

Appendix 5 Land East of Orchard Gardens Woodgate 2003 Plan Policies

PLAN	Policy Ref	Policy Heading	Policy sub-heading	Policy Wording	Response for Outline Application for Land East of Orchard Gardens Woodgate
2003 Saved	GEN2	GEN2 Built Up Area Boundary		The boundaries of the built-up area for the purposes of the West Sussex County Structure Plan and this District Local Plan are defined on the Proposals Map. Development or redevelopment will be permitted within the built-up area boundaries, subject to the other policies in this plan. Outside the built-up area boundaries, development or redevelopment will not be permitted unless it is consistent with other Local Plan policies	The site is outside the built up area boundary but there is an acknowledged shortfall in the five year housing supply which is a material consideration that outweighs this policy given the circumstances of this site. In the SHLAA and subsequent HEELA it is identified by Arun District Council Consultants as being suitable for and available for 52 dwellings.
2003 Saved	GEN3	GEN3 Protection of the countryside		Outside the Built-Up Area, as defined on the Proposals Map, the countryside will be safeguarded for its own sake. Development will not be permitted unless: (i) it meets the operational needs of agriculture, forestry, the extraction of minerals or the deposit of waste; or (ii) for quiet, informal recreation; or (iii) for the diversification of the rural economy; or (iv) for essential road schemes; or (v) it is in accordance with a policy in Sections 2 and 3 of the plan referring to a specific use or type of development.	The site is adjacent to the existing built up area on two sides and separated from the countryside by an existing tree line and ditch. The need for housing is a material consideration that outweighs this policy given the circumstances of this site.
2003 Saved	GEN5	GEN5 Provision of New Residential Development		The Plan makes provision for 8,700 new dwellings to be built within the District during the period covered by the Plan (1996 - 2011).	Over the life of the plan the average actual housing provision has been 462 dwellings per annum (dpa) which was short of the actual requirement of 585 dpa. This proposal is for new residential development which can either be viewed as helping to meet the housing shortfall in the existing plan or as part of the strategic provision for the emerging plan.
2003 Saved	GEN6	GEN6 Amount of New Commercial Development		Not Applicable	Not Applicable
2003 Saved	GEN7	GEN7 Form of New Development	Development will be permitted if it meets criteria	Development proposals involving new buildings or significant extensions or alterations must be accompanied by an illustrated written analysis of the site and its immediate setting, together with its relationship with the relevant townscape, landscape, wildlife and movement characteristics of the wider area. Development will be permitted provided it:	The proposal meets the criteria as follows:
2003 Saved	GEN7	GEN7 Form of New Development	(i) makes efficient use of land	(i) makes efficient use of land or buildings and, in the case of new residential development, achieves net densities of at least 30 dwellings per hectare;	The proposal is for 57 dwellings on 1.77 hectare which is 32 per hectare just over the policy minimum of 30.

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2003 Saved	GEN7	GEN7 Form of New Development	(ii) responds positively to characteristics of site and area	(ii) demonstrates that it responds positively to the identified characteristics and resources of the site and the area to create attractive places and spaces with the needs of people in mind and respects and enhances local distinctiveness;	The illustrative layout demonstrates a gradual evolution from bungalows next to existing bungalows on the access road to two storey housing further within the site. It is within a village with good local facilities and provides an area of open space very close to Woodgate Park which is higher density housing with no open space currently nearby.
2003 Saved	GEN7	GEN7 Form of New Development	(iii) promotes sustainable development	(iii) promotes sustainable development, including the effective use and conservation of energy and reducing the need to travel, particularly by private car;	The proposal is adjacent to the existing village of Westergate. In the 2007 Arun Settlement Sustainability Study Westergate was rated as having fair to excellent accessibility to 10 out of 13 categories. It was second only to Eastergate in the overall facilities assessment and is unusual in having both primary and secondary schools. Like many villages it does not rate well in the employment availability since employment is understandably located largely in the Bognor and Littlehampton areas. However since the report the A259 has been realigned and employment land at Enterprise Bognor Regis has come into use. These are both just 3.5km down the A29 from the site. This employment land, including the new Rolls Royce facility, and pre-existing employment areas within Bognor are within the 5km cycling distance for commuting. Public Transport is assessed as very poor because the methodology ignored bus services if there were fewer than 3 per hour. In this case there is a bus service, within 300m of the site, linking Westergate to both Bognor Regis and to Barnham Station. A further bus service linking the village to Chichester and Barnham is 1300m away.
2003 Saved	GEN7	GEN7 Form of New Development	(iv) no unacceptable adverse impact on adjoining occupiers	(iv) does not have an unacceptable adverse impact on adjoining occupiers, land, uses or property and, where relevant, facilitates the development of adjoining sites;	The illustrative layout has been drawn up to keep buildings away from adjacent housing where possible or to be of similar scale. With the exception of 1 bungalow it is only gardens that abut existing houses and then only the gardens of those houses.
2003 Saved	GEN7	GEN7 Form of New Development	(v) no unacceptable adverse impacts from adjoining land uses or property;	(v) takes account of any unacceptable adverse impacts that may arise from adjoining land uses or property;	The adjoining uses being residential or farmland should not produce any adverse impact on the development.

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2003 Saved	GEN7	GEN7 Form of New Development	(vi) retains significant open or wooded areas	(vi) retains significant open or wooded areas which, in their own right, make a material contribution to the local environment;	The proposal includes an area of open space and retains trees along the east boundary
2003 Saved	GEN7	GEN7 Form of New Development	(vii) allows for the safe movement of pedestrians and vehicles	(vii) allows for the safe movement of pedestrians and vehicles, giving priority to pedestrians;	The illustrative layout has footpaths for pedestrian access to and within the site together with traffic calming measures to limit speed to 20mph in accordance with the Government manual for streets.
2003 Saved	GEN7	GEN7 Form of New Development	(viii) provides for vehicle parking	(viii) provides for vehicle parking in accordance with Policy GEN12 and Appendix 2 and open space in accordance with Policy GEN20.	The proposal provides parking in accordance with West Sussex County Council Parking standards.
2003 Saved	GEN7	GEN7 Form of New Development	High standard of design	In all cases, the District Council will expect a high standard of design and layout and all applicants will be encouraged to improve the visual amenities of the particular locality in scale, external appearance, hard and soft landscaping and materials.	Detailed design is a reserved matter but the principle behind the landscaping is retention of the existing tree screen along the East boundary and locating the open space adjacent to that boundary.
2003 Saved	GEN8	GEN8 Development and the Provision of New Infrastructure		Development will not be permitted unless the infrastructure or facilities made necessary by the development are available or will be provided at the appropriate time. Permission may be granted subject to the development being phased in step with such provision by a landowner, developer or service provider. The Local Planning Authority may seek fair and reasonable contributions to be made by landowners or developers towards the cost of infrastructure, service or amenity provision, to meet the needs of the occupiers or users of the development. Regard will be had to the advice set out in Circular 1/97 on Planning Obligations.	GEN 8 Development and the provision of New Infrastructure – The demand for housing already exists and is acknowledged. The development is therefore satisfying a demand that already uses existing infrastructure or already requires improvements to that infrastructure. It could therefore be argued that the development itself is not making any infrastructure necessary. However the Heads of terms for a Section 106 Agreement include provision for contributions to health, libraries, fire safety etc. The proposal also includes a highway improvement that will improve existing road infrastructure and traffic flow over Woodgate Crossing.

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2003 Saved	GEN9	GEN 9 Foul and Surface Water Drainage		Planning permission for development which will materially increase foul and/or surface water discharges will be refused unless the Local Planning Authority is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development. Consideration should also be given to the use of Sustainable Urban Drainage Systems (SUDS) as alternatives to conventional drainage where appropriate.	Foul Water drainage from the proposed development will connect into the existing foul sewer network. The foul water main sewer is located at the head of Orchard Gardens at the site entrance. From here the sewer runs west to Westergate Street where it runs north until Elmcroft Place. There it runs east to join the main sewer running direct south to Lidsey Wastewater Treatment works. Surface Water from the existing site drains to a ditch along the east boundary. The proposed development will have a SUDS scheme. This will be designed to ensure that the 1 in 100 year event storm + 30% climate change allowance does not increase the flow to that ditch. It is envisaged that due to ground conditions an underground storage tank solution might be needed and could be accommodated. This is an Outline Application only. Both foul and surface water drainage will be considered further as part of any detailed application. They can be dealt with by condition at this stage. It is anticipated that Southern Water would suggest the following condition; "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water."
2003 Saved	GEN11	GEN11 Inland Flooding		Permission for development which would be at risk from flooding and/or materially decrease the capacity of a floodplain to store or pass flows of floodwater, will be refused unless the Local Planning Authority is satisfied that compensatory flood storage/waterway areas can be provided as part of the development and the function and effectiveness of existing watercourses, or their replacements, are not adversely affected.	The site is not at risk of flooding and does not decrease the capacity of the floodplain.

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2003 Saved	GEN12	Parking in New Development		The Local Planning Authority will base its consideration of the need for on-site parking provision on its parking standards contained within this Plan. Provision of parking in excess of these standards will not be allowed.	West Sussex County Council's Parking demand calculator tool has been used to calculate the total parking demand of 120 spaces for the houses and flats shown in the indicative layout plan. The plan shows parking spaces with a total of 100 allocated for residents all of which are on the individual plots. There are two spaces per house or bungalow for all except 2 of the 2 bedroom houses. These 2 houses and the flats all have 1 space per property on their plot. There are 20 unallocated spaces which are generally split around the development rather than being in front of houses. This means that they should be seen by visitors and residents as generally available rather than becoming annexed by an individual property. This increases the flexibility of their use between unallocated residents and visitors. The majority of the allocated residents spaces are tandem spaces down the sides of houses rather than being side by side in front of the houses. Compared to many current developments this leaves more drive free kerbside space for delivery vehicles.
2003 Saved	GEN14	GEN14 Public Transport		The Council will support the provision of comprehensive public transport services throughout the District, and encourage improvements to be made to services wherever possible. Where appropriate, new development will be required to make provision for public transport facilities. Where new development can only take place with improvements to public transport services, or such improvements would be likely to influence desirable travel patterns, the Local Planning Authority will seek contributions towards the cost of improvements.	The proposal is within 300m of existing bus services. Additional housing will result in additional public transport users which should support public transport services.
2003 Saved	GEN15	GEN15 Cycling and Walking		The Council will continue to work with West Sussex County Council and others to encourage and support the development of safe cycle and footpath networks. Where appropriate, new development will be required to provide safe and attractive facilities for cyclists and pedestrians, both within the site and in the form of links to the surrounding area. The proposed Barnham - Felpham and River Arun cycle routes will be protected from development which would preclude their use as a safe cycle route.	The developer is prepared to make a contribution to improving the existing footpath and cycle path links to Barnham. No existing footpaths or cycle paths are lost.

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2003 Saved	GEN18	GEN18 Crime Prevention		Planning permission for new residential, commercial, recreation or community developments will not be permitted unless the Local Planning Authority is satisfied that the development includes crime prevention measures, as far as this is practicable and compatible with achieving a high quality design and layout.	The proposal is for detached and semi detached properties obviating the need for shared rear accesses. Similarly every property has onsite parking so there are no vulnerable rear shared parking courts. Extra parking is in full view of residents and passers by at the entrance to the development and adjacent to the open space. The public open space is adjacent to the treeline and ditch to enhance biodiversity rather than being a sterile central area surrounded by housing. It is overlooked by properties at the north end and by first floor kitchens from flats. In accordance with the principles in 'Secured by design' further security and surveillance could be achieved by requiring rear gardens to be 1.5m high topped with 300mm trellis. This is appropriate for parking courts so can apply to open space. A gable window could also be included in the house at the southern end for increased surveillance of the open space.
2003 Saved	GEN20	GEN20 Open space within new development		Residential development will be required to provide public open space to the minimum standard of 2.4 hectares per 1,000 people and play equipment to meet the needs of the development. The Council will require the application of this standard and provision of play equipment as detailed in supplementary planning guidance	57 dwellings at an average of 2.4 people per dwelling gives a total occupancy of 136.8 which at 24 sq m per person gives an open space requirement of 3283 sq metres. In the illustrative layout the main green space is 3014 square metres and other areas total 519 square metres making a total of 3533 square metres. Policy GEN20 was drafted prior to minimum garden standards coming into effect. It could not therefore have taken into account that increasing garden sizes provides more space within curtilages for outdoor recreation which could reduce the open space requirement.
2003 Saved	GEN28	GEN 28 Trees and Woodland		Development will not be permitted if it would damage or destroy one or more trees protected by a tree preservation order, identified as ancient woodland or in a conservation area unless:	The proposal does not affect trees subject to a tree preservation or in a conservation area
2003 Saved	GEN29	GEN29 Nature Conservation		Development will only be permitted on sites which contain semi-natural habitats, features of nature conservation interest, or within wildlife corridors, where these can be largely retained and sympathetically incorporated into the scheme. Legal agreements may be used to offset the loss of, or impact on, any nature conservation resource present on the site prior to development.	The proposal has been designed to balance the needs of housing demand and biodiversity by locating the open space adjacent to an existing treeline and ditch and by maintaining that treeline and ditch for the whole length of that boundary. That boundary itself is adjacent to open countryside.

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2003 Saved	GEN33	GEN33 Light Pollution		Planning permission will be permitted for proposals which involve outdoor lighting schemes subject to:-(i) no adverse impact on neighbouring uses or the wider landscape;(ii) light levels being the minimum required for security and working purposes; and (iii) minimising the potential glare and spillage. Where appropriate, the Local Planning Authority will seek to control the times of illumination.	Lighting design will be considered as part of reserved matters.
2003 Saved	GEN34	GEN34 Air Pollution		Development that contributes to air pollution through dust, smell, fumes, smoke, heat, radiation, gases, steam or other forms of pollution will not be permitted unless the Council decides that the health, safety and amenity of users of the site or surrounding land is not put at risk and the quality of the environment would not be damaged or put at risk.	Any boilers will have to meet building regulation and industry standards on emissions.
2003 Saved	AREA POLICIES	AREA POLICIES			the proposal does not affect any of the Areas which have specific Area Policies within the plan.
2003 Saved	DEV15	DEV15 Safeguarding the main road network			The proposal does not affect any of the proposed routes that are safeguarded in the 2003-2011 plan. It is 3km north of the junction of the realigned A259 with the A29. That line was safeguarded within the plan but not opened until 5 years after plan expiry.

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2003 Saved	DEV17	DEV17 Affordable Housing		Within allocated and unidentified housing developments of 25 or more dwellings or residential sites of 0.8 hectare or more, irrespective of the number of dwellings, the Local Planning Authority will seek to secure the provision of affordable housing. The appropriate level and type of provision will be dependent upon identified local housing need, character of the area, suitability of the site and market conditions at the time of the submission of the relevant planning application. Where sites are considered suitable for affordable housing but other factors demonstrate that on-site provision is not appropriate, the Local Planning Authority will seek direct provision on another site or, in exceptional circumstances, accept a payment in lieu of provision. For the purposes of the Local Plan, affordable housing comprises both social and low cost market housing. The provisions made for social housing should ensure that appropriate arrangements are in place to ensure that it is provided, in perpetuity, to those in housing need in the District. This will usually be in conjunction with a Registered Social Landlord. The Local Planning Authority will use either planning conditions or obligations to ensure provision of the agreed social housing element as part of the overall development. The provisions made for low cost market housing should ensure that it will be available to people who cannot afford to rent or buy houses generally available on the open market.	The proposal is for over 25 units so an appropriate level and type of affordable housing will be sought by the LPA. An interim affordable housing policy was published in August 2010 which is to be read in conjunction with this policy. That interim policy is below.

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August 2010		Interim Affordable Housing Policy		Arun's Affordable Housing Policy The Council has revised its standards for Affordable Housing. On 18 August 2010 the Council resolved that: 1. The following interim approach towards the provision of affordable housing in accordance with Planning Policy Statement 3 (PPS3) be approved: (i) the Council will seek affordable housing provision on new housing developments in accordance with PPS3 as detailed below; and (ii) the following be adopted by way of guide figures for the purposes of negotiation, to be read in conjunction with Arun Local Plan Policy DEV17: (a) from developments of 15 or more units an affordable housing provision of 30% across the board should be required of developments; and (b) from developments of 1 to 14 units an affordable housing provision of 15% be sought district wide, subject to further research to ensure this is financially viable. 2. In order to introduce a degree of certainty and transparency in discussions with developers a 'capping clause' be sought in Section 106 agreements regarding the value of land and property sold by a developer to a Registered Social Landlord. It is proposed that this will seek that the owner or developer make an offer to a RSL. This shall include: (a) Sale of land contract. (b) A Draft Transfer. (c) A price of 45% of open market value at time of offer.	The application is for over 15 units so under the Interim Affordable Housing policy 30% of those units are to be affordable. The indicative layout shows space for 57 units which would mean 17 affordable units. Following consultation with Arun District Council's Housing Strategy and Enabling Manager, Andy Elder, the Council's affordable housing requirement for this site will be satisfied by 17 units as follows: Affordable Rent Total 9 units comprising 4 x 2 bed flats, 2 x 1 bed flats and 3 x 2 bed houses. Intermediate Total 8 units comprising 2 x 2 bed flats, 4 x 1 bed flats and 2 x 2 bed houses. This is an outline application with the site layout being indicative only. The exact number and type of units is a reserved matter. Provision of Affordable housing is included in the Heads of Terms for a sSection 106 agreement. The draft Aldingbourne Neighbourhood plan (ANP) seeks to ensure that Affordable Housing units are occupied by existing residents of Aldingbourne, with an Aldingbourne connection meeting one of several categories. The applicant would support this but is aware that many registered social housing providers are reluctant to accept such restrictions. By providing for the allocated plots to be made available, complete with services, at 45% of market value this could allow time for a local co-operative to form to provide such housing rather than a regional housing association.

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2003 Saved	DEV18	DEV18 Affordable Housing outside the built up area		Proposals for affordable housing will be permitted on sites in the rural area, provided that:(i) there are no other policy constraints upon development except the location of the site outside the built-up area;(ii) the Local Planning Authority is satisfied that a need exists in the locality for affordable housing; (iii) the development meets the needs of: (a) the existing residents of a particular parish, requiring separate accommodation, or (b) people who are not necessarily resident locally but who have long-standing links with the local community, or (c) people with the offer of a job in the locality, who cannot take up the offer because of lack of affordable housing; (iv) the site is well related to the existing settlement; (v) the development does not contain any element of private housing for sale or rent on the open market. Permission granted in these cases will be subject to a legal agreement which includes safeguards that the scheme provides for the identified local need and will continue to do so in the long term.	