



PLANNING & DESIGN ACCESS STATEMENT

RYEFIELDS FARMHOUSE, OAK TREE LANE, WOODGATE, PO20 3GU

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1.0 INTRODUCTION

- 1.1 This Planning & Design Access Statement has been prepared on behalf of Domusea Developments Ltd. It accompanies a detailed planning application for the erection of 5no. 2 storey houses and an associated scheme of hard and soft landscaping on land at Ryefields Farmhouse, Oak Tree Lane, Woodgate, PO20 3GU.
- 1.2 The site lies within the built-up area boundary and also lies on the edge of a strategic housing land allocation (as defined by the Arun Local Plan 2011-2031 Policy Map 2) so benefits from a highly sustainable location. The site is also subject to the 'Made' Aldingbourne Neighbourhood Plan 2014-2034.
- 1.3 As shown in the Flood Risk map below (reproduced from the Environment Agency website), the application site lies within flood zone 1 (least liable to flooding).

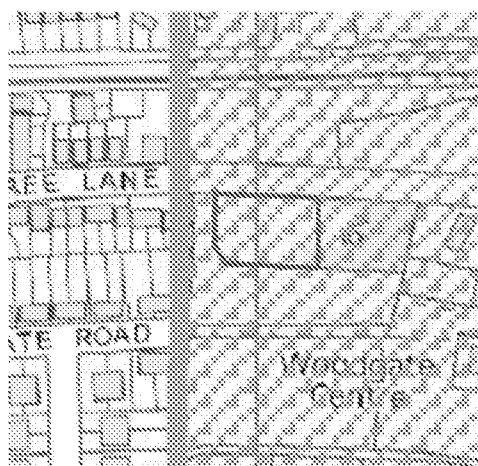


Fig 1 - The Site

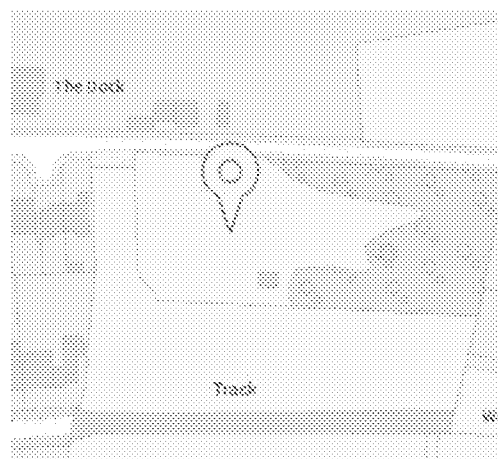
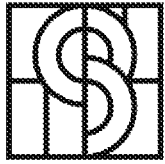


Fig 2 - Flood Map Extract

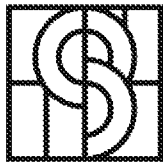
- 1.4 The proposed scheme of development includes for the demolition of one outbuilding and subsequent erection of 5no. 2 storey houses comprising 1no. 4-bed detached, 2no. 4-bed link detached and 2no. 3-bed detached houses with both covered and uncovered off-street car parking. A further 8no. uncovered and unallocated visitor spaces will also be provided as well as an access road, pavement (along the application site's frontage) and an associated scheme of hard and soft landscaping. In broad planning terms, the aim of the proposal is to



make more efficient and effective use of this sustainably located and particularly generously sized residential plot.

1.5 Plans and information submitted in support of the proposed scheme of development comprise:

- » Location Plan
- » Block Plan
- » Context Plan
- » Roof/Site Plan
- » Plot 1 Proposed Floor Plans
- » Plot 1 Proposed Elevations
- » Plots 3 & 2 (Handed) Proposed Floor Plans
- » Plots 3 & 2 (Handed) Proposed Elevations
- » Plots 4 & 5 Proposed Floor Plans
- » Plot 4 Proposed Elevations
- » Plot 5 Proposed Elevations
- » Ecological Impact Assessment Report – Lizard Landscape Design and Ecology
- » Existing Tree Schedule – Lizard Landscape Design and Ecology
- » Tree Constraints Plan – Lizard Landscape Design and Ecology
- » Tree Retention and Protection Plan – Lizard Landscape Design and Ecology
- » Arboricultural Impact Assessment and Method Statement – Lizard Landscape Design and Ecology
- » Engineering Details Drainage Strategy – Kazys Narbutas Consulting
- » Transport Technical Note – Mayer Brown
- » Planning & Design Access Statement – Smith Simmons & Partners



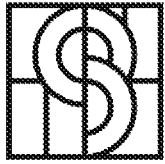
2.0 THE SITE AND ITS PLANNING HISTORY

The Site

- 2.1 The application site forms part of the garden associated with Ryefields Farmhouse and is also used for some livestock grazing. It is rectangular in shape and measures approximately 0.20ha in area. Access to the land is off of an unmade private track, Oak Tree Lane, which runs along the site's northern boundary.
- 2.2 The plot occupies a position close to the south-eastern edge of the settlement of Woodgate. The character of the locality is rural to the east although the settlement of Westergate lies to the north of the site, on the other side of the railway line.
- 2.3 Existing development comprises an outbuilding on existing garden land associated with Ryefields Farmhouse. All of the site's boundaries are marked by a mixture of trees of varying height and scrub. A private access lane which adjoins the site's northern boundary connects the site with Lidsey Road - an A-classified road that is subject to a speed limit of 30mph.

Planning History

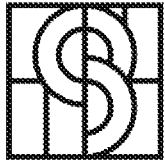
- 2.4 Two previous applications (AL/69/11 and AL/106/12) that were also the subject of appeals were concerned with proposals for adjoining land to the south and south-east and the strip of land between 24 Oak Tree Lane and the application site. Both appeal Inspectors concluded that the site had a low level of sustainability regarding transport modes and the proximity of community facilities. Accordingly, the proposals did not override a shortfall in the then five-year housing land supply and tilt the balance in favour of the proposed development. In the latter appeal, the Inspector concluded that the appeal site may, in the context of wider development involving a substantial amount of new housing, additional services and pedestrian/transport links, provide an opportunity for sustainable development. However, he was not satisfied that this would be the case for development of the appeal site in isolation.
- 2.5 Subsequently, application reference (AL/118/18/OUT) was refused for five reasons, summarised as follows: 1. Premature in terms of the detailed masterplanning and delivery of the Barnham/Eastergate/Westergate (BEW) strategic allocation (SD5). Insufficient



information had been submitted to demonstrate that the proposed development would contribute to the delivery of a comprehensively planned settlement or provide a high quality development with a sense of place and permeable layout. 2. The proposed access would not create a safe and secure layout for traffic, cyclists and pedestrians whilst avoiding street clutter or meet the needs of people with disabilities by all modes of transport. 3. Failure to demonstrate satisfactory access to and from the site, through the site access and the ability to turn within the site for fire appliances and refuse vehicles. 4. The proposed layout failed to give sufficient regard to existing trees on the site and was therefore unacceptable in terms of protecting, conserving or enhancing the natural environment and landscapes. 5. The application failed to make provision for contributions towards the infrastructure needed to support the development. This refusal of planning permission was not appealed against.

- 2.6 More recently, in July 2019, outline planning permission application with some matters reserved was refused for the demolition of existing buildings & the erection of 10no. houses comprising 1no. three bedroom detached, 2no. three bedroom semi-detached, 4no. four bedroom semi-detached & 3no. four bedroom detached houses with associated access & parking (AL/72/19/PL). The scheme was refused on the following five grounds: 1. Insufficient information has been submitted to demonstrate that the proposed development of this scale could be satisfactorily accommodated in a manner which would not undermine the delivery of a comprehensively planned settlement of a high quality with a strong sense of place, having regard to such matters as the A29 realignment, non-car modes of transport, infrastructure provision, a high quality legible and permeable layout and a high standard of architectural principles. 2. The proposed access does not create a safe and secure layout for traffic, cyclists and pedestrians whilst avoiding street clutter or consider the needs of people with disabilities by all modes of transport. 3. Insufficient information has been submitted to demonstrate that the proposed development would be able to accommodate the movement of a 12m long refuse vehicle to collect household waste and items for recycling. 4. Insufficient information has been submitted to demonstrate satisfactory foul and surface water drainage from the proposed development. 5. The application fails to make provision for contributions towards the infrastructure needed to support the development.

- 2.7 This refusal was subsequently appealed (APP/C3810/W/19/3243619) and dismissed. The Inspector concluding as follows:



'I have found that the proposed development would not be accessible to all users other than by vehicle and would not meet the needs of vulnerable users. Furthermore, the proposal fails to demonstrate that there would be satisfactory arrangements for the collection of refuse and capable of providing satisfactory foul and surface water drainage. I afford substantial weight to these matters as part of the determination of this appeal noting conflict with both development plan and Framework policies. Although I have found that the proposed development would not prejudice the comprehensive delivery of development in respect of the BEW strategic allocation, this is a matter of neutral consequence in the overall planning balance.'

- 2.8 The current, proposed scheme of development responds to and successfully overcomes the previous Appeal Inspector's concerns. Specifically, (i) by including for an extension to the existing footpath, the proposal would be accessible to all users and would meet the needs of vulnerable users; (ii) the proposal will provide satisfactory arrangements for the collection of refuse and; (iii) the proposal would be capable of providing satisfactory foul and surface water drainage. In support of this summary and in support of the application, a Transport Technical Note and Engineering Details Drainage Strategy have been submitted.

3.0 CONSIDERATIONS FOR THE DEVELOPMENT PROPOSAL

Contextual Assessment & Evaluation

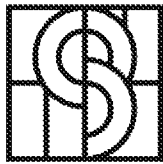
- 3.1 The application site is located within an extended part of the built-up area boundary as shown on Arun Local Plan 2011-2031 Policy Map 2 which comprises, to a large extent, the Barnham, Eastergate and Westergate (BEW) strategic allocation. It is however, noted that it lies outside the built-up area boundary of the 'Made' Aidingbourne Neighbourhood Plan 2014-2029. Despite this conflict, the built-up area boundary identified in the more recently adopted Arun Local Plan (July 2018) clearly prevails over the built-up area boundary that is defined in the Aidingbourne Neighbourhood Plan (November 2016).

Design and Appearance

- 3.2 The architectural approach proposes houses of traditional design with a simple appearance and a materials palette reflective of houses in the vicinity of the site. The proposed houses will be constructed using a mix of brick and in some instances, timber weatherboarding on their elevations with clay tiled roofs. The garages will have elevations and roofs to match.



Fig 3 - Plot 5 Proposed Elevations



- 3.3 The design and appearance of the proposed development is therefore considered to accord with Local Plan Policies D SP1 and D DM1(1 and 2), Policy H1 of the Neighbourhood Plan and the relevant sections of the recently adopted Arun District Design Guide.

Scale

- 3.4 The proposal is for the demolition of one outbuilding and subsequent erection of 5no. 2 storey houses comprising 1no. 4-bed detached, 2no. 4-bed link detached and 2no. 3-bed detached houses – 3no. of which will be provided with attached garages. Given that detached and link-detached houses of varying scales exist in the vicinity of the site, the proposed type and scale of buildings in this location is considered appropriate.
- 3.5 The proposed development will provide a good mix of 3 and 4 bed houses. The master bedroom in each house will benefit from ensuite facilities. Each house will also provide a shared bathroom, lounge, kitchen-diner, and space for either a utility room or home office.
- 3.6 The site area measures 0.20ha. The Gross Internal Area (GIA) proposed for all of the proposed houses and their garages is 767m². The outbuilding which is proposed for demolition has a GIA of 21m². Therefore, the proposal will result in a GIA increase of 746m².
- 3.7 It is considered the designs of the proposed houses and the wider proposed site layout has led to a well-proportioned scheme, whereby the proposed plots provide sufficient amenity space and compare favourably with other nearby properties. They would provide an appropriate scale and density of development which would be consistent with surrounding residential development in the area and in turn, provide much needed additional housing in Woodgate without harming existing local character. Accordingly, the proposal is considered to accord with Local Plan policies D SP1 and D DM1(13 and 14).

Site Layout

- 3.8 The proposed layout aims to make an efficient and effective use of the residential land available. A centrally located shared access drive will run on a north-south axis. At its start, will be an extension of the access road which will lead to the 2no. 3-bed detached houses and the main visitor parking area. The detached and link-detached 4-bed units will be located

3.9 All of the scheme's houses will be sufficiently separated from each other to avoid any sense of enclosure and those windows which will serve habitable rooms will be positioned so as to avoid any loss of privacy. The windows which will serve the kitchen/diners for houses on Plots 1 and 2 will face each other however, given that this space (in both units) will also be served by bi-fold doors on their west elevations, they could be obscurely-glazed if necessary.

3.10 Occupiers of all the proposed houses will benefit from 2no. off-street car parking spaces. 1no. of these spaces for houses at Plots 1,2 and 3 will take the form of a garage. The other space at each of these houses will be on open driveway. Each garage will be of a size sufficient to also accommodate refuse bins and cycles. In the case of houses at Plots 4 and 5, the storage of refuse and cycles will be in sheds to be located at the end of their rear gardens.

3.11 A further 8no. visitor parking spaces will be provided – 6no. along the northern edge of the site with the other 2no. being located close to the site's southern boundary.

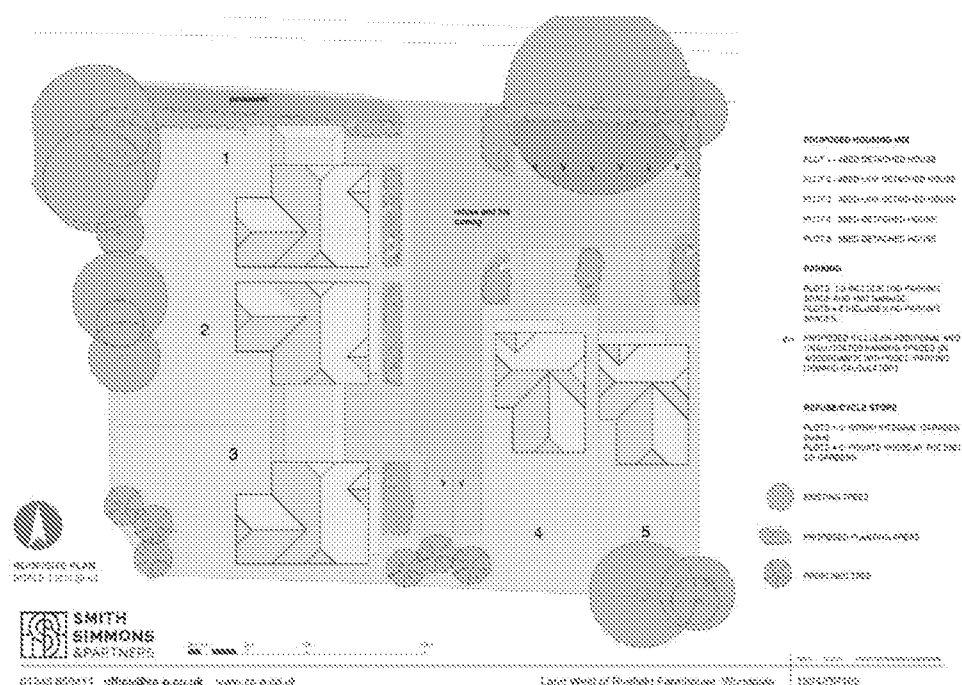
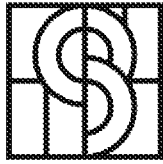


Fig. 4 - Proposed Site Plan



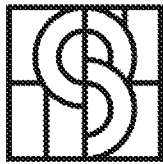
- 3.12 The access drive will be constructed using tarmac whilst the driveway and parking areas will use permeable block paving. The number of spaces, including visitor spaces is in accordance with Arun District Council's Parking Standards Supplementary Planning Document Jan 2020. Given all of the above, the proposed layout is considered to be in accordance with Policy D DM1(10 and 11) of the Local Plan.

Amenity Spaces

- 3.13 Each unit will benefit from good-sized rear gardens, which will either be orientated east to west (in the case of houses at Plots 1-3) or north to south (in the case of houses at Plots 3 and 4). It is considered that such a provision will be more than adequate to serve the intended occupiers of the proposed houses. The proposal will therefore provide good quality, private outdoor amenity space so will accord with Policy H8 of the Neighbourhood Plan. The internal accommodation provided for within the proposed houses (described above) will comply with guidance contained within the Nationally Described Space Standards and likewise will be in accordance with Policy D DM2 of the Local Plan.

Access and Parking

- 3.14 The development will be served by an access drive which will lead off of the private lane which runs along the site's northern boundary. The scheme will provide for adequate turning and parking provision for occupiers and visitors as well as larger refuse and fire vehicles.
- 3.15 Given the modest scale of development proposed, it is considered that an unacceptable level of additional traffic that would not be generated that would overburden the highway network. In support of the application, a Transport Technical Note is submitted which concludes that:
- The proposals provide vehicle and cycle parking in line with ADC and WSCC standards;
 - The proposals include the provision of a 2m wide footway along the western section of the site frontage that will tie in with existing footway provisions on Oak Tree Lane, ensuring that the development is accessible to all road users.
 - Tracking demonstrates that a 12-metre servicing vehicle can turn within the site in 3 manoeuvres; and



- The proposals result in a very small number of trips generated from the site that will likely have a negligible impact on the operation of local highways.

3.16 It is therefore considered that the proposed scheme of development has successfully overcome the previous Inspector's concerns raised in respect of the site's accessibility to all users other than by vehicle and meeting the needs of vulnerable users as well as that relating to the collection of refuse. The proposal therefore accords with Local Plan Policy T SP1.

3.17 The site is located within easy access of established public transport services and will also provide 2no. allocated, off-street car parking spaces for each house with a further 8no. spaces provided for use by visitors of the development. The proposed level of on-site car parking is therefore in accordance with West Sussex County Council's current standards and consequently, complies with Neighbourhood Plan Policy GA3.

Amount and Use

3.18 The amount of development is considered to be appropriate in context with the surrounding residential development and would make far more efficient use of this land within the recently extended built up area for residential use – which is in line with the Council's guidance.

3.19 In accordance with Local Plan Policy AH SP2, as the proposed scheme will only result in a net gain of 5no. residential units, there is no requirement for the provision of affordable housing contributions. Furthermore, in terms of internal space standards, Policy D DM2 advises that regard must be paid to nationally described space standards. For two storey 4-bed/8 person and 3-bed/6 person houses, the national standard requires a minimum of 124 and 102m² GIA respectively. All of the houses proposed will provide well in excess of these minimum GIA size standards.

Landscaping and Arboriculture

3.20 The site benefits from a well landscaped boundaries with mature trees/hedgerow. The proposals have been fully informed by a tree survey including a tree constraints plan to ensure the proposed development would not adversely affect existing landscaping that makes a positive contribution to the amenity of the area. To facilitate the proposals, it will

be necessary to remove 21no. trees. However, the majority of those trees proposed for removal are semi-mature trees of low quality and value (Category C), with some moderate quality trees and some non-natives. To mitigate the loss of existing tree cover, the proposals include for the planting of 13no. trees alongside 3no. hedges. With the replantation of native, pollinating species and mixed species hedgerows, the proposals are considered acceptable in arboricultural terms. The proposed scheme of soft landscaping is therefore considered appropriate to its location and consequently, compiles with Local Plan Policy D DM1(1).

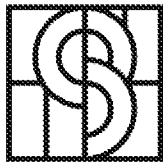
- 3.21 Furthermore, Policy ENV DM4 requires a tree survey, tree constraints plan and arboricultural method statement to be submitted to explain the impact of a development on exiting trees. A tree survey schedule, tree constraints and protection plans and arboricultural impact assessment and method statement are therefore submitted in support of the proposals.

Ecology

- 3.22 Policy ENV DMS of the Local Plan requires development schemes to seek to achieve a net gain in biodiversity and protect existing habitats on the site and also encourages schemes to incorporate elements of biodiversity as well as landscape features minimising adverse impacts on existing habitats.
- 3.23 A Preliminary Ecological Appraisal has noted that The existing site is formed of amenity grassland and scattered trees surrounded by species poor hedgerow and hardstanding. The site itself is of low ecological value with no habitats of interest noted.

Surface and Foul Water Drainage

- 3.24 Local Plan Policy W DM1 requires development which will materially increase foul water discharges will be refused unless the Local Planning Authority is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development. Similarly, any proposal which increases flood risk elsewhere will be refused. To meet this requirement, an Engineering Details Drainage Strategy drawing is submitted.



4.0 RELEVANT PLANNING POLICIES

National Planning Policy Framework 2019

- 4.1 Paragraph 10 of the NPPF states: *'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.'* Paragraph 11 states:

'For decision-taking this means:

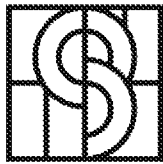
c) approving development proposals that accord with an up-to-date development plan without delay or; d) where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

- 4.2 Paragraph 12 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.'* Indeed, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined *'in accordance with the development plan unless material considerations indicate otherwise.'*

- 4.3 In this case, the development plan comprises the Arun Local Plan 2011-2031 and the Made Aidingbourne Neighbourhood Plan 2014-2029. As explained within paragraph 3.1 above, despite the principle of development being in conflict with the Neighbourhood Plan, the more recently adopted Local Plan takes a permissive stance towards providing new housing within the newly extended built-up areas. In this respect, and in accordance with NPPF paragraph 11 c), the development plan is considered 'up-to-date'.

Arun Local Plan 2011-2031



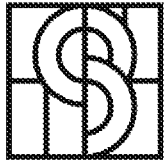
- 4.4 Policy H SP1 of the Arun Local Plan sets out the overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. This policy allocates 2,300 units to be provided in the BEW strategic allocation (SD5) within the plan period. The application site, which comprises residential garden land located off Westergate Street lies within the BEW strategic allocation as shown on Policy Map 2.
- 4.5 Policy H SP2 states: *'Development proposals within the Strategic Site Allocations must be comprehensively planned and should have regard to a masterplan endorsed by the Council for the respective areas which incorporates high quality imaginative design giving a sense of place and a permeable layout'*. However, it is argued that given the site's size and location, it would be unreasonable and inappropriate for the Council to insist on its inclusion in the wider site masterplan so mitigating circumstances exist to justify a departure from the policy.
- 4.6 It should similarly be noted that Policy H SP2 sets out specific requirements for the BEW allocation in terms of key design, environmental and infrastructure requirements. However, due to the small size and location of the site, the key design aspects set out in the policy are too high level to apply to this proposal.
- 4.7 However, notwithstanding this view, it is acknowledged that in their assessment of a proposal for the residential re-development of a plot immediately north of the application site, on the northern side of the railway line (LA Ref AL/103/18/PL), the Council recognised that the key infrastructure which is required to be delivered under Policy H SP2 was expected to come forward on the larger parts of the BEW strategic allocation (SD5). It was however, also noted by Officers that the cost of the infrastructure, including strategic highway improvements, was expected to be funded through proportional developer contributions from applications as they come forward (e.g. towards education, healthcare etc). However, as the wider Consortium for the larger part of the strategic allocation did not raise any objections re. the lack of contributions from the neighbouring scheme, and also given the small size and location of the site, the Council concluded that a zero infrastructure contribution was acceptable in that instance. For the same reasons, it is considered that the same conclusion should be reached in respect of the current proposal for Ryefields Farmhouse – given the distinct similarities in both the size of the site and its location.

- 4.8 In respect of LA Ref AL/103/18/PL and having had due regard to the aforementioned relevant Local Plan policies, the Council concluded that the proposed number of houses, given the modest size and location of the site and constituted an acceptable and appropriate form of development for the BEW strategic allocation. Notwithstanding the differences in the amount of development approved/proposed, it is respectfully considered that that same conclusion can be reached in relation to the scheme that is proposed for land at Ryefields Farmhouse.

Arun District Design Guide Supplementary Planning Document 2021

- 4.9 The Arun District Design Guide was adopted in January 2021 and has been prepared as part of the Council's commitment to secure the highest quality development across the District and aims to provide detailed information that supplements the Local Plan's design policies.
- 4.10 At Part A.05 of Section 1 of the Design Guide, it is recognised that good design has an impact on all aspects of the built and natural environment and goes beyond the appearance of individual buildings and notes that the link between good design and an improved quality of life is well demonstrated and widely understood but not always materialised in developments.
- 4.11 Section 2 sets out a number of overarching design principles which apply to all development types, explaining the masterplanning process and how to integrate a plot with its surroundings. It does however, state that not all of the overarching principles that are set out within Section 2 will necessarily apply to the design of all types of development.
- 4.12 The third and final section of the guide offers further detailed guidance on technical issues associated with specific development types. Chapter P *Infill Development (2-9 dwellings)* and Chapter S *New Homes* are considered directly applicable to the development that is proposed for the application site so will therefore be the focus for the remainder of this addendum.
- 4.13 Chapter P requires all types of infill development to respond positively to the character, appearance and layout of surrounding buildings to ensure that amenity for surrounding and new residents is enhanced. In very broad terms, it is the prevailing character of surrounding buildings and spaces which are expected to inform an appropriate infill design response.
- 4.14 Importantly, it is stated that infill developments, whether in rural or urban environments, must aim to strike a balance between the benefits of more efficient and intense use of development land and preserving the character and local amenities of the site's context.

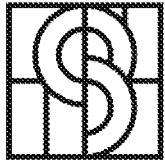
- 4.15 The type of infill development which best describes the proposals for Ryefields Farmhouse is site backland development. The guide states that by virtue of their position within residential areas, the design of backland development should demonstrate an understanding of any potential effects on the character and amenities of the neighbouring urban area. Furthermore, backland developments are expected to be subservient to existing properties, with their layout maximising the outlook of neighbours and their scale and density addressing the characteristic urban development patterns of previous backland development in the area.
- 4.16 In describing the fundamentals of 'site redevelopment' the guide makes clear that intensifying the use of a site (for example, through sub-division) must not result in cramming and states that design proposals should maintain the scale, alignment, building patterns and location character. It also insists that higher density developments must not result in a loss of amenity for existing residents and key features such as mature trees should be retained.
- 4.17 Chapter S is specific to the design of new homes and states that the design of proposals should reference the character of Arun District, provide a high level of amenity for their occupants and neighbours and be both socially and environmentally sustainable. They should take account of the building design, inclusive design, internal and external amenity space standards, parking and sustainability guidance provide in Section 2 of the guide.
- 4.18 The guide states that the design of new homes should provide clear delineation of public and private spaces and contribute to the creation of an attractive public realm whilst offering natural surveillance from habitable rooms and providing private, rear gardens. Homes should also be capable of adaptation to enable home working. If they are to meet the District's sustainability objectives, schemes for new homes should adopt an approach which designs out waste, contributes positively to the local environment through improving ecological value and ensures no detrimental impact on local surface water management infrastructure.
- 4.19 In light of the above parts of the recently adopted supplementary design guidance, it is held that the proposals have taken a design approach which adheres to the guidance and in doing so, presents a scheme which has incorporated all of the key elements of good design. It's scale and layout is a positive response to its surroundings and the internal space provision of both properties proposed will offer future occupants with a high quality of accommodation.
- 4.20 The proposals represent an intelligent form of backland development which is of a density appropriate to the size of the plot, and which also respects existing local spatial patterns and



the prevailing character. The level of accommodation has been designed to suit the intended occupants of the houses and will not compromise neighbouring residential amenities. It is also important to note that the houses have been designed to be capable of adaptation. In summary, the proposals successfully uphold the aims of the Council's design guidance and there is therefore no reason why any objections should be pursued on design grounds.

Aldingbourne Neighbourhood Plan 2014-2029

- 4.21 The Aldingbourne Neighbourhood Plan was made in November 2016 on the basis of the saved policies contained within the former Arun Local Plan 2003 and the policies in what was the emerging Local Plan in 2014. Map E of the Aldingbourne Neighbourhood Plan includes a built-up area boundary drawn around the settlement of Westergate which includes all of the properties fronting this private lane except for Ryefields Farmhouse. The application site therefore lies outside the built-up area boundary as identified in the Neighbourhood Plan so is classed as countryside.
- 4.22 On this basis, the proposed scheme is therefore understood to be contrary to Policy EH1 of the Aldingbourne Neighbourhood Plan as this maintains that development outside of the built-up area boundary, that does not accord with development plan policies in respect of the countryside, will be resisted unless it is for essential utility infrastructure, where the benefits outweigh any harm, and it can be demonstrated that no reasonable alternative sites area available.
- 4.23 It is however, important to note that in spite of this clear policy conflict, the Neighbourhood Plan is currently being reviewed in order to bring it into line with the more recently adopted Local Plan. As part of this review, the built-up area boundary is proposed to be altered so as to reflect the built up area boundary that has recently been extended in the Local Plan. A Revised Neighbourhood Development Plan was submitted by Aldingbourne Parish Council to Arun District Council on 21 December 2020.
- 4.24 In this situation, reference should be made to Section 38(5) of the Planning and Compulsory Purchase Act 2004 which states that: *'If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document'*. Accordingly, as the



Local Plan was adopted in July 2018, its policies are to be considered in favour of those in the Neighbourhood Plan. Consequently, although the proposed development is contrary to the Neighbourhood Plan, the built-up area boundary has since been revised and the proposal is considered to be acceptable in accordance with the newly adopted Local Plan.

- 4.25 In line with the conclusion on the principle of development that was made by the Council in respect of AL/103/18/PL, it is similarly considered that the modest size and scale of the proposed development in relation to the size and location of the land, comprising 5no. additional houses on land which lies within the confines of the BEW strategic allocation does not justify the need to masterplan the application site.

5.0 CONCLUSION AND RECOMMENDATION

- 5.1 The application is for the development of 5no. houses on underused garden land within the recently extended built-up area. The application site lies immediately west of a housing development on Oak Tree Lane. It benefits from a highly sustainable location – close to shops, services and facilities. A wide range of recreation and sports facilities, primary, secondary and academy schools, and employment opportunities area readily available in the area. Furthermore, bus services operate along Lidesy Road (A29) which provides a link with Bognor Regis to the south.
- 5.2 The proposal will deliver 5no. family-sized houses for the pressing housing needs for Arun District and its 5-year housing supply that according to the latest monitoring report (20019/20) currently stands at just **3.3 years**. In accordance with paragraph 11 of the NPPF, the presumption in favour of sustainable development is engaged for the application. There are no other policies in the NPPF protecting areas or assets of particular importance that provide a clear reason for refusing the development and there are no other adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole.
- 5.3 On the contrary, in line with paragraph 68 c) of the NPPF, the proposal would see the development of a small windfall site within the built-up area. Policy SD SP2 of the Local Plan also encourages new development to be focussed within the built-up area boundaries and policy H6 of the Neighbourhood Plan is wholly supportive of 'windfall' residential developments on infill and redevelopment sites.
- 5.4 Overall, the proposed scheme comprises a well-balanced layout which is in keeping with the character and amount of development in the immediate locality. The proposed houses are of an appropriate design given the site's location and make a far more efficient use of land within the built-up area.
- 5.5 The land is not constrained by flood risk and foul and surface water drainage can be accommodated on site with the agreement of Southern Water. As noted in the Ecological Impact Appraisal no protected or notable species would be impacted by the proposals and the Arboricultural Assessment shows that the trees proposed for removal are of low

ecological value, and any negative effects caused by their removal would be adequately mitigated by a replacement planting scheme as part of the proposed scheme.

- 5.6 As there are no other policies protecting assets or areas of particular importance that provide a clear reason for its refusal, and there are no other adverse impacts that outweigh the benefits, we therefore request that the application is granted planning permission at the earliest opportunity.