RAPLEYS

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

Date: 17 May 2024

FAO: Kathryn Welch

Dear Kathryn,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR THE ERECTION OF THREE RESIDENTIAL DWELLINGS.
SITE ADDRESS: 66 THE STREET, RUSTINGTON, LITTLEHAMPTON, BN16 3NR

We write on behalf of our client, Envision Contracting Ltd, to seek full planning permission from Arun District Council in relation to the proposal described above at 66 The Street Rustington, Littlehampton, BN16 3NR (the 'Site').

The formal description of development for which planning permission is being sought is as follows:

> *"The erection of three, two-storey residential dwellings, landscaping and associated works."*

This Covering Letter has been drafted in support of the full planning application and is structured as follows:

- Site Description
- Surrounding Area
- Relevant Planning History
- Background to the Proposal
- Pre-application Engagement
- Proposed Development
- Planning Policy Framework
- Assessment of proposal against relevant planning considerations
- Conclusions

The application has been submitted via the Planning Portal (PP-12616961) and comprises the following:

- Covering Letter
- Planning Application Form

ARUN DISTRICT COUNCIL R/

- CIL Form
- Drawing pack (prepared by Rohacs Architects) comprising:
    - Location Plan (Ref: PL_001_240108) (Scale 1:1250@A3)
    - Existing Site Plan (Ref: PL_002_240108) (Scale: 1:250 @ A3)
    - Proposed Site Plan (Ref: PL_003_240108) (Scale 1:250 @ A3)
    - Proposed Ground Floor Plan (Ref: PL_004_240220) (Scale 1:100 @ A3)
    - Proposed First Floor Plan (Ref: PL_005_240108) (Scale 1:100 @ A3)
    - Proposed Roof Plan (Ref: PL_006_240108) (Scale 1:100 @ A3)
    - Proposed Sections (Ref: PL_007_240108) (Scale 1:100 @ A3)
    - Proposed Sections (Ref: PL_008_240108) (Scale 1:100 @ A3)
    - Proposed Elevations (Ref: PL_009_240108) (Scale 1:100 @ A3)
    - Proposed Elevations (Ref: PL_010_240108) (Scale 1:100 @ A3)
    - Urban Greening Factor Calculation (Ref: PL_011_240108) (Scale 1:100 @ A3)
    - Proposed 3D View (Ref: PL_012_240108)
    - Proposed 3D View (Ref: PL_013_240108)
    - Proposed 3D View (Ref: PL_014_240108)
    - Proposed 3D View (Ref: PL_015_240108)
    - Proposed 3D View (Ref: PL_016_240108)
- Design and Access Statement (prepared by Rohacs Architects)
- Heritage Statement (prepared by FPHS)
- Contamination Report Pack (prepared by STM Environmental Consultants Limited) comprising:
    - Phase 1 Desktop Study report (Ref: PH1-2019-000050)
    - Phase 2 Environmental Site Investigation Report (Ref: PH2-2020-000001v2)
    - Phase 3 Contaminated Land Remediation Strategy and Verification Plan (Ref: REM-2021-000008v2)
- Noise Impact Assessment (prepared by ACA acoustics)
- Transport Statement (prepared by RGP Consulting Engineers)
- Daylight and Sunlight Assessment (prepared by NRG Consulting)
- Preliminary Ecological Appraisal (prepared by Biodiverse Consulting)
- Biodiversity Net Gain Assessment (prepared by Biodiverse Consulting)
- Fire Safety Statement (prepared by CWB Fire Safety)
- Sustainable Drainage System Strategy (prepared by STM Environmental)

Site Description

The Site is located within the authoritative boundary of Arun District Council at the northeastern extent of Rustington Village centre.

The Site comprises a broadly rectangular parcel of cleared brownfield land and is bound to the north by residential dwellings and the Pegasus Court care home, to the east by the Pegasus Court visitor's car park, to the south by a small parade of shops which front The Street, and the west by a restaurant. Vehicular access is derived from The Street via an access road which serves both the Site, parking to the rear of the shops and the care home development at 68 Pegasus Court.

The Site is in Flood Zone 1 (low probability of flooding) and also falls within the Rustington Town Centre boundary and is adjacent to the Rustington Conservation Area.

Surrounding Area

The character of the locality is a mix of commercial and residential development. Residential areas are located directly to the north and the west of the Site. Commercial areas are located to the east and south of the Site. The southern commercial area comprises seven units that front The Street, providing amenities to the local community. The commercial strip includes a Thai restaurant, two charity shops and a fast food takeaway, all of which have residential above. Beyond these, the Parish Church of Saint Peter and Saint Paul Rustington, is located directly south of The Street and The Lamb Inn Pub is located to the southwest of the Site.

From The Street (B2140) the wider local highway network of the A259 can be accessed via Ash Lane to the east of the Site. The A259 connects to Bognor Regis, to the west and Worthing to the east.

The closest bus stops to the Site are the Lamb bus stop, which is located approximately a 140m walk to the west of the property and the Shops bus stop which is located approximately 140m the east of the Site. These stops are served by service 700; The Coastliner, which operates a 10-minute frequency service. The regular local bus services are also available within walking distance of the property, enabling prospective tenants to travel to and from the Site via bus.

The nearest National Rail Station to the Site is Angmering, which is located approximately 2.2km north-east of the Site.

The Site has convenient access to local amenities, including retail, employment and leisure opportunities.

Relevant Planning History

An online planning history search confirmed that the property benefited from lawful light industrial use by virtue of a 1987 planning permission (Ref: R/298/87) for the *"Marley enterprise building for printing workshop- partial demolition of existing buildings and parking at front".*

The Site had been occupied by Tony James Dental Laboratory Ltd for dental practice manufacturing which has operated under Use Class B1(c) (Light Industrial) since March 1989. However, the unit fell vacant in March 2018.

In September 2019, a prior approval application for the change of use from light industrial (Use Class B1(c) to residential (Use Class C3) to provide six residential apartments was submitted to Arun District Council (ref: R/205/19/PD). The prior approval application was approved in October 2019.

Further to the prior approval, an application for the provision of a single storey upwards extension to accommodate four additional residential units, providing an overall provision of 10 units to the Site (Ref: R/113/21/PL) was submitted in May 2021. The application was refused on 15th December 2021 of the following grounds:

1. Loss of privacy to the residents of Pegasus Court causing unacceptable harm to residential amenity.
2. Due to the siting, height and views of the extension from the Rustington Conservation Area, the proposal would have a discordant and unacceptable effect on the character

and appearance of the area and fail to preserve or enhance the setting of the adjoining Conservation Area.
3. The proposal did not demonstrate that development could take place without danger to life/property flooding.
4. A lack of on-site parking provision, impacting the safety of the local highway environment.

Background to the Application Proposal

As previously mentioned, in October 2019, prior approval was granted for the conversion of the premises into 6 residential units (Use Class C3) (Application ref: R/205/19/PD). Since then, works had commenced on the conversion from light industrial use to residential, however, during which, structural damage occurred to the walls of the building. The damage resulted in the brickwork of the external walls being replaced.

During the replacement of external brickwork, enforcement action was taken by the Council which requested the newly erected walls and all rubble be removed from the Site. Following correspondence with the planning enforcement officer, works have ceased on Site, and we understand the prior approval can no longer be implemented lawfully.

Therefore, we seek permission from the Council for residential use on this now vacant site.

Pre-Application Engagement

Pre-application advice has been sought from Arun District Council. Kathryn Welch (Planning Officer) was assigned as the Case Officer and provided a formal written response on 5th September 2023, ref: PAA/68/23/. Further to this, a follow up meeting was conducted over teams on 31st October 2023.

The Council's written response confirms the principle of development is accepted as long as it accords with the other policies in the Plan, stating, *"The proposal is located within the BUAB where the principle of development is sound as long as the proposed development accords with other policies in the Plan. Part P of the ADG and relevant paragraphs of the NPPF support the efficient re-use of brownfield land, ensuring that new development respond positively to its setting and surrounding context."*

A key consideration highlighted with the response noted that there could be potentially negative impacts arising from overlooking of the nursing home to the north and the private amenity space for the occupants.

Therefore, prior to engaging in a follow up meeting with the Council to discuss the proposal in more detail, several design changes were implemented. These included:

1. Replacing all the first floor level windows with oriel windows with privacy glass to stop overlooking.
2. Adding additional roof top terraces to the first floor of each dwelling to increase the total external amenity space for each unit.
3. Fitting the new terraces with a 1.8m tall privacy screen on the north elevation to stop overlooking.

During the follow up meeting with the Council, the revised proposal was discussed, and it was concluded that the amended scheme had addressed the concerns highlighted in the initial written response.

Furthermore, it was confirmed in the meeting that a noise impact assessment would be required at the planning application stage to ensure there are no undue impacts on surrounding noise sensitive receptors, a daylight/sunlight report and heritage report would be required and a BNG assessment. In line with this advice, all pieces of work have been undertaken and accompany the application.

Proposed Development

Land Use

The proposed development seeks to erect three, two-storey residential dwellings and introduce landscaping on this vacant brownfield Site.

Design

Each dwelling will be two storeys and comprise of three bedrooms, a living room, an open plan kitchen dinner and two bathrooms. The rooms will be arranged across a main two storey volume and a connected single storey mass.

The design proposes a flat roof on each of the storeys, in a saw tooth massing, creating a modern aesthetic that reflects the design of the southern commercial units. This design seeks to complement and enhance the surrounding area in terms of scale and design. Furthermore, employing a stepped massing not only fosters a well-balanced architectural composition that will complement the surrounding area but also minimises overshadowing and mitigates visual impact on neighbouring sites.

Density and Layout

The scale of the proposed buildings is seen as complimentary to the area, with the single storey commercial units fronting The Street, the proposed units would offer a step up in height away from The Street (and the Conservation Area), sitting comfortably between them and the 3-storey nursing home further to the north. Furthermore, the linear composition of the buildings mirrors the arrangement of the adjacent commercial units, reflecting the character of the surrounding area.

Amenity and Landscaping

The new dwellings will provide a good standard of accommodation which will meet or exceed the minimum internal space standards. The three dwellings proposed are of 95.11sqm, 89.18sqm and 84.12sqm, respectively.

The fenestration of each building is purposefully oriented to preserve internal views while safeguarding privacy, ensuring that each dwelling maintains a sense of individuality within the collective scheme. The incorporation of openable windows on a minimum of two walls facilitates cross-ventilation, and optimal daylight penetration within the living spaces.

Furthermore, the development proposes oriel windows on the south facing walls, which will remain fixed shut to protect residents from the odour and noise pollution that may arise from the nearby restaurants.

Each dwelling will have a private rear garden on the northern side, capitalising on natural light, and a private terrace, edged by a 1.8m frosted glass balustrade to ensure privacy and protect the space from any resultant noise impacts arising from the adjacent car park.

The proposed development extends beyond the individual dwellings to encompass comprehensive landscaping, creating a cohesive and aesthetically pleasing environment.

Parking and Access

Vehicle, pedestrian and cycle access will remain unchanged and will be derived from The Street, via an access road which serves both the site, parking to the rear of the shops and the residential development at No.68 Pegasus Court, The Street.

Each dwelling will have lockable outdoor cycle storage and a private driveway, accommodating one car parking space and active EV charging.

Planning Policy Framework

This section sets out the planning policy framework of relevance to the application proposal. Section 38(6) of the Planning and Compulsory Purchase Act 2004 stipulates that in making any determination under Planning Acts, regard is to be had to the Development Plan, and the determination must be made in accordance with that plan, unless material consideration indicates otherwise. The Statutory Development Plan is as follows:

- Arun Local Plan 2011-2031 (2018);
- Arun Local Plan Policies Map (2018); and
- Rustington Neighbourhood Plan (2014).

In addition to the Development Plan, the following are material considerations in this assessment:

- National Planning Policy Framework (2023); and
- Local Supplementary Planning Documents and Guidance.

National Planning Policy Framework (2023)

The underlying principle across the NPPF is the presumption in favour of sustainable development, as expressed in Paragraph 11. This means that for decision-taking, development proposals that accord with an up-to-date development plan should be approved without delay. Where there is no relevant development plan or the policies which apply are out-of-date, permission should be granted unless the proposals are contrary to the NPPF which demonstrate a clear reason to refuse permission, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

The chapters considered most relevant to the proposals are Chapters:

- 5 (Delivering a sufficient supply of homes);
- 9 (Promoting sustainable transport);
- 11 (Making effective use of land); and
- 12 (Achieving well-designed and beautiful places)

Chapter 5, paragraph 60, details that in order to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 70 highlights the important contribution small and medium sized sites can make to meeting the housing requirement of an area, emphasising that they are often built out quickly.

Chapter 9 of the NPPF relates to the promotion of sustainable transport and seeks to manage the impacts of development on transport networks. It sets several considerations to facilitate this, including identifying opportunities from an infrastructure perspective as well as from sustainable transport initiatives, and ensuring that environmental impacts of transport are fully considered.

Chapter 11, paragraph 123, promotes the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 123 continues to states that strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

In order to support this, paragraph 124, criterion c) requires polices and decisions to give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

Paragraph 128 states *"Planning policies and decisions should support development that makes efficient use of land, taking into account:*

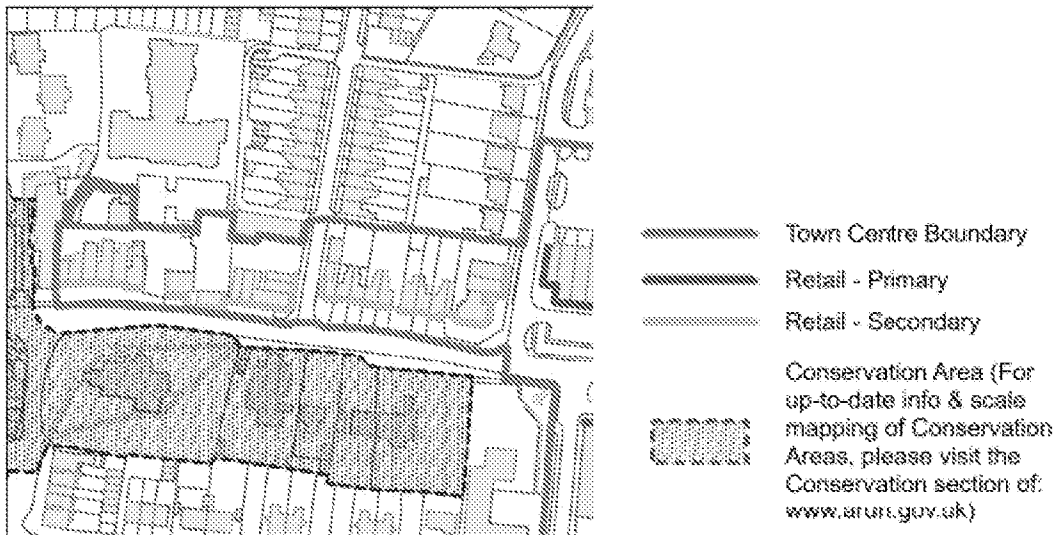
a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
b) local market conditions and viability;
c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
d) the desirability of maintaining an area's prevailing character and setting 38 (including residential gardens), or of promoting regeneration and change; and
e) the importance of securing well-designed and beautiful, attractive and healthy places."

Chapter 12, paragraph 131, asserts that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The paragraph continues to state that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Expanding on this, paragraph 135 sets out several considerations to incorporate into developments, including the lifetime functioning of a site and surrounding area, visual appeal, sympathetic to local character and history, sense of place, site potential, inclusive and accessible places which promote health and well-being.

Arun Local Policies Map (2018)

The site is located within the town centre boundary of Rustington as designated by the Arun Local Policies Map (2018). An exert of the map, showing the site outline in red, is below.



Arun Local Plan

The Arun Local Plan 2011-2031 was adopted on the 18th July 2018 and comprises the written statement and supporting policy maps. The plan sets out the spatial vision, objectives and sustainable strategy for delivering needed growth of the District over the period 2011-2031.

Policy SD SP2 (Built-up Area Boundary) states that development should be focused within built up areas such as town centres.

Policy RET SP1 'Hierarchy of Town Centres' supports and promotes the measures which will reinforce the role of town centres in meeting community needs and providing a range of activities including, inter alia, residential development. Policy RET SP1 continues to state Rustington is a Local Service Centre and as such, will maintain its exiting role as a centre providing a good range of shops serving the local population, together with a range of other services and facilities.

Policy SD SP1 'Sustainable Development' notes that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy SD SP1a 'Strategic Approach' seeks to maintain the District's unique character as a coastal location whist ensuring that the needs of the community are met through sustainable growth. Part g of the special strategy encourages the effective use of previously developed land in accordance with the strategy, provided that it is not of high environmental value.

Policy D DM1 (Aspects of Form and Design Quality) notes the Councils regard for character,

appearance, impact, innovation, adaptability, crime prevention, public realm, movement, legibility, density, scale and form.

Policy D DM2 (Internal space standards) states that the Council will require internal spaces to be appropriate in size and meet the requirements of all occupants, Nationally Described Space Standards should be adhered to.

Policy D SP1 (Design) encourages development proposals 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.

Policy HER DM1 (Listed Buildings) states that proposals must preserve and if possible, enhance the historic character, qualities and special interest of the building. Furthermore, they must not be detrimental to the historic integrity of the building's exterior or interior and where possible enhance the setting of the building.

Policy HER DM3 (Conservation Areas) seeks to ensure that proposals preserve or enhance the character or appearance of Conservation Areas.

Policy ECC SP2 (Energy and climate change mitigation) states all new residential developments will be expected to be energy efficient and to demonstrate how they will:

a. Achieve energy efficiency measures that reflect the current standards applicable at the time of submission;
b. Use design and layout to promote energy efficiency; and
c. Incorporate decentralised, renewable and low carbon energy supply systems, for example small scale renewable energy systems such as solar panels

Policy ENV DM5 (Development and Biodiversity) states all development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. Further, the policy expects developments to also incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not).

Policy QE SP1 (Quality of Environment) requires all development to contribute positively to the quality of the environment and will ensure that they do not have a significant negative impact upon residential amenity. The Policy continues to highlight that the location of existing commercial uses, must be taken into consideration when assessing proposals for development sensitive to noise, light, odour and outputs to air to ensure that the amenity of new developments and facilities is safeguarded from the impacts of incompatible land uses.

Policy T SP1 (Transport and Development) seeks to ensure that developments provide safe access on to the highway network, contribute to highway improvements and promote sustainable transport including the use of low emission fuels, public transport improvements and the cycle and pedestrian network. The Policy expands to state the Council will support transport and development which, inter alia, incorporate appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking.

Arun Local Plan Update 2023-2041

The Council are updating the Local Plan to ensure that future development needs are met sustainably and to reflect the changing vision for the area, along with various legislative changes. On 19 July Full Council agreed the recommendation by Planning Policy Committee (6 June 2023) to resume this work following a pause in 2021 and 2022. There are no further updates on the Council website.

Rustington Neighbourhood plan 2014-2029

The Site is located within Character Area 7 of the Rustington Neighbourhood Plan.

Policy 2 (Housing Design) notes *"Development proposals (including alterations to existing buildings) will be supported, provided that their scale, density, massing, height, landscape design, layout and materials reflect the architectural and historic character and scale of the surrounding buildings and landscape. Proposals must also comply with the parking standards adopted by the planning authority."*

Supplementary Planning Documents

Arun Parking Standards 2020 (APS)

The Arun District Parking Standards takes standards and evidence produced and consulted on by the County Council, along with its own documentation and tailored it to make it applicable to the situation within Arun District. The Parking Standards SPD relates to the amount of parking, cycle and electric vehicle charging points expected to be provided within development of differing sizes. The Arun District Council Parking Standards January 2020 SPD was officially adopted at the Full Council meeting of 15th January 2020.

Paragraph 2.19 sets the recommended levels of cycle provision as one space per unit for houses with up to four bedrooms.

Paragraph 2.12 states parking provision should be sufficient to accommodate demand whilst exploiting the potential for sustainable travel, minimizing adverse effects on road safety and avoiding increased on-street parking demand.

Section 3 notes the expected level of provision of car parking for new residential developments as two spaces for 3 bedroom dwellings when within parking behaviour zone 4 (Urban (within towns but not in a central location)).

Paragraph 2.8 seeks 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).

Arun District Design Guide 2023 (ADG)

Section G (Built Structure G & Development Plots)

G.03 (Layout & Plot Size) iterates the 25 degree rule which states *"Take a horizontal line extending back from the centre point of the lowest window, then draw a line upwards at 25 degrees. All built development facing a back window should be below the 25 degree line. In exceptional circumstances a smaller distance may be acceptable subject to other aspects achieving acceptable standards."*

Furthermore, G.03 recommends the minimum back-to-back dimension should be 21m, provided by rear gardens of minimum 10.5m and should be informed by the 25 Degree Rule.

Section H (Welcoming Streets & Spaces)

H.04 (Residential Outdoor Amenity & External Space Standards) states Amenity spaces should be of an appropriate size and shape to be usable and enjoyable. The guidance recommends 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. However, the guidance states other innovative design solutions to smaller private rear gardens may also be acceptable in specific circumstances when justified.

Section P (Infill Development)

P.01 states infill development should respond positively to the character, appearance and layout of surrounding buildings to provide high quality infill development which enhances amenity for surrounding and new residents.

P.01 continues to explain while infill schemes present a valuable opportunity to increase the efficiency of land use in existing urban and rural areas and provide new housing, this should not lead to over-development and over-intensification of building plots. The guidance requires development to strike a balance between the benefits of more efficient and intense use of development land and preserving the character and local amenities of the site's context.

Regarding design, the guidance states that some infill development on prominent plots, for example those in town and local centres, may take the opportunity for a bolder response through creation of landmark buildings or focal points which add to the legibility, richness and character of a place. However, the guidance states that this must not however come at the expense of relating well to existing buildings and features, which should be used to inform and enhance creative design.

Arun District Council Authority Monitoring Report 1 April 2022 – 31 March 2023 (Published January 2024)

The Authority Monitoring Report monitors the current Arun Local Plan 2011-2031 (adopted July 2018) and plan making performance including the delivery of a Local Plan update 2023-2041 and a Gypsy & Traveller Development Plan Document 2018-2031.

Chapter 4 'Housing Land Supply' states that the 5-year housing land calculation indicates that there is a 4.17-year land supply, inclusive of a Housing Delivery Test buffer of 20% (based on 61% HDT delivery performance). This is below the required 5-year housing land supply and therefore a shortfall.

Assessment of proposal against relevant planning considerations

Land Use

When considering the land use acceptability of the proposed residential development, the following factors are of the upmost importance.

- The Site is within the Built-Up Area Boundary
- The Site is within Rusting Town Centre
- The development will utilise a cleared brownfield Site
- The Site is located within a sustainable location
- The proposed development will make a small contribution to the Councils 5-year housing target

The Site is within the Built-Up Area Boundary where the principle of development is acceptable, subject to the consideration of other relevant policies within the Arun Local Plan, in accordance with Policy SD SP2 of the Local Plan.

Furthermore, the Site is located within Rustington Town Centre. Rustington Town Centre is a sustainable location for proposed residential development as it offers direct access to a variety of amenities, including retail, leisure, commercial, tourism and community offerings, ensuring residents of the development benefit from the Town Centre location. The Site is also located within a predominantly residential area, with dwellings located to the west, north and south of the Site.

The sustainability of the development is enhanced by its access to pedestrian and cycle routes, the primary highway network, a bus stops located approximately 140m from the Site, which provides a

direct to Angmering train station providing the residents of the development with sustainable travel options for both local and farther journeys.

The latest monitoring report finds that against the requirement for a 5-year housing land supply, Arun District Council only has 4.17 years. Therefore, the development of three residential units will make a small but welcome contribution towards the Council's Housing Delivery Targets. As such, this should be given considerable weight in its favour due to the Council's shortfall.

The high-quality design of the development will transform the derelict brownfield site, creating an attractive, sustainable development in accordance with part g of Policy SD SP1 by utilising a vacant brownfield site within the existing urban area to meet future housing needs.

The proposal will deliver new homes on previously developed land within the existing urban area, regenerating the brownfield site while making efficient use of the land and infrastructure of Rustington Twon Centre accords with paragraph 11 of the NPPF and Policy SD SP1, in part g of Policy SD SP1a of the Local Plan.

Given all of the above, it can be concluded that the principle of the proposed residential development complies with the relevant planning policies in land use terms.

Design

The scheme will increase the efficiency of the land to provide new housing with careful consideration to prevent over-development and over-intensification of the Site in accordance with Section P of the Arun Design Guide.

The development has been carefully considered to create a proposal that reflects the characteristics of the surrounding area and residential character in terms of layout, scale, massing and architectural details. Given that the buildings immediately surrounding the Site include flat roof single storey commercial units to the south, a modern take on flat roof dwellings would not be out of character with the area. Furthermore, when viewed from the Street, only glimpse views of the tops of the proposed units would be visible, which are further reduced by the saw tooth form, ensuring the character of the area is maintained and respected. The proposed material palette has been developed to complement the existing context. A light-yellow toned brick toned cladding is proposed on the ground floor elevations, with grey standing seam metal cladding proposed on the upper floor. To align with the grey cladding, a grey finish is proposed for the windows and vent panels, ensuring consistency across the design and material palette.

The scale of the proposed buildings is also seen as complimentary to the area, with the single storey commercial units fronting The Street, the proposed units would offer a step up in height away from The Street (and the Conservation Area), sitting comfortably between them and the 3-storey nursing home further to the north.

In light of the above it is considered that proposed design, character and appearance of the development accords with Policy D DM1 of the ALP, Policy 2 of the RNP or Part P of the ADG.

Residential Amenity and quality of accommodation

The design of each dwelling accords with the Nationally Describe Space Standards and Policy D DM2 of the Local plan. Furthermore, each dwelling will have access to a private rear garden, the smallest of which is 19.57sqm and the largest being 27.48sqm. The provision of private terraces on the first floor of each dwelling represents an innovative design solution to compensate for the smaller private rear gardens. The smallest garden and terrace provision is allocated to the central dwelling and comprises 36sqm private amenity space, whilst the largest amenity space is allocated to the western dwelling and comprises 45sqm. The outdoor amenity provision ensures an appropriate size and shape to be usable and enjoyable in accordance with H.04 of the ADG.

The screening to the proposed roof gardens will be fully obscured up to a height of 1.8m to protect the space from noise impact from the car park adjacent and ensure there is no overlook to the residents of Pegasus Court.

The introduction of oriel windows featuring frost glazing on the northern and southern facing glazing ensures there are no overlooking amenity issues arising from the development. Furthermore, the oriel windows will be sealed shut to protect residents from potential noise and odour impacts from the nearby businesses in compliance with Policy QE SP1.

Furthermore, the design of the massing of the development is such that it sits below the 25-degree pane, described in the ADG as the '25-degree rule' which is used to inform overbearing and overshadowing impact. The 25-degree pane is projected from the centre of the ground floor windows at Pegasus Court and lies above the proposed development according with the Part G of the ADG.

Daylight sunlight

The Daylight and Sunlight Assessment prepared by NRG Consulting conclude that the proposed development will not have a negative impact on the sunlight levels experienced by neighbouring properties and spaces at 48 and 62 The Street and Pegasus Court. Furthermore, all rooms within the proposed development meet the internal daylight requirements stipulated in BS EN 17037:2018.

Noise

The Noise Impact Assessment prepared by ACA acoustics concludes that potential adverse or significant adverse impacts can be adequately mitigated to ensure noise is not detrimental to the amenity of future occupants. Mitigation measures include the incorporation of an acoustic ventilation scheme into the design such that residents can achieve background ventilation without necessarily needing to open windows. Furthermore, given the mix of uses already in operation in closer proximity to residential units than the proposed site and that the harm is limited as these do not operate throughout the night, no significant impact is foreseen, according with Policy QE DM1.

Lastly, the Noise Impact Assessment confirmed sound levels were 53dBA at a nominal position on the Site. Therefore, it is assessed that sound levels in the gardens (which will be further screened by the new dwellings themselves) will be lower and comfortably achieve the 55dBA guidance limits recommended in BS8233 as suitable for external amenity areas.

Heritage

The Heritage Assessment which accompanies the application confirms that the proposed development will have no material impact on any designated asset and cause no direct nor indirect harm of significance. Furthermore, it is considered that the redevelopment will not impact on the contribution that setting makes to the significance of nearby designated assets and there will be no harm in accordance with Policies HERDM1 and HERDM2.

Biodiversity (Net Gain)

The Biodiversity Net Gain Assessment undertaken by Biodiverse Consulting reports the results of the Biodiversity Net Gain (BNG) Assessment of the proposed development with local and national legal and policy context.

The Biodiversity Net Gain assessment confirmed the existing baseline habitats found on Site combine to a total value of 0.01 Habitat Units (HABU). The proposed development will create, 0.11ha of Green Roof, 0.008ha of Vegetated Garden and 0.02ha of Developed Land, which provides a combined value of 0.04 Habitat Units (HABU).

The resultant total Net HABU change is 0.03 HABU equating to a 358.38% net gain, ensuring the trading rules for the project are satisfied.

Ecology

The proposed landscape planting will include species native to the local area as well as berry and fruit-bearing species alongside pollinator species, to provide increased foraging opportunities in the local area.

Furthermore, the following ecological beneficial elements are proposed:

- 1x sparrow terrace will be provisioned post construction on the northern aspect of each building.
- 2x wall-mounted bat boxes will be installed post construction. One will be located on the southwestern aspect of the westernmost building. The other on the southeastern aspect of the easternmost building.
- Incorporate green roofs into the development as part of the design proposals.

Further details are provided within the Preliminary Ecological Appraisal prepared by Biodiverse Consulting.

Transport

The Site benefits from shared use of a private access road which is utilised for parking and servicing of the site, Pegasus Court and a number of local commercial and retail units. Vehicle access to the site for both cars and service vehicles including emergency vehicle will be via the existing rear access road behind the commercial units fronting onto The Street.

Each dwelling will have an associated driveway, accommodating one car parking space. The space will allow for EV charging. Furthermore, to the front of each dwelling there will be sheltered cycle parking for two bikes per dwelling in accordance with Arun Parking Standards 2020.

The existing infrastructure is of a good standard and provides access to a range of local amenities and public transport options. The site is located approximately 150m (or 2 minutes' walk) from The Lamb bus stops (west of the site) and 200m west of the Shops bus stops (east of the site) both on The Street. The convenient location and frequency of services to local bus stops and Angmering railway station provide future residents with opportunities to travel to destinations further afield. These offer practical alternatives to private car trips.

The accompanying Transport Statement prepared by RGP provides further details.

Drainage

The Sustainable Drainage System Strategy which accompanies the application, proposes various SuDS maintenance measures which will be employed at the Site. These include green roofs, rainwater butts, permeable paving and geocellular storage tanks to provide storm water inception, rain water re-use and attenuation storage on Site. With the proposed SuDS mitigation measures in place, it is considered that the proposed development will reduce local flood risk and enhance the local environment and will therefore be in compliance with the LLFA's current planning and policy and the NPPF.

Conclusion

In summary, the proposed development will revive this vacant brownfield Site, putting it back into beneficial use. We take the view that the previously approved residential prior approval establishes an acceptability for residential use on this Site. Moreover, the Site's town centre location, where development is prioritised, ensures a suitable and sustainable location. This advantageous

positioning encourages future residents to access amenities by foot or by utilising public transportation, promoting a greener and more liveable community.

The scale and orientation of the dwellings has been thoughtfully considered to prevent any overlooking to the adjacent care home located at the rear of the site, ensuring privacy and harmonious integration. Furthermore, the proposed development will make a small but valuable contribution to addressing the current housing land supply shortfall. Therefore, we seek your consideration on the enclosed proposal prior to the submission of a full planning application.

We trust that the documents submitted with this application via the Planning Portal are acceptable for the validation of this planning application.

If you require any additional information or clarification in the meantime, then please contact Heather Guyan using the below details.

Yours sincerely,



Heather Guyan
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Senior Planner
Planning
[redacted]