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Planning, Design & Access Statement

Proposed Replacement B1 Commercial Development

The Woodgate Centre Westergate West Sussex

Planning & Property Consultants Ltd

Chartered Town Planners

on behalf of



Builtform Developments Limited



Introduction

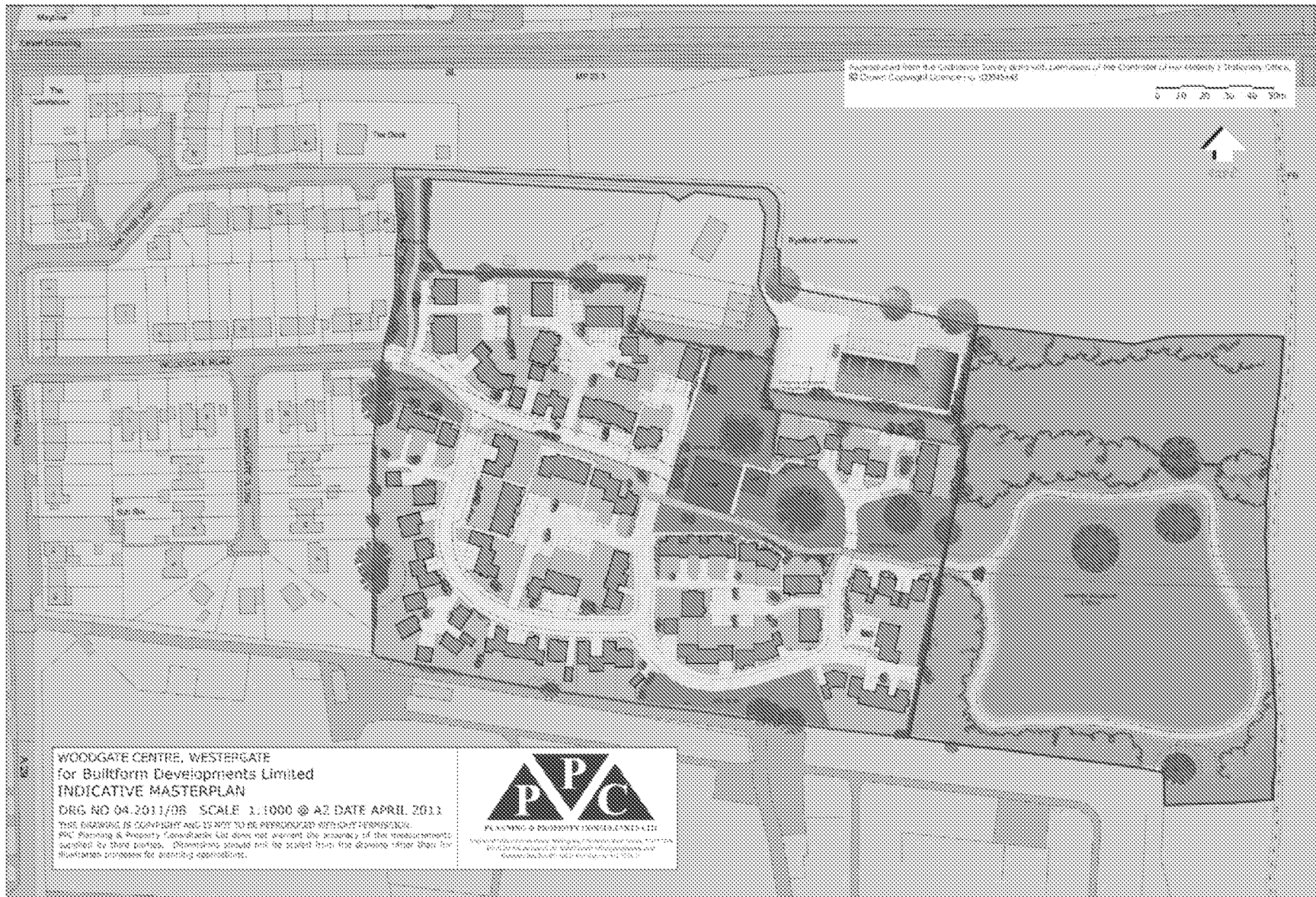
This is an outline application for the demolition and replacement of some 1,703 sq metres of assorted residential, stabling and B1 Business use buildings at The Woodgate Centre with a single Commercial building comprising 940 sq metres of purpose designed B1 floorspace together with associated amenity space to the rear and a service yard for lorries and parking for 40 vehicles.

The application is in outline form with the means of access and the maximum floorspace proposed to be formally considered at this stage with layout, scale, appearance and landscaping being matters to be reserved for later approval in the event that outline planning permission is granted but indicative information has been provided in order to demonstrate how the site could accommodate the development proposed in a satisfactory manner in accordance with T&CP (GPDO) (England) Order 2006.

Vehicular access to the proposed development is to be via the existing unmade access road to the site from Oak Tree Lane.

The development proposals have been designed and prepared by PPC Planning & Property Consultants Ltd (Chartered Town Planners) in the light of independent Technical reports prepared by Specialist Consultants RGP Transport Planners, Ahern Ecology, CBA Trees, Archibald Shaw and Sue Harris Bat Surveys.

The application is made on behalf of Builtform developments limited who have also submitted a contemporaneous (but separate) application for the development of the other land associated with the centre with up to 100 dwellings and the manner in which the two schemes are intended to complement each other is indicated on the indicative Masterplan overleaf.



Site Context & Character

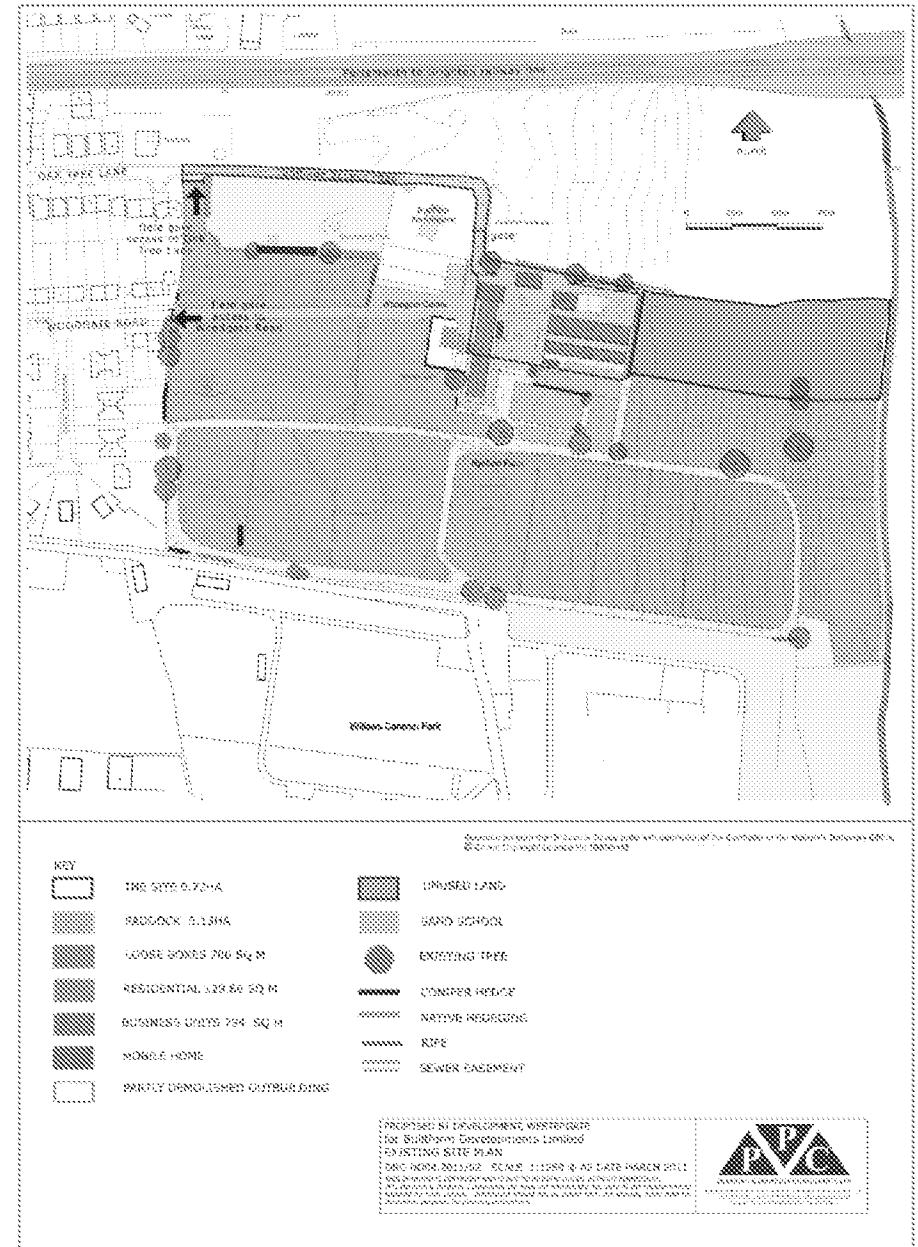
The site is located on the southern edge of Westergate some 50 metres to the south of the Woodgate Railway crossing.

Westergate/Woodgate are residential settlements within the Parish of Aldingbourne located either side of the A29 County distributor road which runs to Bognor Regis in the south, and north towards Pulborough and Billingshurst through the villages of Westergate and Eastergate before joining the A27 (Trunk Road) at Fontwell, approximately 3.5 kilometres to the north of the site.

The sustainability credentials of these settlements in terms of the facilities and services that they provide for existing and future residents as well as employers and employees are described in the Transport Statement provided by RGP Transport Planners.

The Woodgate Centre comprises buildings and paddocks situated on the east side of the A29 accessed via Woodgate Road and Oak Tree Lane. The part of the site subject to this application extends to 0.72 hectares in area (including the existing access road) and comprises previously developed land with residential, B1 Commercial buildings and stabling/loose boxes associated with the Horse Grazing Paddocks to the south of the complex and some unused land to the east. The site is “urban fringe” in character and appearance in that it contains a mixture of buildings and uses typical of such sites which adjoin urban settlements as distinct from the more open agricultural fields and land uses which form the open countryside to the north east and east of the site.

The site is visually self contained in that public views are limited by existing residential development to the north west and west, strong landscaping and the railway line to the north, the large residential Mobile Home Park to the south and the fact that there are no nearby public footpaths. Moreover views into the site from distant footpaths across the open countryside to the east and north east are restricted by the topography and existing hedgerows and trees. The Topography of the site and the existing features it contains are described by the submitted Site Survey and Existing Site Plan as reproduced overleaf and a photographic survey has also been provided as part of the submission.



Planning Policy Context

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."

On 6 May 2009 the Development Plan for Arun District for the purposes Section 38(6) became the South East Plan (SEP) and the "saved" policies in the Arun District Local Plan adopted in 2003.

Relevant "saved" Policies from the Local Plan

The Arun District Local Plan was adopted in 2003 and makes no provisions for development in the district beyond March 2011.

The Planning and Compulsory Purchase Act 2004 required that all such "old style development plans be replaced by a new Local Development Framework (LDF) within three years from the commencement date of the Act, which was 28th September 2004. Policies in these plans therefore expired on 27th September 2007 unless the Secretary of State agreed to their extension beyond that date by way of a Direction.

The Secretary of State directed that some Arun District Local Plan policies be "saved" for use beyond 27 September 2007 and since the Council has not yet replaced the now expired plan with a new LDF these "saved" policies remain part of the development plan for the purposes of Section 38 (6) of the Act. When issuing the "saving Direction", however, the then Secretary of State indicated his expectation that they be replaced with a new LDF "promptly" and that following 27 September 2007, the 'saved' policies should be read in context. Where policies were adopted some time ago, it is likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, will be afforded considerable weight in decisions.

Relevant “saved” Local Plan policies are considered to be:

Policy GEN 2: defines the district built up area boundaries within which all forms of development would be considered acceptable as a matter of policy and principle and **Policy GEN 3:** restricts new development to those specified forms considered to be acceptable in the “countryside” defined for these purposes by Policy GEN 2.

Policy GEN 3 seeks to safeguard the countryside (as defined by Policy GEN 2) and states that Permission will not be given for the extension of isolated groups of buildings or the consolidation of linear or sporadic development unless the proposal is for (amongst other matters) the diversification of the rural economy.

Policy GEN 6: stated that provision had been made within the District for 206,300 square metres of floorspace for business, industry and warehousing during the plan period up to 1993 - 2011.

This level of provision was determined by the balance that had been struck in two former County Structure Plans between the level of proposed housing and employment provision and was based on the requirements in the last part of the 1993 Structure Plan and the first part of the Structure Plan covering the period 2001 – 2016.

The text of the policy states that 144,700 sq metres had been built in the period 1990 – 2001 leaving 85,300 sq metres to be built in accordance with the “saved” policy in the ten year period 2001 – 2011 (8530 sq metres per annum).

According to the Councils Annual Monitoring Reports only 64,681 sq metres had been built in the 9 year period 2001 2010 which equates to an annual rate of just 7186 per annum and 34.99 hectares of land was available by way of two as yet unimplemented allocated sites (26.05 hectares) with the remainder being available by way of unimplemented sites with planning permission. The two allocated sites are in Bersted and Angmering and the location of the remaining unimplemented sites with planning permission is unknown.

Comment: It is clear that there is currently a shortfall in employment floorspace provision within the district (as a whole) on the basis of this “saved” Local Plan Policy and since the Local Plan makes no provisions beyond 2011 any future plan covering the period 2011 – 2028 would need to be making provision for at least 145,010 sq metres (8530 sq metres x 17 years) just to maintain the level of growth that the previous Local Plan stated was necessary and considerably more if the new plan was planning for economic growth.

It is also clear that whilst the diversification of the rural economy is a stated aim of the councils countryside policy GEN 3 there are no known provisions for achieving same in the “saved” Local Plan policies which extend beyond 2011.

Policy Gen 7: states that all schemes must display a high quality design and layout and that development proposals must be accompanied by an illustrated written analysis of the site and its immediate setting, together with its relationship with the relevant townscape, landscape, wildlife and movement characteristics of the wider area.

Policy Gen 8: states that development will not be permitted unless the infrastructure or facilities made necessary by the development are available or will be provided at the appropriate time.

Policy Gen 9: states that development which will materially increase foul and/or surface water discharges will be refused unless the LPA is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development.

Policy Gen 24: states that the Council will expect all new developments to facilitate energy and water efficiency.

Comment: Many of these policies relate to detailed applications. However, the principles of these policies have been considered in these outline proposals which have been designed to accord with same where appropriate as set out elsewhere in this statement.

Relevant Policies in the South East Plan

The South East Plan (SEP) was adopted in May 2009 and is Regional policy which post dates the adopted Local Plan and therefore, “saved” Local Plan policies have not been reviewed to reflect the up to date policies that it contains.

The SEP is divided into four sections. Section A describes the format of the Plan and the key vision and objectives for the region. Section B sets out Core Regional Policies applicable to all development proposals (where relevant) and plan preparation across the South East Region as a whole. Section C sets out those policies that apply to specified sub regions within the South East and Section D describes how the policies within the Plan will be implemented, monitored and kept under review.

In preparing these proposals regard has been had to the Core regional policies in Section B including SEPSP3 Urban Focus and Urban Renaissance SEPCC1 Sustainable Development, SEPCC3 Resource Use, SEPCC4 Sustainable Design and Construction SEPCC7 Infrastructure and Implementation, SEPT4 Parking as well as all the Sustainable Economic Development, Natural Resource Management and countryside and landscape management policies.

Arun District falls within the Sussex Coast Sub region so particular reference is made to the sub regional policies SCT 2 – 4 which make it clear that the South East Plan places a high priority on economic regeneration and employment provision in both urban and rural areas throughout the sub region.

Comment: Taken as a whole the development plan is not particularly definitive for the purposes of considering the submitted scheme. The “saved” Local Plan policies have failed to deliver the district wide level of employment provision that was said to be required in the period up to 2011 and make no provision beyond that date for either employment growth generally or rural diversification . The proposals are consistent with the general thrust of later relevant SEP Policy and the Council has not yet reviewed its “saved” Local Plan policies to reflect

those in the SEP. Therefore, the development plan is indeterminate for the purposes of Section 38 (6) of the Act and the proposals need to be considered on their merits in the light of all relevant material considerations.

Other material Considerations for the purposes of Section 38(6) of the Act

The courts have held that up to date government policy and ministerial statements are capable of being material considerations of significant weight when determining planning applications and/or planning appeals particularly in the circumstances pertaining in this district.

National Planning Policy and related Government Statements

PPS1 Delivering Sustainable Development:

Government Policy encourages sustainable development and says that development plans should bring forward sufficient land of suitable quality in appropriate locations to meet the expected needs for housing..... taking into account issues such as accessibility and sustainable transport needs. The guidance supports developments in locations that are well served existing services and facilities as well as by public transport and are well designed in relation to their context.

Comment: It is considered that the submitted proposals meet these aims.

PPS 4 : Planning for Sustainable Economic Growth

The Governments objectives for sustainable Economic Development are set out at paragraphs 9 and 10 which are :

- *build prosperous communities by improving the economic performance of cities, towns, regions, sub-regions and local areas, both urban and rural*
- *reduce the gap in economic growth rates between regions, promoting regeneration and tackling deprivation*
- *deliver more sustainable patterns of development, reduce the need to travel, especially by car and respond to climate change*

- *promote the vitality and viability of town and other centres as important places for communities. To do this, the Government wants:*
 - *new economic growth and development of main town centre uses to be focused in existing centres, with the aim of offering a wide range of services to communities in an attractive and safe environment and remedying deficiencies in provision in areas with poor access to facilities*
 - *competition between retailers and enhanced consumer choice through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres, which allow genuine choice to meet the needs of the entire community (particularly socially excluded groups)*
 - *the historic, archaeological and architectural heritage of centres to be conserved and, where appropriate, enhanced to provide a sense of place and a focus for the community and for civic activity*
- *raise the quality of life and the environment in rural areas by promoting thriving, inclusive and locally distinctive rural communities whilst continuing to protect the open countryside for the benefit of all*

POLICY EC6: *Planning for Economic Development in rural areas is of particular relevance in this case and it reads as follows:*

EC6.1 *Local planning authorities should ensure that the countryside is protected for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all.*

EC6.2 *In rural areas, local planning authorities should:*

a. strictly control economic development in open countryside away from existing settlements, or outside areas allocated for development in development plans

b. identify local service centres (which might be a country town, a single large village or a group of villages) and locate most new development in or on the edge of existing settlements where employment, housing (including affordable housing), services and other facilities can be provided close together

c. support the conversion and re-use of appropriately located and suitably constructed existing buildings in the countryside (particularly those adjacent or closely related to towns or villages) for economic development

d. set out the permissible scale of replacement buildings and circumstances where replacement of buildings would not be acceptable

e. seek to remedy any identified deficiencies in local shopping and other facilities to serve people's day-to-day needs and help address social exclusion

f. set out the criteria to be applied to planning applications for farm diversification, and support diversification for business purposes that are consistent in their scale and environmental impact with their rural location

g. where appropriate, support equine enterprises, providing for a range of suitably located recreational and leisure facilities and the needs of training and breeding businesses that maintain environmental quality and countryside character.

Comment: It is considered that the submitted proposals are entirely consistent with the Governments aims for sustainable economic development and meet Policy EC6 in full.

Latest Court decisions, Government Actions and Statements

Regional Strategies (including the SEP) were revoked by the Government on 6 July 2010 but were re-established on 10 November 2010 after a successful High Court challenge by housing developer CALA Homes which found that the Governments decision was unlawful. Subsequently the Government stated that its intention to revoke Regional Spatial Strategies through the forthcoming Localism Bill was a material consideration when deciding planning applications and appeals but this statement was also subject to a challenge by CALA Homes which was unsuccessful. CALA Homes then challenged this decision in the court of appeal. Although this appeal was dismissed in May 2011 the decision does need to be read in detail in order for its full implications to be properly understood.

Comment: In our view what the latest Court of Appeal decision (Rix, Rimer and Sullivan LLJ) said was that the Government's proposal to abolish the regional strategies was capable, as a matter of law, of being a material consideration for the purposes of sections 70(2) of the 1990 Act and 38(6) of the Planning & Compulsory Purchase Act 2004 but the Court also held that the fact that the proposal was subject to (a) Parliament's acceptance of the proposal; and (b) the outcome of the SEA process went to weight not materiality.

Sullivan LJ said: "In view of the uncertainty created by the legal obstacles referred to above ...any decision-maker who does think it appropriate to give some weight to the Government's proposal when determining an application or an appeal would be well-advised to give very clear and cogent reasons for reaching that conclusion, but that does not mean that there could be no case whatsoever in which any decision-maker might be able to give such reasons."

Therefore we conclude that the SEP remains part of the development plan for the purposes of the Act and decisions should be made in accordance with the policies it contains as we do not consider that there are any clear and cogent reasons why any significant weight should be given to the governments proposals in this case and that even if there were these are outweighed by other relevant material considerations. This also has implications for future plan making at this time (see below).

On 31 March 2011 the Governments Chief Planner wrote to all Chief Planners in the country. In the letter entitled "Planning for Growth" he drew their attention to the Governments objectives for sustainable development and growth that "need to inform the decisions that local planning authorities are taking now – through plan production as well as development management".

In the letter he also drew their attention to the fact that the Minister for Decentralisation had issued a Written Ministerial Statement on 23 March to emphasise this point and stated that this statement was capable of being regarded as a material planning consideration.

In that statement the Minister stated that:

“The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy. The Chancellor has today set out further detail on our commitment to introduce a strong presumption in favour of sustainable development in the forthcoming National Planning Policy Framework, which will expect local planning authorities to plan positively for new development; to deal promptly and favourably with applications that comply with up-to-date plans and national planning policies; and wherever possible to approve applications where plans are absent, out of date, silent or indeterminate.”

Moreover the statement goes on to say that:-

“When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant - and consistent with their statutory obligations - they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;***
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;***
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);***
- (iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;***
- (v) ensure that they do not impose unnecessary burdens on development.***

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.”

The importance and significance of this statement and its relevance to the determination of the submitted proposals was further highlighted in a statement published by the Government in June 2011 which reads as follows:

“A presumption in favour of sustainable development”

There is a presumption in favour of sustainable development at the heart of the planning system, which should be central to the approach taken to both plan-making and decision-taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible.

Local planning authorities should:

- ***Prepare local plans on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes***
- ***Approve development proposals that accord with statutory plans without delay and***
- ***Grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date”***

All of these policies should apply unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policy objectives in the National Planning Policy Framework taken as a whole.”

Comment: It is considered that the submitted proposals are demonstrably consistent with and encouraged by these ministerial statements.

What is proposed is a sustainable form of economic development and since the development plan policies are either absent, silent, indeterminate and/or out of date there is a presumption in favour of the proposals.

The Councils emerging replacement Local Plan

The Council has been endeavouring to prepare a replacement for the existing out of date Local Plan since 2007 but due to legislative changes and changes in Government policy this process has been delayed and disrupted particularly with regard to the level of housing and employment growth that the Council should plan to provide within the district for the period 2011 – 2028.

Nonetheless the evidence base for the emerging replacement plan has been progressed and it contains a number of documents which strongly support the principles of the proposed scheme particularly given the context provided by PPS4 and policy EC6 of that document and subsequent ministerial statements.

Arun and Chichester - Assessment of Employment Needs 2005

A study into the future employment needs of Arun and Chichester Districts was jointly commissioned from consultants Atkins, by the Council together with Chichester District Council. It looks at employment and commercial floorspace needs in the two districts up to 2017. The methodology included a survey of 1,000 established businesses in these areas.

Findings of the study include:

- *There is a limited amount of vacant floorspace in Arun District*
- *There is a shortage of available land and premises of all types in Arun*
- *The majority of future demand for employment floorspace is likely to be generated by small and medium sized enterprises, particularly small firms with up to 50 employees.*
- *Arun offers most potential for the attraction of light industrial activities, B2 manufacturing and logistics/ distribution.*
- *The majority of businesses in Arun and Chichester considering relocation would prefer to remain within or close to these areas.*
- *The consultant's report recommends that Arun should allow sufficient flexibility to allow for development needs of up to 335,000sqm.*

The Locally Generated Needs Study 2010

This independent study considers what level of housing might be needed over the period to 2028 based on locally generated needs. It addresses the requirement for a local evidence base of housing requirements in light of the government's intention to abolish of regionally imposed housing targets. The study was commissioned by the council and its purpose was to inform the Council's work on the emerging Local Plan which will replace the current Local Plan, adopted in 2003.

Comment: It is considered highly significant in the context of subsequent actions and approaches adopted by the Council that this independant study contained the following conclusions and recommendations:

- *Delivery of 360 homes per annum (post 2011) is required to maintain existing employment levels based on current commuting patterns.*
- *Housing delivery of 465 dwellings per annum could constrain the economy, supporting just 2,000 – 3,000 jobs over the plan period; would result in an increase in the dependency ratio with a higher proportion of the population of retirement age and could contribute to an imbalance to long-term growth in house prices as housing supply fell short of demand based on a realistic economic or demographic driven scenario.*
- *A realistic economic scenario which represents a positive future for the district would require delivery of between 550 – 670 homes per annum.*
- *A robust basis for strategic planning based on a 'locally-generated approach' to assessing housing requirements driven by demographic trends would require 12,200 homes to be delivered over the plan period to 2028, equating to delivery of 610 homes per annum.*

Nonetheless the Council decided that it would continue with work to identify housing and employment targets for the replacement Local Development Framework based on different criteria presumably in the hope and expectation that regionally set housing targets will be removed and the responsibility to establish these will, eventually, be returned to the local level by the time that the replacement Local Plan is being independently scrutinised.(see below)

As part of this work the Council carried out a public consultation between November 2010 and February 2011 entitled “Housing and Employment Growth” which referred to four broad scenarios for development based on annual housing provision figures of 362, 447, 548 and 628 respectively and a level of employment growth of 111,000m2 for Class B uses, in addition to the provision of employment at Oldlands Farm.

Comment: Only one of these housing provision scenarios (628 dwellings per annum) matched the level of growth required based on locally generated needs as set out in the existing evidence base and the conclusions/recommendations in the LGN Study 2010.

The outcome of this Consultation and a further Report identifying Housing and employment Growth options for the replacement Local Plan were considered by the Councils Local Development Framework Sub Committee on 2 June 2011 and according to the minutes of the meeting the Sub Committee resolved to Recommend the following to a Full Council meeting in August 2011:

That:

- (1) the Council should continue to prepare a draft Local Plan in general conformity with the Regional Spatial Strategy. However, Members also recommend a preference for an annual housing target of 425 units per annum for the period 2011 to 2028 and a preference for 25.5 hectares of land for employment growth for the period 2011 to 2028, should the RSS be revoked in the future; and*
- (2) Members endorse the proposed revised approach and timetable for the Local Plan as set out in the report.*

It is understood that the current timetable for the production of the replacement Local Plan is that an Examination into the soundness of the plan should take place in March 2013 with the Inspectors Report being received in July 2013 and adoption taking place in September 2013.

Comment: The evidence base for the preference for 25.5 hectares of land for employment growth is extremely unclear. It is not supported by the findings of the Arun and Chichester - Assessment of Employment Needs 2005 or LGN 2010 Studies and does not in any case represent economic growth based on the historical levels of provision from the “saved” Local Plan Policies.

At a special Full Council meeting on 16 June 2011, however, the minutes of the LDF Sub Committee were changed with the Chairman suggesting that the target of 425 dwellings per annum should be reduced still further to 400 dwellings per annum. No information is available as to the evidence base or source of this figure. The minutes of the special full council read as follows:

RESOLVED – That

- (1) the Council should continue to prepare a draft Local Plan in general conformity with the Regional Spatial Strategy. However, Members also recommend a preference for an annual housing target of 400 units per annum for the period 2011 to 2028 and a preference for 25.5 hectares of land for employment growth for the period 2011 to 2028, should the RSS be revoked in the future, and the West Bank regeneration site be treated as a stand alone exception site when brought forward; and**
- (2) Members endorse the proposed revised approach and timetable for the Local Plan as set out in the report.**

Comment: It is clear that the Council has expressed a preference to plan for levels of housing and economic growth in its emerging Local Plan which are well below that which is supported by the evidence base, conflicts with officers recommendations and flies in the face of current Ministerial Statements and guidance. It is therefore, highly likely that if such unsupported preferences are adopted and pursued they will, eventually, be found to be unsound and rejected when subjected to the necessary independent examination and scrutiny. It is also clear that such scrutiny and examination (unless subjected to legal challenge in the shorter term) and/or a plan led solution to the districts current inability to demonstrate an adequate supply of deliverable housing or employment sites is still some 2 years distant and that in the meantime applications like that submitted should be determined in accordance with the current SEP requirements, PPS3 Housing and PPS4 Sustainable Economic Development and relevant ministerial statements as the current Local Plan makes no policy provisions for the district beyond March 2011.

It is also relevant in the context of PPS4 and later ministerial statements to consider whether the proposed development is in line with emerging planning objectives and the emerging spatial vision for the area.

In a Report to the Local Development Framework Sub Committee on 2 June 2011 “Local Plan - Vision and Strategic Objectives” it was recommended that the Council carry out a public consultation on a number of specified objectives for parts of the district and it is understood that this approach and the objectives was endorsed/agreed by the Sub Committee.

The agreed objectives included the following of relevance to the determination of the submitted planning application under the heading “Vision for the places - 'place shaping'”:

“The Villages”

“Barnham (together with its neighbouring villages of Eastergate and Westergate) and Angmering will develop their role as well connected large villages serving inland Arun, providing an enhanced range of shops, employment, housing, community facilities and local services, supported by improved transport links.

The villages of Findon and Yapton will continue to act as local centres, providing a range of local services and facilities serving their immediate surrounding areas. The villages of Fontwell and Walberton will provide a more limited range of services and facilities.

The District's smaller settlements and rural areas will retain their character with limited new development to meet their needs.”

and the following Objectives under the heading “Strategic Objectives”

Strategic Objective 2: To plan and deliver a range of housing types in locations with good access to employment, services and facilities to meet the District's housing requirements and the needs of Arun's residents and communities both urban and rural, ensuring that issues of affordability and the provision of appropriate levels of affordable housing are addressed.

Strategic Objective 3: To strengthen Arun's economic base and provide local job opportunities by increasing, diversifying and improving the quality of employment within the District through the provision of appropriate employment sites, quality affordable accommodation and the development of business support and partnerships.

Comment: It is difficult to equate the members preference for no housing or employment growth over the plan period (2011 – 2028) with these agreed objectives for the same plan as if these objectives are to be met the Plan will need to make provision (albeit in the appropriate places) for new development at a level consistent with the relevant background evidence and not the unsupported level preferred. It is also clear that making provision so as to meet these objectives in a plan led way is still some 2 years off despite the fact that the base date for the plan will be 2011.

Notwithstanding the first point it is nonetheless clear that the release of this site for the development proposed would be in line with planning objectives and the emerging spatial vision for the area and precisely because of the second point releasing the site now (in advance of any allocation) would be in accordance with PPS4 and the latest Ministerial Statements relating to the presumption in favour of sustainable development. The latest Ministerial Statements are predicated on the basis that suitable/sustainable available and deliverable employment sites should be released for development and encouraged in precisely those circumstances with which this district is faced.

Planning History

There are 1,703 sq metres of assorted residential, stabling and B1 Business use buildings at the Woodgate Centre which have an extensive and complex planning history. One of the aims of this application and the proposals it contains is to rationalize the site by removing these buildings and replacing same with a modern B1 Commercial building with a smaller footprint and a smaller range of uses.

Environmental Sustainability

The following Site/Context Analysis work has been undertaken prior to submission: Topographical Site Survey, Transport Statement & Green Travel Plan, Tree Survey/Report, Ecological Evaluation, Foul & Surface Water Drainage Assessment/Strategy and Stage 1 Flood Risk Assessment.

None of this pre submission assessment has indicated any particular environmental issues or concerns (as evidenced in the relevant Reports themselves) that would prevent or constrain development although to the limited extent that this is the case these matters have been addressed in the indicative information provided.

Those parts of the site that are identified as being within flood zone 3 are excluded from the development area and the suitability of the existing access from Oak Tree Lane to serve the proposed replacement development has been identified and tested.

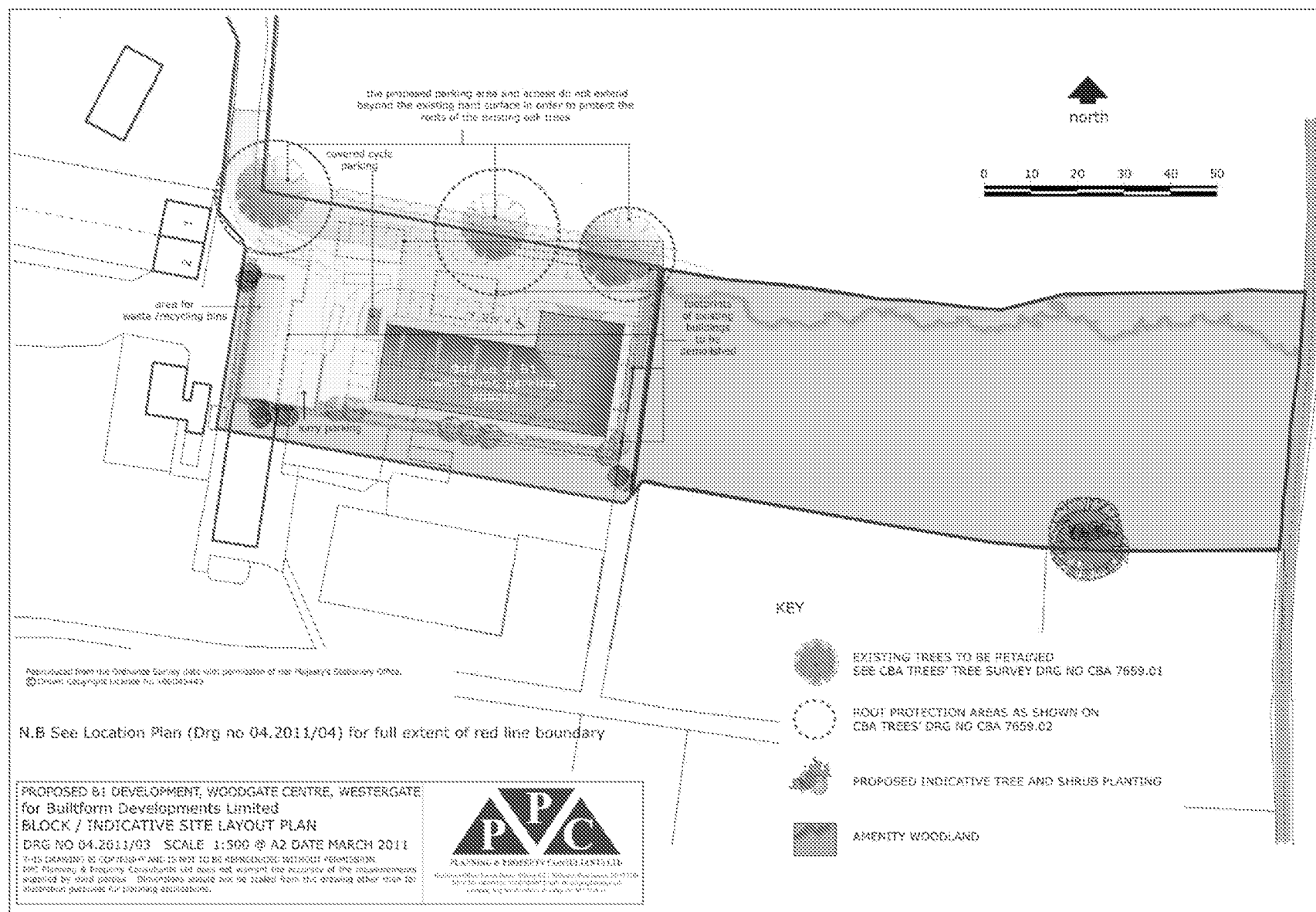
Therefore based on the information available we consider that the site is suitable in principle for replacement B1 commercial development because what is proposed represents much needed sustainable economic development which will contribute to the maintenance of a sustainable, mixed community for Woodgate/Westergate and there are no insurmountable constraints or adverse impacts.

The Amount of Development

The proposal involves the replacement of the 1,703 sq metres of assorted residential, stabling and B1 Business use buildings and other previously developed land at the Woodgate Centre (edged red) with a single B1 Commercial building with a footprint of 940 sq metres together with associated service area and parking for 40 vehicles which accords with the Councils adopted standards relating to same.

The currently unused land to the east of the development area (edged blue) will be transformed into an attractive landscaped area which will provide an attractive setting for the proposed commercial building and an attractive feature for future employers wishing to locate to the site and their employees.

Currently it is understood that the owner would wish to retain ownership of the site and the proposed building with tenancies provided to future occupants on a leasehold basis



Although much of the detail relating to the layout, scale and appearance of the proposed development is to be reserved for later approval in the event that outline planning permission is granted the aim has been to demonstrate how the site could be developed with a high quality B1 Commercial development in a form that meets the criteria given in PPS4 Sustainable Economic Development and relevant “saved” development control policies from the 2003 Local Plan.

The Layout of the Development

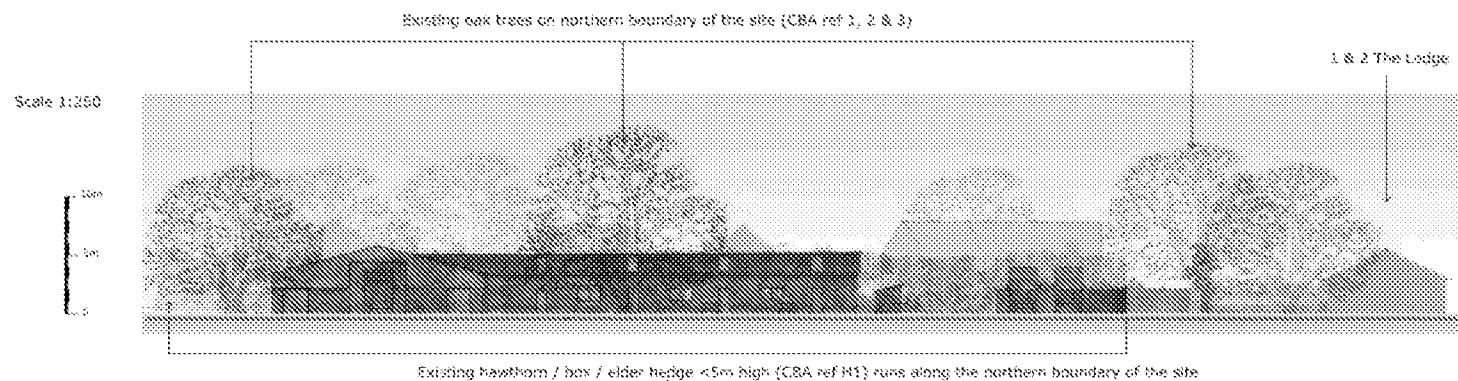
The proposed layout is indicative and does not form part of the application but the submitted plan seeks to demonstrate how the site could be developed in a way that retains and utilizes the existing access from Oak Tree Lane as well as the topography, trees, hedges and boundary screening and avoids the flood risk that emanates from the rife which forms the eastern boundary of the site and respects the layout, nature and form of existing surrounding development.

The proposed eastern amenity space would act as a natural visual/physical transition and buffer between the development and the more open countryside on the other side of the shallow valley through which the rife flows and would also provide a high quality environment for future employees and would act as one of the attractions for firms wishing to locate to the site which would assist with future take up rates

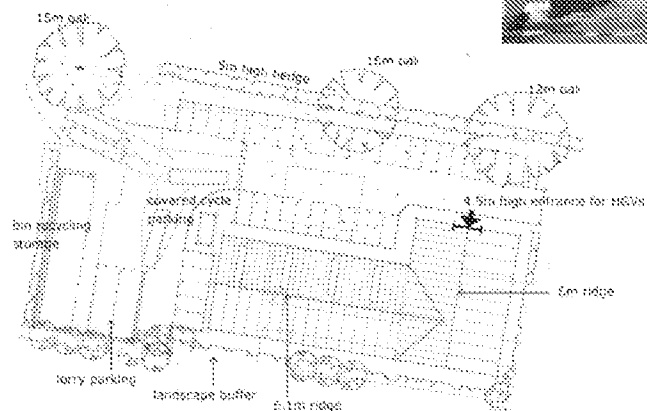
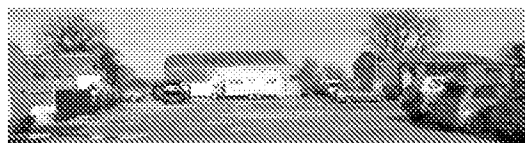
The Scale/Appearance of the development

The scale/appearance of the development is indicative at this stage but information has been provided to demonstrate how the new building could be restricted in scale so as to reduce its visual impact and designed so as to appear as a rural building in keeping with its rural setting and surroundings.

ILLUSTRATIVE VIEW FROM THE NORTHERN BOUNDARY OF THE APPLICATION SITE



Existing commercial buildings



PROPOSED B1 DEVELOPMENT, WOODGATE CENTRE, WESTERGATE
for Builtform Developments Limited
ILLUSTRATIVE SECTION

DRG NO 04/2011/04 SCALE SEE BAR SCALE DATE APRIL 2011

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The Landscaping of the development

Given the large amount of open space to be provided in this case it is acknowledged that the future landscaping of the development and the long term management of the proposed open space will be critical to the overall success of the development.

The Indicative Site layout combined with the submitted Tree Survey/Report demonstrate how all existing notable trees and hedgerows can be protected during the course of the proposed development so that they can be retained as a good and established starting point for any future landscaping scheme.

It is envisaged that the future landscaping of the eastern amenity area would comprise native woodland Tree planting coupled with informal woodland under storey planting which will enhance the biodiversity of the site and create a natural habitat for new species to establish themselves and an attractive natural open space for the use of occupying firms and their employees.

It is envisaged that the proposed open space would be subject to detailed conditions imposed on any planning permission granted and it is intended that these areas would be owned and managed on behalf of future occupying firms financed through their leasehold tenancies and rental arrangements.

Access to the development

The means of access to the site forms part of the submitted application so the accessibility of the location and the proposed access to and from the development via the existing access from Oak Tree Lane has therefore been fully assessed and addressed in the submitted Transport Statement and Travel Plan.

The conclusions of this Transport Assessment are that:

- (i) The site is within a reasonably accessible area allowing some employees the potential to walk or cycle to and from the site. Local public transport provision is reasonable with bus stops within a short walk providing connections to Bognor Regis and Barnham, which benefits from a railway station with good quality services along the south coast;*
- (ii) The site layout is designed to accommodate all vehicles anticipated to visit the site and allow these vehicles to turn safely;*
- (iii) The proposals provide sufficient car parking to cater for all anticipated vehicles on site in accordance with current guidance;*
- (iv) The development proposed would not generate a net increase in traffic on the local highway network, when considered against the existing traffic potential and would not result in a material impact in the safe operation of the local highway;*
- (v) The proposals would include informal Travel Planning measures which would encourage the use of sustainable modes of transport.*

Conclusion

The application is submitted in outline form, with the maximum floorspace and the means of access only to be considered as part of the application with all other matters to be reserved for later consideration. The purpose is to establish the principle of developing the site with a replacement B1 Commercial building of the size stated. Notwithstanding the fact that the site is not allocated for such development is considered that the release of the site for this purpose is justified at this point in time due to:

- *The fact that the site comprises previously developed land and the proposals would replace existing commercial buildings on the site with a smaller building*
- *The fact that the proposals are consistent with the broad thrust of relevant South East Policy and the Local Plan makes no provisions for employment provision anywhere in the district beyond March 2011 and the adoption of a replacement Core Strategy and/or other future allocations document is still some 2 years distant*
- *The fact that the Council is unable to demonstrate an adequate supply of employment land in the district as a whole and there are no local policies that would enable employment provision in the districts rural areas of the level necessary to sustain and diversify the rural economy in accordance with PPS4 policy*
- *The fact that all the available information demonstrates that the site could be developed in a sustainable manner and the Government has stated that there is a presumption in favour of sustainable development like that proposed and unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits Local planning authorities should grant permission where development plan policies are absent, silent, indeterminate or where relevant policies are out of date.*

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