



THAKEHAM

Planning Statement incorporating The Affordable Housing
Statement and Draft Section 106 Heads of Terms

Land at Wings Nursery, Lidsey Road, Woodgate, PO20 3SU

February 2021

THAKEHAM CLIENT LTD

Executive Summary

This Planning Statement (this ‘Statement’) has been prepared by Thakeham Client Limited (the ‘Agent’) on behalf of Southern Home Ownership Limited (the ‘Applicant’) to support a full (detailed) planning application for planning permission to Arun District Council (the ‘Council’) on Land at Wings Nursery, Lidsey Road, Woodgate, PO20 3SU (‘the Site’).

This detailed planning application seeks approval for: *“Demolition of Wings House and the erection of 71 no. replacement dwellings (70 net new dwellings), access arrangements, sustainable drainage measures, public open space, landscaping, and all other associated works”*.

The Site is located on the land at Wings Nursery, to the east of Lidsey Road, in the hamlet of Woodgate, which forms part of the larger settlement of Westergate. The Site measures approximately 2.54 hectares (ha) in size.

The principle of development on the Site has already been established as the Site has extant outline planning permission dated 3 October 2019 under reference AL/32/19/OUT for the *“erection of 55 No. dwellings, access arrangements, sustainable drainage measures, public open space, landscaping & all other associated works”*. In addition, the Site (excluding Wings House) is included within the Aldingbourne consultation draft Neighbourhood Plan Review as a housing allocation for 55 houses under ‘Policy H1 2019’.

The Council’s Annual Monitoring Report 2019-20 published in December 2020, states that it is only able to demonstrate a five-year housing land supply of 3.3 years. A recent appeal decision dated 12 February 2020 states the Council can only demonstrate a five-year housing land supply of 2.9 years, meaning in reality the Council’s position is between 2.9 years – 3.3 years. The Government’s Housing Delivery Test 2020 published in January 2021 states that Arun only delivered 1,879 homes against a requirement of 3,092 between 2017-2020, demonstrating the Council has been significantly underproviding (61%) and therefore the presumption in favour of sustainable development now applies. In accordance with paragraph 11(d) (footnote 7) of the NPPF, as Arun District Council is unable to demonstrate the required five-year housing land supply, the presumption in favour of sustainable development applies. In such circumstances, the NPPF requires the tilted balance to be engaged and planning permission should be granted unless the harm significantly and demonstrably outweighs the benefits.

This Planning Statement sets out the merits of the Proposed Development in light of the development plan and other material considerations and demonstrates how the benefits of the proposals significantly outweighs any harm and will significantly boost the delivery of housing in the District (including affordable housing), particularly in the short term. In addition to the delivery of much-needed new homes and affordable homes, the Proposed Development will provide the following benefits:

- Make best use of the land, providing an extra 15 dwellings as a windfall compared to the previously approved planning application for 55 dwellings;
- Create a high-quality residential development that has a positive identity;
- Deliver off-site sustainable transport improvements including to nearby bus stops and new off-site cycle parking
- Deliver a suitable mix of housing to meet the local need; and
- Provide high quality residential amenity for future occupiers including significant public open space and play space.

In summary, the Proposed Development would deliver a number of significant benefits that would make a valuable contribution towards achieving the economic, social and environment objectives of sustainable development in a District currently unable to meet its housing need. As result, it is considered that the Proposed Development would not give rise to any adverse impacts that would not be outweighed by its benefits.

The Site is suitable, available, and achievable. The Applicant is the sole landowner of the Site and is therefore able to confirm that the Site can deliver housing within the next five years and would in fact be seeking to lawfully implement the Proposed Development as soon as possible.

Table of Contents

Table of Contents.....	4
1. Introduction	5
2. The Site and Surrounding Area.....	7
3. Planning Policy Framework.....	11
4. National Planning Policy Framework	13
5. The Proposed Development.....	17
6. Planning Appraisal.....	20
7. Affordable Housing Statement.....	34
8. Summary and Conclusion	36

List of Appendices

Appendix 1: Site Location Plan

Appendix 2: Outline Application (55 Dwellings) Decision Notice AL/32/19/OUT

Appendix 3: Outline Application (55 Dwellings) Officer's Report AL/32/19/OUT

Appendix 4: ADC Pre-Application Response (dated 17th September 2020)

Appendix 5: Parish Council Meeting Minutes (12th January 2021) - Draft

Appendix 6: Appeal Decision (Reference: APP/C3810/W/19/3236911 dated 12th February 2020)

1. Introduction

- 1.1. This Planning Statement (this 'Statement') has been prepared by Thakeham Client Limited (the 'Agent') on behalf of Southern Home Ownership Limited (the 'Applicant') to support a full (detailed) planning application for planning permission to Arun District Council (the 'Council') on Land at Wings Nursery, Lidsey Road, Woodgate, PO20 3SU ('the Site').
- 1.2. This detailed planning application seeks approval for: "Demolition of Wings House and the erection of 71 no. replacement dwellings (70 net new dwellings), access arrangements, sustainable drainage measures, public open space, landscaping and all other associated works" (the 'Proposed Development').
- 1.3. This planning application follows the recently approved application AL/32/19/OUT dated 3 October 2019, which comprised an "Outline application with some matters reserved for the erection of 55 No. dwellings, access arrangements, sustainable drainage measures, public open space, landscaping & all other associated works".
- 1.4. The Site is located on the land at Wings Nursery, to the east of Lidsey Road, in the hamlet of Woodgate, which forms part of the larger settlement of Westergate. The Site falls within the Parish of Aldingbourne and Barnham Ward, in Arun District and measures approximately 2.54 hectares (ha). Lidsey Road extends along the Site's eastern boundary with residential development adjoining the Site's eastern and southern boundaries.
- 1.5. This Statement is written in support of detailed application for planning permission. It describes the Site and surrounding area; summarises the relevant planning history for this site; details the Proposed Development; and sets out the relevant planning policy framework which the planning application will be assessed against. This Statement also incorporates a qualitative noise assessment.
- 1.6. The following documents form part of this full (detailed) application for planning permission and mirrors the document list most recently approved under application AL/32/19/OUT. This Planning Statement (including Affordable Housing Statement and Draft Heads of Terms) is to be read in conjunction with these plans and documents:
 - 19-121_DAS Design and Access Statement
 - 19-121 Supplemental Design Statement
 - Transport Statement
 - Travel Plan
 - Flood Risk Assessment & Drainage Strategy (includes Foul Drainage Strategy and Lidsey Foul Water Environmental Assessment Statement).
 - Ecology Assessment January 2021
 - Bat Survey Report July 2020
 - Preliminary Ecological Appraisal November 2019 - Additional Land
 - Ecology Surveys June 2019 Great Crested Newt - Approved Application
 - Ecology Survey April 2019 - Approved Application

- Reptile Survey Report October 2017 - Approved Application
- Preliminary Ecological Appraisal September 2017 - Approved Application
- Agricultural Land Assessment
- Soil Resource Plan
- Biodiversity Checklist
- Energy Statement
- Ground Investigations Report
- Ground Investigations Report - Addendum

2. The Site and Surrounding Area

- 2.1. The Site comprises a former garden nursery and is situated off Lidsey Road, in the hamlet of Woodgate which forms part of the larger settlement of Westergate. The Site is located in the parish of Aldingbourne and Barnham Ward, within the administrative area of Arun District Council. The red line boundary measuring approximately 2.54 hectares (ha) in size included under Appendix 1 identifies the extent of the application site, whilst the figure below (Figure 1) illustrates the location of the Site within its local context.

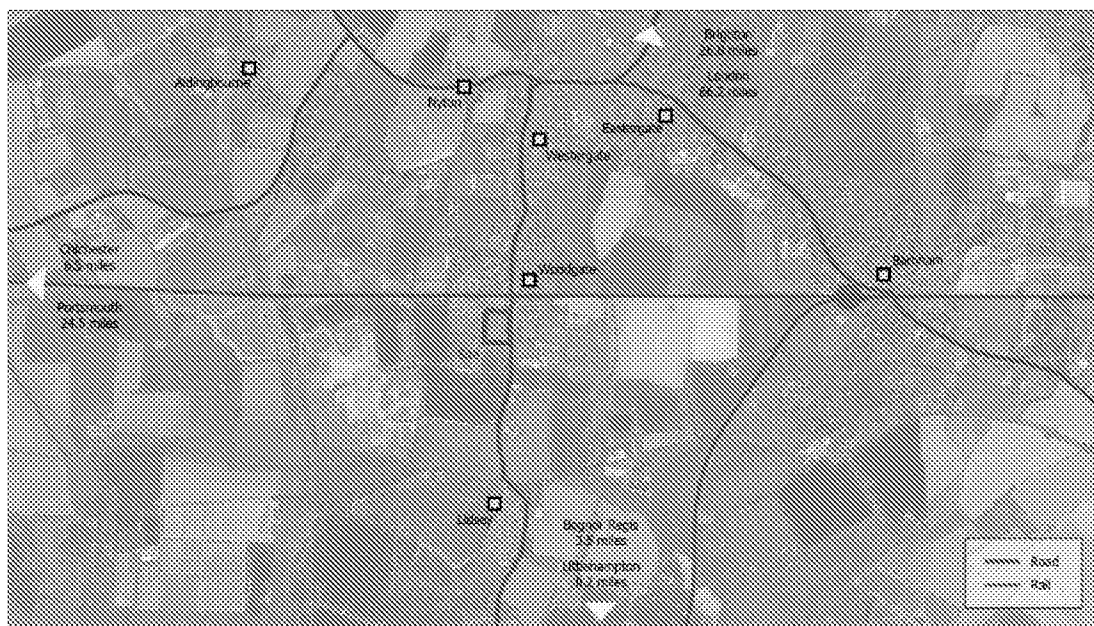


Figure 1: Site Location

Surrounding Area

- 2.2. The Site is bounded by development on three sides. Opposite to the east is a row of houses (numbers 1 to 14 Lidsey Road) extending the length of the Site's frontage; to the south are further houses along the boundary (Stockhearn House and The Cottage) with more extending south along Lidsey Road. To the north, is a small paddock with the Prince of Wales public house immediately adjacent.
- 2.3. The Site is bounded by A29 on the eastern boundary which connects Bognor Regis to the A27 at Fontwell. The Site is served by two bus routes numbers 66 and 85, providing services to Bognor Regis, Yapton, Arundel and Chichester. The bus stop for the 66 service is located adjacent the northern boundary of the Site, the bus stop for the number 85 is located in Westergate, 0.9 miles to the north of the Site.
- 2.4. The Site is sustainably located and has good access to local amenities. The closest convenience store and post office is 200m/2-minute walk to the north of the Site. Aldingbourne Primary School is within 420m/4-minute walk from the northern entrance and the Ormiston Six Villages Academy secondary school in north-east Westergate is less than one mile from the Site.

- 2.5. The larger settlement of Westergate sits 0.5 miles to the north of the Site. The nearest town, Bognor Regis is four miles to the south of the Site. The nearest city (Chichester) is seven miles to the west of the Site.

Relevant Planning History

- 2.6. This section outlines the relevant planning history relating to the Site.

Previous Planning Applications

- 2.7. The table below outlines the recent and relevant planning history for the Site. The most recent application on the site was approved on 3 October 2019 following the Council's committee, which comprised an outline application for 55 dwellings – details of which are included below and within Appendix 2.

Reference	Description	Decision
AL/32/19/OUT	Outline application with some matters reserved for the erection of 55 No. dwellings, access arrangements, sustainable drainage measures, public open space, landscaping & all other associated works (resubmission following AL/115/17/OUT). This application was considered a departure from the Development Plan.	Approved 03.10.2019
AL/115/17/OUT	Outline application with some matters reserved for the erection of 55 No. dwellings, sustainable drainage measures, public open space, children's play area, landscaping & all other associated works. This application is a departure from the Development Plan	Refused - Appealed (Appeal Withdrawn)

- 2.8. In addition to the above, there have been a number of historic planning applications relating to the horticultural use of the Site as a nursery, including glasshouses and dwellings associated with that use. These applications have not been reviewed as part of this application for planning permission on the basis that it would not be relevant to the consideration of the current application, mainly due to the extant planning approval for residential development on the Site.

Approved Outline Application (AL/32/19/OUT)

- 2.9. Whilst at the time, the Officer's report (included within Appendix 3) noted that the principle of development on the Site was contrary to the development plan in respect of the Site's location within defined countryside. The Officer's report makes it clear that the Site was previously considered to be deliverable through the HELAA process, had been allocated for housing in the emerging Neighbourhood Plan and in the Officer's view did not result in harm to character of the countryside. In reaching the conclusion to recommend approval for this application the Council balanced the lack of housing land supply and the allocation in the emerging Neighbourhood Plan against the policy conflict including Policy SO DM1 and paragraph 170(b) of the NPPF.

- 2.10. The Officer's report concluded that the material considerations were such that in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, a decision was taken other than in accordance with the development plan.
- 2.11. As the Site has existing planning permission, which was approved by the planning committee, residential development in this location has already been agreed in principle by the Council.

Housing & Economic Land Availability Assessment (HELAA)

- 2.12. The latest Arun District Council's Housing & Economic Land Availability Assessment (HELAA) was published in February 2020.
- 2.13. The HELAA lists the Site under Appendix 5.1 'Commitments Summary Table' and makes specific reference to the approved outline application for 55 dwellings (AL/32/19/OUT) – HELAA reference 32.
- 2.14. As demonstrated by the inclusion of the Site as a 'committed' site in the HELAA, the Site is considered 'deliverable' as the Site has outline planning permission for major development and there is evidence to suggest that housing completions will begin on site within five years.

Pre-Application Advice

Arun District Council

- 2.15. A formal pre-application meeting with the Council on Friday 23 October 2020. Feedback at the meeting related to the overall quantum of development, open space provision required by the recently adopted Open Space & Recreation Standards SPD, garden depths and indiscriminate parking. Comments on the design of the house types were also provided, with the request for some additional design features like chimneys on key plots. A copy of the feedback received is included within **Appendix 4**.
- 2.16. Since the pre-application meeting, the layout has been amended significantly in line with comments received to reduce the quantum of development from 81 to 71 dwellings, significantly increase the area of open space from 2,930 sqm on the initial scheme (which included LEAP and attenuation pond) to 5,857m² excluding the attenuation pond, incorporate additional play space, tweaks to increase garden depths to 10.5m depths and reduce potential for indiscriminate parking by the relocation of parking spaces. The house types have been amended to incorporate additional design features such as chimneys, varied elevational treatments and uplifted porch details.

Aldingbourne Parish Council

- 2.17. In addition to the formal request for pre-application advice from the Council, the Applicant has met with the Parish Council and Community Land Trust (CLT) on two occasions to discuss the Proposed Development (Thursday 19 November 2020 and Tuesday 12 January 2020).

- 2.18. Following the pre-application meeting on Tuesday 12 January 2020, the site layout was updated to respond to comments raised regarding the locations of the play space, and the house types were amended to respond to comments made regarding the variety of materials on the elevations and porch details. A copy of the draft Parish Council meeting minutes are included in **Appendix 5**.

3. Planning Policy Framework

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.2. Arun District Council's Development Plan consists of the following documents:
- The Arun Local Plan 2011-2031 (July 2018);
 - 'Made' Neighbourhood Plans;
- 3.3. The following documents also form part of the development plan however due to the nature and location of the Proposed Development; the documents are not considered further within this statement:
- The West Sussex Waste Local Plan 2014; and
 - The Joint Minerals Local Plan 2018.

Arun District Local Plan 2011-2031

- 3.4. The Arun District Local Plan (ADLP) was adopted on the 18 July 2018 and sets out the vision for the District and the Council's approach to development up to 2031.
- 3.5. The policies from the adopted ADLP that are relevant to this application are outlined below and are discussed in further detail within Section 6 of this statement:
- Policy H DM1 Housing mix
 - Policy AH SP2 Affordable housing
 - Policy D SP1 Design
 - Policy SO DM1 Soils
 - Policy D DM1 Aspects of form and design quality
 - Policy D DM2 Internal space standards
 - Policy ECC SP1 Adapting to climate change
 - Policy ECC SP2 Energy and climate change mitigation
 - Policy OSR DM1 Open Space, sport & recreation
 - Policy LAN DM1 Protection of landscape character
 - Policy T SP1 Transport and Development
 - Policy T DM1 Sustainable Travel and Public Rights of Way
 - Policy ENV DM4 Protection of trees
 - Policy ENV DM5 Development and biodiversity
 - Policy W SP1 Water
 - Policy W DM1 Water supply and quality
 - Policy W DM2 Flood risk
 - Policy W DM3 Sustainable Urban Drainage Systems
 - Policy WM DM1 Waste Management
 - Policy QE SP1 Quality of the environment
 - Policy QE DM1 Noise pollution
 - Policy QE DM2 Light pollution

Neighbourhood Plan

- 3.6. The Aldingbourne Neighbourhood Development Plan (ANDP) was 'made' on the 9 September 2016.

- 3.7. The adoption of the ALP in 2018 has required a review of the ANDP to ensure the two documents are in alignment and reflect the new policies.
- 3.8. The Aldingbourne Parish Council resolved in January 2019 to review its ADNP and on 2 April 2019 published a Regulation 14 Pre-Submission Draft version for consultation titled the Aldingbourne Neighbourhood Development Plan (2019-2031).
- 3.9. The Site was included within the consultation draft ADNP Review as a housing allocation for 55 houses under 'Policy H1 2019'. In the most recent submission version dated November 2020, the ANDP has included the site as a committed site (opposed to an allocated site) for 55 dwellings (due to its extant planning permission). Without the inclusion of the site as a committed site, the ANDP would not meet its requirement of Policy H SP1 in the ALP to allocate at least 70 dwellings.
- 3.10. The following policies within the submission draft version of the ADNP are a material consideration in the determination of this scheme:
- Policy H1 2019 Provide housing to meet District Council allocation
 - Policy H2 Housing Mix
 - Policy H4 Affordable Housing
 - Policy H6 Windfall Sites
 - Policy H8 Outdoor Space
 - Policy H9 Attention to detail
 - Policy EH6 Protection of trees and hedgerows
 - Policy EH10 'Unlit village' status
 - Policy GA1 Promoting sustainable movement
 - Policy GA3 Parking and new development
 - Policy EE8 Communications infrastructure

Supplementary Planning Documents

Open Space & Recreation Standards

- 3.11. The Open Space & Recreation Standards Supplementary Planning Document (SPD) was adopted in January 2020. The SPD sets out the open space requirements including thresholds for new residential developments.

Arun Parking Standards

- 3.12. The Arun Parking Standards SPD was adopted in January 2020. The SPD sets the required parking standards, including electric vehicle charging and will be used in the determination of planning applications.

Arun Design Guide

- 3.13. The Arun Design Guide is in final draft (January 2021). The SPD provides further guidance on design policies contained within Arun's Local Plan. The SPD makes it clear that whilst the Guide is a material consideration in Arun District Council's decision-making, the design solutions specified within are guidance only, and alternative approaches may be acceptable.

4. National Planning Policy Framework

- 4.1. The National Planning Policy Framework (NPPF) (published in February 2019) is a material consideration in the determination of the planning application together with guidance set out in the Planning Practice Guidance (PPG). The following paragraphs of the NPPF are considered to be of particular relevance and are summarised overleaf.
- 4.2. Paragraph 10 states 'at the heart of the Framework is a presumption in favour of sustainable development.' In this context, Paragraph 11 states that 'For decision-taking this 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 protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or;*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*
- 4.3. Footnote 7 in Paragraph 11 states "this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years"
- 4.4. Paragraph 38 states 'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social, and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible'.
- 4.5. In accordance with paragraph 60, which aims to significantly boost the supply of housing, strategic policies should be: 'informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.'
- 4.6. Paragraph 61 states 'Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers,

people who rent their homes and people wishing to commission or build their own homes)‘..’

- 4.7. Paragraph 68 states that ‘small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should: support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes’.
- 4.8. Paragraph 73 states that: ‘Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or*
 - b) 10% where the local planning authority wishes to demonstrate a five- year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or*
 - a. 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply’*
- 4.9. Paragraph 75 states that ‘To maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under delivery and identify actions to increase delivery in future years’.
- 4.10. Paragraph 78 states that to promote sustainable development in rural areas ‘housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby’.
- 4.11. Paragraph 84 states that planning policies and decisions ‘should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving

the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist’.

- 4.12. Paragraph 103 states that ‘Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making’.
- 4.13. Paragraph 117 states that planning policies and decisions ‘should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions’.
- 4.14. The Government attaches great importance to design. Paragraph 124 states that ‘The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between Applicants, communities, local planning authorities and other interests throughout the process’.
- 4.15. Paragraph 128 states that ‘Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot’.
- 4.16. Paragraph 131 states that ‘In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings’.
- 4.17. Climate change should be considered in new development. Paragraph 150 states: “*New development should be planned for in ways that:*
 - a) *avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and*
 - b) *can help to reduce greenhouse gas emissions, such as through its location,*

orientation, and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards."

- 4.18. Paragraph 170 requires the planning system to contribute to and enhance the natural environment by "minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future".
- 4.19. Paragraph 192 states that "in determining planning applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness."

5. The Proposed Development

- 5.1. This planning application seeks full planning permission for the residential development of the Site. This section provides full details of the Proposed Development being sought as part of this application, which comprises the erection of 71 new dwellings.
- 5.2. The application represents an excellent development opportunity within a sustainable location that could assist with meeting immediate local housing needs, including high quality design and affordable housing.
- 5.3. **Figure 2** below, shows the proposed masterplan for the Site. An overview of the Proposed Development is provided under the sub-headings below with a further detailed description provided within the accompanying Design and Access Statement.

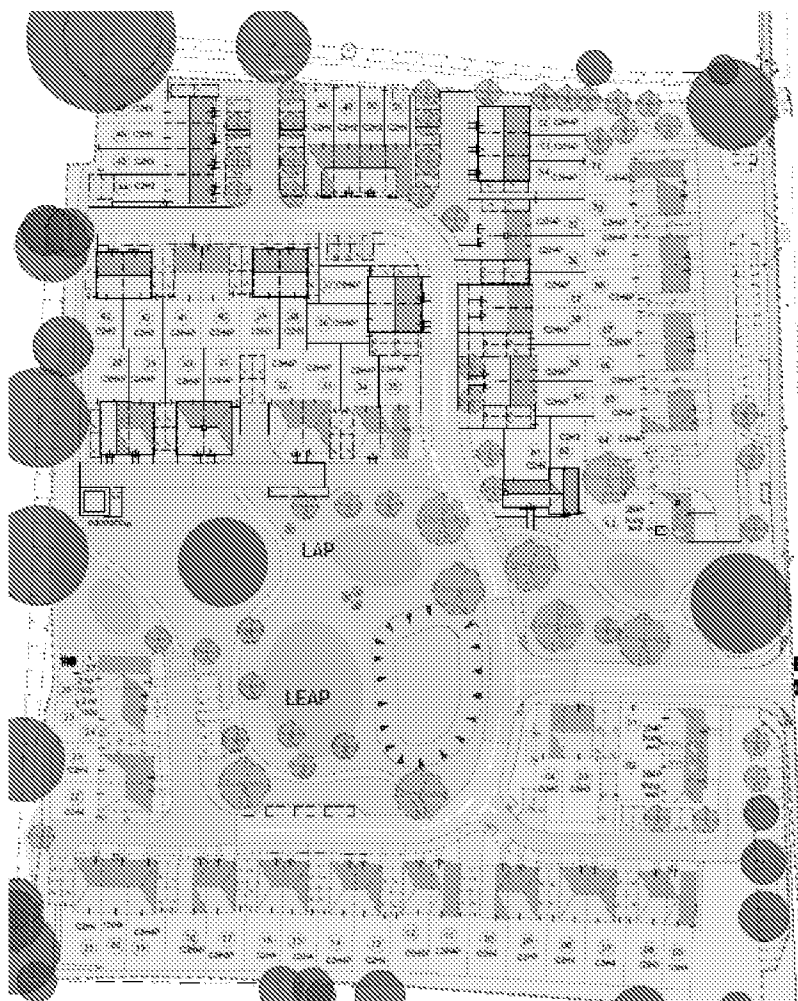


Figure 2: Masterplan Residential Development

- 5.4. The Proposed Development comprises a total of 71 homes, of which 49 will be a mix of one, two and three bedroom market dwellings, and 22 being a mix of two and three bedroom affordable dwellings (30%).

- 5.5. The detailed housing mix is set out in Table 1 below and examined further in Section 6.

	Housing Type	1 Bed	2 Bed	3 Bed	Total
Private	House	0	20	23	43
	Bungalow	0	2	0	2
	Flats	4	0	0	4
Affordable	House	0	11	10	21
	Bungalow	0	1	0	1
Total		4	34	33	71

Layout and Scale

- 5.6. The residential development is set around a series of estate roads and a central open space which incorporates 925m² of playspace and an attenuation basin, which forms part of the Site's Sustainable Urban Drainage System (SuDS).
- 5.7. All dwellings are provided with their own private garden space in addition to the site wide open space provision.
- 5.8. The proposed dwellings are predominately two storeys in height, taking the form of houses and apartments, with some provision of single storey bungalows. This scale of building is consistent with the scale and character of development within the locality of the Site.

Landscaping and Open Space

- 5.9. An area of multi-functional open space with 925m² of playspace in the form of a Local Equipped Area for Play (LEAP) and Local Area of Play (LAP) with an attenuation basin has been incorporated into the central part of the site layout to provide amenity space for the Proposed Development.
- 5.10. The Proposed Development retains the existing high-quality trees on-site and incorporates these into the proposed layout. Some tree removal is proposed for the lower quality trees on-site in order to facilitate the Proposed Development. The landscaping proposals accommodate new tree planting, as well as boundary planting, new shrub/ornamental planting within communal areas and areas of wildflower grass mix.

Access

- 5.11. The main vehicular access will be via a 6m wide access road, providing an east to west/east to north route through the Site. The internal estate road will be 5.5m wide.
- 5.12. The majority of the proposed dwellings will be served from the main estate road, with some dwellings being served by shared surface links and private driveways, which have been designed in accordance with Manual for Streets guidance.

- 5.13. Pedestrian access to the Site is proposed via 2.0m wide footways flanking either side of the access road, connecting with the existing footways on Lidsey Road. The secondary access will provide pedestrian access via a shared surface arrangement.

6. Planning Appraisal

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. This section demonstrates how the application accords with the Council's Development Plan.
- 6.2. The following issues of relevance to the proposed scheme have been assessed in the following sections of this document:
- Principle of Development
 - Soils / Loss of Agricultural Land
 - Design and Layout
 - Housing Mix
 - Sustainability and Renewable Energy
 - Transportation and Access
 - Landscaping and Open Space
 - Arboriculture and Biodiversity
 - Flood Risk and Drainage
 - Other Matters

Principle of Development

- 6.3. Paragraphs 10 and 11 of the NPPF state that the 'presumption in favour of sustainable development' lies at the heart of the NPPF and all plans and decisions should apply a presumption in favour of sustainable development. For plan making, the presumption in favour of sustainable development means that local planning authorities should positively seek opportunities to meet the development needs of their area.
- 6.4. The Site benefits from extant planning permission under planning application reference AL/32/19/OUT approved in October 2019. The planning permission is fully implementable, and subject to planning conditions being cleared within eight weeks; the Site could be lawfully implemented before the permission lapses.
- 6.5. As the Site has existing planning permission, which was approved by planning committee, the development of the Site for housing has been approved in principle. This is further strengthened by the inclusion of the Site as a committed site (opposed to an allocated site) for 55 dwellings (due to its extant planning permission) in both the HELAA and ADNP. Without the inclusion of the site as a committed site, the ANDP would not meet its requirement of Policy H SP1 in the ALP to allocate at least 70 dwellings.
- 6.6. This application incorporates additional land not previously available, through the demolition of Wings House. The Site has been redesigned to incorporate this additional land as a result of the demolition of Wings House, as well as being optimised to make best, most-efficient use of the land as required by policies Policy D SP1 (Design) and Policy D DM1 (Aspects of form and design quality) within the ADLP and Paragraph 122 of the NPPF, to increase the dwelling numbers on site by introducing smaller

dwelling types. This redesign and subsequent application will allow an additional 15 net dwellings to be delivered as a windfall (as supported by paragraph 68 of the NPPF and Policy H6 (Windfall Sites) in the draft Neighbourhood Development Plan). This would make a significant contribution to the local housing need, including the provision of policy-compliant affordable housing.

- 6.7. The Council's Annual Monitoring Report 2019-20 published in December 2020, states that it is only able to demonstrate a five-year housing land supply of 3.3 years. A recent appeal decision (reference: APP/C3810/W/19/3236911) dated 12 February 2020 (Appendix 6) states the Council can only demonstrate a five-year housing land supply of 2.9 years, meaning in reality the Council's position is between 2.9 years – 3.3 years. In accordance with paragraph 11(d) (footnote 7) of the NPPF, as the Council is unable to demonstrate the required five-year housing land supply, the presumption in favour of sustainable development applies.
- 6.8. As outlined above, the approval of this application would enable an additional 15 net dwellings to be delivered, assisting in bolstering the Council's five-year housing land supply position including the provision of additional affordable dwellings.. The Housing Delivery Test 2020 published in January 2021 states that Arun only delivered 1,879 homes against a requirement of 3,092 between 2017-2020, demonstrating the Council has been significantly underproviding (61%). Therefore, the presumption in favour of sustainable development applies. It is vital that the Council improves its housing delivery in order to meet local housing need and starts by approving applications in sustainable locations for high quality and well-designed schemes. A consistent housing land supply is vital to strong housing delivery. There are no adverse impacts associated to the application that outweigh the benefits to the application, and as such, as the presumption in favour of development applies, the planning application should be approved without delay. The Applicant is a housing association and would be looking to commence works as soon as possible following planning permission being granted.

Soils / Loss of Agricultural Land

- 6.9. Policy SO DM1 in the ADLP states that "Unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term."
- 6.10. Policy SO DM1 is 'relevant to applications for new housing development', however should be considered out-of-date when the Council cannot demonstrate a five-year supply of deliverable housing sites. When considering agricultural land as a material consideration in the "tilted balance", the Council should consider this policy in the wider context of land supply and the pressing need for new housing, attributing it minimal weight. Despite the minimal weight that should be applied to this policy under these circumstances, an assessment of the quality of the land has been undertaken.
- 6.11. The latest, most up to date Agricultural Land Classification data, uses new data from individual sites that were surveyed in more detail between 1989 and 1999.

Unfortunately, this data does not include this site as it was not surveyed during this time, meaning the pre-1988 system needs to be used to assess the site.

- 6.12. According to the data available from these maps the agricultural land on the site is classified as “Grade 2” – Very Good, which also shows the majority of agricultural land surrounding the site as “Grade 1” or “Grade 2”, The Applicant would like to highlight that these pre-1988 maps were produced before the current land grading system was adopted and cannot be relied upon to provide a definitive ALC grading for the site, neither do they differentiate between the different sub-grades 3a and 3b.
- 6.13. The Applicant has submitted a detailed Agricultural Land Assessment which demonstrates that due to the presence of contamination (note the application is accompanied by site investigation surveys and any contamination on site can be easily mitigated), the site in its current state would be Grade 5 as ‘only extensive grazing is possible on the land’ and would be regarded as ‘non-agricultural’.
- 6.14. In response to Policy SO DM1, based on the conclusions of the submitted Agricultural Land Assessment, and on the basis the site has extant planning permission and has been included as a committed development site in both the HELAA and ADNP plus the Council’s lack of five-year housing land supply, it can be demonstrated the need for the development outweighs the need to protect such land (which has been assessed in reality to only be Grade 5) in the long term.
- 6.15. Part F of Policy SO DM1 requires the Applicant to submit “sustainability and options appraisals”, mitigation measures, and a soil resources plan for the development site”. Due to this site being the only available option to the Applicant, no other options have been assessed by the Applicant would like to point out that the site is adjacent the existing settlement and that other land, further from existing settlements, would have far greater as part of a wider network of connected, undeveloped land. The submitted Agricultural Land Assessment demonstrates that as the Proposed Development would introduce a capping system and clean up the land, using this land for housing could be considered as the best long term economic strategy for the Site and for the surrounding area.
- 6.16. In accordance with parts e-g of Policy SO DM1, the Applicant has submitted a Agricultural Land Assessment and Soil Resources Plan. The Soil Resources Plan demonstrates that care will be taken to preserve the soil resource during the construction process.
- 6.17. Notwithstanding the above, the application would also like to highlight that whilst the site has been proven to be no longer suitable for agricultural use, the site is located adjacent to an existing settlement and as therefore the Site is a better and more sustainable location for housing development than agricultural land.

Design and Layout

- 6.18. Policy D SP1 in the ADLP requires;

Developments to provide safe access on to the highway network; contribute to highway improvements and promote sustainable transport, including the use of

**low emission fuels, public transport improvements and the cycle, pedestrian, and
bridleway network**

- 6.19. As demonstrated in the submitted Transport Assessment, the Proposed Development provides safe access onto the highway network and will deliver off-site bus and cycle infrastructure improvements, improving access to sustainable transport. In addition, the Proposed Development will provide electric vehicle charging in line with the Parking Standards SPD which equates to 100% of houses with driveways or garages and 30% on allocated/ communal/ visitor parking. The provision of electric car charging sockets will remove a common barrier to the adoption of electric vehicles, making it easier for new residents to switch to a low-emission vehicle. The smart charging provided will also allow new residents to understand their energy consumption. In addition, cycle storage is proposed for each dwelling either in the private curtilages of houses, or in a communal cycle store for the flats.

Development proposals to make efficient use of land whilst reflecting the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish, and architectural details. Development proposals should be derived from a thorough site analysis and context appraisal.

- 6.20. The Proposed Development has been designed to maximise the number of homes from the 55 dwellings previously approved to 71 dwellings, whilst incorporating place making principles and respecting the wider site context. As outlined earlier in this statement, this new application incorporates additional land not previously available, Wings House. The Proposed Development has been redesigned to incorporate this additional land as a result of the demolition of Wings House, as well as being optimised to make best, most-efficient use of the land. The increase in the number of dwellings has been achieved by introducing smaller dwelling types and would make a significant contribution to the local housing need, specifically the need for one, two and three bedroom dwellings, including the provision of policy-compliant affordable housing.

Requires a thorough site analysis and context appraisal to be submitted in addition to a Design and Access statement.

- 6.21. As required by Policy D SP1 in the ADLP, a Design and Access statement and separate site analysis and context appraisal has been submitted as part of the application, which contains details of the masterplan development, and how the Site meets the policy objectives of Policy DM1 below in relation to layout, density, mix, character, and architectural details.
- 6.22. Policy D DM1 in the ADLP requires new development proposals to incorporate the following design features where appropriate/feasible.
- **Character – reflecting or improving upon the character of the site**
The Proposed Development has been designed to complement the local character in the vicinity of the Site in terms of both architectural style and scale of the proposed dwellings.
 - **Appearance/attractiveness – high quality design and landscaping**
The proposed dwellings have been designed to a high-quality standard, using varied materials that are prevalent locally (flint, hanging tile and red brick). The elevations

incorporate features such as porch details, a variety of material types and chimneys to provide architectural interest across the site.

- **Impact – minimal impact to the wider local area**
To reduce the visual impact of the Proposed Development, the dwellings have been set back from the road, making use of the existing buffer of mature trees which will be further reinforced with supplementary planting of native species.
- **Innovation – innovative design and new technologies/construction techniques**
The proposed dwellings have been designed with a Fabric-First through thermally efficient, easily controlled, well designed and oriented buildings. The new external wall specification is innovative and delivers reductions in emissions beyond the required 10% target without the need for renewable technologies.
- **Adaptability – buildings should be flexible to future adaption**
All dwellings have been designed to meet Nationally Described Space Standards. Three chalet bungalows have been incorporated into the scheme which have been designed to meet M4(2) of Building Regulations (2015) accessible and adaptable dwellings.
- **Crime Prevention - provide security measures to make places feel safer using 'Secure by Design' principles**
The Proposed Development has been designed to with 'Secure by Design' principles in mind to ensure that all open spaces, parking areas and streets benefit from natural surveillance. Dwellings on street corners, or dwellings with a side elevation facing open spaces have been designed to have windows or other elevation features to ensure there are no blank facades facing onto the public realm.
- **Trees and Woodland – incorporate existing trees and new tree planting**
The Proposed Development retains the existing high-quality trees on-site and incorporates these into the site layout, as well as providing new tree planting.
- **Solar Gain – maximise sunlight and passive solar energy**
Many of the buildings are specifically oriented to face in a southerly orientation and there are no single dwellings proposed, which alongside a well-constructed and thermally efficient building envelope, maximises natural energy gain into the dwellings whilst but maintaining comfortable temperatures and low energy bills for residents.
- **Public Realm – create attractive spaces and streets that are socially inclusive**
The Proposed Development incorporates a central public open space with playspace that will be accessible to all residents, as well as the wider community. Throughout the site there are other areas of usable public open space that accommodate fitness/trim trails which create a link route around the development along with natural play areas, tree planting, and wildlife zones. The playspace will incorporate inclusive play for all abilities.
- **Layout (Legibility) – ease of navigation through the development using focal points, vistas, and public realm**
The central public open space forms the focal point of the development. Focal buildings have been designed in key locations to ease navigation through the development/

- **Density – make efficient use of land whilst maintaining local character**

The Proposed Development has been designed to maximise the number of homes the from 55 dwellings previously approved to 71 dwellings, whilst incorporating place making principles and respecting the wider site context

- **Scale – scale of development should within the confines of the local area**

The proposed dwellings are a maximum of two stories in height, taking the form of houses, flats, and chalet bungalows. This scale of building is consistent with the scale and character of development within the locality of the Site.

- 6.23. Policy D DM2 in the ADLP requires internal spaces of dwellings to be an appropriate size in order to meet the requirements of all occupants and their changing needs. Policy makes reference to Nationally Described Space Standards (NDSS) as guidance. In accordance with Policy D DM2, all proposed dwellings have been designed to meet the latest NDSS.

Housing Mix

- 6.24. Policy H DM1 of the ADLP Policy requires a mix of dwelling types and sizes, to include affordable housing units, that adhere to the latest Homes and Communities Agency (37) design guidance. For developments of 11 units or more, policy requires a balanced mix of market and affordable dwelling sizes – the exact tenure mix for development schemes will be negotiated on a site-specific basis, taking into account the most up to date version of the SHMA. Policy also requires a proportion of new housing to be suitable to meet the needs of older people, again as identified in the recent SHMA. The requirements within the Updated Housing Needs Evidence report dated September 2016 have been considered during the design process and the Proposed Development has sort to provide a higher percentage of two and three bedroom dwellings. There is no provision of four and five bedroom homes in order to prioritise smaller dwellings, and one bedroom properties form 5% of the total mix. Given the Site's location, the Proposed Development focuses on two and three bedroom properties, to provide starter homes and family homes, as well as some 'downsizer' homes in the form of Chalet bungalows. Whilst the provision of one bedroom homes is less than the indicative distribution (35-40%), this is considered appropriate in this location in terms of both design and location suitability.
- 6.25. Policy H2 of the ANDP requires development proposals to provide deliver a range of house types, sizes and tenure and demonstrate how the mix will meet local needs. The policy encourages 25% of dwellings to meet Lifetime Home Standards (or equivalent). In addition to all dwellings meeting NDSS standards, the Proposed Development incorporates three chalet bungalows which have been designed to meet M4(2) of Building Regulations (2015) accessible and adaptable dwellings.
- 6.26. Details of the Affordable Housing at contained within the Affordable Housing Statement in Section 7.

Sustainability and Renewable Energy

- 6.27. Policy ECC SP1 in the ADLP requires development proposals to be designed to take account of the following issues; location, water efficiency, shade, cooling, ventilation, solar gain, connectivity to the green infrastructure network, layout, massing, resilience of buildings and building materials to extreme weather events, drainage capacity and Sustainable urban Drainage Systems (SuDS). As demonstrated by the submitted planning application documents, the Proposed Development takes into account the above issues and has been designed as a sustainable development that incorporates energy - efficient buildings, new tree planting and landscaping as well as SuDs.
- 6.28. Policy ECC SP1 in the ADLP also requires major development proposals 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. Policy ECC SP2 in the ADLP requires all development proposals to be energy efficient and to demonstrate how they will: achieve energy efficiency measures that reflect the current standards applicable at time of submission; use design and layout to promote energy efficiency, incorporate decentralised, renewable, and low carbon energy supply systems.
- 6.29. In accordance with Policy ECC SP1 and SP2 in the ADLP, to reduce demand for energy, the Proposed Development has been designed with a Fabric-First approach as far as possible through thermally efficient, easily controlled, well designed and oriented buildings. Many of the buildings are specifically oriented to face in a southerly orientation, which is important in maximising natural energy gain into the property but maintaining comfortable temperatures and low energy bills will also require a well-constructed and thermally efficient building envelope. The scheme also incorporates photovoltaic (PV) panels.
- 6.30. As demonstrated by the submitted Energy Statement prepared as part of this application, the scheme reduces the carbon emissions in line with the requirements of Arun District Council's planning policy (10%) and standards within Part L1a of The Building Regulations 2010 (2013 edition incorporating 2016 amendments) through fabric first design and PV panels.

Transportation and Access

- 6.31. Policy T SP1 in the ADLP requires development to provide safe access on to the highway network; contribute to highway improvements and promote sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian, and bridleway network. As outlined in the submitted Transport assessment, the Proposed Development will provide new off-site bus and cycle infrastructure improvements. In addition, the Proposed Development accommodates electric vehicle charging in line with the Parking Standards SPD which equates to 100% of houses with driveways or garages and 30% on allocated/ communal/ visitor parking. The Proposed Development will provide safe access onto the highway network through two accesses adjoining the A29 Lidsey Road. The existing access will be formalised to serve the main body of the Site (62 dwellings). In addition, the existing field access to the north-east will serve nine dwellings. The Site's access arrangements remain consistent with the approved application (AL/115/17/OUT).

- 6.32. Policy T DM1 in the ADLP requires new development to provide ease of movement, prioritise safe pedestrian and cycle access to the green infrastructure network and access to public transport. The policy also requires access to alternative modes of transport including public transport services, the public right of way and cycle networks. As required by Policy T DM1, the Proposed Development provides safe access to the existing highway and is in close proximity to existing public transport (bus stops) on Lidsey Road. The main pedestrian access to the Site would be served from 2.0m wide footways flanking either side of the main access road, connecting with the existing footways on the A29 Lidsey Road. Crossing facilities in the form of dropped kerbs and tactile paving will be provided to facilitate pedestrian movements across the primary access. The secondary access will provide pedestrian access via a shared surface arrangement. The proposed pedestrian facilities are demonstrated in Drawing 2019/6115/001 and 2019/6115/004 within the submitted Transport Assessment. Within the development, Footways flank either side of the access road, reducing to a single footway provision along the estate road facilitating pedestrian movements through the Site. An internal footpath links the cul-de-sac served from the secondary access to the main estate road. Uncontrolled crossing points will be provided along the distributor road to support pedestrian movement across the carriageway.
- 6.33. Policy GA1 in the ANDP requires new development proposals to demonstrate that the following will be delivered; improved walking and cycling routes (land, S106 or CIL contributions). Policy also requires the development to avoid the loss of existing cycle or footpaths and be accessible to public transport. The Proposed Development will not result in the loss of existing footpaths/cycle routes and is in close proximity to public transport (Bus stops on Lidsey Road). The Proposed Development will deliver provide new off-site bus and cycle infrastructure improvements.
- 6.34. Policy GA2 in the ANDP encourages development proposals to improve and extend the existing footpath and cycle path network to any new housing. As outlined above, the Proposed Development will provide safe pedestrian access to the Site as required by policy GA2.
- 6.35. Policy GA3 in the ANDP requires new development proposals to provide adequate parking in accordance with the standards adopted at the time. Vehicle parking across the Proposed Development has been designed in accordance with the residential parking standards set out within ADC's Parking Standards SPD, in accordance with policy GA3. A total of 157 car parking spaces have been incorporated into the Proposed Development, which will be provided predominantly through a mixture of on-plot driveways, off-road parking spaces in close proximity to dwellings with parking courts kept to a minimum. A total of 15 visitor car parking spaces have been incorporated into the scheme and are evenly distributed across the site layout. The SPD also requires a total 106 cycle spaces, which will be provided either within rear garden storage for the houses, or with a communal bike store for the flats.
- 6.36. Paragraph 109 of the NPPF explains that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual and cumulative impacts on the road network would be severe.

As demonstrated with the submitted Transport Assessment, the Proposed Development provides safe access with the required visibility splays and will not cause a severe impact on the existing highway network. The transport modelling undertaken confirms the Proposed Development is not required to provide any off-site capacity improvements. Given the above, it is concluded that the Highway Authority will be able to make a positive recommendation to the Council in support of the planning application for the Proposed Development.

Landscaping and Open Space

- 6.37. Policy LAN DM1 in the ADLP requires development proposals to respect the characteristics and natural features of the relevant landscape character areas and to reinforce/repair the character where possible. The Site is situated in the Westergate Western Fringe character area, whereby inherent landscape qualities include well developed boundary vegetation. The Proposed Development retains and enhances the existing boundary treatments to the eastern and western boundaries of the Site and incorporates additional planting to the southern and northern boundaries where possible, in order to maintain the qualities of the landscape character.
- 6.38. Policy OSR DM1 in the ADLP requires new development proposals to contribute towards Open space provision in accordance with guidance set out in the current Open Space Study. This has since been superseded by the adoption of the Open Space & Recreation Standards SPD in January 2020. The Proposed Development will deliver a significant amount of open space and overprovides on the quantum of playspace on-site as required by the SPD incorporating 925m² of accessible playspace. This open space provision is in addition to generous private gardens to all plots. The playspace will incorporate inclusive play for all abilities.
- 6.39. The open space provision incorporates a centrally located 'Green' incorporating a LEAP and LAP as well as three other areas of usable open space. The open space will be accessible to all residents, as well as the wider community.
- 6.40. Policy H8 in the ANDP requires development proposal to provide outdoor amenity space of adequate size and quality, either as a private garden or shared amenity area for all dwellings. Policy requires outdoor space to include tree cover, improved biodiversity, appropriate play/recreation space whilst considering topography, shadowing, and privacy. All proposed dwellings will either have a private garden (all houses and ground floor flats) with the exception of the two first floor flats, which will have access to a communal outdoor space. The Proposed Development incorporates a central multi-functional open space which provides play space, attenuation pond and green space, as well as other areas of usable public open space throughout the Site that accommodate fitness/trim trails which creates a link route around the development along with natural play areas, tree planting, and wildlife zones.

Arboriculture and Biodiversity

- 6.41. Policy ENV DM4 in the ADLP requires:

A tree survey, tree constraints plan and an arboricultural impact assessment including a tree protection plan and arboricultural method statement to be submitted alongside the application

A detailed Tree Survey and Arboricultural Implication Assessment prepared by Beechdown Arboriculture Limited has been submitted alongside the planning application.

The planting of new trees to form an integral part of the design of any development

Landscaping proposals submitted as part of the application (drawing reference 2949-SK-01 and the landscaping strategy which forms part of the Design and Access Statement) detail the proposed new tree planting. Tree planting is proposed to the main spine road of the Proposed Development, in order to provide visual interest throughout the development, as well as to the Site boundaries.

A management plan to be submitted as part of a planning application in accordance with BS 5837 (2012) to ensure trees are protected during development and appropriately maintained in future.

An Arboricultural Method Statement has been prepared and submitted as part of the Arboricultural Implication Assessment. The assessment has been undertaken in accordance with BS 5837 (2012) guidance.

- 6.42. Policy ENV DM4 in the ADLP states development will be permitted where it can be demonstrated that trees protected by a Tree Preservation Order(s) (TPO) or contributing to local amenity, will not be damaged. The policy also states conditions will be used to ensure that, for any trees which are removed as part of a development, at least an equivalent number of a similar species and age (where practical and viable) are planted on the Site. Some of the existing Oak trees on-site (T1, T15, T19-T22 and T24-T26) are subject to a TPO (Reference: TPO/AL/1/18), however as demonstrated by the submitted Arboricultural Implication Assessment, the Proposed Development will not have a negative impact on the TPO trees due to the use of no-dig surfacing for footpath construction and other protective measures, including supervision and monitoring. As demonstrated by the landscaping proposals submitted as part of the application - drawing reference 2949-SK-01 and the landscaping strategy which forms part of the Design and Access Statement, new tree planting is proposed throughout the scheme.
- 6.43. Policy EH6 in the ANDP states that development that damages or results in the loss of trees of arboricultural and amenity value or loss of hedgerows and/or priority habitat, or which significantly damages ecological networks will be resisted, unless the need for, and benefits of, development in that location clearly outweigh the loss.
- 6.44. Policy EH6 in the ANDP requires new development to;
- incorporate biodiversity within and around developments and aim for net gain for nature

- In order to improve the biodiversity on site, the Proposed Development incorporates new tree, hedgerow, and shrub planting as well as two new wildlife ponds.
 - Retain, wherever possible, ancient trees, trees of good arboricultural and amenity value and hedgerows
 - The Proposed Development has been designed to accommodate the existing TPO trees on-site.
 - Submit a tree survey including management plan alongside any planning application
- 6.45. As outlined above, an Arboricultural Implication Assessment and method statement has been submitted as part of this application and any perceived impacts will be mitigated by the Proposed Development.
- 6.46. Policy ENV DM5 in the ADLP requires development proposals to seek to achieve a net gain in biodiversity and protect existing habitats on site, incorporating elements of biodiversity as well as landscape features, to minimise adverse impacts on existing habitats and facilitate the emergence of new habitats. This application incorporates a number of biodiversity enhancements as part of the scheme proposals. As demonstrated within the Design and Access Statement and landscaping proposals, the scheme will deliver the following enhancements;
- New tree planting
 - Wildflower meadow planting
 - Two dedicated 'Wildlife Zones'
 - Bat Boxes
 - Bird Boxes
 - Hedgehog Fencing
 - Hedgehog Nesting Boxes
- 6.47. Policy ENV DM5 in the ADLP also requires where there is evidence of a protected species on a proposed development site, planning applications include a detailed survey of the subject species (carried out at the appropriate time of the year by a suitably qualified/licenced individual) with details of mitigation measures, in line with Natural England's standing advice. Bat surveys were undertaken between May and July 2020 which confirmed that the garage and garden shed of Wings House is an occasional roost for a low number of bats within the *Pipistrellus* genus. As these buildings will be demolished as part of the Proposed Development, a Natural England Licence will be applied for following the receipt of planning permission, with any mitigation implemented prior to the demolition of the existing building.
- 6.48. Policy QE SP1 in the ADLP requires development proposals to contribute positively to the quality of the environment and not impact negatively on residential amenity or the natural environment. In accordance with Policy QE SP1 of the ADLP, the Proposed Development positively contributes to the character of the local area, has been designed to avoid negative impact on neighbouring properties and natural environment through new planting and measures to improve the biodiversity on-site.

Flood Risk and Drainage

- 6.49. Policy W DM1 in the ADLP requires new developments to be water efficient and measures that meet the optional standards of 110 l/person/day. As demonstrated by the commitment within the submitted Design and Access Statement, internal Fixtures and fittings will be specified that reduce water and energy consumption with low and/or aerated flows to 110l/person/day.
- 6.50. Policy W DM1 in the ADLP also requires that adequate drainage capacity exists or can be provided as part of the development. Full details of the drainage strategy has been submitted as part of the application. To accommodate surface water, an attenuation basin has been accommodated within the public open space within the centre of the Site. The basin has been designed to attenuate storage with a controlled discharge to the adjacent watercourse network, in order to manage surface water run-off generated by the development. Run-off will be restricted to mimic greenfield run-off rates, whilst a betterment will be sought, where possible. In terms of Foul Water, it is proposed that the development will utilise a connection to the existing public foul water sewer network. The connection to the public sewer network will be secured with Southern Water via a Section 106 approval. Recent changes in the way that sewer network capacity upgrades are carried out mean that in the event there is insufficient capacity to serve the development then Southern Water will be required to upgrade the local infrastructure to suit at their own cost if the development is approved (and reclaim the costs through infrastructure charging across their whole network).
- 6.51. Policy W DM1 in the ADLP requires any major development within the Lidsey Wastewater Treatment Works Catchment Area to submit a Drainage Impact Assessment. As demonstrated in the submitted Flood Risk Assessment and Drainage Strategy, improvement works will be undertaken in relation to the existing ordinary watercourse network to provide betterment to the existing network. These works are also in recognition of the recommendations as detailed within the Lidsey Surface Water Management Plan (SWMP).
- 6.52. Policy W DM2 in the ADLP requires a site specific Flood Risk Assessment to demonstrate that the development will be safe, will not increase flood risk elsewhere and reduce flood risk overall. A Flood Risk Assessment has been prepared by Bright Plan Civils Ltd in support of the application. The Assessment notes that the application site falls within Flood Zone 1, which is land that has less than a 1 in 1000 annual probability of river flooding, meaning it is a zone in which residential development is considered appropriate. The assessment includes details of the surface water strategy and concludes that following completion of the development, there will be no increase in the overall flood risk either on, or off-site.
- 6.53. Policy W DM3 in the ADLP requires development proposals to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development. An attenuation basin has been accommodated within the public open space within the centre of the site. The basin has been designed to attenuate storage with a controlled discharge to the adjacent watercourse network, in order to manage surface water run-off generated by the development. Run-off will be restricted to mimic greenfield run-off

rates, whilst a betterment will be sought, where possible. Full details of which are included in the submitted Flood Risk Assessment and Drainage Strategy.

Other Matters

Archaeology

- 6.54. Given the Site's previous use as a residential dwelling and former nursery, the Site can be considered previously developed and therefore the risk of any archaeological remains on-site can be considered low. This was confirmed through the Council's approval of the 2019 scheme for 55-units and therefore it is proposed that no additional works are required on Site.

Communications Infrastructure

- 6.55. Policy EE8 'Communications infrastructure' states within the Neighbourhood Plan requires All new residential proposals to be designed to connect to high quality communications infrastructure. The Proposed Development will have ultra-fast broadband called FTTP (fibre to the premises) in accordance with Policy EE8.

Waste

- 6.56. Policy WM DM1 within the ADLP requires new development proposals to be designed to ensure kerbside collection for waste vehicles is achievable and that communal recycling bins and safe bin storage areas are provided for apartments. The Proposed Development has been designed so that the majority of dwellings are provided with private bin and cycle storage in the rear gardens, with the bins located within 20m from the kerbside collection point. Where it has not been possible to provide these within rear garden, a small number of plots have the bin and cycle storage located at the front of the dwellings. The block of 4 flats on the western edge of the Site (plots 24-27) are provided with shared bin and secure cycle storage.
- 6.57. In addition, Policy WM DM1 within the ADLP requires major development proposals to identify the volume and type of materials to be demolished/excavated as part of the development, minimise/manage off-site disposal of waste and outline opportunities for re-use and recover of materials on-site. Waste arising from site clearance, primary infrastructure and earthworks is expected to comprise of masonry, topsoil, and subsoil, most of which will be kept on site for re-use. All masonry and rubble from the demolition of the existing house will be crushed and re-used under the proposed drive and walkways. Any clean excavated material that cannot be reused on-site would be removed by licensed waste carriers and sent for reuse at another development site or sent for disposal at appropriately licensed facilities (these are expected to be inert waste landfill sites).

External Lighting

- 6.58. Policy QE DM2 Light pollution within the ADLP states that as planning applications must be accompanied by a lighting scheme prepared in accordance with latest national design guidance and relevant British Standards publications, and that any lighting proposals must minimise potential glare and spillage, be the minimum required for

security and working purposes and not impact on neighbouring uses or the wider landscape.

- 6.59. Policy EH10 'Unlit village' states within the ANDP that development proposals which detract from the unlit environments of the Parish will not be supported, and that new lighting will be required to meet the highest standard of light pollution restrictions in force at the time and that any security and other outside lighting will be restricted or regulated.
- 6.60. A lighting strategy can be agreed as part of any planning condition, should it be required. Whilst external lighting is not envisaged as part of the Proposed Development should this be required, it will be in the form of minimal low level bollards for security and safety reasons meaning there will not be excessive light pollution or impact on neighbouring uses, ecology and the wider landscape.

Noise

- 6.61. Policy QE DM1 'Noise pollution' states that residential development likely to experience noise from road, rail, or air, in particular development in close proximity to sections of the A29 and A259 in Bognor Regis must be supported by a noise assessment and consideration of future noise impacts.
- 6.62. Whilst the site is accessed from the A29, the A29 in this area (Westergate) is not explicitly detailed in the policy as being an area of concern, therefore a detailed noise assessment is not required as part of this application. The site is located within a residential area, in a 30mph speed area. Whilst the A29 is not considered a busy main road in this location, the development is set back from the road by more than 17 metres at its closest point and will be screened by existing vegetation to the frontage of the road, therefore there will be no adverse noise impact on the new dwellings/residents.

7. Affordable Housing Statement

- 7.1. Whilst the ANDP requires 40% affordable housing on developments of 10 or more dwellings, Policy AH SP2 of the ADLP supersedes Policy H4 in the ANDP following its adoption in 2018 and requires development proposals of 11 or more new dwellings to provide 30% affordable units (subject to viability) with a tenure split of 75% rent and 25% intermediate housing (subject to negotiation). Whilst the ANDP is currently being reviewed, and once 'made' will supersede Policy AH SP2 of the ADLP, the current policy position is 30% on developments of 11 or more dwellings.
- 7.2. The Proposed Development incorporates the policy-compliant level of affordable housing required (30%) totalling 22 dwellings, in accordance with Policy AH SP2 of the ADLP.
- 7.3. The affordable housing mix has been informed by the Council's updated Housing Needs Evidence report dated September 2016 and discussions with the local Community Land Trust, which was considered during the design process. The Proposed Development has sort to provide a higher percentage of affordable 2 and 3 bedroom dwellings. There is no provision of affordable one, four or five bedroom homes in order to prioritise smaller two and three bedroom dwellings. Given the Site's location, the Proposed Development focuses on two and three bedroom properties, to provide starter homes and family homes. This is considered appropriate in this location in terms of both design and location suitability.
- 7.4. As demonstrated by the tenure diagram in the submitted Design and Access statement, the Proposed Development incorporates a tenure split of 70% rent and 30% intermediate housing. Whilst this is a slight deviation from the specific wording in Policy AH SP2, this tenure is considered appropriate based on requirements of the local housing market, and the need for intermediate housing locally. This was discussed and agreed in principle during pre-application discussions with the Parish Council.
- 7.5. The affordable housing has distributed throughout the Proposed Development in four areas, to ensure that the development encourages mixed and inclusive communities whilst ensuring that the clusters can be managed effectively by the future housing association.
- 7.6. AH SP2 of the ADLP requires affordable dwellings to be indistinguishable from the market dwellings. The affordable dwellings have been designed to be tenure blind.
- 7.7. The Proposed Development will deliver the full, policy compliant level of affordable housing which will make a significant contribution towards the local housing need.

Draft Section 106 Heads of Terms

- 7.8. The Applicant agrees to enter into a Section 106 Agreement to ensure that appropriate contributions are made, as necessary and justified by the Local Planning Authority and County Council, in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

- 7.9. In addition to financial Section 106 obligations, 22 (30%) of the proposed dwellings are to be affordable housing, the delivery of which will be secured within any Agreement.
- 7.10. The delivery of the on-site open space, and ongoing management, will be secured within any Agreement.
- 7.11. The Agent, on behalf of the Applicant, will work with the Council during the statutory consultation and determination period of the planning application to agree the Section 106 Agreement.

8. Summary and Conclusion

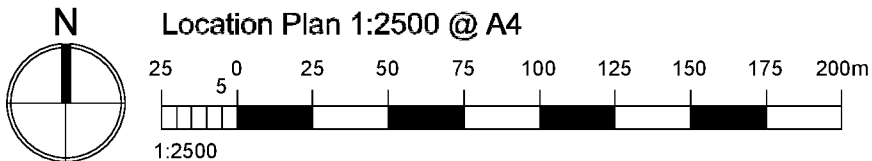
- 8.1. The Proposed Development represents a high-quality residential development that will assist in addressing immediate local housing needs that have been identified by Arun District Council.
- 8.2. The Site is set in a sustainable location and as outlined above; the Site has extant outline planning permission for 55 homes meaning the principle of residential development in this location has already been accepted by the Council. In addition, the Site is committed site within both the HELAA and ADNP. Without the inclusion of the site as a committed site, the ANDP would not meet its requirement of Policy H SP1 in the ALP to allocate at least 70 dwellings.
- 8.3. This application incorporates additional land not previously available with the approved outline the Proposed Development has been redesigned to incorporate this additional land, as well as being optimised to make best use of the land as required by policies Policy D SP1 and Policy D DM1 within the Arun Local Plan and Paragraph 122 of the NPPF, to increase the dwelling numbers on the Site by introducing smaller dwelling types. This redesign and subsequent application will allow an additional 15 net-dwellings to be delivered as a windfall (as supported by paragraph 68 of the NPPF and Policy H6 (Windfall Sites) in the draft Neighbourhood Development Plan). This would make a significant contribution to the local housing need, including the provision of policy-compliant affordable housing.
- 8.4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Council's lack of five-year housing land supply and the fact the site is a committed development site in both the HELAA and ADNP are material considerations.
- 8.5. As demonstrated within this Planning Statement, The Council states it is only able to establish a housing land supply of 3.3 years. A recent appeal decision dated 12 February 2020 states the Council can only demonstrate a five-year housing land supply of 2.9 years, meaning in reality the Council's position is between 2.9 years – 3.3 years. The Housing Delivery Test 2020 published in January 2021 states that the Council has been significantly underproviding and therefore the presumption in favour of sustainable development now applies. This means the Council should be granting planning permission as the development plan policies are out of date. As there are no adverse impacts associated to the application that outweigh the benefits of the application, the planning application should be approved without delay. As outlined above, the approval of this application would enable 71 dwellings to be delivered and a net increase in 15 over the outline approval from which the site benefits. This increase will go some way in assisting in bolstering the Council's five-year housing land supply position.
- 8.6. In accordance with paragraph 11(d) (footnote 7) of the NPPF, as Arun District Council is unable to demonstrate the required five-year housing land supply, the presumption

in favour of sustainable development applies. In such circumstances, the NPPF requires the tilted balance to be engaged and planning permission should be granted unless the harm significantly and demonstrably outweighs the benefits.

- 8.7. Notwithstanding the above, as demonstrated in this Planning Statement and the supporting documentation, the Proposed Development accords with national, local and neighbourhood plan policies.
- 8.8. The Proposed Development will provide suitable vehicular and pedestrian access points, and the design of the layout has been sought to ensure that the Site is in keeping its surrounding context.
- 8.9. The Proposed Development will;
- Make a significant contribution to much needed housing delivery in the District and wider area;
 - Make best use of the land, providing an extra 15 net dwellings as a windfall compared to the previously approved planning application for 55 dwellings;
 - Support the Council in its efforts to delivery its housing numbers;
 - Create a high-quality residential development that has a positive identity;
 - Help deliver new affordable housing;
 - Deliver a suitable mix of housing; and
 - Provide high-quality residential amenity for future occupiers.
- 8.10. As detailed in the application for planning permission, there are no planning reasons why Arun District Council should not approve the Proposed Development, on the grounds that the benefits significantly outweigh any harm. It is therefore respectfully requested that the Proposed Development is supported, and that planning permission is granted without delay.
- 8.11. The Applicant is a registered affordable housing provider association and would be looking to commence works as soon as possible following planning permission being granted.

Appendix 1:

Site Location Plan



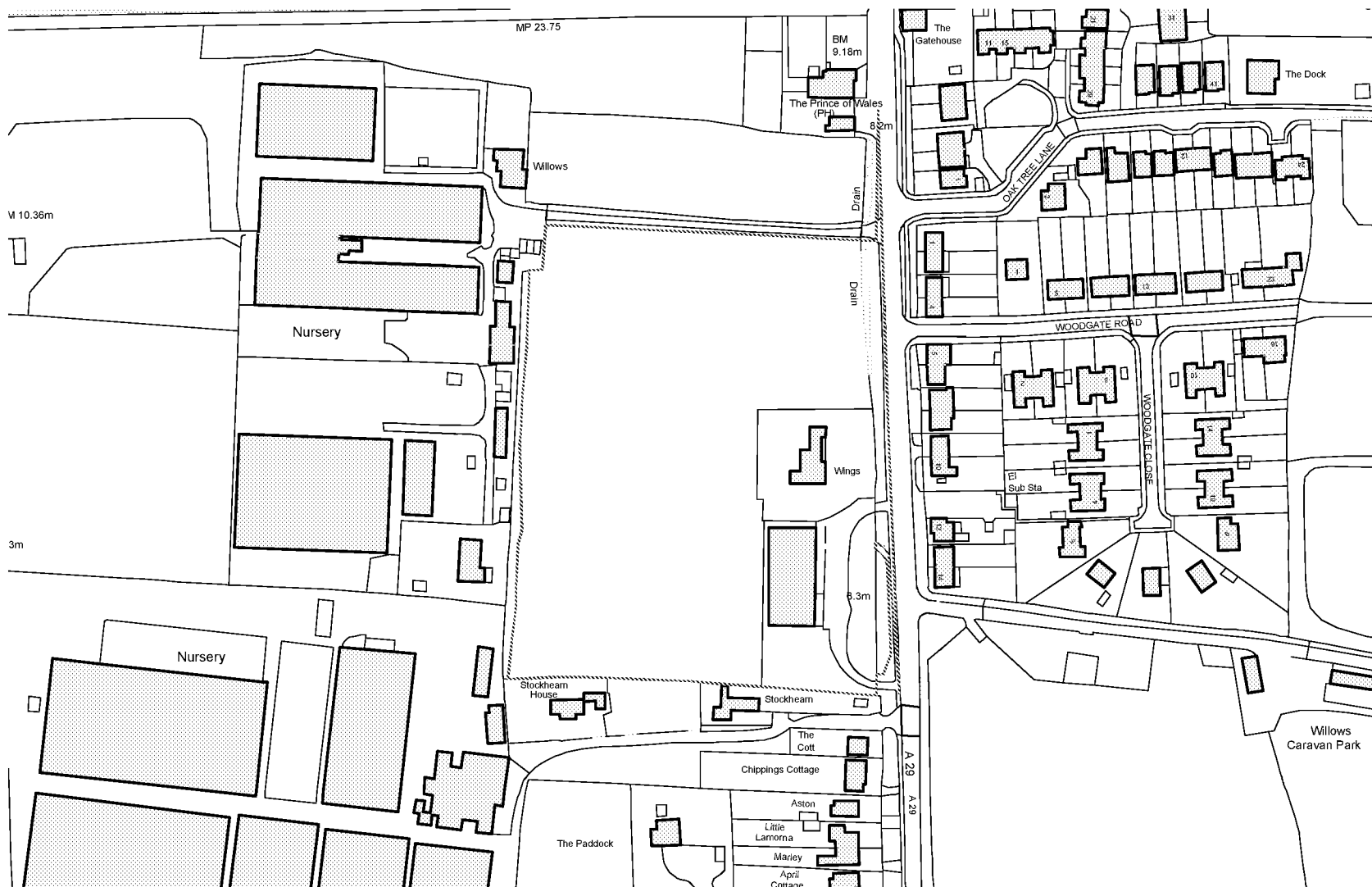
Notes

1. This drawing is the copyright of MH Architects Ltd
2. Do not scale this drawing except for Local Authority planning purposes
3. All dimensions must be checked on site by the contractor prior to commencement of the works.



Client Approval

X	A - Approved				
X	B - Approved with comments				
X	C - Do not use				
Rev.	Revision Note/Purpose of Issue	Drw By:	Date	Chk By:	Date



Drawing title

Site Location Plan

Drawn	Date	Checked	Date	Scale at A4				
JL	Jan 21	HJG	Jan 21	1:2500				
Job No.	Pro.	Org.	Zone	Level	Type	Role	No.	Rev.
19-121	LID	MHA	00	XX	DR	A	0001	01
Purpose of Issue								

PLANNING

Ground Floor (Bicentennial Building)
Southern Gate 101014636
West Sussex PO19 9EP

T: 01243 276728
E: admin@mharchitects.co.uk
www.mharchitects.co.uk

Registered company
Registered in England No. 10441113

mh
ARCHITECTS

Residential Development at Lidsey Road

Woodgate

West Sussex, PO20 3SU

For Thakeham Client on behalf of Southern Housing Group

Appendix 2:

Outline Application (55 Dwellings) Decision Notice AL/32/19/OUT

Application for Outline Consent

DECISION NOTICE

Application Ref: AL/32/19/OUT

1 To Addressee

Whalebeck Ltd
Trinity Cottage
Boxgrove
Chichester
West Sussex
PO18 0NW

2 Site Address

Wings Nursery
Lidsey Road
Woodgate
PO20 3SU

3 Description of Development

Outline application with some matters reserved for the erection of 55 No. dwellings, access arrangements, sustainable drainage measures, public open space, landscaping & all other associated works (resubmission following AL/115/17/OUT). This application is a Departure from the Development Plan.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to compliance with the following conditions and Section 106 Agreement.

- 1 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;

- (c) Appearance;
- (d) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 The development hereby approved shall be carried out in accordance with the following approved plans insofar as they relate to the matters approved by this application:-

1551/05/B
2017/3711/001/Rev E
2017/3711/002/Rev E
2017/3711/004/Rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and TSP1 of the Arun Local Plan.

- 4 No part of the development, hereby permitted, shall be occupied until the accesses as generally shown on drawings 2017-3711-001; 002 and 003 (all revision 'E') and 004 (revision 'A') have been constructed to a final specification to be agreed with the local Highway Authority through a formal S38 and/or S278 process (including right hand turning lane on A29).

Reason: To ensure fit-for-purpose accesses constructed to appropriate design and safety standards in accordance with the NPPF and policy TSP1 of the Arun Local Plan.

- 5 No development shall commence unless and until details of the layout and specification of and construction programme for the roads, footpaths and casual parking areas/the foul and surface water drainage and means of disposal have been submitted to and approved by the Local Planning Authority. No house shall be occupied until it is provided with access constructed in accordance with such approved details to the established highway network.

Reason: To secure satisfactory standards of access and drainage for the proposed development in accordance with policy T SP1, T DM1, W DM3 of the Arun Local Plan.

- 6 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the phased programme of construction works;
- the means of access and road routing for all construction traffic associated with the development;
- provision of wheel washing facilities and details of their operation and location;
- details of street sweeping;
- details of a means of suppressing dust arising from the development;
- details of all proposed external lighting to be used during construction;
- details of areas for the loading, unloading, parking and turning of vehicles associated with the construction of the development;
- details of areas to be used for the storage of plant and materials associated with the development;
- details of the temporary construction site enclosure to be used throughout the course of construction (including access gates).
- contact details for the site contractor, site foreman and Construction Design Management co-ordinator (including out-of-hours contact details) under the Construction Design and Management Regulations 2015.

- details of any temporary traffic management that may be required to facilitate the development including Chapter traffic signs in accordance with Chapter 8 of the Traffic Signs and General Directions manual.
- details on how habitats and enhancements onsite will be managed during and post construction.

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

Reason: To ensure safe and neighbourly construction in the interests of amenity and road safety and to accord with the NPPF and TSP1 of the Arun Local Plan.

- 7 Prior to the commencement of development a detailed level survey of the site including existing and resulting ground levels and the slab levels of the dwellings the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy D DM1 of the Arun Local Plan.

- 8 No development, hereby approved, shall be occupied until provision for parking and turning of cars associated with the development has been provided in accordance with plans to be submitted to and approved by the Local Planning Authority after consultation with the County Highway Authority. Provision should thereafter be maintained solely for the purpose of the parking and turning of vehicles clear of the highway.

Reason:- To ensure that adequate provision for the parking and turning of vehicles is provided for the development to accord with the NPPF and policy TSP1 of the Arun Local Plan.

- 9 No development shall be occupied until any disused crossovers and/or accesses no longer required as part of the development, have been permanently removed and reinstated in accordance with plans to be submitted to and approved by the Local Planning Authority for consultation with the County Highway Authority.

Reason: To ensure that any access points not required to serve the development are permanently removed to avoid risk of inappropriate re-opening in the future and also in the interests of road safety and to accord with the NPPF and policy TSP1 of the Arun Local Plan.

- 10 The development, hereby approved, shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority after consultation with the County Highway Authority to prevent surface water draining onto the public highway.

Reason - In the interests of road safety and to accord with the NPPF and policy TSP1 of the Arun Local Plan.

- 11 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 12 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 13 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 14 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 15 Before the development hereby permitted is commenced, details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management/maintenance, if appropriate) and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure adequate infrastructure is provided to enable the scheme to be satisfactorily drained in accordance with Policies D DM1, W DM1 and W SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the foul drainage system goes to the heart of the planning permission.

- 16 No development in any phase shall be carried out unless and until a schedule of materials and finishes to be used for that phase for external walls and roofs of the proposed buildings has been submitted to and approved by the Local Planning Authority. No development in any phase shall be carried out unless and until a 'statement of detail' for that phase has been submitted to and approved setting out details of proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The materials and 'statement of details' so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the use of satisfactory external materials goes to the heart of the planning permission.

- 17 Prior to the commencement of the development details of the following biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be in place prior to the occupation of the development and retained in perpetuity.

- Any trees removed should be replace at a ratio of 2:1
- Hedgerow retention
- Wildlife pond
- Wildflower meadow planting used
- Filling any gaps in tree lines or hedgerows with native species
- Bat tiles/bricks and bird boxes installed on the site
- Grassland areas managed to benefit reptiles.
- Log piles onsite
- Gaps are included at the bottom of the fences to allow movement of small mammals across the site
- Retention and protection of the scrub, hedgerow and tree habitat on the south and west boundaries of the site.

Reason: To promote biodiversity in accordance with the NPPF and policy ENV SP1 of the Arun Local Plan.

- 18 During the construction phase no machinery/vehicles or plant shall be operated on the site, no process shall be carried out and no deliveries taken at or despatched except between the hours of:

7.00 a.m. and 6.00 p.m. on Mondays to Fridays inclusive

8.00 a.m. and 1.00 p.m. on Saturday

Not at any time on Sundays or Public Holidays

Reason: In the interests of amenity in accordance with Policies D DM1 and QE DM1 of the Arun Local Plan.

- 19 The mitigation measures detailed in the Reptile Survey Report of October 2017 and Bat Emergence Reports of October 2017 shall be carried out in full.

Reason: To promote biodiversity in accordance with the NPPF and policy ENV SP1 of the Arun Local Plan.

- 20 No external lighting shall be installed on site (including street lighting) until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to

conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 21 Prior to the occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework.

- 22 Prior to the occupation of any part of the development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1

- 23 The landscape details referred to in Condition 1 shall include details of all existing trees and hedgerows on the land indicating which are to be retained and which removed. Development shall be carried out in accordance with the approved details. No hedge or tree shall be felled, uprooted or otherwise removed before, during or after the construction period except where removal is indicated on a plan approved by the local planning authority.

Reason: In the interest of amenity and the quality of the environment of the development in accordance with policies D DM1 and ENV DM4 of the Arun Local Plan.

- 24 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework). Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, in accordance with policy ECC SP2 of the Arun Local Plan.

- 25 In the event that contamination is found at any time during the carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All works must stop immediately and an investigation and risk assessment must be undertaken in accordance with the requirements of the local authority contaminated land officer. Where remediation is necessary, remediation scheme must be prepared in accordance with the local authority contaminated land officer guidance and which is subject to approval in writing of the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy QE DM4 of the Arun Local Plan.

- 26 The development shall be undertaken in accordance with the Evaluation and Recommendations as specified in the Habitat and Suitability Index and eDNA report submitted by The Ecology Consultancy dated 12th June 2019.

Reason: In the interests of the ecology of the area and in accordance with ENV SP1 and ENV DM5 of the Arun Local Plan.

- 28 INFORMATIVE: As part of the approval of the reserved matters application, the applicant shall include details of security measures to the development layout and to buildings and boundary treatments in accordance with the consultation advice of Sussex Police available on the Councils website. The details to be submitted shall include siting, design and appearance of any measures as well as associated technical details.

INFORMATIVE: 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

INFORMATIVE: S59 Agreement - If deemed necessary, the applicant should contact West Sussex County Council Legal Services to obtain necessary information to enter into the Section 59 Agreement under the Highways Act 1980. This Agreement is would be required in the event that extraordinary traffic required to build the development is generated during the construction phase/s in order to provide a means of making good the public highway following the cessation of construction traffic and building work on the site. Full details of the process can be obtained from the Local Highways Manager WSCC.

INFORMATIVE: 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. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here

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

submitted with a Discharge of Conditions Application.

INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.

INFORMATIVE: If during construction works, it becomes apparent that implementation cannot be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.

INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

INFORMATIVE: This application has been approved subject to a s106 legal agreement requiring infrastructure contributions.

INFORMATIVE: Current Ordnance Survey mapping shows ordinary watercourses on or directly adjacent to the site. Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around the site. If present these should be maintained and highlighted on future plans. Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development to aid access/maintenance.



Neil Crowther
Group Head of Planning

Case Officer: Mr D J Vick

Decision Issued: **3rd October 2019**

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against this planning application decision, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).

Appendix 3:

Outline Application (55 Dwellings) Officer's Report AL/32/19/OUT

REPORT UPDATE

Application No: AL/32/19/OUT

Reason for the Update / Changes

Reason for Update/Changes:

Changes to the position on Council's 5 years Housing Land Supply position, additional comment on agricultural land loss policy SO DM1 and update of ecological matters following the submission of an additional study re greater crested newts.

Officers Comment: (1) HOUSING LAND SUPPLY

Following the Authority Monitoring Report (AMR) considered at the Planning Policy Local Plan Sub-Committee on 18th June the Council can no longer demonstrate a 5 year Housing Land Supply (HLS) as required. The AMR shows there is currently a 4.7 year supply - down from the 5.3 year supply on adoption of the Arun Local Plan in July 2018.

The reasons for the lower projected delivery include; recent planning refusals on some Strategic Allocations; poor quality schemes delaying approvals; developers unable to meet stated and committed timescales; and developer/market factors outside of local authority control.

The consequence of not having a 5-year HLS means that paragraph 11.d of the NPPF (2019) and the application of the 'presumption' for sustainable development is triggered.

This means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (such as where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), planning permission should be granted unless (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

It is not considered that either (i) or (ii) apply to this determination and therefore this adds weight to the recommendation to approve the application.

(2) AGRICULTURAL LAND

The officer report has determined that the proposal does not comply with Arun Local Plan Policy SO DM1 and that therefore, there is conflict with this policy. This is on the grounds that the land is designated as being high grade agricultural land and the policy is clear that development will not be permitted on such land unless certain documents are provided to demonstrate that the site is the best location and to set out mitigation measures. None of these documents have been provided and this further supports the view that there is conflict with the policy.

Members should also note that paragraph 170 (b) of the NPPF states that:

"Planning policies and decisions should contribute to and enhance the natural and local environment by:
(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural

capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland"

However, the conclusions section of the report considers there are material considerations which override the conflicts identified (both in terms of countryside policy and the loss of the agricultural land). This includes the allocation in the emerging Aldingbourne Neighbourhood Development Plan and the position outlined above regarding housing land supply.

(3) ECOLOGY

At the request of our ecology advisor the applicant submitted a Habitat Suitability Index (HSI) and an eDNA test (analysis of water samples in water bodies within 500m of the site). This shows that 1 pond, a distance of 470m away, has a good habitat suitability with positive eDNA. As a result of the study and taking the advice of our ecologist a new condition is proposed:-

The development shall be undertaken in accordance with the Evaluation and Recommendations as specified in the Habitat and Suitability Index and eDNA report submitted by The Ecology Consultancy dated 12th June 2019.

Reason: In the interests of the ecology of the area and in accordance with ENV SP1 and ENV DM5 of the Arun Local Plan.

Note: The changes to conditions as highlighted above.

Conclusions:

The development plan policy is out of date because the application is for housing, and the LPA cannot demonstrate a five year supply of deliverable housing sites. Therefore permission should be granted unless 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. In reaching the conclusion to recommend approval for this application the Local Planning Authority have balanced the lack of housing land supply and the allocation in the emerging Neighbourhood Plan against the policy conflict including policy SO DM1 and paragraph 170(b) of the NPPF. It is accepted that there would be a loss of the best and most versatile agricultural land however, in this case the benefits are the boost to the Councils Housing Land Supply, the provision of affordable housing and the contributions to local education, libraries and medical services.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Outline Consent

REF NO: AL/32/19/OUT

LOCATION: Wings Nursery
Lidsey Road
Woodgate
PO20 3SU

REPORT_864(ODS)

PROPOSAL: Outline application with some matters reserved for the erection of 55 No. dwellings, access arrangements, sustainable drainage measures, public open space, landscaping & all other associated works (resubmission following AL/115/17/OUT). This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks outline permission for 55 dwellings with the only matter being approved being access of which two are proposed - one to the south of Wings and one to the north.
SITE AREA	2.6 hectares
RESIDENTIAL DEVELOPMENT DENSITY	21.15 per hectare
TOPOGRAPHY	Predominantly flat.
TREES	Some significant trees on the site/nearby - these are considered later in the report. A tree preservation order has been made during the application process.
BOUNDARY TREATMENT	Various - including post and rail fencing to the front and hedging/trees of various heights to other boundaries.
SITE CHARACTERISTICS	Grassland over majority of site with a glasshouse to the south east corner which can be viewed from the highway.
CHARACTER OF LOCALITY	The site lies to the west of the A29 Lidsey Road. The houses opposite are generally low scale semi-detached bungalows. The character is rural and this is evidenced by the land uses to the west. There are a number off detached dwellings on the southern boundary and a dwelling "Wings"

RELEVANT SITE HISTORY

AL/15/55	Layout For 33 Dwellings	Refused 22-06-55
AL/115/17/OUT	Outline application with some matters reserved for the erection of 55 No. dwellings, sustainable drainage measures, public open space, children's play area, landscaping & all other associated works. This application is a Departure from the Development Plan	Refused 08-08-18

A similar application A/115/17/OUT was refused in 2018.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldingbourne Parish Council:

Aldingbourne Parish Council will be advancing this site as part of the Neighbourhood Plan revisions.

Walberton Parish Council:

As Aldingbourne Parish Council are now considering this development as part of their Neighbourhood Plan, Walberton Parish Council's position is neutral in line with Aldingbourne.

3 letters of objection:-

- Objection to proposed extension of pathway on opposite side of the road from the Willows caravan site to Lee's Yard and to the proposed relocation of the bus stop. This is a minor element but the loss of this green roadside verge would have a negative impact on the current semi-rural aspect of this part of Woodgate village.
- The current bus stop is little used, with buses rarely needing to stop and are only scheduled up to six times on a weekday, five on a Saturday with no buses on a Sunday. When the A29 realignment is completed there is likely to be a reduction or cessation of buses passing along this route. The concreting over of a green roadside verge and transfer of a little used bus stop provides little or no benefit to the area or proposal.
- Not in the Aldingbourne Neighbourhood Plan.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The repositioning of the bus stop is acceptable to the Highway Authority.

The site has been allocated for residential development in the emerging Aldingbourne Neighbourhood Development Plan.

CONSULTATIONS

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

CONSULTATION RESPONSES RECEIVED:

REPORT_864(ODS)

County Highways:-

This application appears identical to AL/117/17/OUT. The comments made previously by the CHA in its consultation response of 18th May 2018 stand with the only exception being to the contribution amount required towards infrastructure for the BEW Strategic Allocation.

Summary position.

No objection to the proposal. In light of the BEW proposals forming part of the Strategic Allocation for the Barnham - Eastergate - Westergate area and consideration of additional information, it would be difficult to resist this application as it is so close. It provides localised highway improvements to assist with access to the development and a contribution towards strategic infrastructure to support the aforementioned Strategic Allocation. Any permission should, be subject to the agreed mitigation and other improvements being secured by S106 Agreement and suitable planning conditions being attached to any consent granted.

Vehicular access to the site is shown taken from two points - one to serve 4 homes and the other the remainder of the 55 homes. The northern-most part of the site is approximately 90m south of a railway level crossing. Access to the 4 houses is approximately 100m south of the railway, whereas the site access serving the remaining 51 would be approximately 220m away from the crossing. Footways are shown either side of the main access with the secondary access serving the four units being designed as a private drive with highway users sharing the available space.

Residents of the new estate, when emerging, might have to wait at the junction to turn left (north) out of Woodgate Close onto the A29 if a queue of traffic resulting from the railway crossing prevailed. Given traffic movements are likely to be generally moderate to low during busy times, incidences of this are not likely to be frequent. Even if they did, it would not necessarily be down to poor junction design.

Considering such impacts at the accesses alongside the NPPF, it is concluded any detriment to movement cannot be considered severe on this occasion - subject of course to all Stage 1 Road Safety Audit recommendations being adhered to. Specifically with regard to the secondary access, the applicant has enlarged turning space within the communal driveway area and a 'KEEP CLEAR' marking is to be painted on the carriageway on the northbound carriageway adjacent - both to be attended to at any detailed design stage following any grant of planning permission.

Trip generation.**Vehicle trip generation**

- Morning peak period (08:00-09:00) - 9 arrivals; 20 departures
- Evening peak period (17:00-18:00) - 21 (+2) arrivals; 13 departures
- Daily - 130 (+2) arrivals; 131 (+4) departures (Total - 261 approx.)

This level of additional traffic using the site access and Lidsey Road would not itself normally generally trigger the need to consider junction upgrading on the adjacent road (i.e. right hand turning lane). Given the issues referred to in this report as a consequence of the railway crossing, this makes it necessary to ensure an appropriately designed turning lane and 'KEEP CLEAR' markings be provided at the main access and 'KEEP CLEAR' marking at the secondary access in an attempt to minimise congestion on the A29 at the site and close to the railway crossing.

Impact of railway crossing on traffic queues.

Delays of over two minutes begin to have a negative effect on driver state of mind and tolerance, while delays of over three minutes may lead to adoption of behaviours such as 'u' turning and overtaking (the latter to reach a certain destination and to avoid waiting in a queue) - again a consideration for this

REPORT__864(055)

application given the queues brought about by the railway crossing closures. Such delays might be classed as severe, typically requiring traffic management measures in an attempt to mitigate.

Paras 60-64 of the Inspector's Appeal Decision Notice for AL/69/11 for the nearby Woodgate Centre included discussion and conclusions about the impact of the development on queuing. Paragraph 60 states the likely impact of 100 homes (the subject of that application) would increase peak queues by about seven vehicles, or about 40m in length. The result would then be instead of a single vehicle waiting to cross the railway when the gates rise there would be three or four. However, at that time, the Inspector concluded that the impact in vehicular terms could not be considered severe. Upon re-visiting this information and based on the Wings Nursery site proposing less dwellings (55 compared to 85), the Highway Authority concurs with the Inspector's conclusion for the Woodgate Centre - essentially that the vehicular impact of the development in the locality, whilst resulting in some conflict with the Framework, could not be classed as severe.

Transport Sustainability.

In terms of transport sustainability, the site is on the edge of the settlement boundary and some distance from the nearest railway station at Barnham. The level of bus service passing the site is also limited and the main cycle and pedestrian routes are along the busy A29.

Bus Services - Bus stops are located immediately outside the site. Both the north and southbound stops are directly opposite one-another. The applicant proposes facilities to assist pedestrians crossing to and from them (and improvements to the stops themselves).

Cycling - In response to current limitations for walking and cycling, the applicant is offering improvements in the form of a widened footway on the western side of the road between the main site access up-to the start of the car park serving the Prince of Wales Public House. On the eastern side of the road, the applicant proposes a new footway running from the junction with Willows Caravan Park running south to connect to Lee's Yard. Alongside this, opportunities to cross the road in the form of pedestrian ramps with tactile paving are also offered.

Rail - The nearest railway station to the proposed development is located in Barnham, approximately 4km away by road. It is possible to walk to the station and the route (as the crow flies) is shorter but this does involve users to walk along a series of largely rural footpaths. As for the walking/cycling comments made above, improvements to access to the station will present themselves as part of the nearby BEW Strategic Allocation as proposed in the emerging Arun Local Plan. Footway widening and extension of a footway to Lee's Yard (one of the closest employment centres) is proposed and will be secured by S106 Agreement.

Conclusion. No objection subject to the following S106:

- Widened footway on western side of the A29 from the main (southern) site access up-to the southern edge of the car park serving the Prince of Wales Public House
- Footway on east side of road taken from junction of Willows Caravan Park access road to Lee's Yard
- Strategic Infrastructure Contribution (amount TBA)
- Bus stops, shelters and real-time passenger information contribution (and/or works)
- Travel Plan
- Cycle stands adjacent to nearby convenience store
- Contributions towards other non-highways infrastructure - education, libraries etc.

County infrastructure:-

It appears at present primary/secondary/further secondary schools within the catchment area of the

REPORT__864(055)

proposal would not have spare capacity and would not be able to accommodate the children generated by the assumed potential residential development. Contributions need to be requested. The situation will be monitored and further advice on the main education sectors, (i.e. Primary/Secondary/Further Secondary) should be sought if this planning application is to be progressed.

Primary Financial Contribution - The primary contributions generated by this proposal shall be spent on additional facilities at Aldingbourne CofE Primary School.

Secondary Financial Contribution - The secondary contributions generated by this development will be spent on fixtures, fittings and equipment for phase 2 of the new secondary school serving Arun.

Further Secondary Financial Contribution - The contributions generated by this proposal shall be spent on a restructure of the sixth form to cater for the additional student population at St Philip Howard Catholic High School Sixth Form.

Library Infrastructure Contribution - A scheme is approved to provide additional floorspace or facilities at Bognor Regis library. A financial contribution towards the approved scheme would be required in respect of the extra demands for library services that would be generated by the proposed development.

Fire & Rescue Service Infrastructure - The development should contribute towards the cost of necessary infrastructure needed to support development. Fire and Rescue Service Contribution to be used towards supply and installation of additional fire safety equipment to vulnerable persons homes in West Sussex Fire Rescue Services Southern Area serving Aldingbourne.

Sussex Police - No objection - detailed comments about design/layout and "Secure by Design" shown

Tree officer - Awaited

Southern Water - Awaited

NHS - No objection subject to s106 of £54,557 for The Croft GP surgery" for the infrastructure needs of managing "on the day demand".

West Sussex Flood risk management - Current surface water mapping shows the site is at low risk from surface water flooding. Any existing surface water flow paths across the site must be maintained or appropriate mitigation strategies proposed.

Wholesale site level rise via the spreading of excavated material should be avoided.

The majority of the development is shown to be at high risk from ground water flooding based on the current mapping. Where the intention is to dispose of surface water via infiltration/soakaway, these should be shown to be suitable through an appropriate assessment carried out under the methodology set out in BRE Digest 365 or equivalent.

The FRA proposes that sustainable drainage techniques (permeable paving, attenuation with a discharge to the watercourse) would be used to control the surface water from this development. As indicated by the District Engineer, groundwater monitoring should be shown to have been fully investigated across the whole site.

Ecologist - Due to the presence of foraging and commuting bats onsite, we are satisfied that the mitigation proposed within section 6 for the Bat Emergence Survey Reports (Oct 2017) and a condition should be used to ensure this takes place.

Require that bat tiles/bricks are including within the construction of the homes on-site. The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

The scrub, hedgerow and tree habitat found on the south and west boundaries of the site will need to be retained and protected. This will include having a buffer strip around the areas (5m) and during construction fencing should be used to ensure this area is undisturbed.

Following submission of the Reptile Survey Report (October 2017), we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place.

We require that initially a Habitat Suitability Index assessment is done for Greater Crested Newts, and depending on the findings further activity surveys may be required.

Prior to start on site a badger survey should be undertaken to ensure badgers are not using the site. If a badger sett is found onsite, Natural England should be consulted and a mitigation strategy produced.

Full details on how the habitats and enhancements onsite will be managed during the construction phase and post construction will need to be included within the Construction Environmental Management Plan (CEMP) and Landscape and Management Plan (LEMP) as part of a reserve matters application.

We would like to see a number of enhancements incorporated within the scheme including;

- Any trees removed should be replace at a ratio of 2:1
- Hedgerows should be retained
- Wildlife pond
- Wildflower meadow planting used
- Filling any gaps in tree lines or hedgerows with native species
- Bat and bird boxes installed on the site
- Grassland areas managed to benefit reptiles.
- Log piles onsite
- We require that gaps are included at the bottom of the fences to allow movement of small mammals across the site

Housing Strategy and Enabling - No objection. The applicants are proposing to provide 18 dwellings for affordable housing which meets this specific policy requirement. The Council's Affordable Housing policy requires a tenure split of 75% rented and 25% intermediate housing.

With reference to the 'Provision of Accommodation suitable for older people and people with disabilities', agreed at the Planning Policy sub-committee 27th February 2019, the Council's policy is that for schemes greater than 51 units - 50% of units should be designed to m4(2) standard and 4 designed to m4(3) wheelchair accessible. The expectation would therefore be that a minimum of 9 of the affordable dwellings be designed to m4(2) and that an additional 1 affordable dwelling be designed to m4(3).

To meet the requirements of the council's Affordable Housing policy the applicants will need to provide 14 x rented and 4 x intermediate homes. Given the high need for 2 bedroom accommodation the Council welcomes the predominance of 2 bedroom dwellings.

Highways England - The Arun Local Plan is adopted and contains agreed highway mitigations for the impacted A27 junctions resulting from the strategic development sites. The agreed A27 highway mitigations are to funded from developer contributions. Further housing, even relatively small allocations,

REPORT__864(ODS)

depending on its location, could have a cumulative impact on the A27 junctions as well as the local highway network, which may need associated mitigation. The council is advised that it may wish to consider requesting an appropriate proportional contribution from this particular site towards mitigation at the A27 junctions. Otherwise, Highways England is satisfied that the proposals will not materially affect the safety, reliability and / or operation of the Strategic Road Network in this location and our formal response of No Objection is attached.

Network Rail - Comment awaited

Environmental Health - Comment awaited

Engineers - No objection subject to conditions.

The site has ordinary watercourses running along the eastern and western boundaries, easement to watercourses must be provided. Any proposed culverting to provide access would require consent. If discharge to watercourse is proved to be required it will need to be demonstrated that the downstream watercourse is in an appropriate condition to receive these flows.

The documents submitted in support of this application suggest that the proposed means of surface water drainage is through an attenuated discharge to a local watercourse. Infiltration testing must be completed to support the ruling out of infiltration, this infiltration testing should include testing at shallow depths appropriate for permeable paving.

The surface water drainage scheme design should follow the hierarchy of preference as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA. Therefore the potential for onsite infiltration should be investigated and backed up by winter groundwater monitoring and winter infiltration testing. Groundwater monitoring results will also be required if attenuation is proposed to ensure that the risks of flotation are adequately accounted for in design.

If on-site infiltration is to be utilised, any soakage structures should not be constructed lower than the peak groundwater level. If on-site infiltration is not possible, drainage via a restricted discharge to a suitable local watercourse may be acceptable.

Surface water drainage features should be designed in a manner that positively affects the amenity of the site. Open features, such as swales, basins and ponds, when designed correctly, can satisfy all the above aspirations in addition to; being easier to maintain, having longer lifespans and offering ecological advantages over subterranean features such as "plastic crate systems". The design should reflect natural catchments present, ground raising or pumping are not sustainable solutions and are not supported by us.

Parks and Landscapes - No comments have been received but other developments are contributing to an off-site multi-use games area (MUGA) at the Aldingbourne Sports and Community Centre . The scheme is not fully funded and it is considered that this proposal will generate a need for off site play facilities. Given other contributions already committed/under negotiation the proposed contribution from this scheme would be £200 per dwelling.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted - where relevant the conditions and s106 contribution requests will be attached as conditions/included in the s106. None of the consultees raise an objection to the scheme.

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary
A class road

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

AHSP2	AH SP2 Affordable Housing
ECCSP1	ECC SP1 Adapting to Climate Change
HERDM6	HER DM6 Sites of Archaeological Interest
HORDM1	HOR DM1 Horticulture
HSP2C	H SP2c Inland Arun
INFSP1	INF SP1 Infrastructure provision and implementation
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HDM1	H DM1 Housing mix
HSP1	HSP1 Housing allocation the housing requirement
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SODM1	SO DM1 Soils
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

<u>Aldingbourne Neighbourhood Plan 2016 POLICY EE2</u>	Retention of employment land
Aldingbourne Neighbourhood Plan 2016 POLICY EH1	Resist development outside
Aldingbourne Neighbourhood Plan 2016 POLICY EH10	Unlit village status
Aldingbourne Neighbourhood Plan 2016 POLICY EH3	Best and most versatile resisted unless...
	Development on Agricultural Land
Aldingbourne Neighbourhood Plan 2016 POLICY	Development in Flood risk areas will not be

REPORT_864(ODS)

EH5	supported unless...
	Surface Water Management
Aldingbourne Neighbourhood Plan 2016 POLICY EH6	Protection of trees and hedgerows
Aldingbourne Neighbourhood Plan 2016 POLICY GA1	Promoting Sustainable movement
Aldingbourne Neighbourhood Plan 2016 POLICY GA3	Parking and new development
Aldingbourne Neighbourhood Plan 2016 POLICY H1	New housing or altering dwellings
	Quality of Design
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 H9	Items to consider e.g. - bin stores
	Attention to detail

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD1	Open Space & Recreation Standards
SPD3	Parking Standards
SPD6	Archaeology

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.

The relevant policies within the Aldingbourne Neighbourhood Development Plan and Regulation 14 pre-

REPORT__864(ODS)

examination Aldingbourne Neighbourhood Development Plan have been considered in the preparation of this report.

Section 38 (5) of the Planning and Compulsory Purchase Act 2004, states: "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". Any conflict between the ANDP and the Arun Local Plan, should be resolved in favour of the latter.

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 considered to conflict with relevant Development Plan policies in that the site lies outside the built-up area boundary where development or redevelopment is generally not acceptable.

OTHER MATERIAL CONSIDERATIONS

Other material consideration

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as detailed in the Conclusion section. These are as follows:

- The National Planning Policy Framework (NPPF) and associated guidance particularly in respect of Sustainable Development;
- The site being allocated in the emerging changes to the Aldingbourne Neighbourhood Development Plan;
- The Councils' 2019 HELAA which assessed the site (ref 32) as being deliverable and noted the site is considered to be a suitable site as there are no major constraints to overcome;
- The result of the Governments 2018 Housing Delivery Test which states Arun have underdelivered on its housing targets and recommends an Action Plan be published to set out how delivery rates will be improved;
- Recent delays to the delivery of (and refusal of one such application) strategic housing allocations;

CONCLUSIONS

PROPOSAL & PRINCIPLE:

This is an outline application with means of access details only. An indicative layout plan has been submitted which demonstrates 55 dwellings can be provided together with access roads, footpaths, public open space, parking and landscaping.

The development plan for the Arun District currently comprises the Arun Local Plan 2011-2031, the Aldingbourne Neighbourhood Development Plan (2016) and the West Sussex Waste and Minerals Plans.

Arun Local Plan:

Amongst the key policy considerations in the determination of this application are considered to be H SP1, SD SP1, SD SP2 and C SP1 of the Arun Local Plan (ALP) 2011 - 2031.

Policy H SP1 "The Housing Requirement" sets out an overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes reference to additional non-strategic allocations being made across the District through reviews of Neighbourhood Plans and through the publication of a "Non-Strategic Site Allocations Development Plan Document (DPD). Aldingbourne Parish Council are amending their Neighbourhood Plan and have proposed to allocate this site within the amended version.

Policy SD SP1 states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work to secure development that will contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland).

Policy SD SP2 "Built up Area Boundary" states outside the Built Up Area Boundary (BUAB), apart from strategic, site specific and other broad allocations, development will not be permitted unless consistent with other plan policies. Policy C SP1 "Countryside" states residential development in the countryside outside the BUAB will not be permitted unless in accordance with policies in the Plan which refer to a specific use or type of development.

The site lies outside the built up area boundary but does form an emerging Neighbourhood Plan allocation. The exception under C SP1 would not apply and the proposal would be contrary to ALP policies SD SP2 and C SP1.

Aldingbourne Neighbourhood Development Plan (ANDP):

ANDP was made (adopted) in 2016 on the basis of the saved policies in the 2003 Arun Local Plan and the emerging policies of Arun Local Plan.

Policy EH1 of the ANDP states that development within the built-up area boundary defined on Map E of the plan will generally be permitted. It goes on to state that proposals for development outside the built-up area boundary that do not accord with development plan policies in respect of the countryside will be resisted unless it is for essential infrastructure, where the benefits outweigh any harm and it can be demonstrated that no reasonable alternative sites are available.

Policy H1 of the emerging ANDP allocates the land subject to compliance with other plan policies and a contribution being made to the Aldingbourne Sports and Community Centre.

Map E on page 54 of the ANDP includes a BUAB drawn round the edge of the settlement. The BUAB in the ALP is different having been amended to include strategic allocation SD5 - commonly referred to as BEW and approved developments on Hook Lane and Nyton Road. Nevertheless, the application site remains outside of the BUAB and is classified as countryside.

National Planning Policy Framework (NPPF):

The NPPF published in July 2018 is a material consideration in determining planning applications. It sets out a presumption in favour of approving sustainable development. At para 12, it states:

"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with

REPORT__864(055)

an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."

Other Material Considerations:

The following sets out whether there are any material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

(1) Sustainability:

The site is environmentally sustainable as it lies on the southern edge of Aldingbourne and it will be possible for residents to use non-car means of transport to access schools and other services. Pedestrians have the benefit of street lit pavement in the immediate vicinity of the site.

The proposal could help to support the local community by providing 55 dwellings with a mix of bedrooms (and the provision of affordable homes) to meet future needs. If approved the development would also be required to contribute towards infrastructure and local health service and as such there would be a further benefit to the local community.

The development will likely result in economic benefits to the local area.

(2) Site Location:

The BUAB in this part of Aldingbourne is drawn around land on the opposite site of the A29 to the site. On the western side of the site the BUAB finishes to the north of the railway line. There would be limited harm to the character of the countryside if the site was developed given the development opposite. It is not enough to simply refuse an application on the grounds of being in the countryside and it is necessary to identify the harm.

(3) 2017 HELAA Report:

The HELAA report republished in February 2019 (Table 1.1) assessed the site (ref 32) as being deliverable with a yield of 60 dwellings.

(4) Additional Dwellings to be secured through a Non-Strategic Site Allocations DPD:

The 5.3 year housing land supply set out within the Arun Local Plan includes a provision of at least 1,250 homes to be identified through both the review of Neighbourhood Plans and through a Non-Strategic Site Allocations Development Plan Document (DPD). The DPD is not yet out for consultation although there remains potential for the site to be promoted through this document.

(5) Housing Delivery Rates:

In February 2019, the Government published results of its Housing Delivery Test. This shows Arun have underdelivered on its housing targets (achieving only 91%).

It is vital that delivery rates are maintained and much of this will hinge on the delivery of strategic sites allocated within the Local Plan. There have been delays to the determination of some of these sites and also the refusal of one of the Pagham sites. This will further affect delivery rates. It is considered the release of further land for housing will help to maintain delivery rates. This may have to include sites

REPORT_864(ODS)

outside the built up area boundary and it would be preferential if such sites were located close to the edge of the BUAB and in sustainable locations which minimise the need to use the private car.

(6) Amendment Neighbourhood Plan:

The Aldingbourne Neighbourhood Plan is being reviewed to bring it in line with the Local Plan adopted in July 2018. A draft plan was published in the Spring of 2019 is a pre-submission draft plan.

In the Local Plan policy HSP1 Aldingbourne has an allocation of 70 dwellings. Aldingbourne has decided in the emerging plan to allocate a two sites of 85 dwellings - one of these sites is Wings Nursery. Revised policy H1 allocates this site for 55 dwellings and states proposals will be expected to conform to the other policies in this Plan and also to provide (through S106 or CIL) funding to deliver improvements to the Aldingbourne Sports and Community Centre. The emerging plan has limited weight at this time.

Conclusion on Matters of Principle:

The principle of development on this site is considered to be contrary to the development plan. However the proposal represents sustainable development and that there are other material considerations as set out above which, on balance, are considered to outweigh the in principle policy objection and serve to allow for the application to be supported.

PREMATURITY:

Para 014 (Reference ID: 21b-014-20140306) of the online Planning Policy Guidance states:

"arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process."

The Council has started work on a Non-Strategic Site Allocations DPD and is discussing with Parishes the review of made Neighbourhood Plans - Aldingbourne are at Regulation 14 stage with their Neighbourhood Plan already. Neither of these are at an advanced stage and the proposal is not considered to be so substantial or have a cumulatively significant effect on the settlement.

AGRICULTURAL LAND:

Policy EH3 of the ANDP states "Proposals for development on the "best and most versatile" agricultural land shown on Map B, the latest Defra Agricultural Land Classification Map, will be resisted unless it can be demonstrated that it would meet the following criteria: it supports the diversification of an agricultural enterprise or other land-based rural business; the need for the development clearly outweighs the harm;"

This is an out of date policy as it predates the adopted Local Plan however the contents of the policy are proposed to be retained in the emerging plan. The policy has reduced weight. It is considered the proposal is compliant with EH3 as the need for development (given the need of the Parish to allocate 70 additional houses) outweighs the harm created by the loss of agricultural land.

Local Plan policy SO DM1 considers soils and states: "Unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term."

It is considered that the development would lead to the loss of high grade agricultural land but given the need housing development in the district outweighs the policy restriction and the proposal complies with the ANDP policy EH32 and with policy SO DM1 of the ALP.

CHARACTER:

Policy D DM1 of the Local Plan requires the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. In terms of density, D DM1 requires housing makes efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires the scale of development keep within the general confines of the overall character of a locality. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

Policy H1 of the ANDP seeks quality of housing design - the application is in outline and no design/layout is to be agreed at this stage. Regard is had to para 127 of the NPPF: "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)." Paras 122 and 130 are relevant. Para 122 states planning decisions should support development that makes efficient use of land but the desirability of maintaining an area's prevailing character and setting should be taken into account. Para 130 states planning permission should be refused for development that fails to take opportunities available for improving character and quality of an area and the way it functions.

The application is outline and does not seek the approval of layout, external appearance, scale or landscaping. Although an indicative layout is provided, it is not possible to determine the application on the basis of this. It would be appropriate to make an assessment of whether new build residential development in this location would be appropriate in the context of the character of this part of Aldingbourne.

The site sits on the south western edge of the settlement with farmland beyond. Houses to the east are along a linear form with roads radiating off the A29. To the south are some larger dwellings which are also outside of the built up area. It is clear that the character of this part of Aldingbourne would change as a result of this proposal as it would introduce dwellings into a generally an open area. However with the dwellings opposite the dwellings would be seen in the context of an approach to/edge of settlement location as is reflected to the east of the A29.

The indicative layout suggests a relatively spacious scheme with provision of open space and landscaping and this reflects what might be appropriate on the edge of a settlement. In terms of density, it is noted the proposal is for 55 dwellings whereas the HELAA suggested a yield of 60. Housing density, as discussed in ANDP policy H6 is considered acceptable.

Given the need for additional housing the proposal would not result in significant harm to the character of this part of Aldingbourne and, on the grounds of density and character, the proposal would not conflict with development plan policies.

HIGHWAYS AND PARKING:

Local Plan policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport. In respect of highway safety, it states: "The Council will support transport and development which: explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, T SP1 states: "The Council will support transport and development which: Incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking". In addition, policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes, contribute to the improvement of such routes & facilities and contribute towards the provision of a joined up cycle network and Public Rights of Way network.

Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The advice of WSCC Highways is summarised above and it is clear they have comprehensively assessed the proposals and do not consider that there will be any severe harm to the safety or convenience of the local highway network either solely or in combination with other developments. Improvement works and a contribution to the re-aligned A29 are also sought by County Highways and these can be achieved.

It is considered the proposal accords with relevant development plan policies and with the NPPF on highway safety. A request for a contribution towards s106 has been made towards the re-aligned A29 scheme.

BIODIVERSITY:

ALP policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

ANDP policy EH2 allows new development in or immediately adjacent to biodiversity corridors identified within the ADNP. The site is not within or adjacent to these areas.

Para 175 of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;"

The application has been subject to consultation with our ecologist who requested a greater crested newt (GCN) survey be undertaken in addition to the ecological work already undertaken. This has been submitted by the applicant and is being considered by our Ecologist.

Further conditions or report updates will be reported to Committee.

It is anticipated that no objection will be raised and therefore it is not likely that there will be any conflict with NPPF para 175 or with ALP policy ENV DM5.

FLOODING AND DRAINAGE:

The site does not lie in an area at risk from flooding from rivers or from surface water flooding.

Policy W DM2 of the ALP ("Flood Risk") is not relevant. Policy W DM3 (Sustainable Urban Drainage Systems) states: "To increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process." ANDP policy EH5 requires a flood risk assessment in areas at risk of flooding to demonstrate appropriate provision for surface and foul water.

WSCC and ADC Drainage Engineers do not raise objection to the principle of development subject to mitigation by planning condition. In the absence of objections, it is not considered a refusal on surface water drainage grounds can be justified and the proposal must be judged to be in accordance with relevant development plan policies.

FOUL DRAINAGE:

Part 3 of Arun Local Plan policy W DM1 is relevant. It states: "Major development within this area must also be accompanied by a full Drainage Impact Assessment which must take account of surface water disposal and foul water disposal." And that: "Where surface water and foul water drainage systems are approved as part of the consideration of a planning application, conditions may be imposed upon the permission relating to dates for implementation or other detailed technical requirements."

RESIDENTIAL AMENITY:

Local Plan policy D DM1 requires the Council have regard to certain aspects including: (3) Impact - "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." Policy QE SP1 states the Council will ensure that development does not have a significantly negative impact upon residential amenity. It is considered necessary to have regard to para 127 (f) of the NPPF which states planning policies and decisions should ensure that developments create places that have a high standard of amenity for existing and future users.

It is not possible to make a detailed assessment of residential amenity at this stage given that layout, scale and appearance are all reserved matters. In principle it is not considered the dwellings shown on the illustrative layout would be sited to result in any harm to the privacy, outlook or amount of light to neighbouring properties.

Subject to a more detailed consideration of privacy issues at a reserved matters stage, it is not considered that there would be conflict with policies D DM1, QE SP1 or para 127 of the NPPF.

AFFORDABLE HOUSING:

For all developments over 11 residential units, the Council requires minimum provision of 30% affordable housing on site, as per Policy AH SP2 of the Arun Local Plan and the Interim Affordable Housing Policy (2010).

A request has been made by the Affordable housing manager for 14 rented and 4 intermediate homes with a preference for 2 bed homes. The mix would be split between 75% rented and 25% affordable. A minimum of 9 of the affordable dwellings should be designed to m4(2) Building Regulations standard and that an additional 1 affordable dwelling be designed to wheelchair accessible standard.

Policy H4 of the ANDP requires a 40% contribution towards affordable housing. The Local Plan takes precedence over this policy as it is the most recently adopted and therefore 30% will be sought.

The affordable housing provision will be secured by a S.106 legal agreement and the proposal will accord with policy AH SP2.

PUBLIC OPEN SPACE & PLAY:

The Council's supplementary planning document "Open Space & Recreation Standards" sets out standards for public open space. This guidance is considered to be out of date and so reference is made instead to the current Fields in Trust (FIT) standards as set out in "Guidance for Open Sport and Play: Beyond the Six Acre Standard" (October 2015).

No response from the Parks Team has been submitted regarding this proposal. However details of the open space can be agreed at approval of reserved matters stage. A contribution of £200 per dwelling is sought towards a MUGA at the Aldingbourne Sports and Community Centre.

The indicative plan shows open space and the proposal does not conflict with ALP policy OSR DM1.

SUPPORTING INFRASTRUCTURE:

Arun Local Plan policy INF SP1 states: "The Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development to meet the needs of occupiers and users of the development and the existing community" and "Any on-site provision or financial contribution required to address unacceptable impacts must meet the statutory tests for planning obligations required by Regulation 122 of the Community Infrastructure Regulations 2010."

WSCC have requested financial contributions in respect of primary education, secondary education, 6th form education, libraries and fire & rescue. The level of these contributions will be based on a formula to allow the contribution amounts to be calculated using the housing mix at the reserved matters stage. The contributions will be spent on the following projects:

- additional facilities at Aldingbourne C of E Primary School;
- fixtures, fittings and equipment for phase 2 of the new secondary school serving Arun;
- a restructure of the sixth form to cater for additional students at St Phillip Howard Catholic High School Sixth Form;

- on the expansion of facilities at Bognor Regis Library; and
- towards supply and installation of additional fire safety equipment to vulnerable persons homes in Aldingbourne.

The NHS have requested a contribution of £54,557 which will be allocated to assist with the creation of a new integrated community hub facility at the Croft Medical Centre on Barnham Road in Eastergate to serve the catchment population of this development.

With regard to the fire safety contribution the inspector in determining a relatively recent (Burndell Road, Yapton) Call in decision (ref APP/C3810/V/16/3158261), considered the requested contribution was not compliant with the CIL Regulations. WSCC have since stated the request for the Burndell Road application was for smoke alarms whereas on a more recent Ford Lane appeal (APP/C3810/W/17/3170059), the request was for fire safety equipment and this was accepted as being compliant by that Inspector. WSCC are of the opinion that the fire & rescue contribution is CIL compliant.

Despite concerns by ADC over the specificity of the infrastructure projects, WSCC recently stated with respect to application AL/57/18/OUT that the projects for which the education contributions would be allocated to are specific enough to ensure that WSCC will not run out of projects for each of the named schools.

The contributions/provisions are necessary to make the development acceptable in terms of ALP policy INF SP1, are directly related to the needs of the development (with the contributions required to meet the demands of - and mitigate the impacts of - the development), and are fairly & reasonably related in scale and kind (the level of contributions are/will be calculated in accordance with a formula so as to be proportional to the amount of new development). The Council's pooling data has been checked and none of the contributions would result in more than 5 contributions to a particular project. The restriction on pooling contributions is due to be removed later this year.

These contributions will be secured by a S106 Legal Agreement which is in the process of being completed and as such, there is no conflict with policy INF SP1 of the Arun Local Plan.

SUMMARY:

This outline application considers the development of this site with 55 new residential dwellings. Two accesses are proposed. All other matters regarding design, layout, appearance, scale and landscaping would be the subject of a reserved matters application.

The principle of development on the site is contrary to the development plan in respect of the site's location within defined countryside. Members should note that the the Council's current 5.3 year housing land supply (set out in the ALP) is partially reliant on additional housing land being identified through either a review of Neighbourhood Plans or through a Non-Strategic Site Allocations Development Plan Document (DPD). It is vital to consider additional sustainable housing developments in order to contribute to housing land supply and maintain/improve housing delivery rates. The emerging amended Neighbourhood Plan allocates the land for housing.

This site was previously considered to be deliverable through the HELAA process. It is not considered the development will result in harm to character of the countryside.

There is additional conflict with the development plan in respect of the loss of potentially high value agricultural land. There is policy provision to allow for development on high grade agricultural land in certain circumstances where the need outweighs harm.

It is considered the material considerations set out within this report are such that in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, a decision can be taken other than in accordance with the development plan.

It is recommended that the application be approved subject to the following conditions and subject to the signing of a Section 106 which is currently being prepared to cover the items listed below. As the s106 has not been signed it is requested that the final decision on the application be delegated to the Head of Planning.

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) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval 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 positive impact on the protected characteristics (age and disability) through the provision of affordable housing to meet the needs of those groups..

SECTION 106 DETAILS

WSCC Highways

- Widened footway on western side of the A29 from the main (southern) site access up-to the southern edge of the car park serving the Prince of Wales Public House
- Footway on eastern side of road taken from junction of Willows Caravan Park access road to Lee's Yard
- Strategic Infrastructure Contribution towards the realigned A29 scheme (£9,043 per dwelling)
- Bus stops, shelters and real-time passenger information contribution (and/or works)
- Travel Plan
- Cycle stands adjacent to nearby convenience store
- Contributions towards other non-highways infrastructure (education, libraries etc.) - details to follow separately

Infrastructure in the s106 required for schools, libraries and fire and rescue services.

NHS - £54,557 for The Croft GP surgery" for the infrastructure needs of managing "on the day demand".

Affordable housing:- 14 x rented and 4 x intermediate homes. Given the high need for 2 bedroom accommodation the Council welcomes the predominance of 2 bedroom dwellings

MUGA at Aldingbourne Sports and Community Centre at a rate of £200 per dwelling.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (d) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 The development hereby approved shall be carried out in accordance with the following approved plans insofar as they relate to the matters approved by this application:-

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2017/3711/001/Rev E
2017/3711/002/Rev E
2017/3711/004/Rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and TSP1 of the Arun Local Plan.

- 4 No part of the development, hereby permitted, shall be occupied until the accesses as generally shown on shown on drawings 2017-3711-001; 002 and 003 (all revision 'E') and 004 (revision 'A') have been constructed to a final specification to be agreed with the local Highway Authority through a formal S38 and/or S278 process (including right hand turning lane on A29).

Reason: To ensure fit-for-purpose accesses constructed to appropriate design and safety standards in accordance with the NPPF and policy TSP1 of the Arun Local Plan.

- 5 No development shall commence unless and until details of the layout and specification of and construction programme for/the roads, footpaths and casual parking areas/the foul and surface water drainage and means of disposal/have been submitted to and approved by the

Local Planning Authority. No house shall be occupied until it is provided with access constructed in accordance with such approved details to the established highway network.

Reason: To secure satisfactory standards of access and drainage for the proposed development in accordance with policy T SP1, T DM1, W DM3 of the Arun Local Plan.

- 6 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the phased programme of construction works;
- the means of access and road routing for all construction traffic associated with the development;
- provision of wheel washing facilities and details of their operation and location;
- details of street sweeping;
- details of a means of suppressing dust arising from the development;
- details of all proposed external lighting to be used during construction;
- details of areas for the loading, unloading, parking and turning of vehicles associated with the construction of the development;
- details of areas to be used for the storage of plant and materials associated with the development;
- details of the temporary construction site enclosure to be used throughout the course of construction (including access gates).
- contact details for the site contractor, site foreman and Construction Design Management co-ordinator (including out-of-hours contact details) under the Construction Design and Management Regulations 2015.
- details of any temporary traffic management that may be required to facilitate the development including Chapter traffic signs in accordance with Chapter 8 of the Traffic Signs and General Directions manual.
- details on how habitats and enhancements onsite will be managed during and post construction.

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

Reason: To ensure safe and neighbourly construction in the interests of amenity and road safety and to accord with the NPPF and TSP1 of the Arun Local Plan.

- 7 Prior to the commencement of development a detailed level survey of the site including existing and resulting ground levels and the slab levels of the dwellings the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy D DM1 of the Arun Local Plan.

- 8 No development, hereby approved, shall be occupied until provision for parking and turning of cars associated with the development has been provided in accordance with plans to be submitted to and approved by the Local Planning Authority after consultation with the County

Highway Authority. Provision should thereafter be maintained solely for the purpose of the parking and turning of vehicles clear of the highway.

Reason:- To ensure that adequate provision for the parking and turning of vehicles is provided for the development to accord with the NPPF and policy TSP1 of the Arun Local Plan.

- 9 No development shall be occupied until any disused crossovers and/or accesses no longer required as part of the development, have been permanently removed and reinstated in accordance with plans to be submitted to and approved by the Local Planning Authority for consultation with the County Highway Authority.

Reason: To ensure that any access points not required to serve the development are permanently removed to avoid risk of inappropriate re-opening in the future and also in the interests of road safety and to accord with the NPPF and policy TSP1 of the Arun Local Plan.

- 10 The development, hereby approved, shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority after consultation with the County Highway Authority to prevent surface water draining onto the public highway.

Reason - In the interests of road safety and to accord with the NPPF and policy TSP1 of the Arun Local Plan.

- 11 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 12 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 13 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners

from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 14 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 15 Before the development hereby permitted is commenced, details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management/maintenance, if appropriate) and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure adequate infrastructure is provided to enable the scheme to be satisfactorily drained in accordance with Policies D DM1, W DM1 and W SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the foul drainage system goes to the heart of the planning permission.

- 16 No development in any phase shall be carried out unless and until a schedule of materials and finishes to be used for that phase for external walls and roofs of the proposed buildings has been submitted to and approved by the Local Planning Authority. No development in any phase shall be carried out unless and until a 'statement of detail' for that phase has been submitted to and approved setting out details of proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The materials and 'statement of details' so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the use of satisfactory external materials goes to the heart of the planning permission.

- 17 Prior to the commencement of the development details of the following biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be in place prior to the occupation of the development and retained in perpetuity.

- Any trees removed should be replace at a ratio of 2:1
- Hedgerow retention
- Wildlife pond
- Wildflower meadow planting used
- Filling any gaps in tree lines or hedgerows with native species
- Bat tiles/bricks and bird boxes installed on the site
- Grassland areas managed to benefit reptiles.
- Log piles onsite
- Gaps are included at the bottom of the fences to allow movement of small mammals across the site
- Retention and protection of the scrub, hedgerow and tree habitat on the south and west boundaries of the site.

Reason: To promote biodiversity in accordance with the NPPF and policy ENV SP1 of the Arun Local Plan.

- 18 During the construction phase no machinery/vehicles or plant shall be operated on the site, no process shall be carried out and no deliveries taken at or despatched except between the hours of:

7.00 a.m. and 6.00 p.m. on Mondays to Fridays inclusive

8.00 a.m. and 1.00 p.m. on Saturday

Not at any time on Sundays or Public Holidays

Reason: In the interests of amenity in accordance with Policies D DM1 and QE DM1 of the Arun Local Plan.

- 19 The mitigation measures detailed in the Reptile Survey Report of October 2017 and Bat Emergence Reports of October 2017 shall be carried out in full.

Reason: To promote biodiversity in accordance with the NPPF and policy ENV SP1 of the Arun Local Plan.

- 20 No external lighting shall be installed on site (including street lighting) until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 21 Prior to the occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy

REPORT__864(055)

QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework.

- 22 Prior to the occupation of any part of the development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1

- 23 The landscape details referred to in Condition 1 shall include details of all existing trees and hedgerows on the land indicating which are to be retained and which removed. Development shall be carried out in accordance with the approved details. No hedge or tree shall be felled, uprooted or otherwise removed before, during or after the construction period except where removal is indicated on a plan approved by the local planning authority.

Reason: In the interest of amenity and the quality of the environment of the development in accordance with policies D DM1 and ENV DM4 of the Arun Local Plan.

- 24 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework). Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, in accordance with policy ECC SP2 of the Arun Local Plan.

- 25 In the event that contamination is found at any time during the carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All works must stop immediately and an investigation and risk assessment must be undertaken in accordance with the requirements of the local authority contaminated land officer. Where remediation is necessary, remediation scheme must be prepared in accordance with the local authority contaminated land officer guidance and which is subject to approval in writing of the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy QE DM4 of the Arun Local Plan.

- 26 The development shall be undertaken in accordance with the Evaluation and Recommendations as specified in the Habitat and Suitability Index and eDNA report submitted

by The Ecology Consultancy dated 12th June 2019.

Reason: In the interests of the ecology of the area and in accordance with ENV SP1 and ENV DM5 of the Arun Local Plan.

- 27 INFORMATIVE: 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 28 INFORMATIVE: As part of the approval of the reserved matters application, the applicant shall include details of security measures to the development layout and to buildings and boundary treatments in accordance with the consultation advice of Sussex Police available on the Councils website. The details to be submitted shall include siting, design and appearance of any measures as well as associated technical details.
- 29 INFORMATIVE: S59 Agreement - If deemed necessary, the applicant should contact West Sussex County Council Legal Services to obtain necessary information to enter into the Section 59 Agreement under the Highways Act 1980. This Agreement is would be required in the event that extraordinary traffic required to build the development is generated during the construction phase/s in order to provide a means of making good the public highway following the cessation of construction traffic and building work on the site. Full details of the process can be obtained from the Local Highways Manager WSCC.
- 30 INFORMATIVE: 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. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.
- Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.
- 31 INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.
- The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.
- .
- 32 INFORMATIVE: If during construction works, it becomes apparent that implementation cannot

be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.

- 33 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 34 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 35 INFORMATIVE: This application has been approved subject to a s106 legal agreement requiring infrastructure contributions.
- 36 INFORMATIVE: Current Ordnance Survey mapping shows ordinary watercourses on or directly adjacent to the site. Local or field boundary ditches, not shown on Ordnance Survey mapping, may exists around the site. If present these should be maintained and highlighted on future plans. Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development to aid access/maintenance.

Appendix 4: ADC Pre-Application Response (dated 17th September 2020)



Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Planning & Building Control General Enquiries
Tel: (01903) 737756 Fax: (01903) 730442
Dx: 57406 Littlehampton
Minicom: 01903 732765
e-mail: planning@arun.gov.uk
website: www.arun.gov.uk/planning

Chris Brake on behalf of Thakeham Client Limited
Thakeham House
Summers Place
Stane Street
Billingshurst
RH14 9GN

Date: 17th September 2020

Please ask for: Mr S Davis

Tel: 01903 737874

Your Ref:

Our Ref: PAA/89/20/

Dear Sir/Madam,

Pre-Application Advice

Demolition of Wings House and the erection of 81 no. replacement dwellings (80 net new dwellings), access arrangements, sustainable drainage measures, public open space, landscaping and all other associated works
Wings Nursery Lidsey Road Woodgate PO20 3SU

I write regarding the above matter and your enquiry received on 2nd September 2020.

DESCRIPTION OF PROPOSED DEVELOPMENT

From the details submitted, I understand that you propose to

..

DESCRIPTION OF SITE

..

DESCRIPTION OF LOCALITY

..

PLANNING ISSUES

The following issues have been identified for consideration:

Principle;
Design;
Neighbour Amenity;
Amenity Space Provision;
Bin Storage;
Affordable Housing;
Highways, Transport and Parking;

Sustainable Construction;
 Barnham Special Consultation Area/Drainage;
 Trees;
 Open Space Provision;
 Infrastructure Provision;
 Biodiversity;
 Sites of International Conservation Importance;
 Agricultural Land; and
 Other Considerations.

RELEVANT PLANNING HISTORY

AL/46/20/PL	Demolition of Wings House & the erection of 81 No. replacement dwellings (80 net new dwellings), access arrangements, sustainable drainage measures, public open space, landscaping & all other associated works. This application is a Departure from the Development Plan.	Withdrawn 02-09-20
AL/32/19/OUT	Outline application with some matters reserved for the erection of 55 No. dwellings, access arrangements, sustainable drainage measures, public open space, landscaping & all other associated works (resubmission following AL/115/17/OUT). This application is a Departure from the Development Plan.	App Cond with S106 03-10-19

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

Arun District Local Plan 2011-2031

<u>AHSP2</u>	AH SP2 Affordable Housing
<u>CSP1</u>	C SP1 Countryside
<u>DDM1</u>	D DM1 Aspects of form and design quality
<u>DDM2</u>	D DM2 Internal space standards
<u>DSP1</u>	D SP1 Design
<u>ECCSP1</u>	ECC SP1 Adapting to Climate Change
<u>ECCSP2</u>	ECC SP2 Energy and climate change mitigation
<u>ENVDM1</u>	ENV DM1 Designated Sites of Biodiversity or geographical imp
<u>ENVDM4</u>	ENV DM4 Protection of trees
<u>ENVDM5</u>	ENV DM5 Development and biodiversity
<u>ENVSP1</u>	ENV SP1 Natural Environment
<u>HDM1</u>	H DM1 Housing mix
<u>HERDM6</u>	HER DM6 Sites of Archaeological Interest
<u>HSP1</u>	HSP1 Housing allocation the housing requirement

<u>HWBSP1</u>	HWB SP1 Health and Wellbeing
<u>INFSP1</u>	INF SP1 Infrastructure provision and implementation
<u>LANDM1</u>	LAN DM1 Protection of landscape character
<u>OSRDM1</u>	Protection of open space,outdoor sport,comm& rec facilities
<u>QEDM1</u>	QE DM1 Noise Pollution
<u>QEDM2</u>	QE DM2 Light pollution
<u>QEDM3</u>	QE DM3 Air Pollution
<u>QEDM4</u>	QE DM4 Contaminated Land
<u>QESP1</u>	QE SP1 Quality of the Environment
<u>SDSP1</u>	SD SP1 Sustainable Development
<u>SDSP1A</u>	SD SP1a Strategic Approach
<u>SODM1</u>	SO DM1 Soils
<u>TDM1</u>	T DM1 Sustainable Travel and Public Rights of Way
<u>TSP1</u>	T SP1 Transport and Development
<u>WDM1</u>	W DM1 Water supply and quality
<u>WDM2</u>	W DM2 Flood Risk
<u>WDM3</u>	W DM3 Sustainable Urban Drainage Systems
<u>WMDM1</u>	WM DM1 Waste Management
<u>WSP1</u>	W SP1 Water

<u>Aldingbourne Neighbourhood Plan 2016 POLICY H1</u>	New housing or altering dwellings
<u>Aldingbourne Neighbourhood Plan 2016 POLICY H2</u>	Quality of Design
<u>Aldingbourne Neighbourhood Plan 2016 POLICY H3</u>	Range of house types
<u>Aldingbourne Neighbourhood Plan 2016 POLICY H4</u>	Housing Mix
<u>Aldingbourne Neighbourhood Plan 2016 POLICY H4</u>	Housing density
<u>Aldingbourne Neighbourhood Plan 2016 POLICY H8</u>	10 or more to include 40% unless unviable
<u>Aldingbourne Neighbourhood Plan 2016 POLICY H8</u>	Affordable Housing
<u>Aldingbourne Neighbourhood Plan 2016 POLICY H9</u>	Dwellings must have adequate private or shared amenity.
<u>Aldingbourne Neighbourhood Plan 2016 POLICY EH1</u>	Outdoor space
<u>Aldingbourne Neighbourhood Plan 2016 POLICY EH3</u>	Items to consider e.g. - bin stores
<u>Aldingbourne Neighbourhood Plan 2016 POLICY EH5</u>	Attention to detail
<u>Aldingbourne Neighbourhood Plan 2016 POLICY EH5</u>	Resist development outside
<u>Aldingbourne Neighbourhood Plan 2016 POLICY EH5</u>	Best and most versatile resisted unless...
<u>Aldingbourne Neighbourhood Plan 2016 POLICY EH5</u>	Development on Agricultural Land
<u>Aldingbourne Neighbourhood Plan 2016 POLICY EH5</u>	Development in Flood risk areas will not be supported unless...

<u>Aldingbourne Neighbourhood Plan 2016 POLICY EH6</u>	Surface Water Management
<u>Aldingbourne Neighbourhood Plan 2016 POLICY EH10</u>	Protection of trees and hedgerows
<u>Aldingbourne Neighbourhood Plan 2016 POLICY GA1</u>	Unlit village status
<u>Aldingbourne Neighbourhood Plan 2016 POLICY GA2</u>	Promoting Sustainable movement
<u>Aldingbourne Neighbourhood Plan 2016 POLICY GA3</u>	Footpath and cycle network
	Parking and new development

Planning Policy Guidance:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

Supplementary Guidance:

SPD11	Arun Parking Standards 2020
SPD12	Open Space, Playing Pitches & Indoor & Built Sports Facilities

PRINCIPLE

- Countryside Site in both Arun Local Plan (ALP) & Aldingbourne Neighbourhood Development Plan (ANDP);
- Sustainable Location;
- Policies have reduced weight due to 2.9-year HLS (& application of NPPF Presumption in Favour of Sustainable Development);
- Material that current extant Outline Permission for 55 dwellings;
- Also material that proposed ANDP Review allocates the site for 55 dwellings;
- Also that in latest HELAA for up to 60 dwellings;
- Would likely conclude in terms of Principle that the NPPF Presumption applies.

DESIGN

- ALP policies D DM1, D SP1, LAN DM1
- ANDP policies H1 (but proposed for deletion by ANDP Review), H3, H9
- National Design Guide
- Emerging Arun Design Guide
- NPPF

We have the following comments:

- It is unclear as to surveillance over the strip of land W of plots 30 & 49, of the land & pond in the SW corner or of the green area in the NE corner (N of plot 81). However, I note that you are willing to add extra windows to plots to overlook these areas;
- The parking is remote (not on plot) for plots 20-23, 50, 54-63 & 72. This will result in on-street parking. Noting your response, I offer the following:

= I acknowledge that plot 20 has parking underneath and that plot 21's parking is to its flank;

- = Plot 22 & 23's parking is still considered remote and likely to result in parking across the house frontage or within the two visitor spaces opposite;
- = Plot 50's parking is to the rear. This is fine as long as there is access to these spaces from their rear garden;
- = I acknowledge that plot 54 has parking on plot. However, the parking for plots 55-60 is all off plot and this may result in parking across the house frontage. Also plot 60 may park in the visitor space next to them rather than the allocated space underneath FOG 61;
- = I acknowledge that plot 61 has parking underneath, that plot 63 has on-plot parking;
- = Plot 62's parking is not right next to it but opposite and under FOG 61. This may result in people parking in not their allocated spaces or in one of the closer visitor spaces;
- = I agree that renumbering would fix some of the issues but that issues would remain;

- I maintain that parking courts should only be considered as a last resort and if they have to be provided then they should have a frontage and landscaping;
- The two blocks (plots 54-57 & 58-60) are too close together. You have agreed to separate these by an extra 1m;
- I am not sure if flint is appropriate to the setting. I acknowledge that the Parish requested flint however, I consider the character of this site to be defined by the existing buildings to the south, east and northeast which are predominantly brick, render and tiles. This is not considered to be a heritage area;
- There are no other examples of individual design features/detailing and overall, the houses appear quite plain and standard - please revisit this; and
- Chimneys should be included, particularly on the frontage. I acknowledge your willingness to provide chimneys on the road frontage but it would also be useful to include some within the site such as at a key viewpoints.

NEIGHBOUR AMENITY

- ALP policies D DM1, QE SP1
- Emerging Arun Design Guide
- NPPF

I have the following comments:

- Plots 40-42 & 71-72 look straight into adjacent rear gardens. I acknowledge your response regarding garden lengths, however as noted elsewhere not all gardens meet our required lengths (inc plot 42 at less than 10m) and I consider that such relationships could be avoided if a lesser number of dwellings/greater amount of open space was proposed across the site; and
- FOG 20 would appear to be only around 11m from the 2 storey neighbouring dwelling (Stockhearn House) to the south and this is not acceptable. Our standards in the emerging Arun Design Guide require 21m between rear elevations of facing dwellings. Although I acknowledge your comments about height and windows, we are unable to sanction such a significant shortfall in the standards and we need to ensure that the existing residential occupiers retain a decent standard of outlook & amenity. Therefore, FOG 20 should be moved away from this boundary.

AMENITY SPACE PROVISION

- ALP policy D DM1
- Emerging Arun Design Guide
- NPPF

I have the following comments:

- I am concerned over garden depths of plots 1 & 2, 57-60, 73 which are less than 9m so significantly below the 10.5m requirement as per emerging Arun Design Guide. There are others around the 10m mark. I acknowledge your comments about the weight to be attached to the Design Guide and the flexibility it offers. However, please note that the 10.5m depth requirement is also to ensure an

appropriate distance to facing properties. As such, shortened gardens may also be considered to not provide a good standard of privacy between neighbouring windows. Please therefore look into whether gardens can be increased throughout the layout;

- The two FF Flats (plots 26-29) should have balconies facing W or N as otherwise they have no private amenity space. We would accept your proposal to subdivide the rear gardens so all four maisonettes have a ground floor garden;
- It is unclear as to the garden for FOG's (plots 20 & 61). If treated as flats, then these should have a private patio area or balcony at the least. I acknowledge your proposal to provide ground floor amenity space.

Please note however that any increases in private amenity space should not erode the amount of POS across the site. It should be possible to meet the requirements for both private and public open space although this may have to be at the expense of the number of dwellings.

BIN STORAGE

ALP policy WM DM1 is relevant. Where bin stores are adjacent to the access road serving the development or across a parking area there will need to be a road up to full highway standards and an indemnity provided for the Council's contractors to pass across servicing. The access of this type provided must be accessible/passable for collection schedules i.e. no parking or other obstruction.

The maximum pulling distances allowed under Health and Safety legislation are 10 metres for 1100 litre bins and 50 meters for 240 litre bins.

It is recommended that if any communal provision is located near or adjacent to the highway, it is suitably enclosed and landscaped so that the maximum pulling distances and vehicle access requirements are complied with. You may also need to show a bin collection point (screened if on the main street) if any flatted buildings are proposed at or near the highway boundary. Please also note that refuse vehicle tracking must be for a 12m long vehicle.

The proposal is likely to be acceptable subject to compliance with the above.

AFFORDABLE HOUSING

Developments over 11 residential units require a minimum provision of 30% affordable housing on site as per ALP policy AH SP2. This would equate to at least 24 dwellings.

The Council's Strategic Housing Market Assessment (SHMA) sets out a recommended affordable housing mix by size as follows:

- 1 bed - 20%
- 2 bed - 40%
- 3 bed - 30%
- 4 bed - 10%

However, I would request that you discuss this with the Parish Council as their previous comments suggested that the Aldingbourne Community Land Trust wish to be involved and they may have a preference for the mix.

HIGHWAYS TRANSPORT AND PARKING

- ALP policies T SP1 & T DM1
- ANDP policies GA1 & GA3
- NPPF
- "Arun Parking Standards" SPD

WSCC Highways responded on 21/07/20 with a request for the following additional items/changes:

1. Tracking diagram for a refuse vehicle adjacent to plots 73 and 74;

2. Tracking diagrams for both a fire appliance and refuse vehicles in the areas highlighted in the 'internal layouts' section of their response;
3. Tracking for a selection of vehicles travelling north-bounds negotiating a stationary bus in the re-located bus stop north of the primary access;
4. Road Safety Audit Log;
5. Plan showing enlarged turning head adjacent to plot 81;
6. Updated Travel Plan with clear list of committed measures and penalties etc;
7. Internal layout alterations;
8. Revised tracking diagrams within the entire internal road for both refuse and fire and rescue vehicles following re-consideration of internal layout with travel/access distances for all marked-on;
9. Provision of a foot and cycle path in the north-eastern part of the site to/from the site and Lidsey Road;
10. The provision of a foot/cycle link from the end of the driveway adjacent to plots 1, 2 and 5 to the primary access road would assist with pedestrian and cycle movement from this part of the site; and
11. Provision of red boundary edging to include all on and off-site transport mitigation proposals.

In respect of parking provision, I previously advised that you needed 162 allocated + 16 visitor spaces and that your proposal complied with this.

SUSTAINABLE CONSTRUCTION

ALP policy ECC SP2 "Energy and Climate Change Mitigation" is relevant. Major developments are required to 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. Energy efficiency measures will be taken into consideration when the total predicted energy requirements are calculated. The Council will consider 'allowable solutions' where it is clearly demonstrated that the provision of on site renewable or low carbon energy generation is unviable or not feasible."

BARNHAM SPECIAL CONSULTATION AREA

- ALP policies W DM1 & W DM3
- ANDP policy EH5

The site falls in the Lidsey Wastewater Treatment Catchment Area. ALP policy W DM1 states that major development within this area must also be accompanied by a full Drainage Impact Assessment which must take account of surface water disposal and foul water disposal.

PROTECTED TREES

- ALP policy ENV DM4
- ANDP policy EH6
- NPPF

The Councils Tree Officer did not provide any comments at the application stage and also did not respond to AL/32/19/OUT. Nevertheless, we would consult the officer on any subsequent application submission.

OPEN SPACE PROVISION

- ALP policy OSR DM (2)
- "Open Space, Playing Pitches, Indoor and Built Sports Facilities" SPD

According to our SPD, 81 dwellings require 5,702m² POS and 980m² Play (consisting of 1 LAP & 1 LEAP). This must all be useable space and should not include any drainage features unless it is demonstrated that it will be useable for most of the year. It is also considered that some small green areas in the layout (which may or not be proposed as POS - not clear) are not likely to be considered as useable spaces due to their size/shape. These could however be retained as additional green space. You state that the layout provides around 2760m² of POS with the drainage area adding a further 744m² (3504m² total). You are also willing to include a LAP. You consider that 5702m² + 980m² is excessive and that additional open space is provided by private gardens. However, we

cannot take account of private gardens in the open space calculation and we would not be willing to agree to a significant deviation from the POS and play requirements.

INFRASTRUCTURE PROVISION

- ALP policy INF SP1
- Arun CIL

All contributions will be sought through CIL. Only Affordable Housing and any on-site mitigation (likely Open Space & play areas) can be achieved through s.106. Note that WSCC Highways had requested that certain highway improvement measures be included in the s.106 and we advised them that we cannot do so unless the mitigations are within the application red edge. In their response above they asked that the red edge be amended to include some of the proposed mitigations.

BIODIVERSITY

- ALP policy ENV DM5
- ANDP Policy EH6
- NPPF

Following changes to the Bat Survey Report to include a bat mitigation strategy and to confirm retention of Tree T15, the Councils ecologist was happy with application AL/46/20/PL. Please ensure the updated report is included with any resubmission.

SITE OF INTERNATIONAL IMPORTANCE FOR NATURE CONSERVATION

- ALP policy ENV DM1
- South Downs National Park Authority (SDNPA) Local Plan policy SD10
- NPPF

Please note that SDNPA policy SD10 is applicable as the site lies within the 12km buffer of the Singleton & Cocking Tunnels Special Area of Conservation. Policy SD10 advises that in the 12km buffer, significant impacts on bats or severance of flightlines should be considered. I recommend you carefully consider impacts on bats. We will consult with our Ecologist and the National Park Authority at application stage to determine compliance with these policies.

LOSS OF AGRICULTURAL LAND

- ALP policy SO DM1
- ANDP Policy EH3
- NPPF

Policy SO DM1 requires that you submit sustainability and options appraisals, mitigation measures and a soil resources plan for the development site. I did seek legal advice on this and in their view despite the previous approval, the principle of development needs to be considered afresh. Failure to provide the requested reports would mean that we would have to report conflict with the policies although the overall decision would likely conclude that the need to boost the HLS outweighs the loss of agricultural land. As a minimum though, you do need to provide a soil resources / mitigation plan to set out how the important soils are to be protected during construction and then retained/reused.

OTHER CONSIDERATIONS

INTERNAL SPACE STANDARDS

- ALP policy D DM3
- Emerging Arun Design Guide
- National Space Standards

Please ensure that the scheme is in accordance with the nationally described space standards.

CONSULTATIONS

Other than the consultations discussed in this letter, please ensure that you review all of those on our website for application AL/46/20/PL.

LANDSCAPE COMMENTS

Please see the response provided with application AL/46/20/PL and note in particular the stated requirement for 5702m² of POS and 980m² of play space (to consist of one LAP & one LEAP).

DRAINAGE ENGINEERS COMMENTS

Please see the response provided with application AL/46/20/PL.

ENVIRONMENTAL HEALTH COMMENTS

Please see the response provided with application AL/46/20/PL and note in particular the comments about air quality, contamination and noise.

CONCLUSION

Based on the above comments, I conclude that were an application for planning permission to be resubmitted submitted in its current form, it would be likely to be refused on the grounds of overdevelopment. We recommend that the proposals are fundamentally re-designed and come forward at a significantly reduced scale.

..

FOLLOW UP MEETING

If you require a further meeting (beyond that which we have already agreed to) to discuss this pre-application and advice, you will need to forward a written request together with a fee for £200 made payable to Arun District Council.

MAKING AN APPLICATION

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

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

Fully completed and signed Application Form with full description of the proposal;
Ownership Certificate and Agricultural Land Declaration;
Design and Access Statement to include a response to the National and Arun Design Guides;
Correct Fee;
Location Plan (1:1250); and
Other plans, drawings and information necessary to describe the development. Please include cross sections of any drainage features to show depth.

Please note that the Council has a Local Validation Requirements List for each type of application and you should refer to it before submitting your application. Failure to provide the required documentation will result in the application being treated as incomplete and delay the validation of the planning application.

Having looked though the Local Validation Requirements List, I would suggest that the following additional documents will be required:

CIL Additional Information Form;

Affordable Housing Statement;
Biodiversity Survey and Report;
Flood Risk Assessment;
Foul and Surface Water Drainage Statement;;
Land Contamination Assessment;
Tree Survey and Arboricultural Report;
Noise Statement;
Landscaping Strategy; and
Transport Assessment & Travel Plan.

In addition:

- Policy W DM3 requires that you submit a Drainage Impact Assessment though this could form part of the Foul/Surface Water Drainage Statements;
- Policy QE DM3 requires that you submit an assessment of the likely impacts of the development on air quality; and
- Policy SO DM1 requires that you submit sustainability and options appraisals, mitigation measures and a soil resources plan for the development site. As a minimum - a Soil Resources Mitigation Plan.

Finally, it would be very helpful if you could provide a Plot Information Schedule (to include no. of beds/no. of persons, internal space standards in m2, external garden depths in m). If you are able to, it would also be helpful to have materials and parking provision on this (but not essential). This will assist us in demonstrating compliance with certain other policies.

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

I trust this is of assistance to you.

Yours sincerely



Neil Crowther
Group Head of Planning

Appendix 5: Parish Council Meeting Minutes (12th January 2021)



ALDINGBOURNE PARISH COUNCIL

MINUTES of the Planning Meeting of the Aldingbourne Parish Council held on Tuesday 12th January 2021 at 7.00pm via Zoom under SO's Amendment Remote Meetings 2020

Members:

Cllr Sue Foote (C)	(P)	Cllr Michelle Harbord	(P)
Cllr Tom Blaylock	(P)	Cllr Elaine Sturgress	(P)
Cllr Ron Flitter	(P)	Cllr Mike Turner	(P)
Cllr Martin Beaton	(P)	Cllr Michael Warden	(P)

In attendance: Sue Simpson (Locum)(SS), Louise Shaw (Assistant Clerk)(LS)

Also present: 3 representatives from Pye Homes and 5 representatives from Southern Homes

538. Apologies for absence – None received
539. Declarations of Interest – None received
540. Public Participation - There were no members of the public that wished to speak
541. Confirmation of Minutes –
The Minutes of the Planning Committee meetings held on the 8th December 2020 had been duly approved and signed at the Full Council meeting held on the 5th January 2021. **Noted.**
542. Urgent items –
None for this meeting
543. Pye Homes presentation –
A pre-planning application by Pye Homes was presented to the council at 19.02pm

Presentation and questions session finished at 19.25pm

All representatives from Pye Homes left the meeting at 19.30pm

544. Southern Homes presentation-
A pre-planning application by Southern Homes was presented to the council at 19.30pm
Lidsey Road Presentation Notes
- Southern Housing Group (SHG) are a housing association which has almost 600 homes in Arun. SHG are working with Thakeham to deliver the site.
 - Site is in the south west of Woodgate. It was acquired by SHG in December 2019
 - The proposed application is for 71 homes, of which 22 will be S106 affordable homes, but the intention is to deliver the site as 100% affordable with a mix of rented and shared-ownership homes. There will be mix of 1-, 2-, and 3-bedroom houses, bungalows and flats
 - Since the previous application for 81 homes was withdrawn, formal pre-application advice has been sought from Arun District Council and the site layout amended accordingly. The current scheme also considers comments made by the Parish Council during the determination period of the withdrawn application

- The main changes between the withdrawn scheme and this proposed application are as follows; - Reduction in dwelling numbers from 81 to 71 - Significant increase in open space from 2,930 sqm on withdrawn scheme (which included LEAP and attenuation pond) to 5,857m2 excluding the attenuation pond - Inclusion of a LAP as well as LEAP - Amended design of house types in line with Officer feedback – inclusion of chimneys and additional elevation treatments to key plots - Increased garden depths to 10.5m widths – in line with the emerging Arun Design Guide - Relocation of parking spaces to reduce risk of indiscriminate parking - Uplifted house type detailing
- Allen Pyke presented details of the landscape strategy; - There will be c.5000 square metres of open space in total. The amount of play area exceeds the required provision. - There will be play areas for older and younger children, including toddlers. LAP will include natural play such (tree trunks, stepping stones and boulders) and LEAP will include more formal play equipment which could include swing, slide or climbing frame. - A fitness trail has been incorporated into the layout with footpaths providing connectivity around the site with 4x fitness stations - Existing mature trees on the site will be retained. The play area will predominantly use timber.
- Following questions, items for SHG/Thakeham to review options prior to submission of the planning application - Opportunities to provide inclusive play for all abilities. Whilst all paths and open space area will be accessible for all, play equipment options to be reviewed - Review location of south-east LAP/play area following concerns raised about risk of antisocial behavior - House type detailing: comments were received on windows, porch details and variety of elevational treatments - Confirmation of SHG's intentions to deliver the scheme as 100% affordable – the scheme forms part of SHG's Homes England programme. SHG to review its correspondence with Homes England and will look to share non-confidential 'evidence' of SHG's intentions to provide comfort to the Parish Council.

Presentation and questions session finished at 19.55pm

All representatives from Southern Homes left the meeting at 19.55pm

545. Potential lost rights of way-
Cllr TB had been looking into preserving footpaths within the parish. Cllr TB had put forward recommendations to progress. ***It was UNANIMOUSLY agreed that Cllr TB would progress and report back to council.***
546. Planning Applications:

Planning Permission for Works or Extension to a Dwelling

Application No:	AL/96/20/HH
Registered:	15th December 2020
Site Address:	10 Woodgate Close Woodgate Aldingbourne PO20 3TA
Grid Reference:	493931 104115
Description of Works:	FRONT FACING ROOF LIGHTS (LOWER ROOF LIGHT MEANS OF ESCAPE)

Decision : The Parish Council do not have any objections with this planning application, however the council would like a proviso that a condition is imposed to reflect the keeping within the village surroundings.

Prior Notification of Work to Tree(s) in a Conservation Area

Application No: AL/95/20/TC
Registered: 29th December 2020
Site Address: 28 Church Road Aldingbourne PO20 3TT
Grid Reference: 492291 105585
Description of Works: Silver Birch (T1) - Cut back extension limbs to 5m (N, S & E) and to 3m (W) to viable growth points. Finished height 8.5m.
Weeping Willow (T2) - Reduce crown back to previous pruning points by 3m.
Crack Willow (T3) - Re-pollard to 3m.

Noted for information only.

Application No: AL/79/20/OUT
Registered: 22nd October 2020
Site Address: Land to West of Hook Lane Hook Lane Westergate PO20 3TE
Grid Reference: 493364 104651
Category: Plan Application
Description of Works: Outline planning application with some matters reserved (Layout, Scale, Appearance and Landscaping are to be determined as reserved matters) for the construction of 10 No. dwellings & the creation of a new vehicular & pedestrian access on to Hook Lane. This application is a Departure from the Development Plan.

Decision: The Council objects to the planning application on the following grounds: *The Council has already submitted detailed objections to planning application AL/79/20/OUT on the 13 November 2020 (a copy of which is on the Council's planning portal). The Council continue to object to the application on the same grounds namely.*

1) The proposed development lies outside the Built-Up Area identified for Aldingbourne within the adopted Arun District Local Plan (LP) and the made Aldingbourne Neighbourhood Plan (NP) and, in the absence of any justification for the development outside the built-up area, would therefore be contrary to current Policies. Moreover, the NP is undergoing a Review wherein the Parish has identified other more suitable sites to meet its housing allocation that provide the much-needed affordable housing which the present proposal fails to secure. (Policies CSP1 and EH1)

2) The development would result in the loss of a valuable green space which contributes to the transition between the built-up area and the more rural character beyond - with the consequence that it would harm the character and appearance of the area.

3) The development lies with 12Km of the Cocking Tunnel SAC (European designation) and requires evidence to establish that the relevant species of bat are not affected. no evidence has been produced to determine that the development would not have a harmful impact on the protected species of bats.

The Parish Council has commissioned its own survey of bat species using the biodiversity corridors in the parish, including this area, and is advised that no development should take place within 50 m of the biodiversity corridor. This independent report is available on the evidence base for the NP.

Table 12 shows that the following bats were identified from audio recording during Transect 5 – Hook Lane B on 29 July 2020:

Barbastelle 2, Myotis sp. 2, Noctule 1, Common pipistrelle 106, Soprano pipistrelle 56, Brown long-eared 3, Total number of bat passes 170

The Parish Council does not support the Comments of Arun/Chichester's Environmental Officer. The Officer has not visited the site, seems unaware of the existence of the biodiversity corridors within the parish linking the South Downs NP and coast, as identified in the NP, and of their use by foraging and commuting bats, in particular Barbastelle Bats, which are among the rarest bats in the UK, and Noctule, which are among the rarer bats.

4)The development would materially increase vehicular movements along a narrow country lane (Hook Lane) where the traffic speeds and volume of traffic is already excessive. As a result, not only is the lane incapable of accommodating any further traffic but the increase would lead to conditions that would have serious implications for highway safety.

5)Contrary to the supporting information the site is not sustainable. There are no shop facilities at Woodgate. Occupiers of the proposed development would have to travel some distance to access shopping and other commercial facilities and, thus, the proposal does not constitute a sustainable form of development and, so, be contrary to local and national policies seeking to ensure that development proposal meet suitability objectives.

6) The development would be located within an area where the existing drainage is wholly incapable of supporting the proposed number of dwellings. The Parish Council objects to the SUDS scheme releasing water into local watercourses which forms part of the biodiversity corridor A previous development in this area 2 years ago resulted in water being pumped into local watercourses during construction, which flooded the school playing field, rendering it unusable.

7)The Council request that housing applications should only be submitted as full applications to enable the Council to ensure that it is able to fully assess their impact on the Parish.

In addition to the above the Council would wish to add the following objection to be registered:

8) The Parish Council disputes the statement that there would be a net gain to biodiversity resulting from this development. Given that only a Phase I Survey has been undertaken, there is no firm evidence available to support such a supposition. No decision on this issue should be carried out until further detailed investigations and firm supporting evidence is received to enable the District Council to make a properly informed decision.

Planning Decisions

Application No: AL/82/20/PL
Site Address: Orchard End Denmans Lane Fontwell PO20 3SD
Grid Reference: 494366 106510
Category: Plan Applicat'n
Description of Works: Variation of condition 2-plans condition following AL/92/19/HH. This site is in CIL Zone 3 (Zero Rated) as no increase in floor area.
Decision: **Permitted**

Application No: AL/73/20/HH
Site Address: St Helier Hook Lane Aldingbourne PO20 3TE
Grid Reference: 493427 104729
Category: Householder
Description of Works: Replace existing garage with residential annexe after AL/1/20/HH allowing conversion and refurbishment of existing garage for sleeping accommodation.
Decision: **Permitted**

With no further business the Chairman closed the meeting at 20.19pm

Signed:.....

Dated:.....

Appendix 6:

Appeal Decision (Reference: APP/C3810/W/19/3236911 dated 12th February 2020)

Appeal Decision

Hearing Held on 15 January 2020

Site visit made on 15 January 2020

by R J Jackson BA MPhil DMS MRTPI MCMi

an Inspector appointed by the Secretary of State

Decision date: 12 February 2020

Appeal Ref: APP/C3810/W/19/3236911

Land adjacent to Bonhams and Flints, Hoe Lane, Flansham PO22 8NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Edward Van der Wee, Pallant Homes Ltd against the decision of Arun District Council.
 - The application Ref Y/20/18/OUT, dated 16 March 2018, was refused by notice dated 11 March 2019.
 - The development proposed is development of the site by the erection of 10 dwellings with access from Hoe Lane, Flansham.
-

Decision

1. The appeal is dismissed.

Application for costs

2. At the Hearing an application for costs was made by Mr Edward Van der Wee, Pallant Homes Ltd against Arun District Council. This application is the subject of a separate Decision.

Procedural matters

3. The appeal application was made in outline with all matters reserved except for access. As well as a location plan and an access arrangement drawing forming part of the application the application was also accompanied by an illustrative layout and vehicle 'tracking' drawings. I have considered the appeal and these illustrative drawings on a similar basis.
4. Before determining the application, a Planning Obligation by Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) was completed on 28 February 2019. This provides for contributions to education and the provision and maintenance of on-site public open space including a Local Area of Play. I will discuss these matters below.

Main Issues

5. The main issues are:
 - the effect on the character and appearance of the area;
 - the effect on non-designated heritage assets; and

- whether there are any other material considerations, including the housing land supply position and the benefits of the proposal, which would mean that the proposal should be determined otherwise than in accordance with the development plan.

Reasons

Character and appearance

6. The appeal site represents an area of open land immediately to the north of part of the A259 Bognor Regis Relief Road (the BRRR). It lies to the south and west of Hoe Lane, which is a cul-de-sac off a roundabout on the BRRR that provides access to the hamlet of Flansham. To the south of the BRRR is recent and extensive residential development at Felpham.
7. Flansham consists of 55 dwellings including what were two farms. Some of the farm buildings have been converted to dwellings and commercial units. A third farm, Rookery Farm, lies a short distance to the east of the main area. From the evidence and oral discussions at the Hearing it is clear that the hamlet of Flansham grew up around the two historic farmsteads with linear development along Hoe Lane in more recent times including in the twentieth century. Properties have been and continue to be extended.
8. There is currently an access to the appeal site off Hoe Lane a short distance from the BRRR roundabout. As well as providing access to the appeal site it also provides access to two dwellings, Bonhams and Flints. The access diverges a short distance into the site to Bonhams, but that to Flints crosses the northern part of the appeal site to that property which is located outside and to the northwest of the appeal site.
9. To the west of the appeal site is a public footpath. From Hoe Lane this passes between Bonhams and Flints and Jem House further to the west in its own corridor. Beyond this the footpath crosses a field before joining a tarmacked way with a crossing of the BRRR.
10. To the south of the appeal site and to the north of the BRRR is a strip of land. From the BRRR moving north there is a linear earthen mound or 'bund' which has a fence on top and has been planted across its whole extent. Beyond this are two consecutive linear ditches. To the southwest of the appeal site there is a short section of tarmac which I was advised allows for maintenance access to the ditches. There is no barrier at the western end and it is clear that informal access has been made between the ditches and the bund, although there is no egress at the eastern end. However, there is a barred gate at that eastern end which can be climbed. There is a similar bund on the southern side of the BRRR.
11. My overall impression, as the appellant accepted, is that the bunds provide a visual screen and barrier between the hamlet of Flansham and the main settlement of Felpham. However, there is a visual connection from outside the appeal site on Hoe Lane towards the built development at Felpham as the recent development there could be seen across the roundabout, and it was also possible to see roofs of properties to the south of the BRRR from this point. As the vegetation on the bunds matures the roofs of properties to the south of the BRRR will become less prominent.

12. The appeal site lies outside any built up area as shown on the policies map of the Arun Local Plan 2011 – 2031 (the ALP) which was adopted in July 2018. Policy C SP1 of the ALP indicates that outside Built-up Area Boundaries (BUABs) land will be defined as countryside and will be recognised for its intrinsic character and beauty. This policy also sets out the categories of development which will be permitted in the countryside but this does not include residential development of the type here proposed.
13. The appeal site lies in the parish of Yapton and is subject to the Yapton Neighbourhood Plan (the YNP) which was made in November 2014. Policy BB1 of the YNP states that development outside of the BUAB will not be permitted unless it is in accordance with one of four criteria. The third of these is where the development relates to additional allocations for housing land in accordance with Policy H1 of that plan. Policy H1 provides for allocations under Policies SA1 and SA2 of the YNP and for infill development within the built up area. The proposal does not comply with these categories. Policy H1 also permits additional allocations if the (then) emerging ALP requires such action or the identified sites do not proceed.
14. For reasons set out below, it is necessary to examine the degree of harm to the character and appearance of the area. It is therefore appropriate to consider the illustrative layout. All parties agree and accept that this is illustrative and the appellant indicated that alternative layouts based on a farmstead layout and typology may be used. However, whatever layout and design were to be proposed, the buildings, along with the associated private gardens and circulation space, would cover a considerable portion of the site.
15. The Council was concerned that this would be out of keeping with the character of Flansham, made up of farmstead developments and linear development along Hoe Lane. Because the developed area of the site would be in depth it would not follow the linear pattern of development along Hoe Lane. If designed as a farmstead this would better reflect the more in-depth development of the two farmsteads, but I am not satisfied that the number and extensive nature of the proposed ten dwellings would necessarily be able to be delivered in a farmstead typology characteristic and forming part of Flansham; as the application form makes it clear that the proposal is for two 3-bedroom and eight 4-bedroom or more dwellings. Rather, I consider it would be viewed as a separate enclave of development made up of the proposal and Flints.
16. Local residents were also concerned that the proposal would have the effect of linking Flansham and Felpham. Currently travelling along this section of the BRRR there is a difference between the developed urban Felpham to the south and the distinctly more rural Flansham to the north. The BRRR and bunds on either side clearly mark in linear terms this change in character. Apart from along the section of Hoe Lane closest to the roundabout there is little visual linkage between the two settlements at present.
17. However, if the appeal site were to be developed it would be inevitable that there would be visual linkages across the BRRR as there was no suggestion that the site would be only developed in single storey form. While the vegetation on the bunds would help screen the development on the appeal site to some extent the development of the site would significantly and demonstrably harmfully change the difference in characters between the two settlements. There would be the linking of the two settlements significantly and

demonstrably harmful to the character of Flansham as a separate hamlet. Restricting the development to single storey form would be out of character with the nature of development in Flansham which consists principally of houses and converted farm buildings.

18. As noted above, there is a footpath to the west of the appeal site. From the section running through the field, currently the appeal site is partially screened by what appeared to be brambles and some other intermittent vegetation, including some trees protected by a Tree Preservation Order. Whatever the layout on the appeal site the proposal would be seen from this section of footpath and it would remove the sense of leaving Flansham in walking south out of the corridor, past Flints, through the countryside in the field and arriving at the BRRR and the development at Felpham, and vice versa in walking north.
19. The appellant made the point that the site has been identified as “deliverable” in the Council’s Housing and Economic Land Availability Assessment (the HELAA). This noted that the site was considered suitable in principle for future housing potential because of accessibility to facilities, job opportunities and public transport and because there are no insurmountable constraints. This showed a total yield of 39 dwellings, which would result in a more intensive form of development than the appeal proposal.
20. However, as the national Planning Practice Guidance (the PPG) makes clear¹ “the assessment does not in itself determine whether a site should be allocated for development. It is the role of the assessment to provide information on the range of sites which are available to meet the local authority’s ... requirements, but it is for the development plan itself to determine which of those sites are the most suitable to meet those requirements”. It is therefore clear that the HELAA relates predominantly to the plan making process rather than decision making and I therefore give the HELAA assessment little weight in the determination of this appeal.
21. The Council has referred to a number of other development plan policies where it considers there would be conflict. Policy D DM1 of the ALP deals with aspects of form and design quality which predominantly would be material at any reserved matters stage. However, it does indicate that regard should be had to character by making the best possible use of the available land by reflecting or improving the character of the site and the surrounding area. Insofar as it is material at this outline stage the proposal would be contrary to this policy for the reasons explored above.
22. Policy D SP1 of the ALP relates to design and again would be mostly material to any application for approval of reserved matters. However, the policy also requires that development should reflect the characteristics of the site and local layout in relation to various characteristics. In similar way the proposal would be contrary to this policy.
23. Policy QE DM2 deals with light pollution to ensure that development results in no adverse impact on the wider landscape. Given that the BRRR is lit in this vicinity I am satisfied that a condition could be imposed to ensure that any lighting scheme did not result in any such adverse impact. Consequently, there would be compliance with this policy and compliance with paragraph 170 of the National Planning Policy Framework (the Framework) relating to light pollution.

¹ Reference ID: 3-001-20190722

24. By providing for residential development the proposals would be contrary to the terms of Policies C SP1, D SP1 and D DM1 of the ALP and Policy BB1 of the YNP. It would significantly and demonstrably harmfully change the existing character of the appeal site turning it into an urban area, linking Felpham and Flansham and would not satisfactorily recognise and respond to the intrinsic character of the countryside. It would therefore be contrary to paragraph 170 of the Framework which indicates that planning decisions should recognise the intrinsic character and beauty of the countryside.

Historic environment

25. The Council considered that the appeal proposal would harmfully affect two non-designated heritage assets, Bonhams and the hamlet of Flansham itself. Neither of these are identified in any document as being such an asset, and there was a dispute over whether they should be considered as non-designated heritage assets.
26. The PPG indicates² that it is important that all non-designated heritage assets are clearly identified as such. This includes information on the criteria used to select non-designated heritage assets and information about the location of existing assets. The PPG continues that local planning authorities may also identify non-designated heritage assets as part of the decision-making process on planning applications, for example, following archaeological investigations.
27. Bonhams was previously a listed building but was delisted in 2013 as it had been remodelled and much altered so that its architectural interest had been eroded. It must be remembered that the delisting relates to its national architectural and historic interest rather than any local interest. At the hearing the Council explained that while it did have a local list this has not been updated since 2005. The significance of Bonhams derives from its original date (seventeenth and eighteenth centuries, although remodelled in the 1930s and presumably after the building was originally listed) and the origins of the building in relation to the hamlet of Flansham. As the delisting of Bonhams post-dates the adoption of the local list it seems to me to be reasonable to consider Bonhams as a non-designated heritage asset as the reasons for its delisting do not detract from its local significance.
28. A representative of the Flansham Residents Association explained that it had been in contact with the Council to seek to have the hamlet designated as a Conservation Area and that discussions were positive. However, no decisions had been made as to whether it would meet the criteria for such an area set out in section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), or the extent of such an area. It was not clear as to whether any Conservation Area would include the appeal site or, if not, what proximity it might have to the appeal site so a judgement could be formed as to whether development of the appeal site may affect the setting of any Conservation Area and, if so, to what extent.
29. The appellant referred to Policy HER DM4 of the ALP which deals with Areas of Character on the basis that these could be considered to be as some sort of precursor to Conservation Areas. Flansham is not an Area of Character as identified on the policies map. It seems to me that the criteria for identification

² Reference ID: 18a-040-20190723

of an Area of Character are somewhat different to those for designation as a Conservation Area. Consequently, I do not find this material.

30. As the PPG states³ plan-making bodies should make clear and provide up to date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers. In this regard I was not directed to any information in the public domain that Flansham is being considered as a Conservation Area. Consequently, particularly as the extent of any area which may be of special architectural or historic interest has not been made clear by the Council or local residents and the early stage in the process towards possible designation, I do not consider that it is appropriate to consider the hamlet of Flansham as a non-designated heritage asset at this time.
31. Turning next to the effect of the proposal on Bonhams as a non-designated heritage asset, the parties agreed that any effects would only be on its setting. Bonhams is set in the northern part of its site with extensive grounds to the east and south. The appellant sought to show that the grounds around Bonhams had expanded over the years, but it seems to me that the current formal area surrounded by the tree belt and fencing forms its curtilage and the setting would be outside this area and thus would include the appeal site.
32. The setting of a heritage asset is the area in which it is experienced. As the PPG indicates⁴ the extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. It continues "although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places".
33. In this case, depending on the precise disposition of any buildings, upper storeys and roofs of the proposed development would be able to be seen over the boundary fence and through the canopies of the trees. This would be greater in winter when the leaves have fallen. No historic relationship between the appeal site and Bonhams has been demonstrated, and normal residential use of the appeal site would have negligible effect in terms of other environmental factors. While there would be some harm to the setting of Bonhams and thus its significance as a non-designated heritage asset from the visual effect of the proposal and other environmental factors this would be very limited and at the lower end of less than substantial harm.
34. As paragraph 193 of the Framework makes clear, great weight should be given to the heritage asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 197 goes on to indicate that the effect of an application on a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of the any harm or loss and the significance of the asset. I will consider this further in the planning balance below.

³ Reference ID: 18a-040-20190723

⁴ Reference ID: 18a-013-20190723

35. Policy HER DM2 of the ALP deals with locally listed buildings or structures of character. While this sets out criteria for determining whether a building should be considered locally listed it is for the Council to determine whether a building or structure should fall on that local list. Unless and until it does through a formal decision it cannot be considered to be on that local list. Consequently, the remainder of the policy which deals with the assessment of applications which relate to Locally Listed Buildings or Structures of Character cannot be applicable.
36. However, Policy HER SP1 of the ALP does state that non-designated heritage assets and their settings will need to be conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment and that development likely to prejudice this, including settings, will be refused. In this regard the proposal would be contrary to this policy.

Housing Land Supply

37. The Council has confirmed that it cannot demonstrate a five year supply of land for housing (5YHLS). However, there is a dispute between the main parties as to the extent of that shortfall with the Council believing it can demonstrate 3.7 years supply but the appellant only 2.8 years supply. As the difference between these two figures would be material in assessing the final planning balance it is necessary to explore this further.
38. The Council published its latest Annual Monitoring Report in December 2019 and it was agreed that the base date for the consideration should be 1 April 2019. There was also agreement as to the number of dwellings that had been completed since the base date of 1 April 2011, and that the buffer to be utilised in accordance with paragraph 73 of the Framework should be 20%. There was agreement as to certain elements of the supply side of the equation relating to commitments on small sites, windfalls, Neighbourhood Plan allocations and deliverable HELAA sites within Built-up Area boundaries. I have no reason to dispute these agreements.
39. The differences between the parties related to the quantum of housing to be delivered in the period 2016/17 to 2020/21 and the extent to which some commitments on large sites and strategic site allocations can be considered to be deliverable utilising the definition in the Glossary to the Framework.
40. Policy H SP1 of the ALP sets out the housing requirement for the plan period of 2011 to 2031. As the ALP was recently adopted there is no need to go outside the plan for the housing requirement figure. This indicates that during this period at least 20,000 new homes will be delivered. However, this is phased over four periods, 2011/12 to 2015/16, 2016/17 to 2020/21, 2021/22 to 2025/26, and 2026/27 to 2030/31, with each period having a different requirement per annum for that period.
41. As originally adopted by the Council in July 2018 the Local Plan indicated that 930 dwellings per annum (dpa) were required for the period 2016/17 to 2020/21⁵. However, as noted on the Council's website "Since the Local Plan Adoption date, a minor error was identified in Policy H SP1 'The Housing Requirement' for the Dwellings per annum for the 5 year period 2016/17-2020/21. This states 930 but should be 1,120. This amendment has been made

⁵ There was also a typographic error in that the last year of the period was given as "2021/2021".

- as a factual change which does not materially affect the policies in accordance with section 23 (2) (b) of the Planning and Compulsory Purchase Act 2004 and under delegated authority in accordance with the Council's resolution in adopting the plan".
42. The latest published version of the ALP provided to me at the Hearing shows that for the period 2016/17-2020/21 1,120 dpa are required. Notwithstanding this, the Council noted that the graph showing "Net Actual Completions and projected completions" and the "Annualised Requirement" at Picture 12.1 of the ALP shows for the period 2016/17-2020/21 an annualised requirement of 930 dwellings.
43. The Council sought to maintain that the 930 dpa was, in fact, correct. It sought to justify this by referring to documentation provided to the Local Plan Examination in the 'Housing Implementation Strategy (March 2017)' and 'Update to Publication Plan and Housing Implementation Strategy – Housing Land Supply tables and charts updated with 2017 data (September 2017)'. It also noted a difference between the whole plan target, 20,000 dwellings, and the individual delivery figures and that if all the net actual and projected completions shown in Picture 12.1 are added together then this would total 20,768 dwellings.
44. It seems to me that once adopted a Local Plan should be capable of being read without reference to extrinsic material, but if there is an ambiguity then it may be possible, if necessary, to look at external evidence to resolve that ambiguity. I do accept that there is an ambiguity between the annualised requirements for the period 2016/17 and 2020/21 set out in Policy H SP1 and that shown in Picture 12.1, but I am of the view that the correct figure should be 1,120 dpa.
45. I have come to this conclusion for the following reasons. Firstly, if there is an ambiguity between the text of an adopted policy and its explanatory text then it should be resolved in favour of the adopted policy as the supporting text cannot add to policy. Secondly, if each of the totals for the four periods are added together, which includes the five years 2016/17 to 2020/21 at 1,120 dpa, then they total 20,000; if these five years were at 930 dpa this would only total 19,050. Thirdly, it is clear that the overall housing requirement is "at least 20,000 new homes". This is reinforced by the 20,768 dwellings total of completions in Picture 12.1 showing, as the Council phrased it, "wriggle room". I therefore conclude that there is no need to refer to external evidence to resolve the ambiguity within the plan itself.
46. The next dispute relates to the commitments figure for larger sites. The difference between the parties, of 92 dwellings⁶, relating to those sites where planning permission has been granted since 1 April 2019; the appellant taking the view that permissions granted after that date should not be included. It seems to me that a base date for the calculation should be just that and planning permissions granted after that date should not be included for the purposes of the calculation. However, that being the case, those sites should be considered as part of the steps that the Council is taking to reduce the deficit and included in the final conclusion.

⁶ A total of 102 dwellings have been granted planning permission, but this has been discounted by 10% for a 'lapse' rate. This was agreed by both main parties.

47. Finally, there is a dispute as to whether dwellings from four Strategic Allocation sites should be considered to be deliverable. It was agreed that to be shown to be deliverable they needed to fall within sub-paragraph b) of the definition of "deliverable" in the Glossary in the Framework. This states: "where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years".
48. In all cases the Council were of the view that, following discussions with the relevant developers, landowners and site promoters, there is a reasonable prospect that the sites will be available and could viably be developed at the point envisaged. However, this view was not supported by any evidence, for example agreed notes of meetings, exchanges of emails, or the like. Consequently, in my view, there was nothing in front of the Hearing to represent evidence that housing completions will begin within five years on the sites in question. I therefore conclude on the evidence in front of me that none of these sites can be considered to be deliverable.
49. That being the case I conclude in the main that the appellant's estimate of the extent of the 5YHLS that could be demonstrated was broadly correct, although this should be tempered by including consideration of the 92 dwellings that have subsequently been granted planning permission. This would have the effect of adding approximately 0.1 years supply. This would mean that the Council was able to demonstrate a supply of approximately 2.9 years.
50. Having identified the extent of the shortfall in land supply, it is next necessary to look at any other considerations which will affect the weight to be given to that shortfall. The first matter to be considered is how long the deficit is likely to persist. Even if the shortfall had been only to the extent postulated by the Council, the Council was unable to give a date by when it believed that the shortfall would be resolved. As I have concluded that the position is in fact less good than that, I therefore can only conclude that the shortfall is likely to continue for a considerable period.
51. The December 2019 Annual Monitoring Report was not the first time that the Council considered it could not deliver a 5YHLS having previously identified a deficiency in the 2018 Annual Monitoring Report which was published in June 2019. It has therefore published an Action Plan in line with paragraph 75 of the Framework. This has identified a number of actions to try to boost housing delivery. As this has only been in place for a short period of time it is not yet possible to know how effective this will be.
52. Finally, it must be acknowledged that this proposal would only bring forward 10 new dwellings which is only a small percentage of the shortfall. This is not to decry this contribution, since as paragraph 68 of the Framework states, small and medium size sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

Benefits

53. The appellant identified various benefits of the development under the headings of economic, social and environmental in line with the three objectives set out in paragraph 8 of the Framework. At the Hearing there was

discussions about the weight should be given to the respective components, although, clearly, they are mutually supportive.

54. The appellant, as a medium sized builder, emphasised the economic benefits of the construction period including allowing for a linear build programme for the company. I do take this into account, but as the effects of this development would only be temporary while construction is taking place, I give them moderate weight. I do, however, give significant weight to the local expenditure which would flow from the long-term occupation of the dwellings.
55. The appellant also emphasised the benefits of the New Homes Bonus and Council Tax, with the view that the latter would more than provide for the local government services associated from the occupation due to their size and thus Council Tax Band. The PPG makes it clear⁷ that whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. The PPG also makes clear it would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body.
56. As there was no evidence in front of me in which the scheme would be made to be more acceptable by the New Homes Bonus, I give this contribution only limited additional beneficial weight as it would be a general benefit rather than relating to the specific proposal. Any revenue received above the costs associated with Council Tax taken in the round would be minimal and for the reasons given above I give this no additional weight.
57. The Council sought to show that there would be adverse economic effects associated with the development, particularly the loss of Grade 1 agricultural land, the effect on childminders walking children along Hoe Lane, on the Flansham Business Centre and to farm traffic from additional traffic on Hoe Lane. I will discuss the highway implications below but I consider that due to the numbers of proposed dwellings and the proximity to the roundabout that the detrimental economic effects of additional traffic would be very limited. It has not been demonstrated that the loss of this quantum of the best and most versatile agricultural land would have a significant effect on local farming enterprises and consequently I give this very limited weight.
58. From a social perspective, the addition of ten dwellings should be given significant weight. However, I give the provision of the additional public open space and Local Area of Play only very limited weight due to its small size, that it would be principally used by those living on the site, and it has not been demonstrated that this would be provided to resolve any existing shortfall of provision in the area.
59. It has been demonstrated that the site is well located in relation to various facilities which means that the site would be accessible and could be accessed by a range of transport modes. I give this benefit moderate weight. I give the environmental enhancements from additional landscaping very limited weight as these relate predominantly to private gardens and cannot reasonably be secured for the long term.

⁷ Reference ID: 21b-011-20140612

Other matters

60. As noted above a Planning Obligation has been completed that would make contributions towards education, primary, secondary and sixth form, and the provision and maintenance of public open space and a Local Area of Play. In each case I am satisfied that the Obligation meets the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and complies with the tests set out in paragraph 56 of the Framework. Because they are to ensure that effects of the development are mitigated I consider them to be neutral in the final balance.
61. Local residents were concerned about the effect of the development on highway safety, noting that Hoe Lane is of limited width particularly close to the roundabout and does not have any footways along the majority of its length. I note that the Highway Authority has no objection to the proposal subject to conditions. I am satisfied that the proposal would provide for safe and secure access to the site for all users. While the proposal would result in an increase in the number of dwellings in Flansham by approximately 20%, in numerical terms the increase in traffic would not be great or result in severe residual cumulative impacts; this is the test set out in paragraph 109 of the Framework if development is to be prevented. The vast majority of traffic would exit to the BRRR and therefore would have very little effect on those using Hoe Lane further to the northwest.
62. Concerns were also expressed about drainage in the local area and the effects of development on the local surface water drainage network known as Rifles. The Local Lead Flood Authority confirms that the area is at high risk from groundwater flooding. However, that Authority confirms that, subject to conditions, it has no objections to the proposal. Similarly, the Council's Drainage Engineer has also no objections subject to conditions. While not in any way downplaying the concerns of the local residents, I am satisfied that subject to appropriate conditions, including to ensure that surface water drainage discharge was at no greater than greenfield run-off rates, that satisfactory arrangements could be put in place to ensure that there was no increased risk of flooding either on or off site.
63. These arrangements would also ensure that there was no increase in discharge of surface water to the foul sewers to ensure that existing issues were not made worse. Other foul drainage concerns can be resolved by other legislation.

Planning Balance

64. The appeal proposal is contrary to the terms of the development plan taken as a whole in that it would represent additional residential development in a countryside area. The determination should be in accordance with the plan unless other material considerations indicate otherwise.
65. Paragraph 11 of the Framework indicates that decisions should apply a presumption in favour of sustainable development. For decision making, paragraph 11 d) states that when the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in the Framework relating to various areas or assets set out in footnote 6 applies, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed

against the policies in the Framework as a whole. None of the areas or assets set out in footnote 6 would be affected by the proposal.

66. In this case the most important policies for determining the proposal, that is Policies C SP1, D SP1, D DM1 and HER SP1 of the ALP and Policy BB 1 of the YNP, should be considered out-of-date as, in accordance with footnote 7 of the Framework, the Council cannot demonstrate a 5YHLS with the appropriate buffer. The shortfall in the land supply is very significant and is likely to continue for a considerable period. This should be given very significant weight.
67. The proposal would result in less than substantial harm to a non-designated heritage asset. However, even giving great weight to the conservation of this asset in line with paragraph 193 of the Framework, the benefits of the proposal more than outweigh this harm given the scale of the harm and the importance of the asset.
68. I have taken into account the benefits of the development as discussed above, and the Government's objective of significantly boosting the supply of homes, but have concluded that the significant and demonstrable harm to the character of Flansham by the change of the existing rural character of the appeal site to an urban area linking Felpham and Flansham is such that the proposal would not represent sustainable development and the appeal should be dismissed.

Conclusion

69. For the reasons given above I conclude that the appeal should be dismissed.

RJ Jackson

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Gareth Giles	Whaleback Ltd
Richard Dollamore	Whaleback Ltd
Edward Van der Wee	Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Simon Davis	Arun District Council
Martin White	Arun District Council
Kevin Owen	Arun District Council

INTERESTED PERSONS:

Andrew Burns	Chairman, Flansham Residents Association
Stewart Wright	Local Resident and member, Flansham Residents Association
Olivia Wright	Local Resident
Rupert Longmead	Local Resident
Hugh Coster	Councillor, Arun District Council

HEARING DOCUMENTS

HD1	Report and drawings into recent application at Fieldings, Hoe Lane
HD2	List of recent decisions at Flansham
HD3	Extract from Arun District Council website relating to housing numbers
HD4	Arun Local Plan – Housing Implementation Strategy (March 2017)
HD5	Arun Local Plan – Update to Publication Plan and Housing Implementation Strategy – Housing Land Supply tables and charts updated with 2017 data (September 2017)