

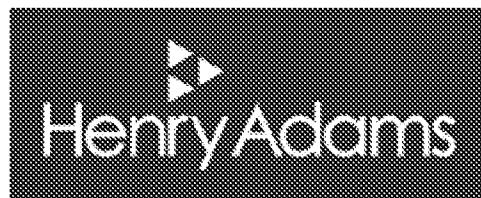
Planning Statement including Affordable Housing Statement and Statement of Conformity with S106

**Reserved matters application for the appearance,
landscaping, layout and scale (pursuant to outline
permission AL/178/22/OUT) for the construction of up to
89 residential dwellings, open space, and associated
works**

Land to the Rear of Meadow Way, Westergate

**Submission on behalf of
Redrow Homes Ltd**

December 2024



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Town Planning ► Development Consultancy



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1. **Introduction**

- 1.1 Henry Adams LLP has been instructed by Redrow Homes Ltd to prepare this application for the approval of reserved matters in respect of outline planning permission AL/178/22/ OUT. The outline planning permission was granted on appeal for '*Outline planning application with all matters reserved, other than principal means of access and demolition of 24 Meadow Way, for the construction of up to 89 residential dwellings, with access taken from Meadow Way, together with the provision of open space, landscaping and associated infrastructure*' (APP/C3810/W/23/3323858).
- 1.2 A previous application for the approval of reserved matters was refused in August this year and is the subject of a separate appeal (AL/50/24/RES).
- 1.3 This application proposes further amendments to the scheme beyond those that can be presented during the appeal process. It follows a pre-application inquiry to Arun District Council which sought to identify the key areas of concern with a view to addressing them in this submission. This proposal is not intended to prejudice the applicant's position in respect of the acceptability of the previously refuse scheme.
- 1.4 This application once again seeks approval of details relating to the appearance, landscaping, scale and layout of the proposal for 89 dwellings. This planning statement describes the site and its surroundings, the application proposal, the planning policy context against which the proposal is then assessed. It should be read in conjunction with the design and access statement, plans, reports and other documentation forming this submission a list of which is set out in the covering letter and documents supporting the outline planning permission.

2. **Description of Site and its Surroundings**

- 2.1 The site consists of an area of approximately 3.8 hectares and largely comprises agricultural land with a generally flat topography bordered by hedgerows and trees. At

the western end is an existing access off Hook Lane whilst to the eastern end the application site includes no. 24 Meadow Way which will be demolished to form the new vehicular access.

- 2.2 To the south of the site is a recently built residential development in Toop Gardens and Hasler Grove as well as more established housing around the south-west and south-east corners of the site. The housing is separated from the site by a public footpath (PROW 299). To the east are existing residential dwellings along Meadow Way whilst to the west is a single detached dwelling. To the north is fields and agricultural buildings.
- 2.3 The site is located to the south-west of Westergate which is defined as a 'Large Village' in the adopted Arun Local Plan (2018). It is immediately adjacent to the built-up area boundary. To the south-east lies the adjoining settlement of Woodgate.
- 2.4 The Government's Flood Map for Planning confirms that the site is situated within Flood Zone 1, meaning it has a very low risk of flooding. The site is located in the very low surface water flood risk category (less than a 1 in 1,000-year risk of flooding).
- 2.5 The site is within a Sharp Sands and Gravel Minerals Safeguarding Area, however the site itself holds fine grained and poorly graded sand, chalk and clayey terrace deposits, none of which is commercially viable.

3. Planning History

- 3.1 As mentioned earlier, the outline planning permission was approved on appeal in December 2023 (AL/178/22/OUT and APP/C3810/W/23/3323858). The permission was subject to a S106 Agreement that secures the 30% affordable housing, travel plan, open space and contributions towards various matters such as education transport and travel plan monitoring.

3.2 A subsequent reserved matters application was refused in August this year (AL/50/24/RES) for the following reasons:

1. *By reference to the clustering of affordable housing along the southern edge of the site, the failure to ensure a sufficient off-set distance between important offsite trees and plots 38 & 46-48, the failure to provide an appropriate location/amount/detail of play areas and useable Public Open Spaces, the failure to properly accommodate tree planting within the layout, the failure to provide sufficient accessible parking provision, the failure to provide sufficiently sized parking spaces, the failure to ensure all dwellings have a sufficient depth of rear garden, the failure to provide the flatted building with sufficient communal space, the failure to ensure sufficient interface distances between new dwellings, the failure to create distinctive character areas within the development; the location of the substation in the main streetscene and having regard to the inappropriate scale of the flatted building in relation to the streetscene & the character of the area, the proposal does not achieve a high standard of design quality and represents an overdevelopment of the site in conflict with Arun Local Plan policies OSR DM1, D SP1, D DM1, ENV DM4, T DM1, QE SP1; Aldingbourne Neighbourhood Development Plan policies H3, H4, H8, EH6, GA3, Arun's "Open Space, Playing Pitches, Indoor and Built Sports Facilities" SPD, the Arun Design Guide SPD, the Arun Parking Standards SPD, and the NPPF.*
2. *Insufficient information has been provided to adequately demonstrate that the proposed layout is appropriate for the requirements of pedestrians and cyclists which may result in conflicts with vehicles. The proposal is in conflict with Arun Local Plan policies T SP1 & T DM1, Aldingbourne Neighbourhood Development Plan policy GA1 and the NPPF.*
3. *Insufficient information has been submitted to show that the proposed number of units, the landscaping, and the layout are implementable without detrimentally impacting surface water drainage on and off the site. The submitted Drainage Statement does not meet the stated design requirements. The proposal conflicts with Arun Local Plan policy W DM3, ANDP policy EH5, West Sussex Surface Water Design Guidance, the NPPF and the associated PPG on Flood Risk.*

4. *Insufficient information has been provided to comply with the requirements of outline condition numbers 4 (lighting on homes, lighting in relation to bats, biodiversity gain, hedgehog holes in fences, amount & distribution of Public Open Space), and 5 (proposed Electric Vehicle Charging Point specifications) and the proposal is therefore in conflict with Arun Local Plan policies ENV DM5, OSR DM1, QE DM3, Arun's "Open Space, Playing Pitches, Indoor and Built Sports Facilities" SPD, and the NPPF.*

3.3 Plans and information had been submitted to the Council that sought to address the officer's concerns during the application process but were not accepted. Those details, along with some additional amendments, were therefore presented to the Council via a pre-application enquiry to which a response was received in November this year. Separate pre-application enquiries have also been undertaken with the Highway Authority and Local Lead Flood Authority (LLFA) and will be referred to in the relevant sections on highways and drainage later in this statement. In summary, the pre-application advice received from the Local Planning Authority on the planning matters was as follows:

Public Open Space and Play Space – requested consideration be given to a central area of POS and the Council does not favour all the play space at the eastern end of the site. The site needs to accommodate a LEAP and 2 no. LAPS and they should not be sited in one location.

Impact on trees on the western boundary – the revised layout addresses the concerns of the tree officer in respect of plots 47 and 48 and their impact on the preserved Coast Redwoods. Concerns remain about the impact of plots 39 – 46 on the non-preserved trees within group G3.

Proposed Apartment Block – concerns remain about the principle, location and height of the flatted building. It should be two storeys or 2.5 storeys if located more centrally.

Compliance with Design Guide – the front-to-front relationship of plots 15-20 and 62-79 could be acceptable providing no direct line of sight between windows.

Site Density and Design Guide – concern expressed about the density of development along the southern boundary and clustering of affordable tenures in this location.

Ecology and Lighting – the ecologist raises no objection to the revised enhancement strategy and BNG report.

Other matters –

- Accepted that no external lighting is proposed to any of the dwellings/buildings and so no further details are required.
- A greater amount of street trees needs to be included. These should be spread across the site and their presence/absence should not be used to define the character of a sub area of the site.
- The location of the substation is accepted but the landscaping around this building should be enhanced.
- The requisite number of disabled parking spaces (12) has now been included but only two of the visitor type spaces are in the western half of the scheme (plots 19-61). It is requested that there be at least 4 such spaces in this half.
- It is accepted that all standard parking spaces now measure 2.5 by 5m as per the ADG.
- It is unclear whether any changes will be made to the materials and designs to create character areas with limited variation between them.

3.4 The applicant's position is that the scheme that was submitted under application AL/50/24/RES was acceptable and was in accordance with the parameters plan approved at the outline stage. It is for this reason that an appeal has been submitted against this refusal (APP/C3810/W/24/3356352).

3.5 However, it has been decided to re-submit the reserved matters application with some additional changes in response to the pre-application enquiries in an attempt to secure a local decision. This does not prejudice the applicant's position on the recently appealed scheme.

3.6 The reserved matters submission also includes a number of documents to reflect the requirements of the outline permission. The relevant information associated with the relevant condition is summarised below:

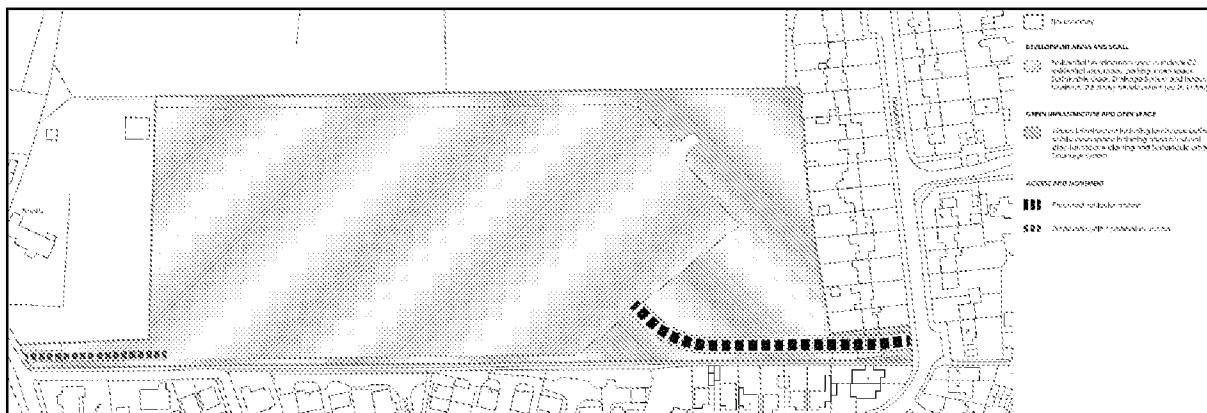
Outline Condition Number & Requirements	Documents submitted
(3) The Reserved Matters (RM) is to be in accordance with: <ul style="list-style-type: none"> - Site location plan 1318.01; - Parameter plan 13.18.03; - Proposed Site Access drawing 1809023-04 Revision C; - Improvements to Pedestrian Route and Bus Stops at Westergate Street drawing 1809023- 06 Revision B; and Hook Lane Pedestrian / 	Relevant to this reserved matters application is the site location plan, which remains unchanged and the proposed site layout (drawing no. 24.001.501 – Rev.19). As with the refused reserved matters application, the proposals are entirely consistent with the outline documents.

<ul style="list-style-type: none"> - Cycle Access Arrangement drawing 1809023-07 Revision A 	
<p>(4) The RM must include details of:</p> <ul style="list-style-type: none"> - Existing trees/hedges, landscaping (including 2:1 new planting & native trees), boundary treatments including hedgehog gaps, - External lighting, - POS & play provision, - Biodiversity Gain , - Reptile mitigation strategy - Biodiversity enhancement strategy. 	<p>The following documents are submitted in response to this condition:</p> <ul style="list-style-type: none"> - Tree Constraints Plan - 12083 TCP 01 (Overview) - Tree Schedule - Arboricultural Method Assessment – December 2024 - Detailed hard and soft landscaping drawings – see landscape drawing schedule prepared by Fabrik. - Street Lighting Layout MKL060-PLD-HOOK R4 - Street Lighting Design Risk Assessment - Proposed Equipment Schedule – Street Lighting – R4 - Lighting Calculation - MKL060 03 Dec 2024 – R4 - Update Walkover – PEA Addendum – 10/12/2024 - Biodiversity Net Gain Assessment – December 2024 - Reptile Mitigation Strategy – December 2024 - Biodiversity Enhancement Strategy – December 2024
<p>(5) The RM submission should include:</p>	<p>The following documents are submitted in response to this condition:</p> <ul style="list-style-type: none"> - Car Charging Points Plan - 24.001.103 Rev 19

<ul style="list-style-type: none"> - Electric vehicle charging points (EVCP), - a levels survey, - cycle storage details (including elevations) - A coloured materials schedule 	<ul style="list-style-type: none"> - Levels Strategy Sheet 1 and 2 - B0457-1510 Rev P5 & B0457-1511 Rev P5 - Cycle Storage Plan - 24.001.105 Rev 19 - Materials Plan - 24.001.106 Rev Rev.19
(6) The RM is to include details of any temporary sales areas.	<p>The following documents are submitted in response to this condition:</p> <ul style="list-style-type: none"> - Show Home Arrangement Plan Sales Elevations - WESTG.SK.004A - OXFORD_CES_PLANNING_EG_CES2_DM.2_Ver2
(7) The RM is to include details of the provision of M4(2) and M4(3) housing to meet the council's policies.	<p>The Site Layout Drawing identifies the location of the M4(2) and M4(3), which reflect the requirements of the Council – Drawing No. 24.001.501 – Rev.19</p>
(8) The RM is to include details of roads, paths, and parking areas.	<p>The following documents are submitted in response to this condition:</p> <ul style="list-style-type: none"> - Site Layout Plan - 24.001.501 – Rev.19 - Vehicle Tracking Fire Appliance Sheet 1 and 2 - Vehicle Tracking Refuse Vehicle Sheet 1 and 2 - Vehicle Tracking Private Vehicle Sheet 1 and 2

4. Proposal

4.1 The site benefits from an outline permission for the construction of up to 89 residential dwellings. The access from Meadow Way was approved at outline stage with the appearance landscaping, layout and scale being reserved for subsequent approval. A parameters plan was approved by condition 3 of the outline permission which showed the green infrastructure and open space to be at the eastern end of the site along with a narrow strip along the northern and southern boundaries. This application continues to follow this approved plan in terms of the general layout of the site.



Approved Parameters Plan

4.2 This reserved matter application seeks approval for the appearance, landscaping, layout and scale for a scheme of 89 dwellings. The dwellings are proposed to comprise 62 market units and 27 affordable units which will include affordable rent, first homes and shared ownership. The affordable dwellings will be a mix of flats, maisonettes and dwellings of between 1 and 4 bedrooms. 3 no. will be M4(3) and 15 no. will be M4(2) compliant. The dwellings will all be two storey apart from the flats which will be 2.5 storeys. The dwellings are all designed to be tenure blind. The affordable accommodation schedule is as follows:

	Affordable Rent	Shared Ownership	First Homes
	Number	Number	Number

1 bed	8		2
2 bed	6		5
3 bed	3	2	
4 bed	1		
Total	18	2	7

4.3 The market dwellings will be a mix of detached and semi detached dwellings of between 2 and 5 bedrooms. The dwellings will all be two storeys in height.

4.4 The Design and Access Statement that accompanies this submission provides details on the design and layout of the site.

5. Planning Policy Context

5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70 (2) of the Town & Country Planning Act 1990 require planning applications to be determined in accordance with the policies of the Development Plan unless material considerations indicate otherwise.

5.2 At the national level, the National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development which comprises three overarching objectives; economic, social and environmental. It states that the three objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). It is a material consideration that carries substantial weight.

5.3 The presumption in favour of sustainable development is set out at Paragraph 11, which the Government maintains is at the heart of the Framework. For decision-taking, the presumption in favour of sustainable development means:

- c) Approving development proposals that accord with an up-to-date development plan without delay; or
- d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - (i) The application of policies in this Framework that protects areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

5.4 It is particularly relevant to note that point (i) confirms that applications should only be refused if there is a clear reason for refusing development. The application site does not include, is not adjacent to, nor does the proposal negatively impact upon any of the following designations listed in footnote 7:

- Sites of Special Scientific Interest;
- Land designated as Green Belt,
- Local Green Space,
- an Area of Outstanding Natural Beauty,
- a National Park or defined as Heritage Coast;
- irreplaceable habitats;
- designated heritage assets or heritage assets of archaeological interest; or
- areas at risk of flooding or coastal change

5.5 It is the applicant's position that subject to appropriate ecological mitigation set out and the additional information in support of the drainage strategy, there are no clear reasons for refusing the development in light of the guidance at paragraph 11 and footnote 7 of the NPPF.

Emerging NPPF

5.6 The draft National Planning Policy Framework (NPPF) NPPF was announced on 31 July 2024 and was out for consultation until 24 September 2024. It was initially intended for the amended NPPF to be published within 100 days of the new government being in place. This has been delayed due to the level of responses, but it is now expected to be published in December 2024 and will therefore be adopted at the time of the determination of this application. The ministerial statement issued at the same time of publication also made clear the government's clear intention to deliver a significant boost in housing and the timeliness for delivery. The ministerial statement¹ is a material consideration in the determination of this application.

5.7 At the time of writing, the draft NPPF comprises a material consideration to the determination of this appeal.

5.8 The draft NPPF includes a number of proposals to strengthen the drive to meet housing and other development needs. Notably, it maintains the presumption in favour of sustainable development and the 'tilted balance'. Alongside the draft NPPF, the consultation introduced a new Standard Methodology for housing, which results in an increase in housing numbers for the district (1,342 up to 1,409 homes per annum).

5.9 Amendments are also proposed in relation to matters of design and the efficient use of land.

¹ <https://questions-statements.parliament.uk/written-statements/detail/2024-07-30/hcws48>

National Design Guide

5.10 In October 2019, the Government published the National Design Guide (NDG) to illustrate how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's suite of planning practice guidance. In addition to informing development proposals and their assessment by Local Planning Authorities, it supports paragraph 13 of the NPPF which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

5.11 The proposed development is considered to be of a high-quality design and designed in accordance with both national and local design guidance. In the previous refusal, the Council do not contend that the scheme is contrary to the National Design guidance but relies on its own adopted design SPD.

5.12 The Development Plan for this site comprises:

- Arun Local Plan 2011-2031
- Aldingbourne Neighbourhood Development Plan (2021)
- West Sussex Waste and Minerals Plan

5.13 The most relevant policies of the Local Plan and Neighbourhood Plan are set out below:

Arun Local Plan

- Policy D DM1 – Aspects of form and design quality
- Policy D SP1 – Design
- Policy ENV DM4 – Protection of trees
- Policy ENV DM5 – Development and Biodiversity
- Policy QE DM3 – Air Pollution
- Policy QE SP1 – Quality of the environment
- Policy OSR DM1 – Open Space, sport & Recreation
- Policy T DM1 Sustainable Travel and Public Rights of Way
- Policy T SP1 – Transport and Development

- Policy W DM3 Sustainable Urban Drainage Systems

Aldingbourne Neighbourhood Development Plan

- Policy H3 – Housing Density
- Policy H4 – Affordable Housing
- Policy H8 – Outdoor Space
- Policy EH5 – Surface Water Management
- Policy EH6 – Protection of trees and hedgerows
- Policy GA1 – Promoting sustainable travel
- Policy GA3 – Parking and new development

5.14 The following Supplementary Planning Documents (SPDs) are also relevant to this proposal:

- Arun District Design Guide SPD – 2024
- Arun District Council Parking Standards SPD – 2020
- Arun District Open Space, Playing Pitches, Indoor and Built Sports Facilities – 2020
- Arun District Council Interim Housing Statement – 2021

The Status of the Development Plan and SPDs

5.15 The Council is unable to demonstrate a 3 year housing land supply, let alone a 5 year housing land supply, and its housing delivery falls below 75% of its requirement over the last 3 years. NPPF Paragraph 11 d) is therefore engaged, in accordance with footnote 8. The Arun Local Plan is considered to be out of date, resulting in relevant policies for the supply of housing being out of date. The result of this is that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

5.16 In light of the above, it is accepted that there is conflict policies of the Development Plan, but this must be balanced by the fact that the Development Plan is incomplete, the Council is facing a cliff edge in its ability to meet its housing need and (as set out above), it cannot

currently demonstrate a 3-year (based on a recent appeal decision), let alone a 5-year housing land supply or sufficient delivery.

- 5.17 Furthermore, there are other significant material considerations, such as the acute need for affordable housing and the site-specific merits of the application proposal that weigh, in the balance, in favour of approving these reserved matters.
- 5.18 The Appellant therefore contends that the most relevant policies of the Local Plan are 'out of date' and should carry 'reduced weight', and that reduced weight should be attributed to the policies in the determination of this application for residential development. These include design related policies and the rigid application of guidance within the Council's adopted SPD documents relating to both design and open space.

6. Planning Considerations

Principle

- 6.1 The principle of development is established by the approval of appeal reference APP/C3810/W/23/3323858. This granted outline planning application with all matters reserved, other than principal means of access and demolition of 24 Meadow Way, for the construction of up to 89 residential dwellings, with access taken from Meadow Way, subject to conditions. As part of that outline approval, the Inspector had before them several documents which all formed approved documents apart from the illustrative masterplan. The parameters plan was an approved document.
- 6.2 The parameters plan clearly set the majority of the green space and the play space specifically to be located to the eastern side of the site, with additional green space identified as the landscape buffers to the north and south of the site shown, which included existing field hedgerow boundaries. To the western end of the site, the developable areas were shown to abut the site's western boundary, where it adjoins the extensive curtilage of neighbouring residential property, which includes a number of protected trees on its boundary and within its ownership.

6.3 It is submitted that this proposal fully accords with the parameters plan in terms of these overarching objectives as did the previous submission which was confirmed by the planning officer in his report in connection with that proposal. However, amendments have been made to the scheme to try and address the reasons for refusal and additional information supplied to fully accord with the outline conditions. The matters that have been addressed by this submission will be considered within the relevant sections below.

Design, Appearance, Scale and Layout

6.4 The layout of the site accords with the parameters plan by providing the open space including play space and drainage features at the eastern end of the site. In response to the pre-application enquiry, the planning officer stated the need for a centralised area of open space. This would be at odds with the parameter plan and cannot be required at this reserved matters stage. Nevertheless, the layout has been amended to provide a 'focal point' at the centre of the site on the main spine road which introduces design features such as alternative surfacing, areas of open space, tree planting and an informal footpath. It is submitted that this provides the focal point that is sought without a significant departure from the parameters plan.

6.5 In terms of the other matters raised by the planning officer in reason for refusal no. 1 and the response to the pre-application enquiry, the following matters have sought to be addressed.

Affordable Housing Clustering

6.6 Policy AH SP2 of the Local Plan states, *inter-alia*, '*Affordable housing must be visually indistinguishable from market housing with large groupings of single tenure dwellings or property types avoided. Affordable housing units shall be permitted in small clusters throughout development schemes.*'

6.7 It is maintained that the proposal does not conflict with this policy requirement. The affordable homes are set in four distinct areas with each area accessed separately from the main spine road. Within these areas there is a mix of affordable tenures including first homes and shared ownership (which are in effect owner occupier) and affordable and social rented homes. In the south-west corner of the site the terrace of affordable homes has swapped position so that they are located between market houses. Overall, it is maintained that there are no clusters of single tenure dwellings and is policy compliant in this respect.

6.8 The affordable dwellings are located towards the southern edge of the site because they tend to be the smaller dwellings and the Council's Design SPD encourages decreasing scale and density away from settlement edges towards open countryside. This layout follows that approach. It also accords with the design criteria which requires affordable to be tenure blind. This is illustrated below:



Plots 75-77 – affordable housing – Drawing No. EG_TR4M_M.2	Plots 58-61 – First Homes
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Off-set distances: plots 38,46-48

6.9 The previous refusal cited insufficient off set distances to trees on the western boundary from plots 38 and 46-48. In response, the site layout has been amended to rearrange the dwellings in the south-west corner of the site to provide a greater off set to the preserved trees. The terrace of affordable dwellings at the southern end has been swapped with a pair of semi-detached dwellings that have also been reduced in scale by substituting the house type. This has increased the separation to the preserved Coast Redwoods and taken the gardens out of the root protection area.

6.10 The Council was presented with this plan with the pre-application enquiry. In the response, it was stated that the revised layout addresses the concerns of the tree officer in respect of plots 47 and 48 and their impact on the preserved Coast Redwoods. It was commented however that the impact of plots 39 – 46 on the non-preserved trees within group G3 remained a concern.

6.11 A revised Arboricultural Method Statement which incorporates a tree protection plan and tree survey schedule is included with this submission. This seeks to demonstrate that the relationship of the trees in Group 3 and their relationship with plots 39-46 is acceptable. In respect, it is commented that G3 comprises domestic hedging and trees which have been pruned to the boundary as part of the site's former agricultural management. It is reasonable for this management to continue within a residential setting, where works can seek to ensure G3 continues to serve as a defensible boundary feature. The Council will have control over this work through the Tree Preservation Order which is aimed at ensuring the trees within it are retained but does not preclude ongoing management and maintenance subject to approval.

Play Space and Public Open Space

6.12 As set out elsewhere in this statement, the starting point for the reserved matters open space and play space design is the parameters plan that was approved at the outline stage. Additions to that are possible, but cannot be insisted upon.

6.13 The adopted SPD sets out that any development should include a mix of open space, to include the following typologies, which are defined within FiT guidance document:

- Parks and Gardens - Formal green spaces including urban parks, country parks, forest parks, and formal gardens
- Amenity Greenspace - Informal recreation spaces, communal green spaces in and around housing, and village greens
- Natural and Semi-Natural - Woodland, scrub, grassland, wetlands, open and running water, and open access land

6.14 A breakdown of the open space typologies is included with the application. This sets out the forms of open space across the site, with the conclusion that in combination, the site proposes 8,108 sqm of play and open space.

6.15 In terms of play space, the requirement at the outline stage was to provide a LAP (100sqm) and LEAP (400sqm) within the scheme, which would equate to an area of play provision of at least 500sqm. The current scheme proposes an area of 1,097sqm, exceeding the minimum requirement of 500sqm of play and would therefore incorporate parks and gardens space within the play areas. Collectively, the open space and play provision provides 8,108qsm, which far exceeds the Council's suggested minimum of 7,373sqm and this is of course in addition to private garden areas serving each of the houses.

6.16 The provision is in accordance with the approved parameters plan approved at the outline stage and in general accordance with the expectations of the adopted Design SPD.

Communal areas for flats

6.17 Flats communal space comprises an area of grassland strip to the immediate south-east of the flats. This has been increased in size from the previous refused application to 88sqm. It does continue to falls slightly short of the Design SPD recommendations, however, it is positioned directly opposite the public open space and LEAP/LAP. The area to the front of the apartments can be used by residents with the provision for a crossing across main street directly next to the apartment block will allow easy access for residents.

Tree planting within the site

6.18 The Council had previously raised concern regarding the scale / quality of tree planting within the site. Given the proposed changes within the site, particularly the introduction of the central green space area (additional to the outline parameters) an appropriate landscaping scheme is proposed, with extensive tree planting, hedgerows, enhanced scrub and shrub planting as part of the scheme. There is a requirement for this to be appropriately maintained, with replacements where any new planting falls, together with an agreed management plan.

6.19 Tree placement and location across the site respects watercourse easements, services, and visibility splays for safety. In response to comments raised by the ADC Landscape Officer, where appropriate, larger trees have been provided. Tree sizes have been selected to balance providing an impact at the time of planting with ensuring that trees are able to acclimate and flourish over the long-term. In areas where trees may be more constrained, such as adjacent to car parking areas, deep root tree planting systems should be considered to increase soil rooting volumes and increase opportunities for the tree to thrive and mature.

- 6.20 The planting strategy seeks to use native species where possible. However, other species are considered in the palette to encourage and ensure diversity in a changing climate. Where appropriate, pollinator friendly species are utilised.

- 6.21 Subject to securing these recommendations, an appropriate approach to landscaping is proposed.

Interface distances

- 6.22 Following the refused application and following pre-application advice, the scheme has been amended to ensure that where some of the interface distances fall short, there are no direct facing windows and in any case, the distances are inconsistent with the design SPD, these comprise very minor shortfalls of circa 80cm. Appropriate relationships are therefore proposed and generally the scheme accords with the adopted Design SPD, which is demonstrated on drawing no. 24.001.508 Rev. 19.

Distinctive character areas

- 6.23 The Design and Access Statement (DAS) submitted includes justification for the appearance and character (page 38) alongside the architectural design of the proposed development. The character areas are reflective of the design strategy incorporated within the DAS that supported the outline planning permission. The applicant has sought to create variety within the street scene with the architectural detailing representative of the high-quality design response that will be achieved across the site.

- 6.24 The also follows the Council's design guidance to have higher density homes to the south where the site adjoins the existing settlement and lower density to the north where it adjoins countryside.

Location and screening of substation

- 6.25 The electricity substation must be located along the route of the existing services and there are no opportunities for the feature to be relocated within one of the secondary roads. This is a fixed parameter. The amended scheme introduces scrub planting around the substation to reduce its prominence. As this planting matures, this would largely screen the feature and ensure that the soft landscaped entrance to the site will be formed.
- 6.26 In the pre-application response, the planning officer accepts this position and confirms that with additional landscaping the location will be acceptable.

Scale of flattened building

- 6.27 The approved parameter plan refers to a maximum of 2.5 storey development (up to 11.5m). The Council accepted that parameter and nothing has changed since the decision was made for the Council to deviate from that position. Notably, the outline proposals included 3 x block of flats. The proposed flat building is 2.5 storeys and has an overall height of 10.9m, which is of course below the 11.5m parameter. As with other matters relating to the parameters, this was a matter deemed to be acceptable at the outline stage by the Inspector given that apartments were shown on the illustrative masterplan.
- 6.28 The proposed flats are entirely in accordance with the outline parameters and its location provides a focal point within the site. For this resubmission, the design of the building has been improved and the materials varied to break up the elevations. It is submitted that the building is entirely appropriate in this location and balanced with the public open space on the opposite side of the road will not be dominant or out of place and will present a pleasing entrance to the site.

Highways

- 6.29 The proposed access from Meadow Way was approved at the outline stage. A pedestrian and cycle link is proposed at the western end of the site onto Hook Lane and footpaths within the site provide safe walking routes.

- 6.30 The second reason for refusal of the previous application referred to insufficient provision for pedestrians and cyclists and principally related to a minor drafting error relating to the pedestrian and cycle path linking the site with Hook Lane to the west which was shown at only 2m wide. This has been amended to show a 3m wide path that is suitable for pedestrian and cycles to share.
- 6.31 A pre-application enquiry has also been submitted to WSCC and amendments made to the scheme to improve accessibility and permeability in response to the comments made. This has included the provision of a traffic calming zone on the central spine road to reduce vehicle speeds and footways now terminating onto shared surfaces directly to avoid ambiguity. It is understood that with these amendments the scheme now satisfies WSCC and overcomes the previous reason for refusal.
- 6.32 Car parking provision to serve the development is in accordance with ADC's Parking Standards and includes private driveways, garages, visitor spaces and allocated parking bays. In total, 212 allocated car parking spaces are proposed, exceeding the minimum requirement as set out in the Parking Standards of 188 spaces. Of these 212 spaces, 45 are located in detached or integral garages, reducing the visual impact across the site and creating a layout which is not dominated by on-street parking. A further 18 unallocated visitor spaces are also provided.
- 6.33 The first reason for refusal of the previous scheme referred to insufficiently sized parking spaces and lack of accessible spaces. This has now been addressed on the submitted plans with all spaces measuring 2.5m x 5m and the provision of 12 accessible spaces. The pre-application response confirms that these details are now acceptable.
- 6.34 As before, the scheme provides for sufficient cycle parking within garages, cycle stores in rear gardens or communal cycle storage within the flat block. Refuse storage and collection points are proposed throughout the site.

6.35 Reason for refusal no. 4 of the previous reserved matters application referred to lack of information on electric vehicle charging points and this is now included with this application as required by condition no. 5 of the outline approval.

Drainage

6.36 An updated drainage statement is submitted with this application that seeks to demonstrate that the proposed surface and foul water drainage strategy meets the principles of the outline planning permission and updated site layout. It also demonstrates compliance with the Lidsey Catchment Management Plan and sets out the updates that have been made following a pre application meeting with West Sussex County Council.

6.37 The proposed surface water drainage strategy comprises the use of SuDS, following the principles agreed at Outline stage. This includes the following three stages:

- Lined permeable paving to filter the surface water from roofs and shared parking areas.
- Discharging into a lined attenuation pond.
- Finally a discharge into a lined swale which outfalls at a restricted rate up to and including the 1: 100 year plus 45% climate change event into the existing ditch on the southeastern corner of the site.

6.38 Paragraph 3.4 of the Drainage Statement sets out the responses to WSCC pre-application response. It confirms the amendments and those matters that will be dealt with at the detailed design stage/discharge of condition stage.

6.39 The site is within the Lidsey Wastewater Treatment Works catchment area, however it falls outside of the identified Local Flood Risk Zones and therefore no interventions are required. Nonetheless the proposed drainage features are in line with the Lidsey Surface Water Management Plan, with such details set out in the submitted Drainage Statement.

- 6.40 In terms of foul water drainage, it is proposed to connect to two existing adopted sewers.
- 6.41 It is anticipated that the proposal now overcomes the reason for refusal and will meet the requirements of the LLFA. It will therefore accord with Local Plan Policy W DM3, which requires developments to identify opportunities to incorporate a range of SuDS appropriate to the size of the development, at an early stage of the design process.

Ecology and Biodiversity

- 6.42 In terms of Biodiversity, new habitat creation will include native planting, amenity grassland, wetland grassland, wildflower meadow, log piles to support reptile species, hedgehog highway and bat and bird boxes. The submission demonstrates a 11% biodiversity net gain.
- 6.43 Reason for refusal no. 4 set out the matters which were needed to be submitted in accordance with conditions 4 and 5 of the outline planning approval which included ecological details such as biodiversity net gain and hedgehog holes. This information was all submitted with the pre-application proposal in the form of an updated BNG report, metric, Preliminary Ecological Appraisal Addendum and Enhancement Strategy. Following consultation with the Council's ecologist, the pre-application response confirms the details are now acceptable.
- 6.44 In terms of lighting, it is not proposed to include lighting on the dwellings but a lighting strategy for the public areas is included with submission in accordance with condition no. 4. In the pre-application response, the planning officer accepts that lighting will not be provided on the dwellings and confirms that no further information is required.

7. Affordable Housing Statement

- 7.1 The required affordable housing provision is set by the S106 Agreement which accords with policy AH SP2 of the Local Plan and policy H4 of the Aldingbourne Neighbourhood

Plan. This requires 30% affordable housing provision on-site. Policy AH SP2 states the Council will negotiate the affordable housing tenure mix on development sites from an initial position of 75% rent and 25% intermediate housing, however this is superseded by the S106 Agreement which requires a tenure mix of 67% affordable rent, 8% intermediate and 25% first homes.

7.2 In accordance with the S106, the proposal comprises 27 affordable units, equating to 30% of the total housing proposed and the tenure split is in compliance with the S106, as shown in the table below.

	Affordable Rent	Shared Ownership	First Homes
	Number	Number	Number
1 bed	8		2
2 bed	6		5
3 bed	3	2	
4 bed	1		
Total	18	2	7

7.3 Policy AH SP2 also states the affordable dwelling mix should comprise of the following range of homes unless evidence indicates otherwise:

- 1 bedroom: 35 - 40%
- 2 bedroom: 35 - 40%
- 3 bedroom: 15 - 20%
- 4+ bedroom: 5 - 10%

7.4 The proposed affordable housing mix is set out below, which is largely in accordance with Policy AH SP2:

	No. of dwellings	Percentage of Total
1 bed	10	37%
2 bed	11	40%
3 bed	5	19%
4 bed	1	4%
Total	27	100%

8. Conformity with S106

8.1 The Outline planning permission is subject to a S106 Planning Legal Agreement which secures the provision of various obligations, including 30% affordable housing, submission of a Travel Plan, Open Space Provision and financial contributions towards Travel Plan monitoring, Education Transport and planning obligation monitoring.

8.2 The development proposal's conformity with the S106 affordable housing requirement is set out above.

8.3 A detailed Travel Plan will be submitted prior to the commencement of development which will seek to encourage residents to consider and make use of the various transport options available to them for local journeys. This will be in accordance with the Motion Framework Travel Plan November 2022.

8.4 Details of public open space have been submitted as part of this Reserved Matters application as per condition 4 of the Outline planning permission. An Open Space Scheme setting out full details of the required public open space and play area(s) within the development and the proposed maintenance and management arrangements for said areas will be submitted to the Council.

8.5 The financial contributions towards Travel Plan Monitoring and Education Transport will be made to the County Council within 10 working days of the commencement of

development and the planning obligation monitoring fee will be made within 10 days of the grant of the planning permission. This would be in accordance with the S106.

9. Conclusion

- 9.1 It is our view that the application comprises a high-quality scheme, which is in complete accordance with the outline parameters, in terms of quantum of homes, open space and scale. The Outline parameters are the starting point for assessing this application and the Council's position in relation to the presumption in favour of sustainable development, as set out at paragraph 11 of the NPPF. The Council's housing land supply falls short of its requirements the Council accept that their local plan is out of date. As a result, any decision must be made in light of the tilted balance in favour of approving this reserved matters application.

- 9.2 This application proposes further amendments to the scheme beyond those that can be presented during the appeal process. It follows a pre-application inquiry to Arun District Council which sought to identify the key areas of concern with a view to addressing them in this submission. This proposal is not intended to prejudice the applicant's position in respect of the acceptability of the previously refuse scheme but seeks to secure a local decision in relation to reserved matters for the site.

- 9.3 This application once again seeks approval of details relating to the appearance, landscaping, scale and layout of the proposal for 89 dwellings. This planning statement has set out details of the site, its surroundings, the application proposal, the planning policy context against which the proposal is then assessed. It should be read in conjunction with the design and access statement, plans, reports and other documentation forming this submission a list of which is set out in the covering letter.

- 9.4 The scheme is considered to be in general compliance with the Council's adopted design guidelines and is entirely consistent with the approved parameters plan. The scheme will deliver much needed market and affordable homes from a site that benefits from outline

permission and will be included in the Council's expected housing supply across the next 5 years.