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Date: 2nd July 2021

Please ask for: Mrs A Gardner

Tel: 01903 737529

Your Ref:

Our Ref: PAA/66/21/

Dear Sir/ Madam,

Pre-Application Advice

New detached dwelling on land within/adjacent boundary of site ownership
Oak Bank Wandleys Lane Walberton West Sussex BN18 0QR

I write regarding the above matter and your enquiry received on 11th May 2021.

DESCRIPTION OF PROPOSED DEVELOPMENT

From the details submitted I understand that you propose to erect a detached 2 storey dwelling of traditional design. An indicative elevation and ground floor plan have been included in the submission, but no detailed elevations or floor plans.

DESCRIPTION OF SITE

The site is on the Western side of Wandleys Lane, it currently exists as open land, adjacent to the existing dwelling (Oak Bank). There is a TPO tree to the front of the site.

DESCRIPTION OF LOCALITY

The area is predominantly open, characterised by sparsely sited dwellings. The building style is varied. The road is notably rural and arboreous, with trees lining the Western side of the road.

The site adjoins an area of approved residential development to the north and east.

PLANNING ISSUES

The following issues have been identified for consideration.

Principle

Design

Neighbour Amenity

Sustainable Construction

Biodiversity

RELEVANT PLANNING HISTORY

WA/59/21/T	Pendunculate Oak - Tree Number 9, Removal of dead wood and reduction of limbs to reduce crown over road.	
WA/43/95/CLE	Application for Certificate of Lawfulness of Existing use - Use of premises as a dwelling house without agricultural occupancy restriction.	Approve 17-02-97

RELEVANT POLICIES - the following policies are considered relevant to your proposal:

Arun District Local Plan 2011-2031

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
WDM3	W DM3 Sustainable Urban Drainage Systems
ECCSP2	ECC SP2 Energy and climate change mitigation
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
CSP1	C SP1 Countryside

Neighbourhood Plan Policies:

Walberton Neighbourhood Plan Policy 2017 HP13	Design Guidance
Walberton Neighbourhood Plan Policy 2017 VE3	Protection of Trees and Hedgerows
Walberton Neighbourhood Plan Policy 2017 VE7	Surface Water Management
Walberton Neighbourhood Plan Policy 2017 HP1	Spatial Plan of the Parish
Walberton Neighbourhood Plan Policy 2017 HP9	Housing Mix

Planning Policy Guidance:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

Supplementary Guidance:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

PRINCIPLE

The application site is located within the Parish of Walberton and as such the development plan in the determination of this application will consist of the Arun Local Plan (ALP) 2011 - 2031 and the Walberton Neighbourhood Plan (WNP).

Arun Local Plan (ALP):

The key policy considerations in the determination of this application are SD SP1, SD SP2 and C SP1. Map 2 of the Arun Local Plan illustrates the extent of the Walberton village built up area boundary (BUAB). The application site is partially (approximately 50%) within this boundary.

Walberton Neighbourhood Plan (WNP):

The WNP was made in November 2016 and as such forms part of the development plan in the determination of this application. A revised plan is being prepared which is due to be made on 14th July 2021.

Policy HP1 of the WNP seeks to focus development within the NP BUAB. The WNP shows the site as being outside of this BUAB.

Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), the National Planning Policy Framework (2018) para. 12 states that permission should not usually be granted. Local Planning Authorities may only take decisions that depart from an up-to-date development plan when there are other material considerations which indicate that the plan should not be followed.

The NPPF is an important material consideration in determining planning applications. As discussed below the Council cannot demonstrate a 5-year Housing Land Supply (HLS) and para 11 (d) of the NPPF and the application of the 'presumption' for sustainable development is triggered. Arun can demonstrate a 3.3-year HLS in the latest published AMR 2019/20. Therefore, where NDP policies are material to decision making on determining planning applications these policies can be relied upon as robust where the NDP is up to date in accordance with Paragraph 14. In this case the current Neighbourhood Plan is out of date, but by the time a planning application is submitted it is likely that the new Walberton Neighbourhood Development Plan will be made.

This means where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (such as where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), planning permission should be granted unless (i) the application of policies in the NPPF that

protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

There is no question that (i) does not apply to this determination as the site does not lie in a protected landscape.

The NPPF generally seeks to promoting effective use of all land (para 117) and gives weight to proposals that develop under-utilised land (para 118(d)). Whilst some of the site is outside of the defined BUAB, the site is in a sustainable location.

Conclusion on Matters of Principle:

The principle of residential development on just over half of the site would accord with the development in that it is within the defined built up area boundary. Development of the remainder of the site would be contrary to the development plan Arun Local Plan policy C SP1 and policy HP1 of Walberton Neighbourhood Plan.

For the proposal to be considered contrary to Policy C SP1, there needs to be a demonstrable harm to the aims of this policy. The aims of this policy are to preserve the character and beauty of the countryside and to manage the urban/rural fringe. In this case the proposal is on the fringe of an approved urban settlement and the part of rural designation that it falls on is not unacceptably affected for the reasons set out below. The proposal is therefore not contrary to the stated aims of policy C SP1. With regard to policy HP 1 of the Neighbourhood Plan the policy supports development on previously developed land both inside and outside the built up area boundary. Part of the site is within an existing residential curtilage. Further the proposal is in accordance with the Interim Housing Statement in that the site is in part greenfield adjacent to settlement boundaries.

DESIGN

Planning Policies and Central Government advice support the efficient and effective use of land.

In this case, the key policies are D DM1 and D SP1 of the Arun Local Plan.

Policy D DM1 of the Arun Local Plan 2011-2031 (ALP) requires that the Council have regard to certain aspects including:

- (1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";
- (2) Appearance/attractiveness - "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area";
- (13) Density - "The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity"; and

(14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement."

Furthermore, policy D SP1 "Design" states that:

"All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development. "

Policy HP13 of the Walberton NP says "new development which would have an effect on the appearance and character of the surrounding area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to its location".

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 recently adopted Arun Design Guide promotes good design in new development through setting out key design objectives. Part F refers to infill development. It suggests that new schemes should emulate the established pattern of building height, scale, plot width, boundary treatment and building line along the edge of the plot, and continue the rhythm of the street by repeating key elements such as chimneys, porches, windows, doors and walls. These may follow a more contemporary design to add subtle variation, but should ensure that the materials and details used are complementary to the surrounding area. The prevailing character of the area should always inform development unless exceptionally high quality design is proposed. Infill development is more common within rural contexts, where the surrounding landscape setting must inform the location, character and boundary treatments of any proposed development.

The pre-application information that you have submitted does not set out how the proposed residential development accords with the provisions of the National Design Guide or the Arun Design Guide. In the forthcoming detailed planning application you will need to provide a statement supporting your design principles referencing compliance with the Arun Design Guide, even if only provided as supporting information. The site has a rural location and it should be demonstrated that the rural setting and character would be reflected in any development of the site. The space indicated between the dwelling and site boundaries when combined with the 2 storey height of the dwelling which spans the site is considered to be overly dominant in the street scene. It is suggested that one section of the dwelling should be single storey adjacent to the side boundary.

The proposed development is a new residential dwelling sited in a countryside location, although it is acknowledged that the site to the north and east has approval for residential development, it is considered that the height and first floor width of the dwelling would have a

harmful impact on the rural, arboreal character of the area. The proposal introduces a large, prominent new dwelling that appears as an alien feature within the locality and street scene and would be overly dominant in relation to the more modest footprint of the host dwelling Oak Bank.

A schedule of the internal space standards should be submitted with the forthcoming detailed planning application, to ensure that the houses comply with the Nationally Described Spaced Standard (NDSS) table (Table 1).

External amenity space should comply with the requirements set out in Arun Design Guide. Policy H.04 of the Guide SPD advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It states that rear gardens should have a minimum depth of 10.5 metres. Regard should also be had to paragraph 127 of the NPPF which states that "Planning policies and decisions should ensure that developments (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users".

In design terms the proposal would therefore be overly dominant and damaging to the visual amenities of the locality contrary to policies D DM1 and D SP1 of Arun Local Plan.

NEIGHBOUR AMENITY

Policy D DM1(3) of the Local Plan sets out the aspects of form and design quality that any planning application for development would need to address. The policy requires development to have minimal impacts on users and occupiers of nearby property and land; for example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. Policy D DM1 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.

The NPPF further indicates that good design should contribute positively to making places better for people. When more detailed designs are being developed, consideration should be given to the height of properties to ensure that overlooking and loss of light is not an issue where the site abuts the residential properties to the south of the site. In this case, subject to details of layout and design, it is considered that the proposed residential development would be acceptable on the residential amenities of neighbouring properties.

It is not possible given the absence of elevational and floor plan detail to conclude that the proposed residential development would comply with Policy D DM1(3) of the Local Plan and the Arun Design Guide in terms of impact on neighbouring residential amenity.

BIN STORAGE

For all new residential development 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.

HIGHWAYS TRANSPORT AND PARKING

Regard should be had to paragraph 109 of the NPPF which states: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". Para 106 refers to maximum parking standards for residential development.

Policy T SP1 of the ALP supports development which incorporates appropriate levels of parking in line with the West Sussex County Council guidance on parking provision.

Arun District Council has recently adopted its own Parking Standards SPD (Jan 2020).

The ADC Parking Standards for a 3 bedroom property in this type of location (Parking Behaviour Zone 1) requires a minimum of 2 car parking spaces on site.

Electric vehicle charging points at a rate of 1 charging point per house with a garage or parking space should be provided, as per the ADC Parking SPD. In terms of cycle parking, ADC Parking Standards require 1 cycle space for a 2 bed house (2 spaces for a 3 bed) to be provided on-site. Cycle storage should be undercover, secure, and easily accessible to occupants.

Any application would need to include details of on-site car parking, cycle storage and electric vehicle charging point provision, and also access and turning arrangements on site etc. (so that cars do not need to enter or exit the site in reverse gear, since this could affect highways safety).

WSCC Highways would be consulted at planning application stage to provide comments with regard to access, highways safety and parking provision. A separate pre-application advice service is provided by West Sussex County Council as the Local Highway Authority.

The Site Plan has not demonstrated any parking spaces, but an integral garage is provided. For a garage to be included within parking provision it must have an internal area of 6m by 3m. It is likely there is adequate space available for parking to comply with requirements.

SUSTAINABLE CONSTRUCTION

Policy ECC SP2 (ALP) requires all new residential development 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.

Should an application be forthcoming accordance with the above criteria would be sought to fulfil the contents of Policy ECC SP2 of the Arun Local Plan.

PROTECTED TREES

Policy ENV DM4 of the Local Plan says "proper provision must be made for the protection and management of trees or areas of woodland on-site when undertaking development." Policy D DM1(7) of the Local Plan says "all new development will be expected to incorporate existing and new tree planting as an integral part of development proposals."

Policy VE3 of the Walberton NP says "development will be permitted where it can be demonstrated that trees and hedgerows contributing to local amenity will not be damaged or destroyed".

The site includes a preserved tree and has planting across some of the site frontage. Any application submitted would need to include a Tree Constraints Plan and Arboricultural Impact Assessment to demonstrate there would be no adverse impact on existing trees in accordance with policy ENV DM4 of Arun Local Plan.

BIODIVERSITY

Paragraph 170(d) of the National Planning Policy Framework requires planning decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 174(b) of the National Planning Policy Framework requires plans to pursue opportunities for securing measurable net gains for biodiversity. Paragraph 175(d) of the National Planning Policy Framework requires Local Authorities to incorporate biodiversity improvements in and around developments especially where this can secure measurable net gains for biodiversity.

Policy ENV DM5 of the Arun Local Plan requires development schemes to, 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 designed 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.

OTHER CONSIDERATIONS

The Council adopted its CIL Charging Schedule on 01 April 2020. Applications will be subject to CIL payments where they fall in a charging zone detailed in the adopted Charging Schedule. In this instance, the enquiry site falls within CIL Charging Zone 3.

The Charging Schedule Zones can be found here:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n14675.pdf&ver=15026>

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

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

You are also advised that the site lies within a sharp sand and gravel consultation area.

DRAINAGE ENGINEERS COMMENTS

Policy W DM3 of the Local Plan says: "to increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SuDS) , appropriate to the size of development, at an early stage of the design process."

Policy VE7 of the Walberton NP says "surface water management measures will be required for development proposals to ensure that the risk of flooding both on-site and downstream is not significantly increased".

The Council's Drainage Engineers have made the following comments:

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 event plus 40% on stored volumes, 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 storm 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 the mean QBAR greenfield run-off rates for all design storm events. This rate is derived from only the impermeable area of the development, including any permeable areas that are positively drained. A minimum allowable rate of 2 l/s is generally considered to avoid blockage risk of flow control devices, however, lesser rates can be achieved if adequate blockage prevention measures are incorporated.

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. Existing and proposed trees (root protection zones) must not conflict with suds features/pipework.

Ground raising is discouraged. If it is considered absolutely necessary, then due consideration must be given to the potential impacts on existing properties adjacent the development site, in terms of possible elevated groundwater levels and surface water run-off implications.

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

Supplementary guidance notes regarding surface water drainage are located on the Drainage Planning Consultations on Arun District Council's website. A surface water drainage checklist is available from the same link, and 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 unlikely to be approved in the 2 storey form indicated.

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 the appropriate fee made payable to Arun District Council if not already included in the fee you have already paid.

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 for each type of application and you should refer to it before submitting your application. Failure to provide the required documentation 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
Street Scene
Tree Constraints Plan
Arboricultural Impact Assessment

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

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning