

PLANNING, DESIGN & ACCESS STATEMENT

Outline planning application for the construction of 10 dwellings and the creation of a new vehicular and pedestrian access on to Hook Lane (Layout, Scale, Appearance and Landscaping are to be determined as reserved matters)

on

Land to west of Hook Lane

Hook Lane

Aldingbourne

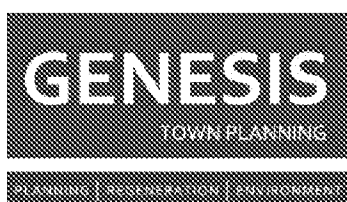
PO20 3TE

on behalf of

Parents and Carers Support Organisation (PACSO)

October 2020

Ref: 18053/PDAS01



RTPI

Chartered Town Planners



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1.0 INTRODUCTION

- 1.1 This Planning, Design & Access Statement has been prepared on behalf of the Parents and Carers Support Organisation (PACSO) which is a registered charity with offices in Chichester.
- 1.2 Outline planning permission is sought for the construction of 10 dwellings and associated works on land to the west of Hook Lane and south of 'Summer Meadows', (a residential development of 14 dwellings currently under construction by Metis Homes). The layout, scale, appearance and landscaping are to be determined as reserved matters.
- 1.3 The application documentation comprises this Planning, Design and Access Statement and the documents listed below:
- Covering letter
 - Planning Application Forms and Certificates
 - Community Infrastructure Levy (CIL) – Form 1: CIL Additional Information
 - Location Plan: Drawing No. 19-191 HKL MHA 00 XX DR A 0001 Rev P02
 - Existing Site Plan: Drawing No. 19-191 HKL MHA 00 XX DR A 002 Rev P02
 - Proposed Illustrative Site Plan: Drawing No. 19-191 HKL MHA 00 XX DR A 003 Rev P05
 - Proposed Street Scenes & Suggested Materials Palette for Illustrative Purposes: Drawing No. 19-191 HKL MHA 00 XX DR A 004 Rev P02
 - Transport Statement by Bellamy Roberts LLP
 - Flood Risk Assessment including Drainage Strategy by Bellamy Roberts LLP
 - Preliminary Ecological Appraisal by Bright Green Environmental

2.0 THE SITE AND SURROUNDING AREA

The Application Site

- 2.1 The application site is approximately 0.40 hectares (0.98 acre) in size and falls within the administrative area of Aldingbourne Parish. It is located on the western side of Hook Lane, Westergate and comprises an 'L' shaped area of vacant grass located to the north of Fleurie Nursery (now part of the Farplants Group). The site is generally level and open and contains four young trees (one sycamore in the north eastern part and three silver birch adjacent to the southern boundary), a septic tank and telegraph pole in its eastern part.
- 2.2 A recently constructed 1.8m high close boarded timber fence runs along the northern boundary and a mature hedgerow of varying height runs along the eastern boundary. On the eastern side of this hedge there is a recently constructed tarmac footpath with a kerb alongside Hook Lane. There is currently no defined southern boundary except for a short run of hedge and three young silver birch trees located in the far south eastern corner of the site. A low hedge/earth bund runs along the western boundary.
- 2.3 Vehicular access is currently obtained directly from the existing concrete access into the nursey from onto Hook Lane.
- 2.4 According to the Policy Map (Central) on the adopted Arun Local Plan the site falls just outside the defined Built Up Area Boundary (BUAB) of Westergate. The northern and eastern boundaries of the site do however abut the BUAB. According to the Environment Agency Flood Map the site falls within Flood Zone 1 and is at low risk of flooding.

The Surrounding Area

- 2.5 The surrounding area is mixed in character. A new housing development of 14 dwellings (Summer Meadows) by Metis Homes is currently under construction on land immediately to the north on land previously known as 'Barnside'. Established residential development comprising a mix of bungalows, chalet bungalows and two storey dwellings is located on the eastern side of Hook Lane. A large greenhouse and yard area forming part of Fleurie Nursery are located to the south beyond which there are some more residential dwellings. A reservoir/irrigation pond linked to the adjacent nursery use is located immediately to the west. Open countryside is located further to the west which is mainly used for agricultural purposes.
- 2.6 The village of Westergate is located to the east and west of the A29 Westergate Street which forms part of the strategic road network. The settlement is contained to the south by the South Coast Railway line which runs between Portsmouth and Brighton. There are a wide range of

local facilities within the village including two convenience stores, other shops, a public house, restaurant, a pre-school, a primary school, the Ormiston Six Village Academy (Secondary School), churches, community halls and recreation/sports fields. Compass Travel operate bus route 66A/66C between Bognor Regis and Yapton. This has various stops along the A29 Westergate Street. Barnham railway station is located approximately 4.2km (2.6 miles) to the east and the settlements of Bognor Regis and Chichester are approximately 6.1km (3.8 miles) and 10.8km (6.7 miles) to the south and west, respectively.

3.0 PLANNING HISTORY

Application Site

- 3.1 According to records displayed on the Arun District Council website there are no recorded applications post 1987 that relate specifically to the application site.
- 3.2 Prior to PACSO acquiring the site it previously formed part of the nursery site located to the south. In the past the eastern margins of the site were used sometimes as open storage. As the site is no longer needed for horticultural or agricultural purposes it has been vacant for a number of years.
- 3.3 The application site was put forward as a potential residential site during the call for sites exercise of the Housing and Economic Land Availability Assessment (HELAA) 2019. The site was assessed in the HELAA under Reference 18AL3 – Land west of Hook Lane, Aldingbourne. (A copy of the HELAA summary is contained in Appendix 1). This confirms that the site is a small site outside but adjoining the BUAB and that it is located in an area where there is a fair amount of existing residential development and permitted applications. As a result, ***“The site is therefore considered to be a suitable small site where development could tie in with the existing linear development”***. It goes on to confirm that the Arun Local Plan Viability Study 2016 identifies that a site such as this is viable and achievable and suggests it has a total yield of 12 dwellings with delivery in 2022-23.

Neighbouring/Nearby Sites

- 3.4 In the recent past planning permission has been granted for new residential development on neighbouring and nearby land at Hook Lane. Sites and applications of note include:
- a) Land south and west of Barnside, Hook Lane (now Summer Meadows)
- 3.5 This land is immediately to the north of the application site. Relevant applications include:
- 3.6 AL/8/16/OUT
Outline application with all matters reserved for a residential development of up to 14 No. dwellings and associated works including access landscaping and open space. Refused on 16th May 2016 and allowed on appeal on 3rd May 2018.
- 3.7 AL/83/16/OUT
Outline Application with all matters reserved for a residential development of up to 8 No. dwellings and associated works including access landscaping and open space. Resubmission of AL/8/16 OUT.

- 3.8 Planning permission was originally granted on 9th January 2017, but this was quashed on 7th December 2017 by the High Court because the officer's report failed to take into account policies dealing with the loss of the best and most versatile agricultural land. The application was eventually redetermined by the Council and planning permission granted on 15th March 2018.
- 3.9 AL/33/19/RM
Approval of reserved matters following the consent of AL/8/16/OUT (APP/C3810/W/16/3155330) for the erection of 14 dwellings with associated access, parking, landscape & open space. Permitted on 15th July 2019.
- 3.10 This permission is now under construction and the development is called 'Summer Meadows'. The approved site layout for this scheme is shown in Figure 1 below.

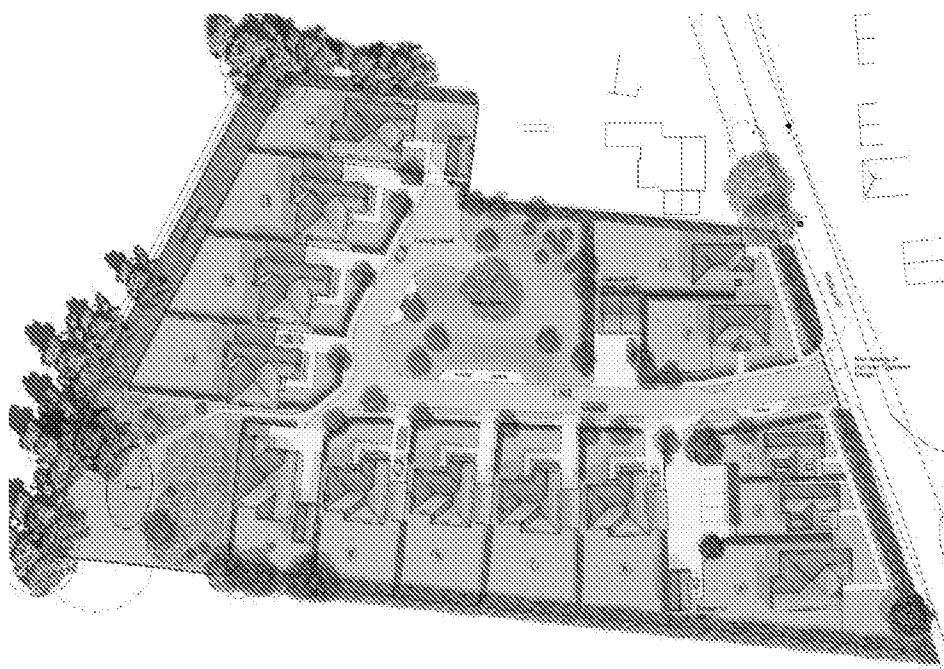


Fig 1: Approved site plan for Barnside, Hook Lane. LA Ref: AL/33/19/RES

b) Land west of Westergate Street and east of Hook Lane

- 3.11 AL/39/13/OUT
Outline application for the demolition of Oakdene and the construction of up to 79 dwellings, public open space, children's play areas, landscaping, and drainage measures on land west of Westergate Street, east of Hook Lane. Refused on 14th February 2014 and allowed on appeal on 23rd February 2015.

3.12 AL/107/16/RES

Application for reserved matters following Outline Planning Permission AL/39/13 for the demolition Oakdene and all other structures within the site and the erection of 79 dwellings, public open space, children's play areas, landscaping, and drainage measures, sub-station, pumping station and all other associated works. Permitted 24th May 2017.

3.13 The approved site layout for this scheme is shown in Figure 2 below. This development has recently been completed and is known as 'The Furlongs'.



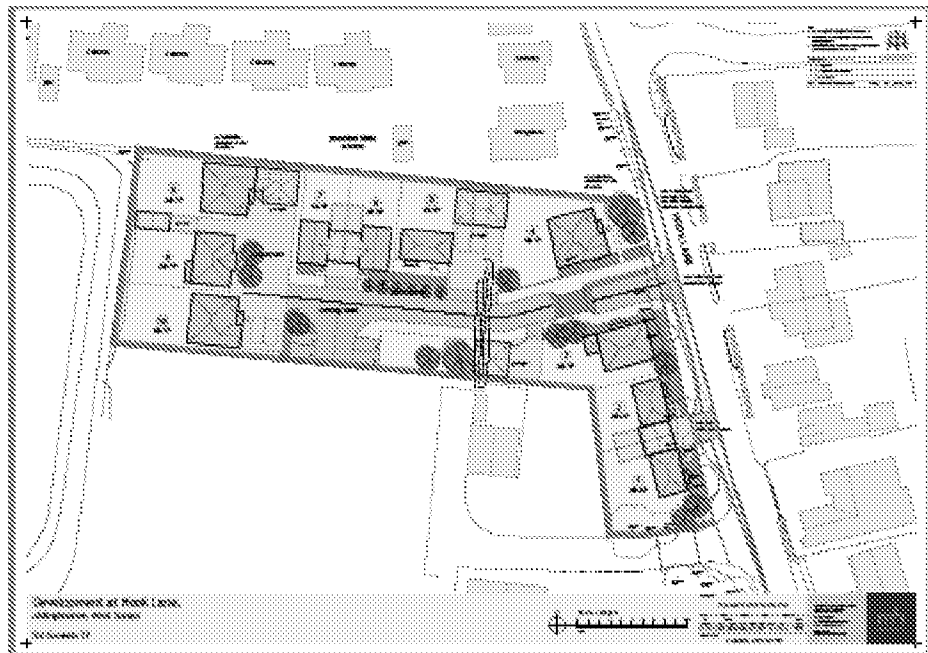
Fig 2: Approved Site Plan for 'The Furlongs' AL/10/16/RES permission for 79 houses

3.14 Although neither of the above sites were allocated for residential development in the Local Plan or Neighbourhood Plan, permission was allowed on appeal because Arun District Council could not demonstrate a deliverable five-year supply of housing land at the time each application/appeal was determined.

3.15 When the above developments are completed the character of Hook Lane (particularly on the western side of the Lane) and surrounding land will change to one which has a higher residential density than currently exists in this part of Hook Lane.

4.0 THE PROPOSED DEVELOPMENT

- 4.1 Outline planning permission is sought for the construction of 10 dwellings and the creation of a new vehicular and pedestrian access on to Hook Lane, Westergate.
- 4.2 The appearance, landscaping, layout and scale are to be determined as reserved matters.
- 4.3 The broad disposition of the proposed development is shown on the Illustrative Site Plan (Drawing No. 19-191 HKL MHA 00 XX DR A 0003 Rev P05) which is reproduced below. This is provided for illustrative purposes only except for the proposed means of access which forms part of the proposed development.



- 4.4 In brief the proposed development includes:

- A mix of detached and linked detached homes comprising:
 - Two x 2-bedroom houses
 - Three x 3-bedroom houses
 - Five x 4-bedroom houses
- A new vehicular and pedestrian access onto Hook Lane to serve Plots 3 to 10. The new access road would be 5.5m wide;
- Plots 1 and 2 would have direct frontage access onto Hook Lane;
- Twenty-two car parking spaces including garages/car ports would be provided for new residents;

- Four visitor car parking spaces;
- New tree/hedgerow planting and a small area of informal open space; and
- Sustainable Urban Drainage (SuDS) features including on-site underground attenuation that provide storage of surface water runoff.

5.0 PLANNING POLICY CONTEXT

Introduction

- 5.1 This section assesses the planning policy context at the National level as set out in the National Planning Policy Framework (NPPF) and at the Local Level in the form of the Arun Local Plan and the Aldingbourne Neighbourhood Plan.
- 5.2 The Development Plan for the purposes of this application comprises the following documents:
- West Sussex Waste and Minerals Plan;
 - Arun Local Plan 2011-2031 which was adopted in July 2018; and the
 - Aldingbourne Neighbourhood Plan 2014-2034 which was 'made' in November 2016.

National Planning Policy Framework (NPPF)

- 5.3 The National Planning Policy Framework (NPPF) was revised in February 2019. Although the NPPF does not form part of the Development Plan it provides up to date planning policy that should be taken into consideration in determining planning applications and appeals. Section 2 of the NPPF provides for the achievement of sustainable development and paragraph 8 confirms that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of three different objectives). These are:
- a) ***an economic objective*** to build a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) ***a social objective*** to support strong, vibrant and healthy communities by ensuring that sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities health, social and cultural well-being; and
 - c) ***an environmental objective*** to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 5.4 Paragraph 10 confirms that at the heart of the Framework there is a presumption in favour of sustainable development. This is reflected in Paragraph 11 which confirms that plans and decisions should apply a presumption in favour of sustainable development. In the context of decision-making it states that 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 date⁷, granting permission unless:*
 - i. the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁸; 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".*

Footnote 6 relates to habitat sites and/or designated as SSSI, land designated as Green Belt, local green space, AONB; National Park; Heritage Coast; designated Heritage Assets and areas at risk of flooding.

Footnote 7 confirms that this includes 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 the delivery of housing was substantially below the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.

5.5 Paragraph 12 is of particular relevance to this application and 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 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, but only if material considerations in a particular case indicate that the plan should not be followed."

5.6 Paragraph 14 is also relevant. This deals with the weight that should be given to neighbourhood plans where a proposed development is in conflict with it. It states that

"In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply.

- a) The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;*
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;*

- c) the local planning authority has at least a three-year supply of deliverable housing sites (against its five-year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and*
- d) the local planning authority's housing delivery was at least 45% of that required over the previous three years"*

5.7 Other parts of the NPPF which are considered relevant to the application include:

5.8 Section 4: Decision-making

This confirms in paragraph 47 that in determining applications for planning permission that they should be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.9 Paragraph 48 confirms that local planning authorities (LPAs) may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation the greater the weight that may be given);
- b) the extent to which there are unresolved objections, the greater the weight that might be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies of the emerging plan to the policies in the Framework, the greater the weight that may be given).

5.10 Section 5: Delivering a sufficient supply of homes

Paragraph 59 confirms that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

5.11 Paragraphs 73 to 76 provide guidance for maintaining supply and delivery. Paragraph 73 states LPAs 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.

5.12 Section 9: Promoting sustainable transport

Paragraph 108 confirms that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users; and
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 5.13 Paragraph 109 confirms that 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.
- 5.14 Section 11: Making effective use of land
Confirms in paragraph 117 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. Paragraph 118 c) gives substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. Paragraph 119 confirms that LPAs should be proactive in identifying and helping to bring forward land that might be suitable for meeting development needs.
- 5.15 Paragraph 122 confirms that planning decisions should support development that makes efficient use of land taking account of the identified need for different types of housing; local market conditions and viability; the availability and capacity of infrastructure and services; the desirability of maintaining an area's prevailing character and setting; and the importance of securing well designed, attractive and healthy places.
- 5.16 Section 12: Achieving well designed places
Paragraph 127f) confirms that planning decisions should ensure that developments
- “..create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.***
- 5.17 Paragraph 130 confirms that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 5.18 Section 15: Conserving and enhancing the natural environment
Paragraph 170 confirms that planning decisions should contribute and enhance the natural and local environment by having regard to various criteria including b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and eco system services; and d) minimising impacts on and providing net gains for biodiversity.

Arun Local Plan 2011-2031

- 5.19 The Arun Local Plan 2011-2031 was adopted in July 2018. Policy Map 2 (Central) shows that the application site is in the countryside, but its northern and eastern boundaries are adjacent to the Built-Up Area Boundary. Policies of most relevance to the proposed development include the following:
- 5.20 Policy SD SP1 (Sustainable Development)
When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 5.21 Policy SD SP1a (Strategic Approach)
Seeks to ensure that the needs of the community are met through sustainable growth and the provision of suitable services, and criterion c) provides for growth of the sustainable villages whilst maintaining their setting within the open countryside.
- 5.22 Policy SD SP2 (Built-up Area Boundary)
Development should be focussed within the Built-up Area Boundaries and will be permitted, subject to consideration against other policies of this Local Plan.
- 5.23 Policy C SP1 (Countryside)
Outside the Built-Up Area Boundaries (as identified on the Policies Maps) land will be defined as countryside and will be recognised for its intrinsic character and beauty. Development will be permitted in the countryside where it is:
- a. for the operational needs of agriculture, horticulture, forestry, the extraction of minerals or the management of waste as part of a waste site allocation with West Sussex Waste Local Plan; or
 - b. for quiet, informal recreation; or
 - c. for green infrastructure; or
 - d. for the diversification of the rural economy; or
 - e. for road and/or cycle schemes; or
 - f. in accordance with other policies in the Plan which refer to a specific use or type of development.
- 5.24 Policy HOR DM1 (Horticulture)
Deals with proposals for new and replacement glasshouse development. Criterion 3 provides for the redevelopment of under-used, redundant or derelict glasshouses and confirms that proposals for redevelopment of horticultural sites for non-horticultural purposes will be considered on a case by case basis against Policy C SP1.

5.25 Policy H SP1 (The Housing Requirement)

Within the Plan period 2011-2031 at least 20,000 new homes will be accommodated in the District. Delivery will be phased over the Plan period as follows:

Requirement for net additional homes	2011/12 to 2015/16	2016/17 to 2020/21	2021/22 to 2025/26	2026/27 to 2030/31	2011/12 to 2030/31
Dwellings per annum	610	1,120	1,310	960	
Total	3,050	5,600	6,550	4,800	20,000

5.26 Policy H DM1 (Housing Mix)

The Council will seek a mix of dwelling types and sizes, to include affordable housing units, that adhere to the latest Homes and Communities Agency ⁽³⁷⁾ design guidance. The tenure mix for development schemes shall be negotiated on a case by case basis taking any necessary viability considerations into account. Developers shall have regard to the most up to date version of the SHMA. Over the Plan period a proportion of the housing provided should be of a type that meets the needs of older people, as identified in the most recent SHMA. Such housing could be provided as part of the general mix of one and two bedroomed homes but should be designed to meet the needs of older people.

5.27 Policy A+H SP2 (Affordable Housing)

For all developments of 11 residential units or more the Council will require a minimum of 30% of the total number of units proposed on site to be provided as affordable housing on the same site in the first instance.

5.28 Policy D SP1 (Design)

All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

5.29 Policy D DM1 (Aspects of Form and Design Quality)

This is a complementary policy addressing aspects of form and design quality. It covers 16 items including character; appearance/attractiveness; impact; innovation; adaptability; crime prevention; trees and woodland; solar gain; public realm; layout – movement; layout-legibility; public art; density; scale; and aspects of form and design quality.

5.30 Policy D DM2 (Internal Space Standards)

This requires internal spaces to be an appropriate size to meet the requirements of all the occupants and their changing needs. Nationally Described Space Standards will provide guidance.

5.31 Policy OSR DM1 (Open Space, Sport and Recreation)

This confirms that housing development will be required to contribute to open space provision and playing pitch provision. Indoor sport and leisure facilities will be provided for through financial contributions.

5.32 Policy T SP1 (Transport and Development)

Requires new 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. It should incorporate 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.

5.33 Policy T DM1 (Sustainable Travel and Public Rights of Way)

New development must ensure ease of movement, prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport and community transport services where a need has been identified. Access to alternative modes of transport including public transport services, the public right of way and cycle networks, must be available and accessible to all members of the community.

5.34 Policy ENV SP1 (Natural Environment)

Arun District Council will encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment through the development process and particularly through policies for the protection of both designated and non-designated sites. Where possible it shall also promote the creation of new areas or habitats and species.

5.35 Policy W DM1 (Water Supply and Quality)

1. Water Supply

Development will be permitted where:

- a. Sufficient water supplies can be provided prior to occupation to service and development; and
- b. Provision of a water supply is not considered detrimental to existing abstractions, river flows, water quality, fisheries, amenity or nature conservation.

To ensure that all new development of two dwellings or more are water efficient and reduce pressure on water abstraction sites, it must include measures that meet the optional standards of 110 l/person/day.

2. Water Quality

To ensure good water quality in the District, all major developments must:

- a. Illustrate, where necessary, how they have contributed to the protection and enhancement of waterbodies identified by the South East River Basin Management Plan objectives; and
- b. Demonstrate, where it will materially increase foul and/or surface water discharges, adequate drainage capacity exists or can be provided as part of the development. Where adequate capacity does not exist, there will be a requirement that facilities are adequately upgraded prior to the completion and occupation of development. In sewered areas, there will be a general presumption against the use of non mains foul water drainage.

3. Lidsey Wastewater Treatment Works Catchment Area

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. Although minor developments are unlikely to raise significant flood risk due to the cumulative impact all development within this area must also be accompanied by a Drainage Impact Assessment that must take account of both the individual and cumulative impact upon foul water disposal; flood storage capacity and surface water drainage or flood flows within the Lidsey Wastewater Treatment Works Catchment Area.

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. In order to discharge conditions, the developer will be required to submit a statement for a suitably qualified and experienced engineer that the measures have been adequately and satisfactorily implemented.

5.36 Policy W DM3 (Sustainable Urban Drainage Systems)

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. Proposals for both major and minor development proposals must incorporate SUDS within the private areas of the development in order to provide source control features to the overall SUDS design. These features include:

- Green roofs
- Permeable driveways
- Soakaways
- Water harvesting and storage features including water butts

5.37 Policy WM DM1 (Waste Management)

Proposals for development anticipated to cost over £300,000 must identify the volume and type of materials to be demolished and/or excavated as part of the development. Opportunities for the re-use and recovery of materials on site must be demonstrated and off-site disposal of waste must be minimised and managed. New residential development will be permitted provided that:

- a. It is designed to ensure that kerbside collection is possible for municipal waste vehicles; and
- b. Where appropriate, communal recycling bins and safe bin storage areas are available to residents of flats.

5.38 Policy QE SP1 (Quality of the Environment)

The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational activities enjoyed by residents and visitors to the District.

Aldingbourne Neighbourhood Plan 2014-2034

- 3.39 The Aldingbourne Neighbourhood Plan was 'made' on 9th November 2016. Although this plan continues to form part of the Development Plan it is now almost 4 years old and does not make any housing allocations. In places the defined BUAB and the affordable housing threshold are not consistent with those set out in the adopted Arun Local Plan. This, combined with the District Council's inability to demonstrate a 5-year housing land supply, means that the Neighbourhood Plan should be given less weight in the decision-making process. As such the presumption (at paragraph 11d of the NPPF) applies and regard has to be given as to whether the harm caused by the development significantly and demonstrably outweighs the benefits.

- 5.40 Neighbourhood Plan policies of most relevance to this application include the following:

5.41 Policy H1 (Quality of Design)

This requires proposals for new housing to be of a high-quality design that reflects the local character and reinforces local distinctiveness.

5.42 Policy H2 (Housing Mix)

States that proposals for new housing must deliver a range of houses types, sizes and tenures. Applicants should demonstrate how the proposal will meet local needs. Proposals where at least 25% of dwellings meet Lifetime Home Standards, or its equivalent, will be supported.

5.43 Policy H3 (Housing Density)

Confirms that the density of new development shall be appropriate to its location by virtue of size, siting and relationship to existing properties.

5.44 Policy H4 (Affordable Housing)

States that any proposal for 10 or more new dwellings should include 40% affordable units, unless this can be demonstrated to make the scheme unviable. The size and tenure of affordable units should reflect latest available housing needs evidence.

5.45 Policy H8 (Outdoor Space)

Requires all new dwellings to include an outdoor amenity space of adequate size and quality, either as a private garden or shared amenity area.

5.46 Policy H9 (Attention to Detail)

Sets out a number of items that must be considered early in the design process and integrated into the overall scheme. These include bin stores and recycling facilities; cycle stores, meter boxes; lighting; flues and ventilation ducts; gutters and pipes; satellite dishes and telephone lines.

5.47 Policy EH1 (Built Up Area Boundary - BUAB)

Confirms that proposals for development within the BUAB of Westergate, defined on Map E, will generally be permitted. Proposals outside the BUAB, that do not accord with development policies in respect of the countryside will be resisted unless it is essential utility infrastructure, where the benefits outweigh the harm, and it can be demonstrated that no reasonable alternative sites are available.

5.48 Policy EH6 (Protection of Trees and Hedgerows)

Resists the loss of trees of arboricultural and amenity value or loss of hedgerows and/or priority habitat, or which significantly damages ecological networks, unless the need for, and benefits of, development in that location clearly outweigh the loss. Proposals which affect sites with existing trees or hedgerows should be accompanied by a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to demonstrate how they will be maintained.

5.49 Policy GA1 (Promoting Sustainable Movement)

Supports development proposals that increase travel demand where they can demonstrate that they extend or improve walking and cycling routes; they are located in places accessible to public and community transport or can improve the accessibility of the site to public and community transport by contributing to the provision of enhanced services; and they do not result in the loss of any existing footpaths or cycle paths.

5.50 Policy GA3 (Parking and New Development)

Confirms that proposals must provide adequate parking in accordance with the standards adopted at the time. Proposals that would result in a loss of parking spaces either on or off street will be resisted.

Aldingbourne Neighbourhood Plan Review 2020

- 5.51 Aldingbourne Parish Council has confirmed that it intends to review the made Neighbourhood Plan. Following the adoption of the Arun Local Plan in July 2018 which allows for additional non-strategic housing allocations (at least 1,250 dwellings) through emerging Neighbourhood Plans, reviews of made neighbourhood Plans and a Non-Strategic Site Allocations DPD (recently halted), the District Council has confirmed that the Aldingbourne Neighbourhood Plan Review should provide for at least 70 new dwellings.
- 5.52 On 1st September 2020 the Parish Council published the Regulation 14: Pre-Submission Draft Aldingbourne Neighbourhood Development Plan for consultation. The consultation period expires on 9th October 2020. As another round of formal public consultation has yet to take place and an Examination carried out no weight can be given to the emerging Neighbourhood Plan in the decision-making process.

6.0 HOUSING LAND SUPPLY

- 6.1 Since January 2018 the Housing Land Supply situation in Arun District has fluctuated. The Annual Monitoring Report (AMR) for the period 1st April 2016 to 31st March 2017 which was published in January 2018 (before the Arun District Local Plan was adopted in July 2018) confirmed that there was only 2.08 year supply of housing land in the district.
- 6.2 The June 2019 version of the AMR which covered the period for the period 1st April 2017 to 31st March 2018 indicated that the situation had improved and that there was a housing land supply of about 4.7 years.
- 6.3 The most recent AMR was published December 2019 for the period 1st April 2018 to 31st March 2019. This shows that the housing land supply has deteriorated and is now about 3.7 years. This is demonstrated in the table set out on pages 22 and 23 of the AMR which is reproduced below:

Stepped Trajectory Housing requirement 2019-2023 (930 x 2 + 1310 x 3 + 864 Shortfall*)	6,654
20% Buffer	1,331
Total Requirement 2019-2023	7,985
Large Site Commitments (as at 31st March 2019 from WSCC RLA data – Appendix 2)	3,730
Small Site Commitments (as at 31st March 2019 from WSCC RLA data – Appendix 6)	277
Windfall Allowance (as at 31st March from WSCC RLA data – Appendix 6)	155
Made Neighbourhood Plan Allocations (without planning permission as at 31st March from HELAA – Appendix 5)	168
Deliverable HELAA Sites within built up area (if a HELAA site gained planning permission after 31st March 2019 it will show as an addendum to the large sites commitments)	169
Strategic Site Allocations (without planning permission as at 31st March 2019 or committed after 31st March 2019 – Appendix 3)	1,450
Total Supply	7,069
Supply in Years	3.7

*Shortfall calculated as follows: Stepped Trajectory Requirement for years 2011-2019 was $610 \times 5 + 930 \times 3 = 5,840$ less completions for year = $4,976 = 864$

6.4 Paragraph 13.1 of the December 2019 version of the AMR confirms that since the adoption of the Arun District Local Plan in July 2018 the housing delivery rates have not been as forthcoming as previously predicted to enable the completions to come through as anticipated. It goes on to state various reasons for this including:

- *The quality of some of the submissions for major application has not been of sufficient quality, to allow approval.*
- *Some applications on strategic allocations which had officer recommendation for approval were subsequently refused at committee.*
- *The rate of completions is highly dependent on developers, which is largely out of Local Authority control.*
- *Developers have not delivered on their previously promoted build out rates.*
- *Applications on all the strategic sites have not been as forthcoming as anticipated, for example following the Local Plan examination in 2017, planning applications were expected on (for example) Bersted SD3 & BEW (SD5) within 6/9 months of the Examination but to date have still not been received."*

6.5 Housing Land Supply was considered as part of a recent planning appeal (APP/C3810/W/19/3236911) for the erection of 10 dwellings on land adjacent to Bonhams and Flints, Hoe Lane, Flansham. The Inspectors decision letter of 12th February 2020 (which is contained in Appendix 2 of this statement) confirms in paragraph 4.9 that the Council is only able to demonstrate a supply of approximately 2.9 years.

6.6 The Governments most recently published Housing Delivery Test 2019 Measurement published in February 2020 confirms that over the three-year period 2016/17 to 2018/19 the dwelling requirement was 2,934 dwellings and that over this period only 1,997 homes were delivered. This amounts to a 68% measurement. As a consequence, the Council is required to identify an additional 20% buffer to provide 20% more land for housing than is currently allocated.

6.7 The current housing land supply shortfall is therefore an important material consideration in the determination of this application. In this regard consideration must be given to the NPPFs Presumption in favour of Sustainable Development and paragraph 11 (d). This confirms that for decision-taking 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 as set out in footnote 7), 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 this framework as a whole.

- 6.8 Owing to the current Housing Land Supply shortfall, the District Council published an Action Plan in June 2019 that makes a series of recommendations to boost housing delivery. This includes use of the 'presumption in favour of sustainable development' until such time as a 5 year housing land supply is re-established. It recommends applications are invited from landowners and developers on 'deliverable' HELAA sites to re-establish a 5 year housing land supply.
- 6.9 The principle of the proposed development in the context of the current housing land supply shortfall and other material considerations are set in Section 7.0 - Planning Considerations of this statement.

7.0 PLANNING CONSIDERATIONS

- 7.1 Section 5.0 Planning Policy and Section 6.0 Housing Land Supply of the statement provide the basis against which this proposal should be assessed. The main planning considerations are set out below.

Development Plan and or Legislative Background

- 7.2 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.”

- 7.3 As the application site is located outside of the designated Built Up Area Boundary where new residential development is considered to be inappropriate it is in effect contrary to Policy C SP1 Countryside of the adopted Arun Local Plan and Policy EH1 of the ‘made’ Aldingbourne Neighbourhood Plan. As set out later in this section the proposed development does however comply with other relevant policies regarding character/design, parking, highway safety, residential amenity, trees, ecology and drainage.

- 7.4 Importantly there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. These are as follows:

- i. The sites location on the edge of the built-up area boundary of Westergate with new residential development currently under construction on land at ‘Summer Meadows’ immediately to the north and long-established residential development located to the east on the eastern side of Hook Lane.
- ii. The Councils current Housing Land Supply deficit; and
- iii. The NPPF and associated guidance particularly in respect of Sustainable Development and the presumption in favour of sustainable development

Principle

- 7.5 The Development Plan for this part of Arun District comprises the Arun Local Plan 2011-2031; the made Aldingbourne Neighbourhood Plan 2014-2034; and the West Sussex Waste and Minerals Plan.

- 7.6 The key policy considerations in the determination of this application are considered to be SD S1, SD SP2 and C SP1 of the Arun Local Plan and Policy EH1 of the made Aldingbourne Neighbourhood Plan. Policy SDSP1 confirms the district council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF and that it will work to secure development that will contribute to the social, economic and environmental conditions south of the South Downs National Park through to the coast and throughout its settlements (both coastal and inland).
- 7.7 The application site is in a sustainable location given that it is located on the edge of the built-up area boundary of Westergate with new residential development currently under construction on land immediately to the north and long-established residential development located to the east on the eastern side of Hook Lane and by virtue of its proximity to other facilities including a variety of shops (including two convenience stores), a primary school, community buildings and a public house at Westergate/Woodgate. These facilities can be accessed by walking or cycling. A regular bus service (66A/66C) operates along the A29 Westergate Street (located within 450m walking distance to the east). Although some longer distance trips are likely to still be made by private car it is not necessary to have a car to be able to live at the site. The sustainability of the location is also demonstrated by the planning permissions granted under AL/8/16 for 14 dwellings on land at 'Barnside' (now called 'Summer Meadows') which is located immediately to the north and 79 dwellings (AL/39/13) at 'The Furlongs' located about 50 metres to the north-east.
- 7.8 Policy SD SP2 – Built Up Area Boundary states that BUAB are defined for the main towns and villages in the district and shown on the Proposal Map. It confirms that development should be focused within the BUAB and will be permitted, subject to consideration against other policies of the Local Plan. Policy CSP1 "Countryside" states that residential development in the countryside outside the BUAB will not be permitted unless in accordance with policies in the Plan refer to specific use or type of development. Policy EH1 BUAB of the Aldingbourne Neighbourhood Plan is similar to Local Plan Policies SD SP2 and CSP1 in that it resists proposals for development outside the BUAB unless it is for essential utility infrastructure, where the benefits outweigh the harm, and the it can be demonstrated that no reasonable alternative sites are available.
- 7.9 As previously stated, the application site just falls outside the BUAB as defined on the Arun Local Plan Policy Map 2 (Central) and is therefore defined as countryside. Development on the site would therefore be contrary to policies Local Plan Policies SD SP2 and CSP1 and Neighbourhood Plan Policy EH1. The aims and objectives of these policies would not, however, be harmed as the northern and eastern boundaries of the application site abut the defined BUAB which has recently been extended to include the recent housing permissions at 'Barnside/Summer Meadows' and 'The Furlongs'. The site is now clearly urban fringe and does not read as being an isolated site in the open countryside.

- 7.10 The NPPF 2019 is an important consideration in determining planning applications. It sets out a presumption in favour of sustainable development. Paragraph 12 makes it clear that:
- “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 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, but only if material considerations in a particular case indicate that the plan should not be followed.”***

Other Material Considerations

- 7.11 The following paragraphs consider whether there are any material considerations which indicate that the proposal should be determined other than in accordance with the Development Plan.

The Location of the Application Site

- 7.12 The application sites close proximity to a mix of established and recently developed housing at The Furlongs to the east, plus 14 new dwellings (currently under construction at Barnside/ Summer Meadows) immediately to the north, which are now both within the BUAB of Westergate gives the site an urban fringe location and character. As such it does not have a countryside character.
- 7.13 Although the site is an open grass area that previously formed part of the Fleurie Nursey site to the south it has been surplus to the requirements of the nursery for a number of years. The land is no longer in agricultural or horticultural use. It is vacant and now in a new separate ownership. As previously stated, given the character of the surrounding area and the close proximity of housing development to the north and east it is not considered to have a countryside character. It is not enough to simply refuse a proposed development on the grounds of it being in the countryside unless there is some form of harm to the character/appearance of the countryside. This is not considered to be the case here.
- 7.14 Furthermore, policies for the protection of the countryside from development have reduced weight by virtue of the District Council not being able to demonstrate a 5-year housing land supply as required by the NPPF. This also applies to Policy EH1 of the ‘made’ Aldingbourne Neighbourhood Plan because that plan was made in November 2016 which means that it is approaching 4 years old and does not include any housing allocations which means that it does not meet criteria a) and b) of paragraph 14 of the NPPF and has reduced weight in the decision making process.

Housing Land Supply

- 7.15 The most recent Annual Monitoring Report (AMR) dated December 2019 which covers the period 1st April 2018 to 31st March 2019 was considered and approved by the Planning Policy Sub-Committee on 17th December 2019. The AMR shows that the Council can no longer demonstrate a 5-year Housing Land Supply (HLS) as is required by the NPPF. Indeed, the AMR shows there is currently only a 3.7 year supply. Since then the HLS has reduced further to about 2.9 years as set out in paragraph 49 of the Hoe Lane, Flansham appeal decision (APP/C3810/W/19/3236911) of 20th February 2020.
- 7.16 As result there is clear need to release further land for housing particularly on smaller sites such as the application site as this type of site can be delivered quickly and will help to maintain housing delivery rates. To achieve this, it will be necessary to include sites 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.

The NPPF Presumption in favour of Sustainable Development

- 7.17 The National Planning Policy Framework (NPPF) is a material consideration in determining planning applications. As the Council cannot currently demonstrate a 5-year HLS, paragraph 11 (d) of the NPPF and the application of the 'presumption' for sustainable development is triggered.
- 7.18 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.
- 7.19 Criterion (i) above does not apply to this determination as the site does not lie in a protected landscape, conservation area and there will be no harm to listed buildings. In respect of criterion (ii), the remainder of this statement shows that there are no significant and demonstrable adverse impacts associated with the proposal. The presumption in favour of sustainable development applies.
- 7.20 Paragraph 8 of the NPPF states that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The following is an analysis of the sustainable nature of the site and proposal.

- 7.21 **Environment:** The site is in a sustainable location given it is bordered by residential development to the north and the east. The site is accessed via the creation of a new vehicular access directly on to Hook Lane which links into Westergate Street (A29) approximately 400 metres to the east along which there are shops, bus stops, a pre-school and a primary school, and public house. The Ormiston Six Villages Academy (Secondary School) and The Croft doctors' surgery are further afield but are a reasonable walk or cycling distance from the site. It is considered safe to cycle to access nearby shops and services. Some longer distance trips are likely still to be made by private car, but it is not necessary to have a car to be able to live at the site. It is acknowledged that the proposed development would result in a loss of an area of grass but this does not have a particularly high wildlife value. Provided the precautionary methods and mitigation specified in Section 5 of the accompanying Preliminary Ecological Appraisal the potential impact of the proposed development on local biodiversity would be minimal.
- 7.22 **Social:** The proposal supports the local community by providing 10 new family homes of varying sizes to help meet existing and future housing needs. The additional resident population of the development is likely to lead to an increase of customers at local shops and facilities and public houses/restaurants in the immediate area and therefore contribute to the viability and diversity of the local community.
- 7.23 **Economic:** The proposal is likely to result in economic benefits to the local area in the form of (a) an increase in Council Tax receipts; (b) potential 'New Homes Bonus' payments from the Government; (c) the creation of new or maintenance of exiting construction jobs; and (d) additional spending by new residents on local goods and services.

Conclusion on the Assessment of Sustainable Development

- 7.24 The site is in a sustainable location and the proposal offers clear social and economic benefits. There are some environmental costs i.e. the development of an area of grass designated as countryside but these are minimal and outweighed by the other factors. The proposal would be environmentally, socially and economically sustainable and benefits from the NPPF presumption in favour of sustainable development.

Suitability of the Site for Housing

- 7.25 As previously mentioned above the application site abuts the BUAB to north and east. It is also well related to existing housing on the eastern side of Hook Lane and to the Metis Homes development of 14 new dwellings currently under construction on land immediately to the north. The suitability of the site for housing is also recognised in the HELAA of 2019 (under Reference 18AL3) which forms Appendix 1 of this statement. This notes that the site is a small site outside but adjoining the BUAB and that it is located in an area where there is a fair amount of existing residential development and permitted applications. It goes on to confirm that ***"The site is therefore considered to be a suitable small site where development could tie in with the existing***

linear development". It considers residential development to be viable and achievable, and delivery in 2021-22 and 2022-23. In addition, there are no landownership constraints or physical infrastructure limitations that would prevent the proposed development.

Layout

- 7.26 As previously stated the layout of the proposed development would be considered at the reserved matters stage.
- 7.27 Whilst the layout shown on Drawing No. 19-191 HKL MHA 00 XX DR A 003 Rev P05 is only for illustrative purposes it has been informed by the shape of the site and the character and form of nearby housing and in particular the approved layout for the Metis Homes development currently under construction to the north. As the site is predominately linear in shape this has influenced the layout which is also mainly linear in form and based around a cul-de-sac arrangement. As the site has a 60m frontage facing Hook Lane this has also informed the illustrative layout with a pair of linked detached houses (Plots 1 and 2) facing the lane. The homes on Plots 3 and 4 have a dual aspect arrangement that addresses both the lane and the proposed access road. The homes on plots 5, 6, 7, 9 and 10 all face onto the access road and plot 8 overlooks a small courtyard area.
- 7.28 All of the properties are provided with generously sized private garden areas and the buildings themselves have acceptable separation distances between themselves and existing neighbouring dwellings. At the reserved matters stage careful consideration will be given to internal floor layouts and the placement of windows to ensure that acceptable standards of privacy are achieved for both existing and new residents. The illustrative layout has been carefully considered, taking into account the amenities of neighbouring occupiers or those of the future occupiers of the development. Overall, the approach set out in the Illustrative Site Layout reflects Local Plan Policies D SP1, D DM1 and QE SP1 and Neighbourhood Plan Policies H1 and H8.
- 7.29 Car parking is provided at two or three spaces per dwelling either in garages/car ports or in the open. These are mainly provided to the side or rear of each dwelling. Each dwelling will be provided with an active electric vehicle charging space. Four visitor spaces are proposed in the vicinity of the proposed turning head opposite plots 6 and 7. Overall a total of 26 car spaces are proposed (22 spaces for residents plus 4 visitor spaces). This is consistent with Local Plan Policy T SP1, Neighbourhood Plan GA3 and the Parking Standards SPD of January 2020.

Scale

- 7.30 Scale is also left as a reserved matter. It is envisaged that building heights will mainly be limited to two storeys across the site. A mix of two and four-bedroom houses are proposed along the Hook Lane frontage which is consistent with the existing built form on the eastern side of Hook Lane. The larger 4-bedroom properties are mainly located at the western end of the site in close

proximity to the larger properties of the Metis Homes 'Summer Meadows' development to the north. Overall, the scale of the proposed development is in direct response to the sites surroundings and particularly the recently completed 'The Furlongs' development to the north-east and the Metis Homes scheme currently under construction to the north.

Appearance

- 7.31 The appearance of the proposed development is also to be considered at the reserved matters stage. It is envisaged that the architectural approach will be focused on a traditional design with a simple appearance and materials palette reflective of houses in the local area. The general approach to the appearance of buildings is shown on Drawing No. 19-191 HKL MHA 00 XX DR A 004 Rev P02 – Proposed Street Scenes & Suggested Materials Palette for Illustrative Purposes. This shows a range of heights and styles including a mix of gable and full hipped roofs plus the odd dormer window and chimney. Roofs are likely to be tiled. It could also include some tile hung gables and upper floor areas. There could be a mix of render and red stock brick work for other walls. As previously stated, the proposed development includes a mix of linked detached and detached properties which is consistent with the existing form and appearance of neighbouring developments.

Landscaping

- 7.32 Landscaping is a reserved matter too. At present the site does not contain any soft landscaping features other than a young sycamore tree located in its eastern half, three silver birch trees located close to the south eastern corner where this abuts the access to the neighbouring nursery, an existing roadside hedge on its eastern boundary and a low hedge/earth bund on its western boundary. As a result, there is scope to retain and strengthen most of the existing vegetation on these boundaries and introduce new landscaping including new trees and hedges within the site and along its boundaries. There is also scope to include grass verges and a small area of open space. This type of arrangement will enhance the biodiversity of the site. The precise landscaping details will form part of a reserved matters application.

Access

- 7.33 Access forms part of the proposed development which seeks permission for the construction of a new vehicular and pedestrian access onto Hook Lane. This would be located between Plots 3 and 4 and would provide access to Plots 3 to 10. The width of the access road would be 5.5m and in places a 2m wide pavement is proposed. A raised chicane table would be provided between Plots 3 and 4 and a turning head to the front of Plots 6 and 7. This will enable refuse vehicles to enter and turn on site. A new access drive directly from Hook Lane is also proposed to serve Plots 1 and 2.

- 7.34 The application is accompanied by a Transport Statement prepared by Bellamy Roberts LLP. In terms of the amount of traffic that would be generated by the proposed development it is predicted that it would result in an increase of 5 vehicle movements (two-way) in the morning and evening peak periods at the site access. Across the day (12 hours), the proposal will generate an additional 46 two-way movements. This represents an additional vehicle every 12 minutes during the critical peak hour periods, if evenly spread. When this traffic dissipates onto the local highway network, the increase in movements will be imperceptible and well within daily fluctuations. Given the scale of the proposed development it is considered that it would not generate sufficient levels of additional traffic that overburdens the highway network. It is therefore reasonable to conclude that the development will not cause material harm or unacceptable congestion to the local highway network. Overall, the proposed access arrangement and likely traffic generation accord with Local Plan Policy T SP1.

Density

- 7.35 The net density of the proposed development amounts to about 24 dwellings per hectare (dph). Whilst this is greater than the density of the Metis Homes development to the north which is approximately 14.4dph (that development provides two large areas of open space which reduces the overall density) it makes effective and efficient use of land which is encouraged by paragraphs 117 and 122d) of the NPPF; adopted Local Plan Policy D SP1 (Design) and Neighbourhood Plan Policy H3 particularly where it reflects the characteristics of the site and local area. The density of the proposed development is also consistent with that of the recently completed development at The Furlongs of the 25dph located to the north-east.

Dwelling Mix and Space Standards

- 7.36 As required by Local Plan Policy H DM1 and Policy H2 of the Neighbourhood Plan, the proposed development provides a mix of dwelling types and sizes including:
- Two x 4-person two bedroom linked detached houses
 - Two x 5-person three bedroom linked detached houses
 - One x 6-person three bedroom detached house
 - Five x 7-person four bedroom detached houses
- 7.37 The minimum Gross Internal Floor area (GIA) of the two bed properties is 79m²; the GIA for the three bed properties ranges between 93m² and 102m²; and the four bed homes have a range of 106m² and 115m². All the above GIAs comply with the DCLGs "Nationally Described Space Standard" and as such comply with Policy D DM2 of the adopted Arun Local Plan.

Affordable Housing

- 7.38 As the development proposes 10 new homes it falls below the 11 unit threshold for the provision of affordable homes set out in Policy AH SP2 of the adopted Arun Local Plan. It is acknowledged that Policy H4 of the 'made' Aldingbourne Neighbourhood Plan sets a 40% affordable housing threshold on schemes of 10 or more dwellings. As the Local Plan was adopted in July 2018 and the Neighbourhood Plan was made in November 2016 the Local Plan is the more up to date Development Plan document and therefore carries greater weight than the Neighbourhood Plan.

Flood Risk, Surface Water and Foul Drainage

- 7.39 According to the Environment Agency Flood Map the application site falls within Flood Zone 1 and is at low risk of flooding. Despite the application site being less than 1.0 hectare in size which in normal circumstances means that a Flood Risk Assessment (FRA) is not required one has been prepared by Bellamy Roberts LLP which also considers surface water and foul drainage disposal. The FRA forms part of the application submission.
- 7.40 The FRA confirms that as the site has an approximate area of 0.40ha and is located in Flood Zone 1 the proposed development does not have to pass the Sequential and Exception Test before planning permission can be issued. With regard to the proposed drainage strategy it confirms that given the presence of clay and relatively high water table in the locality that infiltration drainage, via conventional soakaways, is unlikely to be successful. As such an alternative approach is necessary, based on SUDS principles, it is proposed that all surface water run-off is attenuated with an on-site storage tank, before being discharged into the existing watercourse to the west of the application site. The discharge rate into the watercourse will be controlled via a series of hydro-brakes and limited to a rate greater than the existing greenfield run-off rates.
- 7.41 With regard to foul drainage, it is proposed that the site will connect to the existing 150mm Southern Water foul sewer located in Hook Lane. The proposed foul drainage connection is shown on the plan forming Appendix 5 of the FRA. The approach set out in the FRA complies with Local Plan Policy W DM1 and WDM3.

Trees and Hedgerows

- 7.42 A mixed hedgerow forms the eastern boundary of the application site. This continues along a small part (approximately 20m in length) of the southern boundary where this abuts the existing entrance to the neighbouring nursery. Other than the creation of the main vehicular access and the new driveway serving plots 1 and 2 the existing hedgerow would be retained. There are four semi-mature trees located within the application site boundary. One of these is a young sycamore located within Plot 4 which would need to be felled based on the submitted Illustrative Layout

Plan. The three other trees are young silver birch located on the southern boundary of Plot 1 adjacent to the existing concrete access to the nursery. All three would be retained and their root protection areas left undisturbed as the location of the dwelling and associated ground excavations would not affect these trees. The loss of the existing sycamore tree in Plot 4 would be compensated for by generous levels of new tree and hedgerow planting which would form part of a detailed landscaping scheme submitted as part of a future reserved matters application.

Ecology/Biodiversity

- 7.43 The application is accompanied by a Preliminary Ecological Appraisal prepared by Bright Green Environmental. This confirms that the main part of the application site is grass which is regularly mown. No protected or locally important plant species were recorded at the time of the site visit on 4th March 2020. It also confirms that there are two off-site water bodies (a reservoir/irrigation pond and a pond) adjacent to the west and north-west which are likely to be breeding ponds for great crested newts (GCN). Despite this, none of the development works will impact on the GCN breeding ponds themselves or immediately adjacent suitable terrestrial habitat as the development area is confined the managed grass field area. In terms of suitable GCN mitigation/safety precautions, the appraisal recommends the erection of an amphibian fence along the western and northern boundary of the application site to exclude the ponds and adjacent habitat. It will also be necessary to obtain a European Protected Species (EPS) license for GCNs.
- 7.44 The appraisal also confirms that none of the on-site trees present suitable roosting opportunities for bats and the site itself offers limited foraging habitat along the eastern boundary hedgerow and the western pond around the reservoir/irrigation pond which connects with the mature hedgerow field boundaries. Nevertheless, it acknowledges there is scope for lighting precautions during and post construction to enable any bats to use the surrounding habitat. There is also an opportunity to enhance the site for foraging bats by incorporating a sensitive landscape design particularly along the northern and southern boundaries to provide ecological connectivity with the east and west boundaries.
- 7.45 In terms of reptiles the site itself offers negligible habitat for reptiles and it is considered unlikely that there would be any reptiles present within the immediate development area. The nearby waterbodies are not considered to offer suitable habitat for water voles. It also considers that the site is not suitable for Dormice due to a lack of suitable habitat. No signs of badgers or foxes were identified during the survey.
- 7.46 The hedgerow along the eastern boundary provides nesting habitat for a range of birds. As such it recommends that any works to the trees or vegetation clearance are undertaken outside of the bird breeding season (1st March to 31st August).

- 7.47 Paragraphs 4.3.1 confirms that the application site is within 15km of seven internationally designated sites and that there are no known non-statutory conservation sites within 2km of the site. Section 4.3.12 confirms that the proposed development site is separated from these designations by a considerable distance and there are no watercourse linking these sites/designations. The proposed 10 additional homes are not considered to present a significant increase in recreational pressure upon the designated sites. Over the proposed development is unlikely to have any significant adverse impact upon the designated sites.
- 7.48 The Preliminary Ecological Appraisal recommends that no further surveys are necessary and a GCN EPS License must be obtained from Natural England prior to works commencing. Subject to the recommendations/enhancement measures and suitable precautionary methods and mitigation set out in Section 5 of the appraisal it is considered that the potential impact of the proposed development on local biodiversity would be minimal. It is unlikely to have an adverse impact on any protected Species of Principal Importance to Conservation or Biodiversity or locally important species. If the additional recommendations in Section 5.4 of the appraisal are implemented the proposed development has the potential to enhance wildlife. Based on the above, the proposed development accords with Local Plan Policy ENV SP1 and Neighbourhood Plan Policy EH6.

Lighting Statement

- 7.49 As the application is in outline form with all matters reserved except for the means of access details relating to lighting will form part of a reserved matters submission. At this stage the lighting scheme for the development will be designed to ensure that the visual effects of lighting on the surrounding area are minimised. The measures likely to be introduced include the following:
- The height of the lighting columns should be as low as possible, with low level and bollard lighting used on pedestrian routes and other areas where practicable from a safety perspective.
 - Full cut off luminaires, which control the upward and outward spillage of light to ensure that the effects of the lighting on ecological features are minimised to an acceptable level.
 - that the upwards spillage of light is minimised so there is no or negligible sky glow and glare from the development; and so, the night-time impact of the lighting scheme on adjacent properties and land uses is reduced.
 - The type of lighting used would be given due consideration – the use of narrow spectrum high pressure sodium luminaires with minimal emission of white, blue and UV wavelengths.
 - The use of timers on motion sensors should be incorporated into the design so that the lights can be dimmed and/or switched off at night.
 - Lighting should avoid spillage so that dark areas can be maintained.

Waste Storage and Collection

- 7.50 The approach to waste storage and collection has been considered with regard to the requirements of Arun District Council. The number and types of refuse and recycling bins provided for each property will comply with the requirements of the local authority. The refuse provision will be in the form of wheelie bins kept in rear or side garden areas or within garages or designated bin stores. On collection days the occupiers of the properties of Plots 1 to 7 would leave the bins on the path or driveway of the property boundary. A small collection area would be provided on the edge of the courtyard area for Plots 8 to 10. The proposed road layout incorporates a turning head opposite Plots 6 and 7 which is of sufficient size to enable refuse vehicles to turn safely within the site.

8.0 SUMMARY AND CONCLUSION

8.1 The foregoing sections of the Statement confirm the following:

- a) Arun District Council is not able to demonstrate a 5-year housing land supply. As set out in the NPPF there is a need to boost the supply of housing where the development would be sustainable. The need to deliver more housing means that reduced weight should be given to the housing and countryside policies of the adopted Arun Local Plan 2018 and the made Aldingbourne Neighbourhood Plan 2016.
- b) The proposed development would deliver 10 dwellings on a small site that can be delivered quickly which will help improve the current housing land supply.
- c) Westergate is one of the six main villages in the district and has a good range of employment, community and leisure facilities and is served by public transport. As such it is in a sustainable location.
- d) The proposed development is in the urban fringe and would not harm the character of the countryside or the surrounding area.
- e) The site is well related to the existing built form and adjoins the BUAB of Westergate which is located immediately to the north and east. As such the site is suitable for housing which is also confirmed in the HELAA 2019.
- f) The site is unobtrusive in the landscape and would not result in unacceptable effects on the wider landscape setting or the character of the settlement. In time it would be successfully assimilated into the settlement.
- g) The proposed development has a net density of about 24dph which makes efficient use of land whilst respecting the character of the area.
- h) It can be safely accessed from Hook Lane without having unacceptable or severe impacts on the surrounding road network.
- i) It provides sufficient on-site car and cycle parking.
- j) The site is not in a high-risk flood area and the proposed development will not increase the risk of flooding off-site by incorporating suitable surface water attenuation measures including SuDS.
- k) The proposed development will introduce more trees and hedgerows than currently exist at the site and will incorporate other biodiversity gains. As a result, there are no biodiversity reasons for restricting the proposed development.
- l) There are no designated or non-designated heritage assets existing on-site or near the site. As such there will be no harm to heritage assets.

- 8.2 Overall, the proposed scheme amounts to a sustainable development for which there is a presumption in favour of granting planning permission. The development would help increase the supply of housing in the District and reduce the existing shortfall in the short term; and would not result in demonstrable harm.
- 8.3 We therefore trust that your Council will be able to grant outline planning permission within the thirteen-week determination period.

APPENDICES

APPENDICES

APPENDIX 1

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)

APPENDIX 2

HELAA Assessment Summary Table - Deliverable - Residential Site

Reference	18AL3
Site Location	Land west of Hook Lane Aldingbourne
Parish	Aldingbourne
Grid Reference	493393 - 104592
Strategic Allocation Site	No
Neighbourhood Plan Site	No
Site Area	0.4 hectares.
Net Developable Area	0.4 hectares.
Viability Typologies	5 - MG12
Site Description/Existing Use	Flat Greenfield site with one residential property adjoining the site. The site has existing access however it appears to be outside the boundary of the site. Trees form the boundaries of the site. There is a reservoir on the western boundary of the site and nurseries and greenhouses to the south.
Settlement	Westergate
Local Plan Area	Inland Arun Area
Existing Use	Greenfield
Deliverability Summary	Promoter estimates submission of outline planning application to be Oct / Nov 2019 and completion of last dwelling to be in July 2022.
Constraints	Outside but adjoining the BUAB. Countryside. Archaeological notification area.
Potential use for evaluation	Residential.
Suitability	This site is a small site outside but adjoining the BUAB. It is located in an area where there is a fair amount of existing residential development and permitted applications. The site is therefore considered to be a suitable small site where development could tie in with the existing linear development.
Availability Summary	This site has been promoted through the 2019 HELAA updates and is considered available.
Achievability Summary	The Arun Local Plan Viability Study 2016 identifies that a site such as this is viable and achievable.
Current Status	Deliverable

Projected Potential Yields

Suggested Density	Suggested Total Yield	Promoted/Planning Application suggested total yield
30	12	

2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27
0	0	5	7	0	0	0	0
2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35
0	0	0	0	0	0	0	0

