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Your Ref:

Our Ref: PAA/138/16/

Please ask for: Mr D Easton

01903 737619

13 September 2016

Dear Mr Rabone

Pre-Application Advice

Development of 6No. flats, parking area for 8 spaces, shared amenity space & bike store to rear
Land At Abbots Lodge 85 The Street Rustington

I write regarding the above matter and your enquiry received on 1st August 2016.

Description Of Proposed Development

From the details submitted, I understand that you propose to erect 6 No. flats to the west of Abbots Lodge with a 8 No. parking spaces and car barns adjacent to the road.

Description Of Site

The site comprises garden land to the west of Abbots Lodge a Grade II Listed Building. It is generally flat and measures approximately 826.6 sq.m in size. The eastern boundary of the site features mature planting with trees and mature planting on the northern boundary of the site which also features a 1.5m high brick and flint wall.

Description Of Locality

The area is part of a residential street comprising a mixed character. The area is identified as a Conservation Area and features a number of Listed Buildings in close proximity. Development in this location consist of a terraced, detached and semi-detached properties of primarily 2 storeys.

Planning Issues

The following issues have been identified for consideration.

Principle
Design
Neighbour Amenity
Amenity Space Provision
Bin Storage
Highways, Transport and Parking
Sustainability

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Sustainable Construction
Flooding/Drainage
Listed Building(s)
Conservation Area

Relevant Planning History

Comment On Site History

None.

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

Arun District Local Plan:	AREA2	Conservation Areas
	EDDM1	D DM1 Aspects of Form and Design Quality
	EDDM2	D DM2 Internal Space Standards
	EDDM3	D DM3 External Space Standards
	EDDM4	D DM4 Extensions & Alterations to Existing Buildings
	EDSP1	D SP1 Design
	EHEDM1	HER DM1 Listed Buildings
	EHEDM3	HER DM3 Conservation Areas
	EHEDSP1	HER SP1 The Historic Environment
	ESDSP2	SD SP2 Built -Up Area Boundary
	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	NER2	Rustington Neighbourhood Plan 2014 Policy 2
	NPPG	National Planning Practice Guidance
	SPD2	Conservation Areas
Planning policy guidance	NPPF	National Planning Policy Framework

Principle

The application site falls within the built area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policy considerations in the determination of this application are policies GEN7 of the Arun District Local Plan; Policies D DM1, D DM2, D DM3 and D DM4 of the Emerging Local Plan; Policy 2 of the Rustington Neighbourhood Plan; and the National Planning Policy Framework.

Design

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

The proposed development is three storeys in height and will have a maximum ridge height of approximately 10.8m. The height of the proposed development exceeds that of other development examples in the immediate vicinity of the application site although it must be noted that 45m to the east of the application site is Sterling Parade and Churchill Parade which feature three storey development. Therefore, three storey development is considered acceptable subject to an acceptable impact on residential amenity.

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The materials proposed to be used in the construction of the proposed building based upon the submitted drawings are of a similar appearance to those used in the construction of Abbots Lodge (85 The Street) and as such the proposed development is considered in keeping with the established character of the southern side of The Street.

Concerns do exist in relation to the design of the western elevation which features high level windows only. Whilst, it is presumed that this design was chosen in order to protect the residential amenity of neighbours it is considered to result in an elevation which is detrimental to the character of the site. This could be overcome through the use of larger obscured windows.

The proposal is also shown as featuring car barns adjacent to the highway. However, no details of their design or construction have been provided as part of this application. This form of development in such close proximity to the highway is considered to be out of character with the established spatial pattern of the locality.

Neighbour Amenity

Arun District local Plan Policy GEN7 (iv) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. One of the 'core planning principles' of the NPPF is to secure high quality design and a good standard of amenity (paragraph 17). Both the adopted Local Plan Policy GEN7 and the emerging Local Plan policy require regard to be had to the amenity & living conditions of neighbouring properties.

Concerns exist in relation to the impacts that the proposed development could have upon the residential amenity of neighbours. The proposed development will be situated approximately 2.5m from Abbots Lodge at ground floor level. The first floor of Abbots Lodge is residential and this will be situated approximately 6m away from the proposed three storey development - as such there is the potential for overbearing impacts to be created. Especially when the design of the western elevation of the proposal is considered with its limited windows and wide expanse of flint.

The proposed development by virtue of its three storey construction is also considered to have the potential to give rise to unacceptably adverse harm to the residential amenity of neighbours to the south of the site. 39 The Grangeway is a detached bungalow with the shared boundary featuring limited mature planting in order to prevent adverse overlooking. Given the height of the proposed development and extent of glazing proposed at first and second floor on the southern elevation there is the potential for significant harm. This overlooking has failed to be mitigated due to the separation between the proposal and existing residential development which is approximately 18m with no details regarding further planting provided as part of the application.

Amenity Space Provision

The NPPF indicates that good design should contribute positively to making places better for people. It also encourages the creation of places, streets and spaces which meet the needs of people are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity and maintain and improve local character.

Policy GEN7 of the Arun District Local Plan further indicates that development will be permitted provided that amongst other considerations the proposal creates attractive places and spaces with the needs of people in mind. On this basis, well designed and adequate amenity space provision for residents is considered essential to meet the policy requirements of the local plan and Central Government Advice.

The Council has introduced a policy within the Arun Local Plan 2011 - 2031 (Publication Version) entitled D DM3 which sets minimum sizes for outdoor amenity space for new development. Policy D DM3 would require the provision of 28 sqm of amenity space which has been adequately provided by the open space to the south of the proposed development.

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Bin Storage

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

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

The same amount of storage space/bins for recyclable materials is required to be provided.

Where bin stores are adjacent to the access road serving the development or across a parking area there will need to be a road up to full highway standards and an indemnity provided for the Council's contractors to pass across servicing. The access of this type provided must be accessible/passable for collection schedules i.e. no parking or other obstruction.

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

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

It should be noted that Arun Local Plan 2011 - 2031 (Publication Version) Policy D DM3 states that "External areas also need to include adequate space for recyclable and non-recyclable waste storage".

I note that your plans show space for waste and recycling bins.

Highways Transport And Parking

Planning policies allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians, and car parking. I am not able to consult with West Sussex County Council on pre-application enquiries and so I am unable to provide any comments in relation to the proposed access or the suitability of visibility splays. However, you can contact them yourself for pre-application advice through their website at:

<https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-application-advice-for-roads-and-transport/>.

Examination of the WSCC Parking Demand Calculator suggest that a provision of 10 spaces would be required at the proposed development.

Sustainability

Government Planning policy is to encourage appropriate development in a location that will enable a reduction in the need to travel, particularly by private car and that planning should contribute to reducing emissions and reduce climatic change. The site is considered sustainable given its proximity to retail provision and access to public transport.

Sustainable Construction

Tackling climatic change is a key government priority for the planning system. Applicants for planning permission should consider how well their proposals for development contribute to the Government's ambition of a low carbon economy and how well adapted they are for expected effects of climatic change. Applicants should consider provision of renewable energy in the form of high level insulation, rainwater harvesting a general minimal energy use, including Carbon Dioxide reduction.

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Emerging Local Plan Policy ECC SP2 "Energy and Climate Change Mitigation" states that:

"All new residential and commercial development (including conversions, extensions and changes of use) will be expected to be energy efficient and to demonstrate how they will:

- a. Achieve energy efficiency measures that reflect the standards in the level of the Code for Sustainable Homes or appropriate BREEAM rating, applicable at the time of submission;
- b. Use design and layout to promote energy efficiency; and
- c. Incorporate decentralised, renewable and low carbon energy supply systems, for example small scale renewable energy systems such as solar panels."

And that:

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

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

Please ensure that you have regard to this Policy if you prepare a planning application.

Listed Building

In considering whether to grant planning permission for development that affects a listed building or its setting, the Council shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. The proposal has been considered by the Council's Historic Buildings Advisor who has provided the following comments:

"Abbot's Lodge was formerly the Vicarage to St Peter & St Paul church and is a grade II listed building. Its set back position and open grounds to the east, which define its garden inform both its status and significance and together contribute to the Conservation Area.

The proposal to develop the garden in this manner is highly likely to be to the detriment of the listed building and the Conservation Area and would therefore not be capable of support. Of particular concern to us are the scale, design and proximity of the flats to the heritage asset and how this will impact its setting and appreciation from both the public realm and within the curtilage of the listed building.

The pre-application assessment (which will become the heritage statement) appears at present to lack a level of impartiality and thus is not convincing. It makes a number of assumptions as well as seems to contradict itself. It rightly talks of the high status of the building and the land being formerly a garden and then describes this space as 'not important' and 'incidental'. It then goes on to talk about the need to outweigh harm 'to the building's significance, specifically the setting'. This is all a bit confusing and unclear.

Looking at the plans it is hard to imagine how the proposed west elevation seen next to Abbot's Lodge from the front entrance cannot represent harm and how it cannot impact on the experience of the asset. If this is really believed, it will need to be demonstrated beyond reasonable doubt.

As well as the scale and design of the main development there is also concern with the car barns and parking in the foreground of the site which are also likely to harm the appreciation of the asset. These appear to have been omitted from the elevations and in turn not given proper consideration."

Conservation Area

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In considering whether to grant planning permission with respect to any buildings or other land in a Conservation Area, the Council shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area (Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990. The proposed development is likely to be unacceptable due to the impact on the designated Conservation Area. The consultation response prepared by the Council's Historic Buildings Advisor and Conservation Officer stated;

"The proposal to develop the garden in this manner is highly likely to be to the detriment of the listed building and the Conservation Area and would therefore not be capable of support."

To discuss the concerns of the Council's Conservation Officer further in relation to the proposed scheme it is recommended that an email is sent to Conservation.Officer@arun.gov.uk requesting a meeting.

Bin Storage

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

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

The same amount of storage space/bins for recyclable materials is required to be provided.

Where bin stores are adjacent to the access road serving the development or across a parking area there will need to be a road up to full highway standards and an indemnity provided for the Council's contractors to pass across servicing. The access of this type provided must be accessible/passable for collection schedules i.e. no parking or other obstruction.

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

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

It should be noted that Arun Local Plan 2011 - 2031 (Publication Version) Policy D DM3 states that "External areas also need to include adequate space for recyclable and non-recyclable waste storage".

I note that your plans show space for waste and recycling bins.

Conclusion

Based on the above comments I conclude that were an application for planning permission to be submitted it would be likely to be recommended for refusal for the reasons identified above.

Follow Up Meeting

If you require a follow up meeting to discuss this pre-application and advice, you will need to forward a written request together with a fee for £200 made payable to Arun District Council if not already included in the fee you have already paid.

Making an Application

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If you decide to proceed with making an application you will need to quote the reference number for this advice in the pre-application advice section of the relevant application form. This will ensure that the application receives priority and a speedy validation process.

You will also need to submit the following documentation/information:

Fully completed and signed Application Form with full description of the proposal.
Ownership Certificate and Agricultural Land Declaration
Design and Access Statement
Correct Fee
Location Plan (1:1250)
Site / Block Plan (1:500)
Elevations (Existing and Proposed)
Floor Plans (Existing and Proposed)
Roof Plans

Additionally the following documents will need to be provided:

Please note that the Council has a Local Validation Requirements List and you should refer to it before submitting your application. Failure to provide the required documentation and to complete the Validation Checklist and the Biodiversity Checklist will result in the application being treated as incomplete and delay the validation of the planning application.

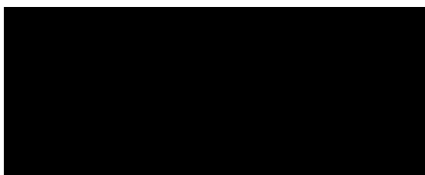
Having looked though the Local Validation Requirements List, I would suggest that the following additional documents will be required:

Biodiversity Survey and Report
Foul and Surface Water Drainage Statement
Bin Storage and Collection Provision
Street Scene
Heritage Statement

You should be aware that any advice given by the Council in relation to pre-application advice will be based on the case Officer's professional judgement and will not constitute a formal response or decision of the Council with regard to any future planning applications. Any views or opinions expressed are given without prejudice to the consideration by the Council of any formal planning application which will be subject to wider consultation and publicity. Although the case officer may indicate the likely outcome of a formal planning application, no guarantees can or will be given about the decision that will be made on any such application. Any further correspondence will be at the Case Officer's discretion depending on the nature of the further enquiry. It may be necessary to submit a further pre-application advice request. Please note this advice only relates to planning and does not relate to any other legislation which may or may not apply such as Building Regulations. You will need to carry out your own checks to determine whether any other consents or permissions are required.

I trust this is of assistance to you.

Yours sincerely



Karl Roberts
Director Planning & Economic Regeneration

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