

Recommendation Report for Outline Consent

REF NO:	AL/129/18/OUT
LOCATION:	Land East of Orchard Gardens Woodgate Chichester
PROPOSAL:	Outline application with some matters reserved for the development of 55 No. units with public open space & affordable housing (resubmission following AL/111/16/OUT).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This outline planning application is for the erection of 55 dwellings on land comprising a field, east of Orchard Gardens, in Woodgate. The applicant is proposing to reduce the number of houses by 2 dwellings from the previously refused outline planning application (AL/111/16/OUT) which was for 57 houses on the same site. One of the two bungalows at the entrance to the site which were proposed in the previously refused application has been removed from the indicative layout plan in the current application; and 2 semi-detached houses in the north east corner of the site have been replaced by a detached house on the indicative layout plan in current outline planning application (AL/129/18/OUT). The applicant is applying for access to the site as part of this outline planning application. Details regarding the appearance, scale, layout and landscaping of the proposed residential development would be submitted for consideration as part of a reserved matters application. The indicative layout plan includes 112 car parking spaces, including 12 visitor parking bays, together with the provision of public open site.
SITE AREA	1.77ha
RESIDENTIAL DEVELOPMENT DENSITY	32.2 dwellings per hectare
TOPOGRAPHY	Predominantly flat
TREES	There are approximately 26 trees on the eastern boundary of the site, of which 9 are subject to a Tree Preservation Order (Group 1 of TPO/AL/2/16).
BOUNDARY TREATMENT	The western boundary of the site is defined by a mixture of back garden fences and formal hedgerows. The eastern, southern and northern boundaries are formed of trees and hedgerows.
SITE CHARACTERISTICS	The site is a greenfield site. It is relatively flat and at the time of submission of the application contained unmanaged grassland and dense scrub, with trees forming the boundaries.

The grassland and scrub was cut back in November 2016 and further cleared in October 2017. It appears to have been used for informal recreation, accessed from Orchard Gardens. This route was closed off with temporary fencing prior to scrub clearance works. To the west of the site is 2 storey residential units located in Woodgate Park and single storey residential units located at the end of Orchard Gardens. To the south of the site is a cluster of buildings some of which are residential units, accessed off a private road to the north of the railway line. The railway line is approximately 100 metres from the southern boundary of the site. East of the site is open farmland and Aldingbourne Rife.

CHARACTER OF LOCALITY

The site is located within the built up area boundary, to the east of Orchard Gardens in Woodgate; it is within the Barnham, Eastergate Westergate BEW) strategic allocation in the Arun Local Plan; and within the Biodiversity Corridor Area in the Aldingbourne Neighbourhood Plan (NP). The A29 (Westergate Road) lies to the west and crosses the railway line at the Woodgate crossing.

RELEVANT SITE HISTORY

AL/111/16/OUT	Outline application with some matters reserved for 57 No. units with public open space & affordable housing. This application is a Departure from the Development Plan	Refused 29-11-17
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Outline planning application (AL/111/16/OUT) was refused for three reasons relating to the impact on protected species; insufficient infrastructure obligations; and the lack of comprehensive planning.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldingbourne Parish Council:

Object.

- The granting of planning permission would set a precedent for any other 'piecemeal' allocations to come forward within strategic site SD5 without being properly considered within the wider context of the wider BEW strategic allocation.
- When this application site is considered in the context of the adjacent planning application AL/15/17/PL on Hook Lane (CALA Homes), the application site is identified as an "area of comparative ecological value". The application site has been predominantly cleared of vegetation, however, it is likely that if left alone, the area could rejuvenate into one of the few more 'natural' areas of greenspace within SD5 and as a result, the potential ecological value of the application site should be considered in relation to the wider allocation.
- The application fails to provide any evidence which identifies how the integrity and function of the biodiversity corridor will be impacted, or identify mitigation measures, a management plan for long-term management or identify how net-gain may be achieved.

- The application site would be unable to afford the level of financial contribution that is proportionately required, so that all infrastructure identified for SD5 can be delivered, compared to if the application site was being considered as part of a comprehensive development.
- The proposed development would result in the loss of a greenspace gap between existing development in the southern part of Westergate and the BEW strategic allocation (SD5).
- No commitment is provided within the application indicating that surface water management for the site would be considered as part of a comprehensive strategy.
- The overall density of the site is 32 dph, which is lower than the adjacent Woodgate Park development (38 dph).
- Only 16 plots (i.e. 29% rather than 30%) are proposed to be affordable housing.
- The affordable dwelling mix should be amended to comprise 1 bedroom 35 - 40%; 2 bedroom 35 - 40%; 3 bedroom 15 - 20%; and 4+ bedroom 5 - 10%.
- There is a disproportionately high number of 3 bed market dwellings in relation to 2 bed market dwellings.
- No mention of how biodiversity net gain may be achieved through the proposed development.
- No evidence submitted identifying how the integrity and function of the Biodiversity Corridor would be impacted, no mitigation measures are identified; there is no management plan for long term management, or how net gain may be achieved.

Walberton Parish Council

Object.

The Parish Council supports all comments made by Aldingbourne Parish Council. The preservation of green space gaps is key to the villages of Barnham, Eastergate and Westergate, in accordance with Policy H SP2c (a) of the Local Plan. All planning applications should be required to have a comprehensive strategy for surface water management, in accordance with Policy H SP2c (e) of the Local Plan.

A letter of representation has been received from Lichfields acting on behalf of The Church Commissioners for England, CEG and Hanbury Properties who own / control the majority of land in the proposed BEW strategic allocation raising an objection to the proposed development on the following grounds:

- It is disappointing that neither the landowner nor agent has contacted the BEW Consortium prior to the submission of the outline planning application; and there was no pre-application engagement with either the LPA or the local community.
- This application is a re-submission of the refused application AL/111/16/OUT. It is not clear from the applicant's submission how the previous reasons for refusal have been addressed.
- The applications within the BEW site should come forward in the context of an updated BEW masterplan.
- Although only shown indicatively, the internal road layout is not suitable for connection to the wider BEW site. Provision should be made for the internal roads to connect to the CALA site (AL/15/17/PL) and to facilitate this, internal roads should continue to the site boundaries.
- The proposed site layout does not successfully tie into the pedestrian and cycle connection in the wider area.
- By coming forward in isolation of the wider BEW site, the proposed development is divorced from local services and public transport connections.
- The proposed Heads of Terms within the Planning Statement fail to acknowledge the wider infrastructure that is required in connection with developments coming forward within the BEW strategic allocation, including proportionate contributions towards education provision and highway improvements, notably the delivery of the re-aligned A29.

Ten letters of representation have been received from local residents objecting to the proposed

development on the following grounds:

- This is the fifth application for residential development on the site; all the previous four applications were refused planning permission and this application should also be refused. How is it possible to stop application after application which just appear to be a repeat of the previous one?
- There were originally 4+ reptile species inhabiting the site. The field has been stripped of vegetation again and any wildlife that may have moved back onto the Biodiversity Corridor has again been destroyed and deliberately eliminated, in breach of the Wildlife and Countryside Act.
- No ecological survey has been submitted.
- Woodgate Park and Orchard Gardens are already extremely busy roads.
- Parents park up on Orchard Gardens when picking up and dropping off their children at Aldingbourne Primary School.
- There is only one access to Orchard Gardens which is too narrow to access a new housing estate.
- The traffic that builds up with Woodgate Crossing is already very busy.
- Traffic congestion is increasing with 70+ houses being built in Hook Lane and houses under construction at Nyton Nurseries (260+) and an application by CALA Homes for 300 houses off Westergate Street.
- The road widening works to construct the right turn lane would cause traffic delays and congestion.
- Orchard Gardens will become a route into the Cala homes site for years to come.
- Network Rail is proposing that once BEW is ongoing and the A29 has been re-aligned, the Woodgate level crossing would be closed. There would be no through traffic, only local traffic and pedestrians.
- Houses were built south of Woodgate Crossing, none of which sold and are now up for rent because they were over-priced and because of the traffic problems.
- There are not enough school places.
- Doctors surgeries are unable to take on new patients; and making appointments is difficult.
- The wastewater pipework is not big enough to accommodate existing capacities, without accommodating flows from new housing developments.
- The submission of amended plans and further extensions of time at the last minute are unacceptable.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and issues addressed in the Conclusions section below.

CONSULTATIONS

Planning and Housing Strategy
 Engineering Services Manager
 Engineers (Drainage)
 Southern Water Planning
 Ecology Advisor
 Natural England
 Parks and Landscapes
 Arboriculturist
 Surface Water Drainage Team
 WSCC Strategic Planning
 NHS Coastal West Sussex CCG
 Sussex Police-Community Safety
 Archaeology Advisor
 Network Rail

CONSULTATION RESPONSES RECEIVED:

LOCAL HIGHWAY AUTHORITY:

No objection.

The Local Highway Authority does not consider that the proposed development would have a 'severe' impact on the operation of the highway network. Therefore, it is not contrary to the National Planning Policy Framework (paragraph 32), and there are no transport grounds to resist the proposed development. The Local Highway Authority is satisfied with the submitted layout plan which includes the provision of 3.0 metres by 43 metres visibility splays at the junction of the site with Orchard Gardens. The Local Highway Authority seeks to secure a financial contribution of £392,150 (£7,130 per-dwelling) from the applicant, in accordance with Local Plan Policy H SP2 c of the Local Plan to support the strategic infrastructure required to deliver development in-and-around the Barnham Eastergate Westergate (BEW) strategic allocation, including the proposed A29 re-alignment. The Local Highway Authority has requested conditions regarding the vehicular access serving the development and the submission of a Construction Management Plan.

NETWORK RAIL:

No consultation response submitted.

ENVIRONMENT AGENCY:

This application does not fall under the Environment Agency's consultation checklist as the site is located in Flood Zone 1 and therefore the Agency will not be providing a response on this application. Whilst the Environment Agency would like the same precedent to apply to all sites in BEW the Agency is concerned about the ability to pool only 5 Section 106 Agreements and therefore may not seek developer contributions from this site as the Agency would want to do so from the larger parts of the BEW strategic allocation.

ADC HOUSING:

No objection.

The provision of affordable housing on site would need to be confirmed in a Section 106 Agreement.

SOUTHERN WATER:

No objection.

There is an increased risk of flooding unless any required network reinforcement is provided by Southern Water. Any such network reinforcement would be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme. Southern Water and the applicant would need to work together to review if the delivery of the network reinforcement aligns with the proposed occupation of the development, as it would take time to design and deliver any such reinforcement. Southern Water will carry out detailed network modelling which may require existing flows to be monitored. Southern Water's assessment of the timescales needed to deliver network reinforcement would consider an allowance for flow monitoring, detail design and construction. Southern Water would seek to limit the timescales to a maximum of 24 months from a firm commitment by the applicant to commence construction on site and provided that outline planning permission had been granted. In addition, the applicant would need to ensure that arrangements exist for the long term maintenance of the SuDS facilities within the application site. Should any sewer be found during construction works, an investigation of the sewer would be required to ascertain its condition, the number of properties served and potential means of access before any further works commence on site.

LEAD LOCAL FLOOD AUTHORITY:

No objection.

The majority of the site is at a low risk from surface water flooding. Any existing surface water flow paths

across the site must be maintained. The proposed development site is shown to be at high risk from ground water flooding. The site is larger than 1ha and should include a comprehensive Flood Risk Assessment (FRA). An FRA has been submitted but there is limited information provided as part of this document. It is expected that the flood risk would change post development as the site's impermeable area would be increased, exacerbating local flood risk. There is insufficient information submitted at this outline stage to comment upon the proposed drainage strategy. It is requested that surface water conditions are imposed if outline planning permission is granted.

ADC DRAINAGE ENGINEERS:

No objection.

Winter groundwater monitoring should be completed to ensure that the base of infiltrating structures is set above the maximum groundwater level. Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. Conditions are requested relating to surface water drainage.

NATURAL ENGLAND:

No comments to make on this application.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

ADC ECOLOGICAL ADVISOR:

Object.

The Preliminary Ecological Appraisal Report concluded that the proposed development could result in the loss of habitat and possible harm to reptiles. Natural England's standing advice is clear that further species surveys should not be conditioned and therefore these reptile surveys and any mitigation proposed would need to be undertaken and submitted before this application is determined. The site was completely cleared in November 2016, again in October 2017 and again in October 2018 destroying the reptile habitat on-site and also potentially killing any reptiles on the site which would have been hibernating at the time meaning they would have not be able to move out the way of the clearance. Due to this destruction of habitat the subsequent reptile mitigation plan by Arbtech (March 2017) states that the sites suitability for reptiles has been greatly reduced and due to the clearance of the site, full reptile surveys are no longer appropriate. There are two options: 1) The applicant undertakes the reptiles surveys and if mitigation is required provide this information prior to determination; or 2) The applicant assumes that there is a good population of reptiles on-site and provides an extensive mitigation strategy (written by a suitably qualified ecologist who is a member of the CIEEM), which would need to be submitted for approval prior to determination; if this is suitable then the Ecologist would recommend that the mitigation strategy is conditioned. The Landscape and Management Plan (LEMP) could be dealt with at reserved matters stage. On-site enhancements are requested including a wildlife pond, the planting of fruit trees and bushes; the retention of hedgerows for use by bats and the installation of a barn owl box on the eastern tree line on the site.

ADC ARCHAEOLOGICAL ADVISOR:

No objection.

This site has the potential to contain significant archaeological interest that might be harmed by development. In the circumstances it should be investigated prior to it being developed in order to identify any archaeological deposits that might be present and to implement appropriate measures for their prevention; this should be achieved by means of a planning condition.

COASTAL WEST SUSSEX CLINICAL COMMISSIONING GROUP (CCG)

Planning permission should not be granted without an appropriate contribution to local health infrastructure to manage the additional load on services directly incurred as a consequence of the proposed development. Without associated infrastructure, the CCG would be unable to sustain sufficient and safe services provided in the area and would therefore have to object to the proposed development. The CCG has requested a developer contribution of £62,670 towards a new integrated community hub facility at the Croft GP Surgery. The plan is to deliver a new building for the Croft Surgery.

ADC GREENSPACE:

No objection.

The applicant has confirmed that the main open space area provides 3,550sq metres, which is in excess of the 3,300sq m that would be required for the "six acre" 24sq m per person standard. Other open areas in the proposed layout total 590 square metres. The proposed amount of public open space on the site is acceptable. The proposal to accommodate up to 55 dwellings would trigger the need for the on-site provision of a play areas and a developer contribution towards an off-site Multi Use Games Area (MUGA) (i.e. £1,600 / dwelling (October 2000 index linked figure). Whilst the location of the public open space, shown along the eastern side of the development would allow for the protection of the existing trees including the TPO tree group and other trees to remain without conflict, which would occur if these were sited within back gardens; a centrally located area of public open space would provide a better location for the POS. The proposed layout would segregate the open space from the development as a whole; and result in a row of back garden fences fronting onto the POS. A detailed and high quality landscape scheme would be required at the reserved matters stage to enhance the proposed layout and include existing valuable tree cover along with proposals to screen the existing adjoining properties in Woodgate Park and Orchard Gardens.

ADC ARBORICULTURE:

No objection.

In the absence of any further impact on retained trees, the ADC Arboricultural Officer's earlier consultation response to AL/111/16/OUT remains valid for the current outline planning application AL/129/16/OUT. As it stands, there is no reason to object to these proposals on arboricultural grounds. However, if this comes back in as a full and detailed application it would need to be supported by an Arboricultural Impact Assessment and Method Statement Report inclusive of a Tree Protection Plan defining which trees are to be retained and which trees are to be removed and how they would propose to protect the retained trees and if necessary mitigate any adverse impact on the root systems of these trees, thereby complying with the recommendations of BS5837:2012 (Trees In Relation to Construction).

ADC NEIGHBOURHOOD SERVICES:

No objection.

ADC Neighbourhood Services are requesting a sports pitch contribution of £13,856 (based on 55 units at 2.2 persons per unit). The developer contribution should be provided to go towards the sports hub at Oliver Meadow in Aldingbourne.

WSCC INFRASTRUCTURE:

WSCC is requesting developer contributions towards:

As this site forms part of the Barnham Eastergate Westergate (BEW) Strategic Development as set out in Policy H SP2c of the Arun Local Plan, the development is required to provide proportionate mitigation as set out in the Infrastructure Delivery Plan (2017) specific to the strategic development.

The financial contribution sought by the county council would be based on: the provision of two 2FE primary schools and the provision of 110 nursery places, as set out in the Arun Infrastructure Delivery Plan.

- Early Years: WSCC will require £63,011 towards fixtures, fittings and equipment towards a new early years facility serving BEW, based on the provision of 55 dwellings.

- Primary Education: WSCC require £396,957 towards fixtures, fittings and equipment for a new primary

school serving BEW, based on the provision of 55 dwellings.

- Secondary Education: The secondary financial contribution sought by the County Council would be based on the estimated additional secondary aged pupil population that would be generated by the proposed development, and the cost of providing a 10FE secondary school for Arun plus land costs. This equates to a cost of £33,538 per secondary aged pupil generated as a result of the development. The contributions generated by this proposal shall be spent on fixtures, fittings and equipment for phase 1 of the new secondary school serving Arun.

- Further Education: WSCC propose the insertion of a formula. The contributions generated by this proposal shall be spent on small scale improvements at St Phillip Howard Catholic High School Sixth Form.

- Library: The financial contribution sought by the County Council will be based on the housing allocation at BEW providing a Tier 7 facility at a cost of £100,000. A pro-rata share of this cost will be divided between developments at BEW, based on dwelling numbers. WSCC require £2,391 towards new equipment for a new Tier 7 facility serving BEW, based on the provision of 55 dwellings.

- Fire and Rescue: A formula based contribution into S106 Agreement. The Fire and Rescue Service Contribution should be used towards the supply and installation of additional fire safety equipment/smoke alarms to vulnerable person's homes in West Sussex Fire Rescue Services Southern Area serving Aldingbourne.

SUSSEX POLICE:

No objection.

Outward facing dwellings overlooking the main street create a good active frontage with the streets and public areas being overlooked. Design eliminated the need for vulnerable rear garden pathways. Parking with in-curtilage parking with number of on street parking bays, leaving the street layout free and unobstructed. Where communal parking occurs it is important that they must be within view of an active room within the property. Gable ended windows can assist in providing observation over an otherwise unobserved area. Advice provided on perimeter fencing height, robust gate construction and location. Lighting throughout the development must conform to specifications within BS 5489:2013. Footways should be straight, wide and well lit, be overlooked and avoid potential hiding places.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and issues addressed in the Conclusions section below.

POLICY CONTEXT

Designation applicable to site:

Within a Strategic Allocation site 'Barnham/Eastergate/Westergate (SD5) in the Local Plan;

Within the Built-Up Area Boundary (BUAB) in the Local Plan;

Within a Biodiversity Corridor (Policy EH2) in the Aldingbourne NP.

DEVELOPMENT PLAN POLICES

[Arun Local Plan 2011 - 2031:](#)

AHSP2	AH SP2 Affordable Housing
CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees

ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
GISP1	GI SP1 Green Infrastructure and Development
HDM1	H DM1 Housing mix
HSP1	HSP1 Housing allocation the housing requirement
HSP2	H SP2 Strategic Site Allocations
INFSP1	INF SP1 Infrastructure provision and implementation
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
SODM1	SO DM1 Soils
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

Aldingbourne Neighbourhood Plan 2016 POLICY EE8

Communications infrastructure

Aldingbourne Neighbourhood Plan 2016 POLICY EH1

Resist development outside

Aldingbourne Neighbourhood Plan 2016 POLICY EH10

Unlit village status

Aldingbourne Neighbourhood Plan 2016 POLICY EH2

Support adjacent to biodiversity corridors only if demonstrate no harm.

Aldingbourne Neighbourhood Plan 2016 POLICY EH3

Green infrastructure and Ecosystem services
Best and most versatile resisted unless...

Aldingbourne Neighbourhood Plan 2016 POLICY EH5

Development on Agricultural Land
Development in Flood risk areas will not be supported unless...

Aldingbourne Neighbourhood Plan 2016 POLICY EH6

Surface Water Management
Protection of trees and hedgerows

Aldingbourne Neighbourhood Plan 2016 POLICY GA1

Promoting Sustainable movement

Aldingbourne Neighbourhood Plan 2016 POLICY GA2

Footpath and cycle network

Aldingbourne Neighbourhood Plan 2016 POLICY H2	Range of house types Housing Mix
Aldingbourne Neighbourhood Plan 2016 POLICY H3	Housing density
Aldingbourne Neighbourhood Plan 2016 POLICY H4	10 or more to include 40% unless unviable Affordable Housing
Aldingbourne Neighbourhood Plan 2016 POLICY H8	Dwellings must have adequate private or shared amenity. Outdoor space

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan:

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton; Ford.

The Aldingbourne Neighbourhood Plan (NP) was made in September 2016. Relevant Aldingbourne Neighbourhood Plan (NP) policies have been taken account of and are addressed in the Conclusions section of this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is located in a strategic allocation within the built-up area boundary in compliance with the

Development Plan.

However, the proposal does not comply with the Development Plan due to the impact on protected species; and the lack of comprehensive planning.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The development plan for Arun District currently comprises the Arun District Local Plan (2011-2031), which was adopted by the Full Council on 18th July 2018 and the Aldingbourne Neighbourhood Plan (2014-2029).

Policy H SP1 of the Local Plan sets out the overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. This Policy allocates 2,300 units to be provided in the Barnham / Eastergate / Westergate (BEW) strategic allocation (SD5). The application site constitutes part of the BEW strategic allocation in Policy H SP1; and the 55 houses proposed in this outline planning application would contribute towards the total of 2,300 units (within the Plan period) and 3,000 units in total (i.e. 2,300 plus 700 units).

Policy H SP2 of the Local Plan says that "Development proposals within the Strategic Site Allocations must be comprehensively planned".

Policy H SP2c of the Local Plan focusses on "Inland Arun" and includes the Barnham, Eastergate and Westergate (BEW) Strategic Allocation (SD5) for at least 2,300 dwellings over the lifetime of the Local Plan, and up to 3,000 dwellings in total. Policy H SP2c sets out specific criteria that planning applications within this specific allocation will be required to meet. The proposed development of 55 new homes on Land East of Orchard Gardens, which would constitute one of the sites that comprise the BEW Strategic Allocation in the Arun Local Plan, should play its part in the comprehensive development of the allocation by integrating appropriately with surrounding communities through an appropriate design.

Policy H SP2c requires the allocation to provide key infrastructure including a new local centre, new retail, commercial and community facilities, a new Tier 7 library facility and healthcare facilities to serve the BEW strategic allocation and Fontwell. New transport requirements include a re-aligned A29 route with a bridge over the railway to the east of the current Woodgate crossing combined with improved access to Barnham railway station, bus services and cycle links. The requirements also include a new two-form entry primary school, a one-form entry primary school and nursery places, in addition, 2 new sports pitches with changing facilities and new employment provision.

No information has been submitted with the outline planning application detailing any consideration of the incorporation of an area of Gypsy and Traveller Accommodation or self-build / custom build dwellings. Consequently, the proposal does not comply with Policy H SP2(p) and (q) of the Arun Local Plan.

The application site is now within the built up area boundary (BUAB) and therefore complies with Policy SD SP2 - 'Built up area boundary' of the Local Plan. The outline planning application falls within the BEW Strategic Allocation and the BUAB boundary in the Local Plan has been drawn around the strategic allocation.

The outline planning application has been submitted prior to the submission of the detailed masterplan for the BEW strategic allocation; and the applicant has not entered into a dialogue with the Southern Consortium and other landowners to ensure that the site planned in a holistic and comprehensive manner and that all of the requisite infrastructure is both planned for and delivered to accommodate the quantum of development envisaged on the BEW strategic allocation (SD5 in the Local Plan). This is considered in more detail in the design and layout section below.

The proposed Heads of Terms have been revised in an attempt to make a proportionate contribution towards the infrastructure requirements for the delivery of the BEW development. This is covered in more detail in the 'Supporting Infrastructure' section below.

Aldingbourne Neighbourhood Plan

The Aldingbourne Neighbourhood Plan (NP) was made (adopted) in November 2016 on the basis of the saved policies in the former Arun Local Plan (2003) and the policies in what was the emerging Local Plan in 2014. The site is located outside the built-up area boundary as identified in the Neighbourhood Plan and is therefore contrary to Policy EH1 of the Aldingbourne NP. The application site is therefore classed as countryside by the Aldingbourne NP; and the outline planning application conflicts with the Aldingbourne NP and fails to protect the countryside in accordance with the policies in the NP.

The Aldingbourne NP has a built-up area boundary shown on a map and referred to in Policy EH1 (BUAB) this says that development outside the BUAB will be resisted unless it is essential for utility infrastructure, where the benefits outweigh any harm and it can be demonstrated that no reasonable alternative sites are available. The application site is therefore classified as countryside and the Aldingbourne NP seeks to protect the countryside from unnecessary development. The scheme therefore conflicts with Policy EH1 in the Aldingbourne NP as it fails to protect countryside. The site is also within a Biodiversity Corridor as identified in Policy EH3 of the NP and this is considered in the Ecology section below.

Consideration needs to be given to the respective roles of Neighbourhood Plans which deal with local, non-strategic needs and Local Plans which deal with strategically assessed needs across the whole district. This approach was confirmed by the Secretary of State in the Fontwell decision (Land East of Fontwell Avenue - APP/C3810/V/16/314095). Policy H SP2c of the Local Plan is seeking to address these strategically assessed needs through the identification of the application site as part of a Strategic Site. The supporting text of the Aldingbourne NP recognises that if 'any such strategic allocation is made within an adopted Arun Local Plan, this will need to be reflected in a future review of the ANDP'.

The test in Section 38(5) of the Planning and Compulsory Purchase Act, 2004: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document". As the Arun Local Plan was adopted by the Council on 18th July 2018, the policy in the Local Plan is to be considered in favour of those in the Neighbourhood Plan. Consequently, the proposed development is contrary to the Neighbourhood Plan, but the Local Plan BUAB boundary has been revised and includes the application site and the proposal is therefore considered to be acceptable.

The site is identified as countryside in the Aldingbourne NP and is also identified as a Biodiversity Corridor and Policy EH2 in the NP highlights the importance of the wildlife corridor connection between the South Downs National Park and the coast, assisting with the migration of wildlife between habitats and providing important habitats. An assessment of whether the development meets the criteria of Policy EH2 is covered separately below in relation to protected habitats and species. Development on the land would result in an inevitable loss of openness and the character would be permanently altered, as well as a reduction in the amount of land that would function as a wildlife corridor. This would represent some environmental harm and this must be considered alongside economic and social benefits that the

development would provide.

Conclusion on Principle

The principle of some residential development on the application site, which comprises part of the BEW strategic allocation is acceptable. The sustainability of the site, whilst not well served in relation sustainable transport alternatives for residents to reach employment and shopping facilities, would improve in the longer term with the progression of development of the BEW strategic allocation. However, the site needs to be planned as an inherent part of the BEW strategic allocation. It is considered that the proposed development is premature in terms of the detailed masterplanning and delivery of the Barnham / Eastergate / Westergate (BEW) strategic allocation (SD5). The applicant has provided a layout plan of the application site alongside the layout of the CALA Homes application on the adjoining site, however the layout plan fails to provide joined up planning between the application site and the CALA Homes site. The latest indicative Masterplan for the BEW strategic allocation excludes this site as the site promoters are not part of the Consortium promoting the southern part of the proposed allocation. The main issue is the disconnection from the wider BEW strategic allocation. Whilst a scheme could be delivered on this site independently from the wider allocation, it could undermine the delivery of a comprehensively planned settlement on the Barnham / Eastergate / Westergate (BEW) strategic allocation (SD5).

TECHNICAL ISSUES

AGRICULTURAL LAND

The site is identified as Grade 2. Grade 1 and 2 are classified as 'best and most versatile' land which is the most flexible, productive and efficient. The NPPF (paragraph 170) requires that the Council takes into account the economic and other benefits of this type of land. Policy EH3 of the Aldingbourne NP seeks to protect high grade agricultural land and does not permit development which would result in its loss, unless there is an overriding need for the development. The NPPF (paragraph 170) requires that the Council takes into account the economic and other benefits of this type of land. The Local Plan's Sustainability Appraisal recognised that most of the undeveloped coastal plain within the District is high grade agricultural land. The loss of BMV is one factor in the decision making process.

Policy SO DM1 of the Local Plan states that development will not be permitted on this type of land unless 'designated by this plan' or unless the need for the development outweighs the need to protect such land in the long term. It is important to note that residential development in the District will inevitably involve the loss of best and most versatile land and that mitigation measures can be adopted to preserve the soil resource.

Overall, the loss of the agricultural land meets the 'special circumstances' set out in Policy EH3 of the Aldingbourne NP in that there is an overriding need for the development. It also accords with Policy SO DM1 of the Local Plan as an allocated site.

AFFORDABLE HOUSING

For all developments over 11 residential units the Council requires a minimum of 30% affordable housing on site, as set out in Policy AH SP2 of the Local Plan. The Aldingbourne NP Policy H4 requires that proposals for 10 or more new dwellings should include 40% affordable housing unless it can be demonstrated that it would make the scheme unviable.

The applicant has submitted an indicative layout plan which demonstrates that the site could accommodate 55 dwellings, 16 (i.e. 30%) of which would be affordable. The applicant initially proposed a split of 75% affordable rent and 25% intermediate, which would be in accordance with Policy AH SP2. However, the revised Heads of Terms submitted by the applicant for the Section 106 Agreement comprises 8 affordable rent units (50%) which would comprise 4 x 2 bed apartments, 2 x 1 bed

apartments and 2 x 2 bed houses; and 8 intermediate units (50%) which would comprise 2 x 2 bed apartments, 4 x 1 bed apartments and 2 x 2 bed houses. The relevant part from the planning application form clearly demonstrates the applicant's intention to provide a 75/25 split. It is considered that there is no compelling reason why the initial position should be varied. The overwhelming need of those on the housing register, which currently numbers 845, is for rented accommodation and the 75/25 split as outlined in the initial consultation response best meets this.

The updated Coastal West Sussex SHMA, 2016 said that the evidence highlighted a direction towards the provision of 2 and 3 bed units for market units and smaller affordable units. The SHMA 2016 update acknowledges that the analysis clearly shows the different profiles in the different broad tenures with affordable (rented) need being more heavily skewed towards smaller dwellings and market housing predominantly homes with three or more dwellings. Consequently, it is considered that the proposed housing mix in this outline planning application is SHMA compliant. The proposed quantum and location of the affordable housing is considered to be acceptable as the housing would not be clustered entirely in one location on the site. The 16 affordable units could be secured through a S106 agreement with the LPA.

The indicative layout shows the affordable units distributed over the whole site in order that it integrates with the overall scheme and is indistinguishable from market dwellings. The proposed provision of 30% affordable housing is in accordance with Policy AH SP2 of the Local Plan. The Parish Council have objected to the under-provision. The supporting text to the policy in the Aldingbourne NP says that it was based on evidence prepared for Arun District Council to support the Local Plan making process which suggested that an affordable housing target of 40% would generally prove viable. The updated Local Plan Viability Study (January 2017) examined the provision of 30% affordable housing from strategic sites and concluded that the BEW strategic allocation would be able to bear 'nearly the full affordable housing requirements'. This was a high level viability study but supports Policy AH SP2 of the Local Plan's requirement of a minimum of 30% affordable housing, rather than the higher Aldingbourne NP figure of 40%. Therefore, whilst it has not been demonstrated that the site would not be able to provide 40%, the scheme would accord with the Policy AH SP2 of the Local Plan which is based on more up to date evidence than the Aldingbourne NP policy requirement.

The LPA considers that the affordable housing provision requirement of 30% set out in Policy AH SP2 of the Local Plan is relevant to the determination of this application as the Local Plan is more up to date than the Aldingbourne NP.

Therefore, it is considered that the proposal complies with Policy AH SP2 of the Local Plan in terms of ensuring that the 30% affordable housing provision would be delivered on the site. However, the tenure split of 50% affordable rent and 50% intermediate housing is not acceptable and is contrary to Policy AH SP2 as it should be secured at a 75% affordable rent and 25% intermediate housing split.

ILLUSTRATIVE LAYOUT AND DESIGN

Policy H SP2 of the Local Plan requires proposals on strategic sites to provide high quality development with a sense of place and permeable layout within a masterplan. Whilst the detailed layout for the site is a reserved matter, it needs to be demonstrated at outline stage that an acceptable scheme can be delivered on the site with the proposed number of units. The Illustrative Layout shows a cul-de-sac layout with a bungalow adjoining the bungalows on Orchard Gardens and a mixture of 2, 3 and 4 bed detached and semi-detached properties fronting onto the main street. The trees to the east of the site, along the boundary, are to be retained and incorporated into the open space in order to retain separation from the countryside beyond and retain the Biodiversity Corridor. The layout shows single and two storey housing with some properties with attic floors. The flats would be small two storey blocks of a similar scale to the houses.

The Design and Access Statement sets out that the bungalow proposed adjacent to those on the east of Orchard Gardens would be a 'natural continuation of the bungalows' and would increase the density gradually from Orchard Gardens. The retention of the tree screen is to be retained to 'limit the visual impact of the development on the wider area'. The Design and Access Statement also considers that the layout meets secured by design principles and suggests that the gardens backing onto the open space would have lower fences (1.5 metres with trellis) to ensure adequate overlooking of the space. Surveillance would also be provided from the plots to the north and south of the open space.

However, the Illustrative layout is not considered to be representative of the high quality development expected within the strategic sites. The entrance to the site from Orchard Gardens is largely bounded by the side fences of the adjacent properties and by parking spaces, which would create a poor sense of arrival. The open space would not be sufficiently overlooked by active property frontages and would present security issues for homeowners with back gardens facing it as well as issues for future users of the space. Open space should be located where it forms a feature of the development with natural surveillance and human presence rather than situated at the rear of gardens. The tree belt does not form an integral part of the development but functions as to screen the development.

The main issue is the disconnection from the wider BEW strategic allocation. Whilst a scheme could in theory be delivered on this site independently from the wider allocation, it could undermine the delivery of a comprehensively planned settlement. The latest indicative Masterplan for the BEW strategic allocation excludes this site as the site promoters are not part of the Consortium promoting the southern part of the proposed allocation. The applicant has submitted a layout plan which includes the layout of the CALA Homes application on the adjoining land. However, the submitted plan fails to provide a coherent and interconnected layout which would integrate with the adjacent development on the CALA Homes site. The layout plan shows the backs of fences as the outlook for the houses on the application site and also on the boundary to the north. The cycle and pedestrian links also need to work together to provide a permeable layout between the two sites and allow future residents access to future facilities in the wider strategic allocation..

The CALA homes layout (AL/15/17/PL) is in the public domain, the layout plan for this application should be considered alongside it. The submitted layout plan fails to demonstrate how the housing on the application site would integrate with the proposed development on the CALA Homes site and ensure the delivery of a comprehensively planned settlement. The applicant needs to work with CALA Homes on preparing an integrated layout plan that incorporates both sites. In order to meet the requirements of Policy H SP2, the site would need to be designed to ensure connectivity of transport modes including walking, cycling and potentially public transport. The tree belts to the east and north could both be incorporated as part of a larger open space area with the adjoining site, creating high quality connected green spaces. This would also provide the opportunity for enhancing the functioning of the Biodiversity Corridor. Play provision could also be considered between the two sites.

The density of the site is 32 dwellings per ha (dph). The surrounding developments of Woodgate Park and Orchard Gardens are 38dph and 32dph respectively. However, without information on the amount of space required for ecological mitigation measures (following a Reptile Survey), and also potentially for sustainable urban drainage systems, it is not possible to conclude whether the proposed number of dwellings on the site would result in a satisfactory development.

The site is located on the western edge of the BEW strategic allocation, at the interface of the existing housing on Orchard Gardens and the CALA Homes site. It is not possible to conclude from the submitted indicative site layout plan that it would integrate fully with the CALA Homes development or integrate with development on the remainder of the BEW strategic allocation, in accordance with Policy D DM1 of the Local Plan; and would not undermine the delivery of a comprehensively planned settlement and consequently that the proposal would provide a high quality development with a sense of place and

permeable layout, in accordance with Policy H SP2 of the Local Plan.

GREEN INFRASTRUCTURE, OPEN SPACE, RECREATION

Policy OSR DM1(2a) of the Local Plan says: "housing will be required to contribute towards open space provision in accordance with guidance set out in the current Open Space Study. In some parts of the district open space provision is identified as being sufficient in terms of quantity. Therefore, provision of new open space is not deemed necessary but what is needed is to seek contributions for quality improvements and/or new off-site provision in order to address any future demand."

The Design and Access Statement submitted with this outline planning application sets out the green infrastructure provision across the site. This includes an area of public open space along the east part of the site. The applicant has amended the layout plan to include a LAP within the public open space on the site; and to contribute to the off-site provision of a LEAP and a MUGA. ADC Greenspace considers that a commuted sum for the provision of an off-site LEAP and MUGA is acceptable, and supports the provision of a LAP within the area of public open space.

A large area of public open space, measuring 3,550 square metres, is proposed running along the full length of the eastern boundary of the site. In addition, there is a small strip of public open space running along the southern boundary of the site; and a very small tract of unusable public open space in the north west corner of the site. The total amount of open space proposed on the site would measure 4,140 square metre, which is above the figure of 3,872sq m that would be required for the "Fields in Trust" 32sq m per person standards. The open space indicated along the eastern side of the development would allow for the protection of the existing trees and TPO tree group. It is considered that a centrally situated area of public open space would be preferable. It would be preferable if the proposed dwellings could be facing the public open space rather than facing away from the POS as proposed on the indicative layout plan.

The applicant has demonstrated that the outline planning application meets the requirements for the provision of on-site public open space in terms of quantity as set out in Policy OSR DM1(2a) of the Local Plan and Policy H8 of the Aldingbourne NP, including the provision of a LAP. However, the location of the large area of open space to the rear of the houses is considered to be unacceptable for the reasons set out under Layout above, and is contrary to Policy H SP2(d) and OSR DM1(4) of the Local Plan.

LANDSCAPING

Policy D DM1 of the Local Plan states that: "When considering any application for development the Council will have regard to the following aspects: 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, landscaping, and design features; demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area." (Policy D DM1(1) and D DM1(2))

A landscaping scheme would be required at the reserved matters stage, that would be a condition that would be imposed at this outline planning stage, which should incorporate the tree belt along the eastern boundary of the site; provide sufficient planting to minimise the visual impact of proposed development on the existing houses in Woodgate Park and Orchard Gardens; and ensure the landscaping ties in with the CALA Homes development to the east.

TRAFFIC AND ACCESS

Policy T SP1 of the Local Plan says that "to ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels,

public transport improvements and the cycle, pedestrian and bridleway network".

The proposal is outline with all matters reserved except for access. The access to the site would be from the end of Orchard Gardens, extending the road and footways into the new development. Concerns have been raised by local residents about the suitability of Orchard Gardens as an access route for the proposal, due to the width of the road (5.0 metres wide), which is further restricted by parked cars (particularly during school drop off and pick up times).

The applicant's Transport Statement (TS) remains as previously submitted as part of the previous outline planning application (AL/111/16/OUT) which was refused. However, the Stage 1 Road Safety Audit (RSA) has been revised to incorporate a right turn lane from Westergate Street into Orchard Gardens.

The applicant has submitted access plans with a 3.0 metre 'X' distance by 43 metre visibility splay as required by the Local Highway Authority.

The proposed development would be accessed off the A29 (Westergate Street) via the existing junction from Orchard Gardens with footways serving the development. The footways should be 2.0 metres in width. The applicant is proposing a new right turn lane off the A29 (Westergate Street), to reduce the amount of waiting traffic seeking to turn right into Orchard Gardens. The new right turn lane has been proposed for safety reasons due to queuing traffic along this section of the A29 (Westergate Street). The Local Highway Authority is satisfied with the proposed new right turn lane. The existing carriageway is proposed to be widened to provide the 3.0 metre running lanes and right turn lane. The junction would be approximately 180 metres from the Woodgate railway crossing. The existing bus shelter on the A29 (Westergate Street) is proposed to be re-located to ensure it does not infringe on visibility immediately to the south.

Amendments to the proposed right turn lane were made following discussions with the Local Highway Authority in order to ensure that the improvement schemes secured under planning permission AL/39/13 (Land at Hook Lane, Westergate) were compatible with this scheme. The modifications ensure the integration of the two schemes and addresses the lack of information about the proposed right turn lane. The Local Highway Authority is satisfied with the Road Safety Audit which identifies no problems with the proposed access and the proposed new right turn lane arrangements.

In relation to the layout of the site, the access road would be an extension of the Orchard Gardens arrangement. Orchard Gardens road currently serves 20 dwellings directly and 60 dwellings on Woodgate Park. The proposed road layout would be a 'minor access road' and would vary in width in order to reduce speeds. Further detail would be required at the reserved matters stage to ensure that footways are 2.0 metres wide and swept path analysis for refuse vehicles undertaken.

It is considered that the proposed access would provide a safe layout for traffic, cyclists and pedestrians in accordance with Policy T SP1 of the Local Plan.

Trip Generation, Distribution

A Transport Statement accompanied the planning application as required by Policy T SP1(e) of the Local Plan. In relation to traffic generation, the Transport Assessment (TA) estimates that the proposed development would generate around 26 additional trips in the am peak hour and 28 additional trips in the pm peak hour. The TA concludes that the A29 (Westergate Street) is not at full capacity and that it could accommodate the traffic flows of the proposed development, including when combined with the other consented developments at Nyton Road and Hook Lane.

In 2016, the Transport Statement predicted trip generation via TRICS data of 26 two way movements in the morning and 28 in the afternoon peak hours. As part of the current outline planning application

(AL/129/18/OUT) for 55 dwellings from 57 dwellings in the previous outline planning application (AL/111/16/OUT), the number of movements is likely to see a reduction in approximately 10% during the morning and evening peak hours. The Local Highway Authority would not have any concerns with the proposals from a capacity perspective.

A construction management plan would be required (secured by condition) to set out how deliveries would be managed along the A29 (Westergate Street) in light of the carriageway width and presence of vulnerable road users. This would ensure that safety concerns raised by residents are addressed as well as controlling of noise, dust and mud on the road during construction.

In relation to concerns about capacity of the network, the Local Highway Authority considered that whilst the proposal would give rise to a more intensive use of the A29/Orchard Gardens junction, the proposed right turn lane would assist in traffic flow and as a consequence it is not anticipated to result in a severe cumulative impact on the local network.

Parking Provision

Policy GA3 of the Aldingbourne NP says: "proposals must provide adequate parking in accordance with the standards adopted at the time. Proposals that would result in a loss of parking spaces either on or off street will be resisted".

Parking would be dealt with at Reserved Matters stage, but from the indicative layout plan, the quantum of car parking spaces, amounting to a total of 112 spaces, would comply with WSCC Parking Standards, Policy T SP1(d) of the Local Plan and Policy GA3 of the Aldingbourne NP.

Public Transport

Opportunities to travel by public transport are limited. There is a regular bus service accessed from the A29 (Westergate Street) providing links to Chichester and Bognor, as well as to Barnham and the railway station. The railway station is approximately 3.7km from the site which provides for onward travel to local employment centres as well as London, Brighton and Southampton.

The site is located within walking distance (approximately 240 metres) from the nearest bus stop, and 400 metres from the primary school, local supermarket with a post office and a restaurant. The bus stops provide connections to Bognor Regis railway station and Barnham railway station, and to Walberton, and the retail foodstores on Shripney Road at Bersted. The proposed development is well served by bus stops in proximity to the site but the frequency of services is limited.

The Inspector for an appeal (APP/C3810/A/13/2196029) on the Woodgate Centre, close to the proposed site (although south of the railway crossing), commented that 'the relative infrequency of the bus service would make travel by car a more popular choice'. The infrequent services would also mean that using bus services to connect to the train services would be problematic. The sustainability of the application site will improve when the main part of the Barnham/ Eastergate/ Westergate strategic allocation is brought forward for development; including a new A29 route through the allocation, with a regular bus services

The proposed development is in accordance with Policy T DM1 of the Local Plan and Policy GA1 of the Aldingbourne NP in terms of access to public transport.

Footways and Cycleway Provision

Policy T SP1 of the Local Plan says: "The Council will support transport and development which gives priority to pedestrian and cycle movements".

Policy T DM1 of the Local Plan says: "New development must ensure ease of movement, prioritising safe

pedestrian and cycle access to the green infrastructure network and access to public transport. Access to alternative modes of transport including public transport services, the public right of way and cycle networks, must be available and accessible to all members of the community". "Proposals for all new development must be located within easy access of established public transport services, existing pedestrian and cycle networks, the committed and aspirational cycle networks and the green infrastructure network which links the development with key destinations including places of work, education, leisure and town centres" (Policy T DM1(a)).

There is no dedicated cycle infrastructure or off-road cycle routes located along this section of the A29 (Westergate Street), with narrow carriageways and potential for vehicle/cyclist conflict. Journeys to wider services and employment centres of Bognor Regis and Barnham would be mainly along the A29 and B2233 and are not conducive to safe cycling due to higher speed limits, traffic volumes and road layout. The Local Highway Authority raised concerns about the lack of dedicated cycle infrastructure along this section of the A29 (Westergate Street) and that the narrow carriageways and potential for vehicle/ cyclist conflict may make some routes unattractive. Therefore, journeys to wider services and employment centres of Bognor Regis and Barnham would be made by private car.

Outside of the site, the traffic conditions within the local area are conducive for walking and cycling. There is however a very limited range of services and facilities within the local area that could be reached by these modes. Notably, the only facility that could be used to meet some day to day needs is the Aldingbourne store/post office on the A29 (Westergate Street) at the junction with Hook Lane. This would not though meet all needs and travel to a larger retail store would be necessary. There are otherwise no notable employment, retail or health provisions within the village or the surrounds that could reasonably be reached on foot.

The indicative layout plan has pavements for pedestrian access within the site together with traffic calming measures to limit vehicle speeds to 15/20mph. However, there are no linkages with the Green Infrastructure network in the valley within the larger BEW allocation.

Overall, it is considered that the proposed development would provide a safe layout for cyclists and pedestrians within the site in accordance with Policy D DM1 and Policy T SP1 of the Local Plan.

ECOLOGY

Policy ENV DM5 of the Local Plan says "development schemes shall seek to achieve a net gain in biodiversity and protect existing habitats on the 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". Policy EH2 of the Aldingbourne NP requires demonstration that the proposals will not give rise to any significant harm to the integrity or function of the Biodiversity Corridor.

The identification of the site as a part of a wildlife corridor accords with paragraph 174 of the NPPF which requires planning policies to minimise the impacts on biodiversity by identifying and mapping components of local ecological networks. The test in paragraph 175 of the NPPF is that if significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.

The applicant has provided a 10 metre strip from the tree-line along the eastern boundary of the site on the indicative layout plan submitted with the current outline planning application (AL/129/18/OUT), which could provide a habitat for reptiles.

The applicant has submitted an Ecological Mitigation and Enhancement Plan for Reptiles, dated 30th March 2017 with the current outline planning application (AL/129/18/OUT). The Plan recommends that

the reptile mitigation works should be carried out in the active reptile season (March to October) to allow reptile movement into the adjacent habitat and to avoid impacting more vulnerable hibernating animals. The applicant has also submitted a Reptile Mitigation Principles document, dated November 2018, which was accompanied by an indicative Reptile Protection and Mitigation Plan. The current outline planning application (AL/129/18/OUT) was also accompanied by a Wildlife and Habitat Improvement and Mitigation Summary (Appendix 2B), which sets out mitigation measures for on-site biodiversity, the wildlife corridor, habitats for biodiversity and for invertebrates, badgers, bats, barn owls, dormice and reptiles. The applicant claims that the legislation regarding the protection afforded to different UK reptiles demonstrates that the habitat for the 4 common reptiles is not protected; and that the reptile habitat has no protection in this case. As such, the site could be legally cleared to its boundaries leaving no refugia for reptiles; alternatively it could be allowed to become completely overgrown with brambles providing no basking. Either way it would not provide suitable reptile habitat.

Unfortunately, there is no information in the Reptile Mitigation Principles Report (November 2018) regarding who has carried this out. Due to the lack of survey data now available for the site, the good records of reptiles within close proximity to the site and following Natural England's standing advice for reptiles and the legal requirements of the Wildlife and Countryside Act 1981 (as amended), the LPA is requesting that either the applicant undertakes the reptiles surveys and if mitigation is required provide this information prior to determination; or the applicant assumes that there is a good population of reptiles on-site and provides an extensive mitigation strategy, which would need to be submitted to the LPA for approval prior to determination of this outline planning application.

The submitted Ecological Appraisal lacks the requisite surveys and an extensive mitigation strategy has not been submitted; and consequently would not ensure that the natural environment and biodiversity are protected and conserved contrary to Policy H SP2(c) and Policy H SP2(d). Consequently, it is considered that insufficient ecological information has been provided to demonstrate compliance with Policies ENV DM5, H SP2(c) and H SP2(d) of the Local Plan and Government policy and guidance contained in the NPPF and NPPG. Insufficient information has been submitted to determine whether protected species would be harmed by the proposed development and the level of mitigation required to recreate good quality reptile habitat in the Biodiversity Corridor; and, as such, the proposal is also contrary to Policy EH2 of the Aldingbourne NP.

TREES

Policy ENV DM4 of the Local Plan requires developers to provide land and tree surveys (d), a tree constraints plan (e) and an Arboricultural Impact Assessment (AIA) to include a tree protection plan and Arboricultural Method Statement (f), which will ensure that development is planned to take a comprehensive view of tree issues at an early stage in the design process and that development works do not have a negative impact on existing trees.

The Aldingbourne NP includes Policy EH6 whereby "proposals which affect sites with existing trees or hedgerows should be accompanied by a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to demonstrate how they will be so maintained".

A Tree Survey Report has been submitted with the outline planning application in order to record the location, condition and value of all significant trees in the site. The most important trees within the site are present along the eastern boundary and are protected by a tree preservation order (TPO/AL/2/16). These significant existing trees along the eastern boundary edge identified for retention, must be protected during the works as they have been identified to provide good visual amenity in addition to their biodiversity importance. These trees have the potential for a long life expectancy, with potential to become a prominent feature within the landscape and are worthy of protection, with adequate fencing according to the BS5837 (2012) Provision for fencing according to each of the trees' correct and calculated root protection area must be erected prior to the commencement of any development

activities.

It is considered that sufficient information has been submitted to assess the likely impact of the outline planning application on the tree stock. The ADC Arboricultural Officer highlighted that the group of Ash trees would need to be removed for safety reasons and that the Oaks (Numbers 8, 9 and 10) are shown to be adjacent to an open space which would avoid any conflict with dwellings.

The subsequent Reserved Matters application would need to be accompanied by an Arboricultural Method Statement (AMS), an Arboricultural Impact Assessment (AIA) and a Tree Protection Plan, which should be conditioned.

Overall, subject to the imposition of a condition, the proposed development complies with Policy ENV DM4 of the Local Plan and EH6 of the Aldingbourne NP as a layout can be achieved which ensures retention and protection of the trees that are subject to the Tree Preservation Order.

HISTORIC ENVIRONMENT

Policy HER DM6 of the Local Plan says "where a site on which development is proposed has the potential to include heritage assets with archaeological interest (having consulted the Historic Environment Record) permission will only be granted where it can be demonstrated that development will not be harmful to the archaeological interest of these sites".

The Archaeological Assessment identified that as the site is within the coastal plain there is potential for prehistoric remains but that there was nothing in the records to suggest that these would be significant.

The ADC Archaeological Advisor agrees with the conclusions of the assessment and noted that this site lies alongside a former tributary to the Aldingbourne Rife against which settlement activity and the utilisation of natural resources are likely to have been concentrated. Therefore, it is recommended that an investigation of the site is carried out prior to development in order to identify any archaeological deposits that might be present and to implement appropriate measures for their preservation. This could be secured through a condition.

Overall, the proposal accords with Policy HER DM6 of the Local Plan as it has been demonstrated, subject to the imposition of a condition, that the development would not be harmful to the archaeological interest of the site.

LIGHT POLLUTION

Policy QE DM2 of the Local Plan emphasises the need to consider the impact of light on neighbouring uses and wider landscape, particularly with regard the South Downs International Dark Sky Reserve designation (a), light levels should be the minimum required for security and working purposes (b), and minimise potential glare and spillage (c); and the degree to which outdoor lighting can be powered by on-site renewable sources (d).

The application site is in a semi-rural area of the district, on the boundary of Woodgate. It is considered that a lighting condition be imposed requiring the submission of details of luminaires that are more suitable to semi-rural areas on the fringes of built-up areas. This is reinforced by the ADC's Ecological Advisor's request that the lighting scheme for the site will need to take into consideration the presence of bats in the local area through the use of directional light sources and shielding. Environmental Health has not raised an objection in terms of light emissions from the proposed residential development on existing residential amenity.

The imposition of a condition ensuring that the external lighting scheme meets the limits the environmental zone E2 (as set out in the Institute of Lighting Professionals Guidance for Reduction of

Obtrusive Light) is proposed. The guidance sets out limits for the main sources of light pollution (sky glow, glare and spill) and would ensure that the lighting is appropriate to the wider landscape setting and minimises the impact of the development on the Dark Sky Reserve designation within the SDNP.

Consequently, subject to the imposition of a condition, it is considered that the proposed development complies with Policy QE DM2(a), (b), (c) and (d) inclusive of the Local Plan and Policy EH10 of the Aldingbourne NP ('unlit village' status).

RESIDENTIAL AMENITY

Policy D DM1(3) of the Local Plan says "have 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".

There is a housing estate located along Woodgate Park and Orchard Gardens situated west of the application site. The proposed layout of the dwellings on the western boundary of the site as proposed on the indicative layout plan should ensure that neighbouring residential amenity is not adversely affected by loss of privacy or overlooking on Woodgate Park. All proposed gardens have a minimum depth of 10 metres. Notwithstanding this, the detailed layout will be dealt with at the reserved matters stage.

Consequently, it is considered that the proposed residential development complies with Policy D DM1(3) of the Local Plan in terms of impact upon neighbouring residential amenity.

SURFACE WATER DRAINAGE

The NPPF requires that development does not give rise to an unacceptable risk of flooding detrimental to human health or property. Policy W DM2 of the Local Plan requires the submission of a site specific Flood Risk Assessment (FRA) which demonstrates that the development will be safe without increasing flood risk elsewhere and reduce flood risk overall; consider flood flow routing and utilise temporary storage areas. Policy EH5 of the Aldingbourne NP seeks to ensure that all developments in flood sensitive areas are designed and constructed to reduce the level of flood risk.

A Flood Risk Assessment (FRA) has been provided which confirms that the site is within Flood Zone 1 (low risk) but it only provided limited information. Comments from WSCC Flood Risk Management Team indicate that the site has a low risk of surface water flooding but is at high risk from ground water flooding.

A Surface Water Drainage Statement has been provided which identifies the ditch which takes existing surface water run-off along the eastern boundary. The Statement indicates that the proposed development would have a SuDS scheme which would be designed to ensure that the 1 in 100 year event storm plus 30% climate change allowance does not increase flow to that ditch. The Statement envisaged that an underground storage tank solution might be needed due to ground conditions.

The comments from both ADC Drainage Engineers and the Lead Local Flood Authority (WSCC) emphasise the need to fully investigate options for infiltration methods before ground attenuation. Conditions are proposed in order to ensure that a suitable SuDS scheme is developed informed by winter groundwater monitoring and percolation tests. Existing ditches also need to be maintained and highlighted on future plans with sufficient easements provided for maintenance access.

Further information will be required at the reserved matters stage in order to ensure that the detailed layout can accommodate SuDS features. There is also an opportunity to provide an integrated drainage solution in conjunction with adjoining site to the east (AL/15/17/PL), taking on board the recommended strategic drainage solutions identified in the Arun Strategic Surface Water Drainage Study, however, this

has not been explored.

Overall, insufficient information has been provided to demonstrate that 55 dwellings together with a comprehensive SuDs scheme could be accommodated on the site in accordance with Policy W DM3 of the Local Plan and EH5 of the Aldingbourne NP.

FOUL WATER DRAINAGE

Policy W DM1 of the Local Plan deals with foul water drainage: development which will materially increase foul water discharges will be refused unless the LPA is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development.

The applicant is proposing 3 possible options for foul water: 1) the foul water drainage from the site to connect with the existing foul sewer network which goes to Lidsey Wastewater Treatment Works; 2) a package sewerage treatment plant pending new capacity becoming available at Lidsey; or 3) reduced surface water inundation improvements freeing up existing capacity at Lidsey.

The applicant has stated that foul and surface water will be considered further as part of any detailed application (i.e. at reserved matters stage) and can be included in a condition.

The provision of an on-site package sewerage treatment plant, pending new capacity becoming available at Lidsey, would be unacceptable. The LPA discourages the provision of on-site package sewerage treatment plant and supports the provision of connections with the existing foul sewer network which goes to Lidsey Wastewater Treatment Works.

Southern Water has requested the following condition: "Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development". It is considered reasonable and necessary to impose the suggested condition.

Subject to conditions requiring submission of a detailed foul drainage scheme the proposal accords with Policy W DM1 of the Local Plan and EH5 of the Aldingbourne NP as it demonstrates that the infrastructure could be provided to ensure sufficient foul capacity for the development.

CLIMATE CHANGE

Policy ECC SP1 of the Local Plan says: "The Council will support development which is located and appropriately designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding; water stress; health impacts as a result of extreme temperatures and a decline in the quality of habitats and richness in biodiversity". Policy ECC SP2 of the Local Plan says: "All major developments must produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless it can be demonstrated that this is unviable".

The proposed east/west orientation of the houses and apartments on the indicative layout plan submitted with the outline planning application would ensure maximum solar gain and would comply with Policy ECC SP1 of the Local Plan. The proposed residential development could comply with Policy ECC SP2 through the imposition of a condition requiring 10% on-site generation from renewable or low carbon energy generation.

SUPPORTING INFRASTRUCTURE

Development is only acceptable with the provision of or contributions to the necessary infrastructure and facilities to mitigate the impacts of the development. Representations raised concerns about the lack of capacity of education and healthcare facilities in the area. Policy H SP2c of the Local Plan sets out the infrastructure requirements for the BEW strategic allocation, which include:

- a well connected local centre, with connections to the train station at Barnham.
- new retail, commercial and community facilities.
- new Tier 7 library.
- healthcare facilities to serve the BEW strategic allocation and Fontwell.
- transport requirements including a new A29 route through the allocation, an east-west route north of the railway linking the existing and new A29 route, Westergate cycle link scheme, regular bus services, access to Barnham Station.
- a new two-form entry primary school, a new one-form (expandable to two-form) entry primary school and nursery places.
- incorporate two new sports pitches and changing facilities and
- new employment provision.

The revised draft Heads of Terms submitted by the applicant on 18th April 2019 include the following:

- Construction of a new right turn lane on the A29 (Westergate Street) into Orchard Gardens;
- To make a contribution of £7,130 per dwelling towards transport infrastructure A29 junction improvements and A29 re-alignment scheme less the cost of A29/Orchard Gardens junction improvements;
- Footpath/cycle network contribution (£20,000) towards the costs of improving the footpath cycle network between Westergate and Barnham;
- The provision of a 3.5 metre wide pedestrian/cycleway in the north east corner of the site, and the provision of a right of way across the site;
- To provide 30% of the plots for Affordable Housing;
- Library contribution;
- Contribution to Early Years, Primary, Secondary and Sixth Form education provision;
- Fire service contribution;
- Healthcare contribution;
- Public open space to be provided on site;
- To provide an unequipped LAP within the public open space on the site;
- £1,600 per market dwelling for off-site provision of a LEAP and a MUGA and any additional landscaped open space areas.
- To make a contribution of £14,000 towards improving pitches at Aldingbourne sports field;
- Setting up an estate management company to maintain on-site infrastructure;
- To prepare a habitat management plan for the assurance of future biodiversity of the open space including managing reptile habitat, to be implemented by the management company.

As the application site is located within the BEW strategic allocation then it needs to demonstrate how the infrastructure requirements above will be delivered, with early phases contributing proportionally to the costs. Without this there is a risk that the financial burden on the remainder of the allocation would be too great. This is also combined with the need to ensure that only 5 pooled contributions are sought for any one project or scheme. The S106 for this scheme needs to mitigate the impact of the proposal but in order to meet the policies, the scheme needs to contribute towards the new self-contained settlement which provides its own infrastructure. As the site is a small proportion of the wider allocation, it would not be delivering any infrastructure on site that the wider site would then not need to deliver (thereby off-setting future costs for the remainder of the site).

The Local Plan policy requires the BEW strategic allocation to deliver a new healthcare facility to serve the BEW strategic allocation and Fontwell. The NHS (Sussex Coastal Clinical Commissioning Group) has responded setting out the need for a developer contribution towards a new integrated hub facility at the Croft GP Surgery, which is considered to be CIL compliant. The applicant has agreed to contribute to healthcare provision, which would comply with Policy H SP2c(g)(v) which relates to healthcare facilities

serving BEW.

WSCC have confirmed that the present primary and secondary schools within the catchment areas of the proposal would not have spare capacity and would be unable to accommodate the children from the development. Accordingly developer contributions are required. The contributions comprise £63,011 to be spent on an new Early Years facility serving the BEW strategic allocation; £396,957 towards a new primary school serving BEW; a formula based contribution towards a new secondary school serving Arun; and a formula based contribution spent on small scale improvements at St Phillip Howard Catholic High School Sixth Form. These are considered to be CIL compliant.

A revised Heads of Terms (new version submitted on 18th April 2019) has been submitted which includes developer contributions towards early years, primary school and sixth form provision, which would comply with Policy H SP2c(i). The necessity for education provision has been demonstrated in relation to this outline planning application with only the detailed contribution amount to be resolved once the final mix of dwellings is known. The contributions towards secondary and sixth form education are formula based and would need to be resolved at reserved matters stage once the final mix of dwellings is known. Therefore, it is considered that there is now sufficient information provided in relation to the Section 106 Heads of Terms to ensure that the education requirements arising from the development would be met, as it now includes early years, primary and sixth form contributions as well as secondary education provision.

Fire and rescue contributions have been sought (formula based) due to the need to improve service provision in the Southern division as a result of the development. This is proposed to be used towards the supply and installation of additional fire safety equipment/smoke alarms to vulnerable person's homes in West Sussex Fire Rescue Services serving Aldingbourne. This is considered to be CIL compliant.

A pro-rata contribution (amounting to £2,391 based on the provision of 55 dwellings) is required towards new equipment for a new Tier 7 library facility serving the BEW strategic allocation, which the applicant has accepted in the revised Heads of Terms, in accordance with Policy H SP2c(g)(iv) of the Local Plan.

Policy H SP2 of the Local Plan requires strategic allocations to address the off-site highway capacity requirements identified for the allocation in the Arun Transport Study. The requirements for the BEW strategic allocation include proportional contributions towards road improvements to provide mitigation for increased traffic demands arising from growth in the District, and the re-alignment of the A29 (Westergate Street).

A contribution of £392,150 (£7,130 per-dwelling) is sought towards the strategic infrastructure required to deliver development in-and-around the BEW strategic allocation, including the proposed A29 re-alignment. The latest per unit S106 cost in relation to the A29 re-alignment is awaited and the contribution amount may change. The revised Heads of Terms includes a contribution towards the re-alignment of the A29 but it also includes a request for a reduction in the contribution to the A29 re-alignment to take account of the delivery of the right hand turning lane from the A29 into Orchard Gardens. It is considered that there is a need for an overall approach to be taken to ensure the delivery of the A29 re-alignment, particularly in relation to the pooling restrictions. If applications and contributions for sites within the strategic allocation are dealt with in a piecemeal manner, this would mean that contributions would be used up without securing the full amount necessary to deliver the infrastructure and further confirmation of more detailed projects is required. It is considered that the cost of the right hand turn lane into Orchard Gardens should not be taken off any contribution towards the wider A29 works; these works are not associated with the A29 re-alignment but are required to deliver the proposed development. The applicant needs to contribute in full to the A29, whatever that per unit figure might be, but the site should not be precluded because there is a risk of falling foul of the pooling restrictions at a

future date. It is considered that this proposed development is not contributing proportionally towards the transport infrastructure costs associated with the delivery of the BEW allocation, contrary to Policy H SP2 and Policy INF SP1 of the Local Plan and the Infrastructure Delivery Plan (the IDP). The development needs to contribute in full to the re-alignment of the A29.

A contribution of £20,000 towards the improvement of the footpath/cycle network between Barnham and Yapton from this development is considered to be CIL compliant, in accordance with Policy H SP2c(h)(v). However, this contribution should not off-set any contribution towards the A29 re alignment.

The proposed S106 Heads of Terms include a contribution of £1,600 towards the provision of off-site LEAP or MUGA. The MUGA contribution could go towards the upgrade of the surfacing to the existing MUGA at Arun Leisure Centre, in Felpham; and the LEAP contribution could go towards child specific outdoor fitness equipment to be allocated within the BEW strategic allocation. These are considered to be CIL compliant.

A sports pitch contribution of £13,856 (based on 55 units at 2.2 persons per unit) is required to go towards the sports hub at Oliver Meadow in Aldingbourne. The applicant agrees to make a contribution of £14,000 towards this sports initiative in Aldingbourne, which is considered to be CIL compliant.

A sports halls/health & fitness contribution of £21,728 is required to provide additional multi use health & fitness/studio space and dry changing to increase capacity and overall customer experience at Arun Leisure Centre. A 3G Pitches contribution of £3,197 is required for improvements to the 3G pitch at Arun Leisure Centre to increase capacity and overall customer experience; if plans for BEW have not been finalised. Both of these contributions are considered to be CIL compliant.

Sussex Police have confirmed that they are not seeking any contributions from this proposed development on Land East of Orchard Gardens.

The Environment Agency is concerned about the ability to pool only 5 Section 106 Agreements and is therefore not seeking developer contributions from this site as the Agency would want to do so from the larger parts of the BEW strategic allocation.

The application site is located in the Parish of Aldingbourne. Aldingbourne Parish Council has submitted a letter of objection to the proposed residential development. Aldingbourne Parish Council has been asked to submit a list of developer contributions to address harm, but no such response has been submitted to date.

The submission of the revised Heads of Terms on 18th April 2019, is acknowledged, however the applicant has still not demonstrated that the developer contributions would ensure that the infrastructure needed to support the development would be sufficient to meet the needs of occupiers and users of the development and the existing community, in accordance with Policy H SP2, Policy H SP2c, Policy INF SP1 and Policy INF 2 of the Local Plan. A full contribution would be required to go to the A29 re-alignment.

SUMMARY

It is considered that whilst the proposed development would deliver much needed housing, there is too much uncertainty about whether the site would provide space for all of the policy requirements to be met with the level of housing proposed. There is insufficient information to demonstrate that the proposal provides for the required infrastructure through contributing proportionally to the infrastructure costs associated with the BEW strategic allocation, including a full contribution to the A29 re-alignment. Insufficient information has been submitted to demonstrate that the proposed development would

contribute to the delivery of a comprehensively planned settlement on the Barnham / Eastergate / Westergate (BEW) strategic allocation (SD5), or provide a high quality development with a sense of place and permeable layout. When combined with the lack of information submitted to determine whether protected species would be harmed by the proposal and the level of mitigation that would be required, these factors are considered to outweigh the need for housing at this time.

HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (Right to respect private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

REFUSE

- 1 The applicant has failed to demonstrate that the proposed development can be undertaken in a satisfactory manner as it has not demonstrated that the impact on protected species can be avoided, adequately mitigated, or as a last resort, compensated for, contrary to paragraph 175 of the NPPF and Policy ENV DM5, Policy H SP2(c) and Policy H SP2(d) of the Arun Local Plan. As a result, the proposed development does not demonstrate whether or not it would give rise to significant harm to the integrity or function of the Biodiversity Corridor contrary to Policy EH2 of the Aldingbourne Neighbourhood Plan.
- 2 The applicant has failed to demonstrate that the obligations proposed would ensure that the infrastructure needed to support the development would be sufficient to meet the needs of occupiers and users of the development and the existing community, contrary to Policies H SP2, H SP2c, INF SP1 and INF SP2 of the Arun Local Plan and the National Planning Policy Framework.
- 3 On the basis of the information available the Local Planning Authority is not satisfied that the proposed development of 55 units on the site could be undertaken in a manner that would not undermine the delivery of a comprehensively planned settlement or provide a high quality development with a sense of place and permeable layout which could accommodate adequate on site surface water drainage (SuDS) or the Biodiversity Corridor, contrary to Policies D DM1,

H SP2 and H SP2c of the Arun Local Plan, Policy EH2 of the Aldingbourne NP and the National Planning Policy Framework.

- 4 There is insufficient information to justify the proposed tenure split of 50% affordable rent and 50% intermediate housing, contrary to Policy AH SP2 of the Arun Local Plan which seeks to secure a 75% affordable rent and 25% intermediate housing split. The overwhelming need of those on the housing register is for rented accommodation and the 75/25 split best meets this.
- 5 Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is willing to provide pre-application advice in respect of any future application for a revised development.