to resume.

The modifications proposed constitute both 'minor' grammatical, and non-material changes to the Plan, and 'main' substantive material changes to the contents of the Plan.

A number of new evidence base studies have been produced and presented on an ongoing basis to the Local Plan Sub-Committee. These studies have been produced to inform and support the proposed modifications to the Local Plan.

It appears that the most significant modifications required to the Plan relate to the need for a substantial uplift to the housing requirements for the District. The latest evidence produced by GL Hearn (applying the approach endorsed by the Inspector through existing Hearings and interim conclusions) utilising the 2014 Sub-National Population Projections and associated Housing Projections indicates that OAHN equates to 919 dwellings per annum, or 18,380 dwellings over the Plan period 2011 – 2031. This is significantly higher than the OAHN in the Submitted Local Plan (580 dwellings per annum) or the OAHN figure recommended by the Local Plan Inspector (845 dwellings per annum) in February 2016 following the OAHN Hearing.

The Council has proposed substantive modifications to chapter 12 of the Local Plan 'Housing Delivery' to reflect 'testing' of spatial options, Sustainability Appraisal, other evidence, and the substantial increase in OAHN for the District. These changes can be summarised as follows:-

- Chapter largely re-written;
- Updated references;
- New policies HSP1 and HSP2;
- New policies HSP3 - HSP5 relating to site allocations;
- Revised affordable housing mix HSP2.

Through the proposed modifications, Arun District Council is planning to meet an updated housing requirement. The proposed modifications to the Local Plan respond to the latest evidence, which indicates an OAHN equating to **919 dwellings per annum.**

(iv) <u>Planning Policy at the Parish level (NP)</u>

The site falls within the boundary of Lyminster and Crossbush Parish. To our knowledge, there is no Neighbourhood Plan for this area at the current time.

5. PLANNING APPRAISAL

a. Planning History

(i) Application Site

According to the Council's online planning records, the site has the following planning history:-

- **Planning ref: LY/23/99/:** Formation of one dwelling within existing single storey building. Approved Conditionally – October 1999.

(ii) Adjoining Sites

The following planning history relates to a neighbouring site at 'Arundel Station Flat':-

- **Planning ref: LY/8/10/:** Conversion from Architects office (B) to 1 no. 4 bed flat (C3) Approved Conditionally - September 2010.

The Council's Planning Officer concluded at this time that the "*proposal is for the conversion of part of an existing building from an architects office to a residential flat, which was the original use of this part of the building. There are no external alterations to the building. The new use would therefore have no impact on the residential or visual amenities of the area*".

6. PLANNING ASSESSMENT

a. Principle of Development

As identified by the Arun District Local Plan, (*Inset Map K*), the site itself lies outside of the designated 'built-up area' boundary of Arundel, within designated countryside. The site is also located within the Arundel and Littlehampton Strategic Gap. Further, the site is identified as being within an area designated as affecting the 'Setting of Arundel'.

The National Planning Policy Framework was published on 27th March 2012, and this sets out the Government's planning policies for England and how these are expected to be applied. The purpose of the planning system is to contribute to the achievement of sustainable development, encompassing economic, social and environmental dimensions. Paragraph 49 states that: "*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites*".

Arun District Council **cannot** currently demonstrate a five-year housing land supply for the District, as required by the National Planning Policy Framework. The Local Plan policies relating to the supply of housing were only intended for the period up until 2011. In any case, recent discussions with Officers at the Council have indicated that on current figures, the estimate is that the Council have less than a 2 year supply of housing. The lack of a 5YHLS has been confirmed by the Council themselves within a number of recent Planning Committee reports, as well as within a large number of appeal decisions. This evidence can be provided upon request. **This is a material consideration that must be taken into account in determining this proposal.**

Paragraph 14 of the National Planning Policy Framework states: "*At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision-taking. For decision-taking this means:*

ARUN DISTRICT COUNCIL LY/9/17/PL

- approving development proposals that accord with the development plan without delay; and

- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

- specific policies in this Framework indicate development should be restricted."

It is our view that in the absence of a 5YHLS, saved **Policy GEN3** cannot be considered to be up-to-date for the purposes of decision taking and therefore the application falls to be determined against Paragraph 14 above. As such, it is our view that if the proposal constitutes sustainable development then the application must be considered on the basis of the presumption in favour of sustainable development, and should only be refused if any adverse impacts would **significantly and demonstrably** outweigh the benefits of the development, when assessed against the NPPF as a whole, or specific NPPF policies indicate development should be restricted.

Recent case law has confirmed that the 'presumption in favour of sustainable development' is not an additional test for development. Therefore when considering applications, Local Planning Authorities must measure the sustainability credentials of the development within the balance of paragraph 14, as part of the weighing up process. It is understood that Local Planning Authorities should assess applications under the '3 limbed' definition of sustainable development at paragraph 7 of the NPPF.

If a development is found to be sustainable, that would weigh heavily in favour of granting permission in the paragraph 14 balance. If however, the development is not found to be sustainable, that is not the end of the matter; and we are aware that the Local

Planning Authority still need to go through the weighing up process between the positive benefits of the scheme against any harm that may be caused.

We will therefore consider this proposal against the 'three limbed approach'.

- **The Economic Role**

Part 6 of the Localism Act was enacted on 16th January 2012. This requires the Local Planning Authority to have regard to local finance considerations (as far as material to the application) as well as the provisions of the Development Plan and any other material considerations. The New Homes Bonus commenced in April 2011, and will match fund the additional Council Tax raised for new homes and empty properties brought back into use, with an additional amount for affordable homes, for the following six years. The New Homes Bonus is now a material planning consideration and if permitted the LPA would receive a New Homes Bonus for the new dwelling proposed.

Furthermore, whilst the development is only of a relatively small scale, it is our view that the provision of 4 much needed small units in a highly sustainable location would make a positive contribution to the building industry in the area. It is considered that this would satisfy the economic dimension of sustainable development as set out in the NPPF.

- **The Social Role**

The NPPF seeks to promote a strong vibrant and healthy community by providing a supply of housing required to meet the needs of present and future generation and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports it health, social and cultural well-being.

The Council's continued lack of five year housing supply has already been outlined above, and the erection of 4 No. one bedroom units will clearly add to Council's housing stock. It is considered that this would satisfy the social dimension of sustainable development as set out in the NPPF.

- **The Environmental Role**

Saved Policy GEN7 of the Arun District Local Plan seeks a high standard of design in all new developments, which is consistent with the aims of the NPPF. Further, **Saved Policy GEN3** of the Local Plan, considers the intrinsic character and beauty of the countryside, and is also considered to comply with one of the core planning principles of the NPPF.

As such, the application will be considered in respect of its impact on the environment and the character of the area in greater detail below.

(i) Impact on the Character of the Area

This proposal seeks planning permission for the redevelopment of the site with a replacement building, comprising 4 No. one bedroom residential units.

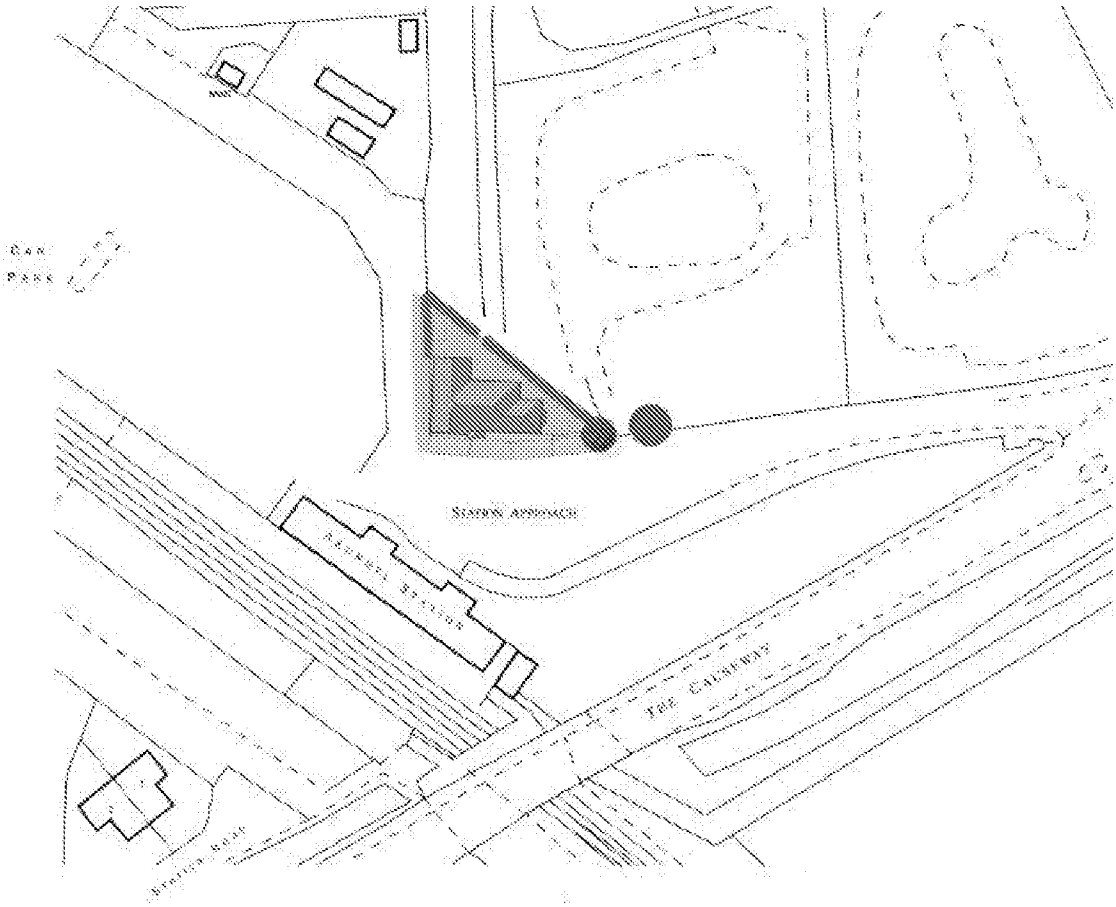

Fig 5. Extract from proposed Block Plan

The building would be sited to the corner of the plot, adjacent to Station Approach.

The design of the new building has been heavily influenced by, not only the building to be demolished, but more importantly the near-by Station Building and former trackside "warehouse type" structure that sits at the rear of the car park area and is part of the Builders Merchants.

Railway architecture tends to throw up buildings that are relatively wide fronted, yet shallow in depth, as they are typically constructed in narrow areas of land bounded by the railway tracks and nearby developments.

In this instance, the flats have been designed in a "T" shape formation, so that when viewed from various directions, there is an obvious narrow element of elevation. This is more satisfactory than a square form of building, which usually generates a discernibly higher overall roof height.

Fig 6. Proposed Front elevation

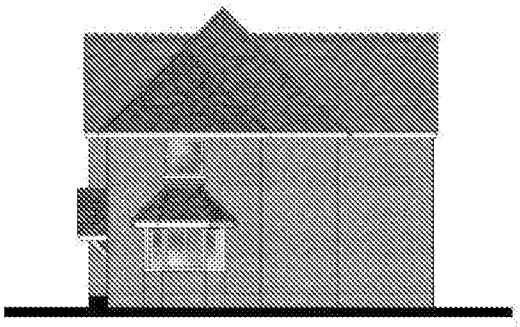

Fig 7. Proposed Side elevation

It is recognised that the site is located within a relatively prominent location on the outskirts of Arundel Town Centre. Indeed, it is identified as being within 'The Setting of Arundel' (**Saved Policy AREA3**). In such instances, development will not be permitted which would adversely affect the long distance views of Arundel Castle or Arundel

ARUN DISTRICT COUNCIL LY/9/17/PL

Cathedral. With this in mind, great care and consideration has been paid to the scale, form, height and design of the proposal.

The proposed elevations have a slightly more dominant gable on the southern side and a more subservient area across the rest of the frontage. We have kept the detailing simple as would befit an ancillary railway building. We are not proposing the decorative barge boarding or fascia that are present on the railway station structure, as it would not be appropriate to visually compete with the important Station building.

In terms of materials, we are proposing to use a similar multi-stock brick to the neighbouring railway structures, sitting under a slate coloured roof.

In our view, the resultant design would appear sympathetic to the views of Arundel, whilst also not appearing to visually compete with the Arundel Train Station, which whilst not Listed in its own right is an important public building that positively contributes to the setting of the area.

Fig 8. Street scene elevation, as viewed from Station Approach

The car parking will be retained at the front allowing easy access to the flats, and there is amenity areas to the north and west sides.

It is our view that the small scale development would appear wholly appropriate to the site and make a welcome introduction to this area.

It is considered that the proposed development would represent a high quality development in this location, which would appear perfectly in keeping with existing development and would not detract from the character of the surrounding locality or the setting of Arundel.

Finally, it is noteworthy that the existing building at the application site contains existing residential accommodation and further, a residential use has previously been accepted on the application site by the Council as recently as in 1999. At that time, under **planning application: LY/23/99/,** planning permission was granted for the *'formation of one dwelling within existing single storey building'.* As such, a residential use on this site has been previously established, as has the removal of the existing low key commercial activities and use that have been undertaken at this site. In any case, the employment use of the site has been very limited in recent years (just one person was 'employed' here, and that is understood to be more on a hobby basis), with little economic benefit or actual employment arising from the use of the premises. Further, it is noted that the current Local Plan does not include any policy that seeks to retain employment uses of existing premises. Even if this were the case, it is our position that this would be unreasonable and without commercial justification given the lack of employment benefit that the lawful use of the premises has provided in recent years (indeed the building has been vacant for the past year). In this context, and that of the significant and urgent need for new housing in the District, it is considered that the sites release from its commercial use, and the provision of a small scale residential development that would be provided in the short term, is entirely justified in planning policy terms.

For these reasons outlined above, it is our view that the proposal is fully compliant with the environmental role of sustainable development and also the requirements of Saved **Policies GEN3, GEN7** and **AREA3** of the Arun District Local Plan.

b. Sustainability

When referring specifically to the issue of sustainability, paragraph 14 of the NPPF relates. It states that: *"at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking".* It details that objectively assessed needs, such as housing, have to be met unless *"any adverse impact of doing so would significantly and demonstrably outweigh the benefits."*

Although we acknowledge that the site lies within a countryside location, this should not automatically bar it from development; rather, the test is whether the development will be sustainable. It is considered that, assessed against the guidance set out in the totality of the NPPF, we consider that the site is suitable for residential use, given its highly sustainable location, immediately adjacent to Arundel Train Station and within easy walking distance of Arundel Town Centre, with its wealth of services facilities, restaurants, cafes and shops.

There are a number of bus stops within the vicinity of the site, as shown at **Fig 4**. These are as follows:-

1) The Railway Station (adjacent) on the Causeway, Arundel
2) The Railway Station (opposite) on the Causeway, Arundel
3) Batworth Park Plantation (NE bound)
4) Queen Street (NW bound)
5) Crossbush Lane (S bound) on Arundel Road, Crossbush
6) Crossbush Lane (N bound)
7) Queen Street (SE bound)
8) Convent of Poor Clares (adjacent)
9) River-bank (W bound) on High Street, Arundel.

Fig 9. Position of bus stops (courtesy of NextBuses.mobi)

Therefore, we strongly believe that this site can be considered to be sustainably located in line with advice contained within the NPPF.

Our client is committed to providing a high quality development and would be happy for any proposal to be conditioned accordingly. Although the proposal is located within a countryside area of development restraint, it is positioned immediately south east of the defined built-up area and in a sustainable location. Further, the proposal would replace existing built form, demonstrating that 4 No. much needed small scale residential units in this location is established and the proposal would not be isolated or indeed, unrelated from established built form.

To conclude, the site is located within close proximity of the Town Centre, Arundel Train Station and bus stops. It is also well connected by existing footways. Therefore there is ample scope for residents to access services and facilities by foot or bicycle. Residents of the new development would not have a reliance on the motor vehicle.

It is our view that the proposal would constitute sustainable development and in the absence of a five year housing land supply, a presumption in favour of sustainable development should be applied in line with paragraph 49 of the NPPF. The proposed development would be acceptable in sustainability terms and complies with **Saved Policies GEN3** and **GEN7** of the Arun District Local Plan and paras 7, 14 and 17 of the NPPF.

c. Listed Buildings & Countryside Setting

The existing building is not statutorily Listed and nor is it considered to be of any architectural merit, and as such it is our view that there is no justifiable planning reason to would warrant its retention.

The closest Listed buildings are located to the south and southeast of the site. The property to the south is referred to as 'the premises of Arundel Builders Merchants Limited at Arundel Station' and is Grade II Listed. A building to the south east is the 'Priory Farmhouse' and is Grade II*.

Consideration has been paid to the setting of these nearby Listed Buildings as part of the preparation of the development proposals.

The proposal would replace existing built form of a similar footprint to that now proposed, and as such the relationship between the site and these adjoining Listed Buildings would remain similar to that existing.

In any case, it is our view that these heritage assets are of a sufficient distance away from the site for their setting not to be affected.

Further, it is our view that the proposed building would in fact represent a visual improvement when compared with the existing dilapidated building that is situated on the application site.

Taking all of the above into consideration, it is our view that the proposed development would not detract from the setting of these nearby Listed Buildings, nor the visual setting of Arundel as a whole. It is our view that the proposal would be fully compliant with **saved policies GEN7** and **DEV11.**

d. Residential Amenity

The site is located within the Arundel Train Station complex, with no residential properties immediately adjacent to the site. The closest residential properties are the Arundel Park Inn Hotel and a row of terraced housing to the east of the site, which are set well away from the application site.

The proposal would replace existing built form and it is considered that the application site can comfortably accommodative a replacement building, comprising 4 No. one bedroom flats, without causing demonstrable harm to the residential amenities of any residential property.

The proposed access arrangements will remain as existing, with the site being accessible from The Causeway. Considering that the proposal is for just 4 No. one bedroom flats, it is not considered that the activity associated with the proposal and the subsequent use of the new drive would lead to undue disturbance or noise that would detrimentally affect any neighbouring properties.

It is our view that the proposal would represent an acceptable form of development, which would not detract from the residential amenities of any nearby residential property

by way of overbearing effect, loss of light or loss of privacy, and therefore the development would comply with Saved Local Plan **Policy GEN7.**

e. Space Standards

It is a requirement for all planning applications to be assessed against the internal space standards as set out in the Governments new Technical Housing Standards (Nationally Described Space Standard).

We can confirm that the proposed one bedroom flats would each have the following gross internal floor areas:-

- Plot 1 One Storey, One bedroom, 2 person occupancy - 50.9m²
- Plot 2 One Storey, One bedroom, 1 person occupancy - 43.9m²
- Plot 3 One Storey, One bedroom, 2 person occupancy - 50.9m²
- Plot 4 One Storey, One bedroom, 1 person occupancy - 43.9m²

Each of the properties would fully accord with the minimum requirement set out in this document, which is set at **39m² for 1 person occupancy** (Plots 2 and 4) and **50m² for 2 person occupancy** (Plots 1 and 3).

Storage space has also been considered within the residential units and would be in excess of the specified guidelines. Consequently, we can confirm that the proposed development is generally in accordance with the Government's Space Standards document.

In respect of external standards, it is the Council's view that regard should be had to **Policy D DM3** of the emerging local plan (publication version). Given the un-adopted status of the Plan we do question this, but in lieu of any other guidance on this matter we will refer to this policy for the purposes of assessing this revised application for housing development.

We note that the minimum requirements of private outdoor space in respect of one bedroom apartments is 4m² per apartment. The proposed development has amenity areas to the north and west sides, which would comprise 0.0118 hectares (118 m²), **well in excess of this minimum requirement.**

To conclude, the proposals would provide an adequate living environment for future occupiers, and therefore this proposed scheme would be generally compliant with **Policy GEN7** of the Arun District Local Plan and the external space standards set out in **Policy D DM3** of the Publication Version of the Arun Local Plan (2011 - 2031).

f. Flood Risk

The site is located within Flood Zone 2 and 3. As such, the planning application is accompanied by a detailed Flood Risk Assessment (FRA) that has been prepared by Hilson Moran. The FRA concludes that *"the residual risk from fluvial, coastal, groundwater and sewer flooding has been identified as negligible to low. In light of the above, the principle of the proposed development is deemed acceptable on flood risk grounds."*

Hilson Moran, whilst acting for the applicants, engaged with pre-application discussions with the Environment Agency. The most recent response from the EA (letter dated 28th April 2017) is attached to this submission. In summary, the EA confirm that *"based on the preliminary Flood Risk Assessment for the site, we are satisfied that flood risk has been appropriately assessed, and the identified mitigation measures for the proposed redevelopment address flood risk and the safety of future occupants."* It is therefore clear that the EA have no objections to the proposed development on flood risk or drainage grounds.

In addition, we are aware of a case at Arden Guest House on Queens Lane in Arundel (**application ref: AB/116/14/PL**), where change of use to residential was accepted at a site in Flood Zone 3. In that case, the Environment Agency commented that *"the proposed development does not change the number of bedrooms on the ground floor and provides*

ARUN DISTRICT COUNCIL LY/99/17/PL

a new stairway providing access to upper floors during a flood event. The proposed flood boards and use of flood resilience measures on the ground floor would reduce the risk and the impact of any flood event".

g. Access and Parking Provision

The existing access and parking arrangement will remain unchanged as part of the development.

Namely, the car parking will be retained at the front allowing easy access to the flats.

As outlined above, the site is within a highly sustainable location, positioned immediately adjacent to Arundel Train Station, as well as within close proximity of a number of bus stops and Arundel Town Centre. Taking this into consideration, it is our view that a relaxed approach to parking provision would be appropriate in this location. We are aware that the Council have previously taken this view in relation to a number of similar sites.

Please note that the access will be provided on an inclusive basis for all groups of residents and visitors.

h. Affordable Housing

In terms of affordable housing, the current position is that the Governments recent success in the Court of Appeal means that Councils cannot require affordable housing (either on-site provision or commuted sums) on schemes of 10 or less houses, or which provide 1000 sqm of floor space. As such, it is our understanding that there is no requirement for affordable housing contributions in relation to this proposal.

i. Weight to be afforded to the emerging Local Plan

The starting point for assessing this planning application is Section 38(6) of the Planning and Compulsory Purchase Act 2004, which explains that the determination of an application should be in accordance with the development plan unless material

ARUN DISTRICT COUNCIL LY/9/17/PL

considerations indicate otherwise. In terms of the development plan I consider that it is the saved policies of the Arun District Local Plan (2003) (ADLP) that are the most relevant to the determination of the application proposals.

The saved policies of the ADLP identify the application lies outside of any built-up area boundary, and as such Policy GEN3 ('Protection of the Countryside') applies. The spatial application of Policy GEN3 is out of date. Further, the Local Plan provides only for the Districts housing requirements up to 2011. Therefore, the defined settlement boundaries (and by implication the extent of land considered to be 'countryside'), including that at the application site, were drawn having only regard to the accommodation of development requirements up to 2011. It must therefore be agreed that to meet the District's development requirements post-2011, Greenfield housing development outside the currently defined built-up area boundaries will be required. Consequently the development boundaries contained within the 2003 ADLP are out of date - as confirmed above.

It is identified above that the emerging Local Plan remains subject to further consultation and examination, and there are unresolved issues surrounding the Council's ability to meet the Districts housing OAN established by the Inspector dealing with the Plan's examination. This continues the LPA's long standing inability to establish an up-to-date Plan.

In terms of weight that can be given to relevant policies in emerging plans, the NPPF states: *"216. From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:*

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*

- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."*

Dealing with each these paragraph 216 limbs in turn:

- First, it is understood that the emerging Local Plan is intended to be submitted for examination after the current public consultation period, in early Summer 2017, with an examination anticipated as being held in July or August 2017. However exact dates for these next stages are yet to be confirmed. The history of development planning in Arun District is for the timetable for development plan documents to slip considerably.

- Second, as above, there are substantial outstanding, unresolved objections with respect to the District's proposed housing figure, and the allocation of sites to meet these housing needs.

- Finally, the emerging Local Plan conflicts with the NPPF (in particular with paragraphs 14 (first and second bullet points), 47 (first and third bullet points) and 182). Therefore although the emerging Local Plan is a material planning consideration, due to the above reasons, currently only very limited weight can be given to the emerging Local Plan in the decision making process.

In addition to the above, in light of Woodcock Holdings Limited v Secretary of State for Communities and Local Government [2015] EWHC 1173 ("Woodcock Holdings) (at para. 114), by virtue of the agreed absence of a five year housing land supply, the operation of paragraph 49 NPPF renders the emerging policies in the Local Plan for the supply of housing "out-of-date". This further reduces the weight to be attached to the emerging Local Plan, while increasing the positive weight to be accorded to the delivery of housing and affordable housing.

7. CONCLUSIONS

- This proposal seeks planning permission for the demolition of an existing commercial building and its replacement with a two storey detached building, comprising 4 No. one bedroom flats.

- The existing building is not Listed and nor is it located within a Conservation Area. As such, there is no reason to warrant its retention.

- The site lies outside the built up area of Arundel, within designated countryside. The site is located within the Arundel and Littlehampton Strategic Gap. Further, the site is identified as being within an area designated as affecting the 'Setting of Arundel'.

- Arun District Council **cannot** currently demonstrate a five-year housing land supply for the District, as required by the National Planning Policy Framework.

- It is our view that in the absence of a five year housing land supply, the application falls to be determined against Paragraph 14 of the NPPF. As such, it is our view that if the proposal constitutes sustainable development then the application must be considered on the basis of the presumption in favour of sustainable development, and should only be refused if any adverse impacts would **significantly and demonstrably** outweigh the benefits of the development, when assessed against the NPPF as a whole, or specific NPPF policies indicate development should be restricted.

- Recent case law has confirmed that the 'presumption in favour of sustainable development' is not an additional test for development. Therefore when considering applications, Local Planning Authorities must measures the sustainability credentials of the development within the balance of paragraph 14, as part of the weighing up process. It is understood that Local Planning Authorities should assess applications under the 3 limbed definition of sustainable development at paragraph 7 of the NPPF.

ARUN DISTRICT COUNCIL LY/9/17/PL

- With regard to the **Economic Role**, it is considered that this would make a positive contribution to the building industry of the area and the above advice can again be applied. Although the existing employment use would be lost, this existing use actually comprises only a small amount of floor area and only served employment for one person, and this is understood to be more on a 'hobby' basis. In addition the premises' has been vacant for approximately 1 year at the time of this application being submitted.

- When considering the **Social Role**, we are aware of the Councils current lack of Housing Land Supply and in our view, the erection of 4 No. one bedroom flats will make a useful contribution towards the Council's housing stock which will provide housing for future generations.

- Finally, when considering the **Environmental Role** we are of the view that the proposal would not detract from the character of the surrounding area.

- The proposed development is set well away from neighbouring properties and would not have a detrimental effect on the residential amenities of the occupiers of any neighbouring dwelling by way of overbearing effect, loss of privacy or loss of light and would be fully compliant with **Policy GEN7** of the Local Plan.

- The proposal is fully compliant with the Governments space standards.

- It is our view that the site would constitute sustainable development, in line with paragraph 49 of the NPPF. The proposal would replace existing built form and as such the provision of housing in this location would not be seen as an isolated development and would be well related to the established spatial layout of housing in this area.

- it is our view that the proposed development would not detract from the setting of these nearby Listed Buildings, nor the visual setting of Arundel as a whole. It is our view that the proposal would be fully compliant with **saved policies GEN7** and **DEV11.**

ARUN DISTRICT COUNCIL LY/9/17/PL

RODWAY PLANNING
CONSULTANCY LIMITED

- Further, the existing building on site contains some existing residential accommodation and further, a residential use has previously been allowed on the site by the Council in 1999, under **planning ref: LY/23/99/,** which was granted planning permission for the *'formation of one dwelling within existing single storey building'.* As such, a residential use on this site has been previously established.

- It is our view that the site lends itself to accommodating 4 No. new flats, in accordance with the policies contained in the NPPF.

- A detailed Flood Risk Assessment accompanies this application, which confirms that despite the sites apparent location in Flood Zone 3, the development would be satisfactory in terms of flood risk and drainage matters. This has been confirmed by the Environment Agency in recent correspondence.

- The emerging Local Plan is subject to further consultation and examination, and is also subject to outstanding objections. In this context, we find that only very limited weight can be given to this emerging planning policy document.

Therefore, as the proposal accords with the aims and objectives of national, regional and local guidance, the application site is a suitable for the proposed development and permission should therefore be granted.

May 2017

91 VICTORIA ROAD, SHOREHAM-BY-SEA, WEST SUSSEX, BN43 5WR
[redacted]

RTPI
Chartered Town Planner

ARUN DISTRICT COUN