

Krona Design Ltd.
50 Grand Parade
Brighton
BN2 9QA

Date: 24th July 2020

Please ask for: Mrs A Gardner

Tel: 01903 737529

Your Ref:

Our Ref: PAA/48/20/

Dear Sir/Madam,

Pre-Application Advice

Proposed development of eight two-bedroom semi-detached dwellings.

Morelands Arundel Road Arundel BN18 0SB

I write regarding the above matter and your enquiry received on 27th May 2020.

DESCRIPTION OF PROPOSED DEVELOPMENT

From the details submitted, I understand that you propose to provide 8 semi detached, 3 bedroom, 2 storey dwellings. The indicative plans show the proposed dwellings consist of a living room, kitchen/dining area, utility room and wc on the ground floor.

DESCRIPTION OF SITE

The site consists of an area of land to the south of the dwelling of Morelands. The site is mostly grass land with some trees along the boundary. The site is accessed via The Ridings off Arundel Road. The site lies within the defined built up area of Fontwell.

DESCRIPTION OF LOCALITY

The area is on the edge of existing residential development which fronts onto Arundel Road where existing dwellings vary in form and design from bungalows to 2 storey dwellings and detached and semi detached properties.

PLANNING ISSUES

The following issues have been identified for consideration.

Principle

Design

Neighbour Amenity

Amenity Space Provision

Bin Storage

Highways, Transport and Parking

Sustainability

Sustainable Construction

Flooding/Drainage
Light Pollution
Biodiversity
Protected Species
Lidsey Catchment Area
Adjacent to Strategic Site SD6
Within Built Up Area Boundary

RELEVANT PLANNING HISTORY

WA/31/92	Two single storey extensions to existing bungalow	ApproveConditionally 22-07-92
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RELEVANT POLICIES - the following policies are considered relevant to your proposal:

Arun District Local Plan 2011-2031

DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HDM1	H DM1 Housing mix
SDSP2	SD SP2 Built-up Area Boundary
LANDM1	LAN DM1 Protection of landscape character
ECCDM1	ECC DM1 Renewable Energy
ECCSP2	ECC SP2 Energy and climate change mitigation
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems

Walberton Neighbourhood Plan Policy 2017 HP11	Housing Density
Walberton Neighbourhood Plan Policy 2017 HP1	Spatial Plan of the Parish
Walberton Neighbourhood Plan Policy 2017 VE7	Surface Water Management
Walberton Neighbourhood Plan Policy 2017 HP13	Design Guidance
Walberton Neighbourhood Plan Policy 2017 VE3	Protection of Trees and Hedgerows

Planning Policy Guidance:

NPPF	National Planning Policy Framework
NPPDG	National Design Guide

PRINCIPLE

The application site falls within the built up area boundary of Walberton and within the made Neighbourhood Plan area. Section 38(6) of the Planning and Compulsory Purchase Act 2006 requires development proposals to be assessed against the policies contained within the Development Plan comprising the Walberton Neighbourhood Development Plan (2014-2029) and the Arun Local Plan 2011-2031 (July 2018), unless material considerations indicate otherwise.

At the time of this response, Arun District Council are unable to demonstrate a 5 year Housing Land Supply which therefore triggers the presumption in favour of sustainable development under footnote 7 and paragraph 11(d) of the National Planning Policy Framework (2019). The National Planning Policy Framework is held as a material consideration when determining planning applications under Section 38(6) of the 2006 Act.

Footnote 7 and paragraph 11(d) of the NPPF makes clear that where Councils are unable to demonstrate a 5 year Housing Land Supply, the policies which are most important for determining the application are out-of-date. In this instance, housing supply policies in the Arun Local Plan are out-of-date and NPPF provisions take precedence; unless these out-of-date policies are consistent with the NPPF.

Applying the presumption in favour of sustainable development for decision taking means granting permission unless (paragraph 11(d)):

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. 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.

Paragraph 8 of the National Planning Policy Framework outlines the three overarching objectives to achieve sustainable development in the planning system; comprising economic, social and environmental objectives. The development would provide housing in a sustainable location that would provide access to jobs which would support the local economy (economic). The development would provide a range of homes that could meet the needs of present and future generations (social).

Paragraph 7 of the NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states that achieving sustainable development comprises three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

Whilst the above paragraphs have demonstrated the development may fulfil the economic and social objectives, in principle, the achievement of sustainable development is mutually dependent upon the fulfilment of the environmental objective.

For the reasons set out in further detail below, the development does not currently accord with the NPPF environmental objective for sustainable development in relation to the impact on the character and appearance of the area.

On the basis that the development is unable to fulfil the environmental role, which the achievement of sustainable development is mutually dependent on, the development results in an unacceptable level

of adverse impacts which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. It follows under the application of paragraph 11(d) of the 2019 Framework that the development is considered to be principally unacceptable because the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.

DESIGN

Paragraph 127 of the National Planning Policy Framework requires planning decisions to ensure developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Developments should be visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscaping setting and maintain a strong sense of place, using the arrangement of streetscapes, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Paragraph 130 of the National Planning Policy Framework makes clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy D SP1 of the Arun Local Plan requires that development proposals 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 D DM1 of the Arun Local Plan sets out a 15 point criteria against which the design of new development should accord with. Criteria 1 requires development to reflect or improve upon the character of the site and surrounding area, in terms of scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping and design features.

From 09 January 2020 until 21 February 2020 Arun District Council consulted on the Arun District Design Guide (SPG). After this time the SPG is gaining weight for the purposes of design decision taking. Should an application be forthcoming then this guidance will be used to assess development. Conformity with this guidance and the identified characteristics of the area should be demonstrated within any future submission.

The indicative elevation plans show materials comprising red tiled roofs, cladding and red facing brick of fairly standard design. It should be noted that the application for development adjacent to this site was discussed by Members at Development Control Committee this month and design was considered paramount and it was clear that careful consideration of the rural village location and the need for appropriate detailing and use of locally characteristic design and materials was required. Based on the indicative elevations proposed the design will require further consideration and the layout is poorly integrated with surrounding development.

NEIGHBOURHOOD PLAN POLICY

The proposed development is not considered acceptable by reason of conflict with Policy HP13 of Walberton Neighbourhood Plan.

Conclusion on Design

The proposal would currently conflict with the NPPF, policies QE SP1, D SP1 and D DM1 of the Local Plan and policy HP 13 of the Neighbourhood Plan in that it would fail to reflect the character of the local area in terms of elevational treatment and fails to be properly integrated with the local development grain. As such, the current proposals would likely be unacceptable in this regard and refused at application stage on this basis.

NEIGHBOUR AMENITY

Paragraph 127(f) of the National Planning Policy Framework (2019) requires planning decisions to create places with a high standard of amenity for existing and future users.

Policy QE SP1 of the Arun Local Plan requires all development to contribute positively to the quality of the environment and ensure that development does not have a significantly negative impact upon residential amenity. Policy D DM1(3) of the Arun Local Plan requires development to have a minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. One of the 'core planning principles' of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 12).

In this case, it is considered that the proposed indicative development would have an acceptable impact on the residential amenities of neighbouring properties in accordance with policy D DM1(3) in terms of overlooking to other properties. The existing plot is currently unoccupied by any buildings and therefore the existing dwelling of 'Morelands' currently has no neighbouring buildings to the south. The proposed dwellings are likely to be a sufficient distance away to not cause any overlooking or loss of privacy, but any submitted application should take account of the approved layout of development on the adjoining strategic site.

AMENITY SPACE PROVISION

Policy D DM1 of the Arun Local Plan 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.

Policy D DM2 states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance".

It is therefore necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the new buildings will be suitable for residential use. The proposal is likely to be acceptable on this basis due to internal gross floor areas of 94sqm exceeding the Nationally Described Space Standards for a 3 bed 5 person house and bedroom sizes according with the guidance..

In relation to external provision, well designed and adequate amenity space for residents is considered essential to meet the policy requirements of the Local Plan and Central Government Advice. Arun District Council in effect currently have no size standards in respect of private gardens but would instead take a view at the time of an application as to the quality & quantity of proposed private amenity space. We would also have regard to the character of an area and to the need to ensure gardens are sufficiently deep so as to minimise the harm of overlooking from first floor windows.

I would further note that the Draft Arun Design Guide which is available to view on the web site provides further guidance on external amenity space. This suggests that private gardens should have a minimum garden depth of 10.5m. It is noted that many of the garden depths do not meet this guidance

Given the above the proposal would not accord with policy DDM1 of Arun Local Plan and policy HP11 of Walberton Neighbourhood Plan and it would be necessary to address this lack of depth in any future submission..

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.

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.

HIGHWAYS TRANSPORT AND PARKING

Planning policies allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians, and car parking. Car parking requirements will vary according to accessibility of the site to public transport or services, or location within a town centre.

In respect of parking, ALP policy T SP1 states that: "The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

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

West Sussex County Council has produced a parking demand calculator which will provide guidance on the levels of car parking required. This can be viewed at <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-application-advice-for-roads-and-transport/>

You are also advised that County Highways are consulted for highway advice on applications and you can make use of their pre app advice service.

In addition Arun has recently adopted its own parking standards which require 2 spaces for each 3 bed unit , plus 20% for visitors equating to an additional 1.6 (2) spaces. It is noted that 2 parking spaces are provided per unit, but additional visitor space will need to be included in accordance with the adopted standards in order to demonstrate compliance with policy T SP1 of Arun Local Plan.

The cycle parking generated would be 1 per unit requiring 8 spaces.

Arun District Council's Electric Vehicle Infrastructure Study was agreed at Full Council on 18-01-2019 and policy QE DM3 of the Arun Local Plan seeks to encourage the use of electric vehicle charging points. Therefore any proposal should make such provision at a rate of 2% of the parking spaces provided.

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 Governments ambition of a low carbon economy and how well adapted they are for expected effects of climatic change. Applicants should include renewable energy in the form high level insulation, rainwater harvesting a general minimal energy use, including Carbon Dioxide reduction and energy efficiency measures. This is a policy requirement of policy ECC SP2 of Arun Local Plan which states that all new development should be energy efficient and;

- 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;

c. Incorporate decentralised, renewable and low carbon energy supply systems, for example small scale renewable energy systems such as solar panels.

BIODIVERSITY

Arun Local Plan policy ENV DM5 states that:

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

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

The site has been used as garden land and contains some trees and hedgerows. This suggests that the site could have potential habitat for wildlife species such as reptiles, bats and birds. I would therefore request that a Phase 1 Habitat Survey Report accompany any future planning application. Should the results of this identify the need for further survey work, then these should be completed prior to submission of the application. All ecological surveys need to be undertaken by a suitably qualified ecologist and at the right time of year and for the right duration.

Furthermore, with regard to Biodiversity Net Gain, information on this i.e. proposed measures (e.g. planting of mixed ornamental and native species creating a variety of habitats, bird/bat boxes, log pile bug hotels etc.) must be submitted at application stage, prior to determination, to accord with the Environment Bill, the NPPF and policy ENV DM5.

In the event of a planning application the Ecology Officer would be consulted to provide comment.

LANDSCAPE

Planning policies emphasise that the conservation of the natural beauty of the landscape and countryside should therefore be given great weight in development control decisions. Policy VE7 of Walberton Neighbourhood Plan seeks to retain trees and hedgerows in the parish.

The Council's Landscape Officer has been consulted and has no objection. Her response is as follows:

No SSI designations, No character areas, No conservation areas, South Downs National Park to north

Response

The indicative layout has shown 8no semi-detached dwellings within an open plot within the defined built up area of Fontwell. The site is mostly grassland with trees to the boundary, the site is accessed via The Ridings off Arundel Road.

A development of 8no dwellings would not be required to provide onsite POS facilities or offsite financial contributions as outlined in ADC SPD Open Space, Playing Pitches, Indoor and Built Sports Facilities January 2020.

Consideration of existing trees and hedges within and to the perimeter of the site would be required and any removals agreed with Arun District Councils Tree Officer. Existing vegetation to the perimeter of these proposals may provide valuable screening to these proposals and to Morelands beyond.

Impact

The potential impact on the location would be minimal, but development of any kind would still require that landscaping be provided as mitigation towards screening and softening of the development.

Mitigation/requirements

An existing green boundary is evident in places, this may require further boundary planting treatment to enhance and improve. Possible further landscape enhancements as screening to the building to the north of these proposals and to increase biodiversity and habitat within this rural fringe site.

All greenspaces should be considered and valued and their connection for biodiversity and habitat explored.

A planting scheme will need to be developed which includes a mix of evergreen and deciduous, native and ornamentals. Tree specification should be at a size which allows instant impact, but which will establish and mature as the site develops. It will be important to consider the impact of the development on the setting of the National Park and ensure that any landscaping reinforces the character of the area in line with policy LAN DM1.

OTHER CONSIDERATIONS

The Council adopted the Community Infrastructure Levy Charging Schedule on 01 April 2020. Any applications decided from 01 April 2020 will be subject to the CIL payments as detailed within the adopted Charging Schedule.

The map detailing the charging schedule zones can be found here:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n14675.pdf&ver=15026>. The site lies in Charging Zone 1.

The Council's Draft Charging Schedule, including any exemptions, are detailed here:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n14676.pdf&ver=15027>

LIGHT POLLUTION

Policy VE8 of Walberton Neighbourhood Plan states

Development proposals which detract from the unlit environments of the Parish will not be supported. New lighting will be required to conform to the highest standard of light pollution restrictions in force at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly in its use.

STRATEGIC SITE

This site adjoins land intended to be used as public open space as part of the strategic housing allocation. The land is to be transferred to Walberton Parish Council for this purpose. A s.106 agreement was entered into at the outline stage (WA/22/15/OUT).

The reserved matters application (WA/48/19/RES) contains a layout and a landscape plan proposing allotments to the west, an orchard to the south and a parking area for paddocks to the east of the site the subject of this enquiry. Retained vegetation is shown alongside much of the boundary. The relevant plans to look at are: (1) Whole site planning layout 001 Rev B and (2) Northern Masterplan 002 F. The reserved matters application

DRAINAGE ENGINEERS COMMENTS

The proposal would need to comply with policy WDM3 of Arun Local Plan and policy VE7 of Walberton Neighbourhood Plan which seek to ensure that sites incorporate suitable SUDs systems. The Council's Drainage Engineers have made the following comments:

Engineers Comments Regarding Surface Water Drainage

The hierarchy for sustainable drainage must be followed with infiltration fully investigated. Winter infiltration testing and winter groundwater monitoring must be undertaken, it is advised that the applicant discusses the extent of this monitoring with us at the earliest opportunity. Infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

If on-site infiltration is not possible, drainage via a restricted discharge to a suitable local watercourse may be acceptable. Any discharge should be restricted to QBAR greenfield run-off rates, with a minimum rate of 2l/s.

We suggest that, at the earliest stage, the developer gives due consideration to the appropriate location and design of surface water drainage features to achieve necessary capacity, water quality (via the SuDS management/treatment train), as well as ease of on-going maintenance. Surface water drainage features should also be designed in a manner that positively affects the amenity of the site. We would like to remind the developer that, open features, such as swales, basins and ponds, when designed correctly, can satisfy all the above aspirations in addition to; being easier to maintain, having longer lifespans and offering ecological advantages over subterranean features such as "plastic crate systems".

It should also be noted that attenuation features should not be counted within useable public open space provision.

Adequate treatment of surface water must be ensured prior to discharge.

Supplementary guidance notes regarding surface water drainage are located here

<https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

CONCLUSION

Based on the above comments I conclude that were an application for planning permission to be submitted it would be likely to be refused on the basis of elevational treatment and lack of sufficient car parking provision and insufficient garden length. The layout of the proposed units would need to be amended to better reflect the character and appearance of the local area.

MAKING AN APPLICATION

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

You will need to submit the following documentation/information with your application to meet the National Validation Requirements:

Fully completed and signed Application Form with full description of the proposal.

Ownership Certificate and Agricultural Land Declaration

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

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
Flood Risk Assessment
Foul and Surface Water Drainage Statement
Lighting Assessment
Bin Storage and Collection Provision
Parking Plan
Street Scene
Tree Survey and Arboricultural Report

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

I trust this is of assistance to you.

Yours sincerely



Neil Crowther
Group Head of Planning