

DESIGN AND ACCESS STATEMENT & PLANNING SUPPORT STATEMENT

In relation to:
**‘Outline planning application for 3 No.
detached houses with garaging’**

**Land west of Fontwell Avenue, Aldingbourne,
Eastergate, West Sussex, PO20 3RU**

December 2013

DESIGN & ACCESS STATEMENT

Land west of Fontwell Avenue, Aldingbourne, West Sussex

1.0 INTRODUCTION

This proposal seeks outline planning permission for the erection of 3 No. dwellings at the site detailed above. This application is to consider layout and means of access only, with all other matters reserved.

2.0 SITE CONTEXT

The area of land to which this planning application relates is an area of grassed land, which is 0.6 hectares in size. The site is located opposite Fontwell Avenue and established residential development.

Residential properties are located to the immediate north and south sides of the site; whilst the rear adjoins a scrap yard, with open fields further west. Properties are generally one and storey detached and semi-detached dwellings, with vary in design.

Fig 1 and **2** below shows the site and its surroundings in greater detail.

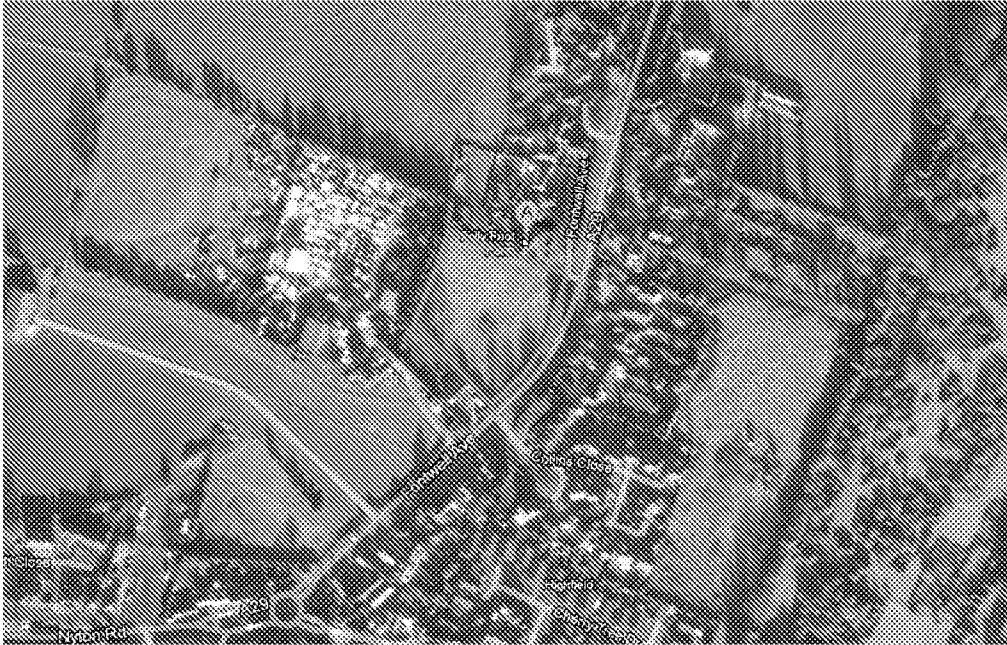


Fig 1. Aerial photograph of the site and its surroundings



Fig 2. View across the site, looking towards adjacent chalet property to south of the site.
High conifer screen to rear boundary (shared with car breakers yard)

3.0 USE

This proposal will result in the erection of 3 No. dwellings houses on the site (C3 use – residential).

4.0 AMOUNT

The proposal would result in the provision of 3 No. dwellings.

5.0 LAYOUT

Each of the properties would be positioned adjacent to Fontwell Road in a linear form. Each plot would be similar in size and shape, with large front and rear gardens, which reflect the character of other plots within the area. The layout of the site would be as detailed on **Fig 3** below.

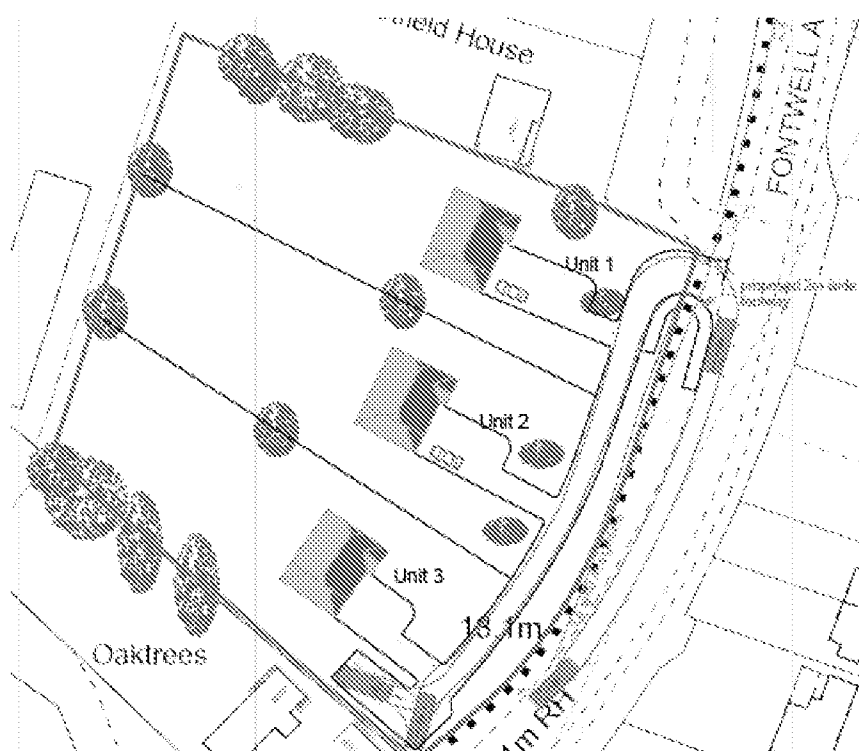


Fig 3. Extract from Site Location Plan

Access will be obtained from the north-east corner of the site, off the west side of Fontwell Avenue. The access would run along the site frontage, leading to a driveway and turning area in front of each property.

Indicative plans accompany the application and show how the layout of the properties could be achieved. These detail each property having the same layout, comprising a hallway, wc, living room, dining room, kitchen/ breakfast room, utility room and integral double garage at ground floor level; with 4 No. bedrooms (2 with en-suite bathrooms) and one family bathroom to the first floor.

6.0 SCALE

The scale of the dwellings is a reserved matter; however indicative plans show each of the dwellings being identical in scale, form, height and design.

These plans show the main portion of the buildings measuring 9.1m in width and 10.4m in depth, with an additional single storey extension to the side. The dwellings each have a maximum height of 8.7m, with a barn hipped roof.

7.0 LANDSCAPING

The application site is positioned adjacent to Fontwell Avenue. Residential properties are located to the immediate north and south sides of the site; whilst the rear adjoins a scrap yard, with open fields further west. There are no protected trees or any other landscape features of significance located within or adjoining the application site.

Landscaping is a reserved matter; however indicative landscaping is detailed on the submitted location plan. Our client would be happy for appropriately worded landscaping conditions to be attached to any planning permission.

8.0 APPEARANCE

Appearance is a reserved matter; however indicative plans accompany the planning application and detail how the dwellings could appear.

As detailed at **Fig 4** below, the indicative plans show the proposed dwellings as two storey detached dwellings, with integral double garages. If outlined permission is granted, great care would be taken to design dwellings, which are of a traditional design that would blend in with the surrounding semi-rural locale. Each of the dwellings would be of a modest scale, form and height, with articulation to the roof styles to soften their appearance within this semi- rural location.



Fig 4. Indicative plans showing the front and rear elevations of Proposed Dwellings

The bulk of the dwellings would be further softened by introducing a mix of materials. The indicative plans show brickwork at ground floor level, with horizontal timber boarding above.

Our client would be happy for conditions to be imposed regarding window/ door details and materials, if the Council considers this to be necessary.

9.0 ACCESS

Access would be obtained from the north east corner of the site, off the west side of Fontwell Avenue. The access would run along the site frontage, leading to a driveway and turning area in front of each property.

Each property has an integral double garage, providing 2 No. parking spaces.

Please note that the access will be provided on an inclusive basis for all groups of residents and visitors.

PLANNING SUPPORT STATEMENT

1. INTRODUCTION

This Planning Statement is submitted in support of the above planning application. The statement describes the site, its surroundings and the proposal itself. The Planning Policy background is considered along with an assessment of the proposal in light of the relevant policies and all other material planning considerations. This Statement should be read in conjunction with the above Design & Access Statement.

2. THE PROPOSAL

This proposal seeks outline planning permission for the erection of 3 No. two storey dwellings to be positioned at the site detailed above. The application is to consider layout and means of access only; with all other matters reserved. This application is accompanied by indicative plans; which show how the proposed development could be achieved.

Each of the properties would be positioned adjacent to Fontwell Road in a linear form. Each plot would be similar in size and shape, with ample sized front and rear gardens, which reflect the character of other plots within the area.

Indicative plans show each of the dwellings being identical in scale, form, height and design. The main portion of the buildings would measure 9.1m in width and 10.4m in depth, with an additional single storey extension to the side. The dwellings would have a maximum height of 8.7m, with a barn hipped roof.

Indicative plans also show the properties with the same layout, comprising a hallway, wc, living room, dining room, kitchen/ breakfast room, utility room and integral double garage at ground floor level; with 4 No. bedrooms (2 with en-suite bathrooms) and one family bathroom to the first floor.

Access would be obtained from the north east corner of the site, off the west side of Fontwell Avenue. The access would run along the site frontage, leading to a driveway and turning area in front of each property.

Each property has an integral double garage, providing 2 No. parking spaces.

Cycle parking and bin storage could be accommodated within garages or garden sheds and our clients would be happy for this to be conditioned accordingly.

3. PLANNING POLICY CONTEXT

a. National Policy Context

The National Planning Policy Framework (NPPF) was published on 27th March 2012, and at that time the policies in the Framework came into use, with immediate effect. This guidance is now the most-up-to date Government Guidance and replaces all planning policy statements/ guidance that were previously in place.

The focus of the new NPPF is achieving sustainable development, the definition of which is summarised in paragraph 6 as being the whole of paragraph's 18-219 of the Framework. Paragraph 7 goes further as it specifies that there are three dimensions to sustainable development: economic, social and environmental. Under the social role it states that the planning system should provide *"the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment..."*

Under paragraph 11, the NPPF confirms that planning law requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan.

Paragraph 14 is an important element of the NPPF. It states that: *“at the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking”*. It details that objectively assessed needs, such as housing, have to be met unless *“any adverse impact of doing so would significantly and demonstrably outweigh the benefits”*. This is assessed against all the policies of the NPPF, as a whole, or specific policies relating to SSSI, Green Belt, Local Green Space, AONB, Heritage Coast, National Park, designated heritage assets, flood risk locations and coastal erosion. It also states that decision makers should be *“approving development proposals that accord with the development plan without delay”*.

The NPPF advises that a set of 12 core land-use planning principles should underpin both plan-making and decision-taking, and these principles are listed under paragraph 17. Although the NPPF omits the wording that was present in the draft which referred to the default position of “yes” to applications for sustainable development, it does retain the significant change that requires a response to market signals. Each of the bullet points are important, but of particular note is no. 4, where it states the need to *“always seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”* and no. 5, where it details that account should be had of the character of different areas. Finally, no. 11 which requires development to be focused *“in locations which are or can be sustainable.”*

Section 4 is entitled ‘Promoting Sustainable Transport’. Under paragraph 29 it advises that different policies and measures are required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. This section also highlights the importance of LPA’s and/or developers working with transport providers, and also that Travel Plans are key documents. With reference to car parking, paragraph 39, states that if a LPA provides local parking standards, account should be had of *“the accessibility of the development; the type, mix and use of*

development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles”.

Section 6 of the NPPF is entitled ‘Delivering a wide choice of high quality homes’. It seeks to “*boost, significantly*” the supply of housing, whilst placing more reliance on windfall sites as a source of housing supply. Realistic historic windfall delivery rates and expected future trends are legitimate sources of supply. Paragraph 49 states “*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*”.

At Paragraph 51 this guidance states that “*Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for change to residential use and any associated development from commercial buildings.....*”

Paragraph 54 relates specifically to housing in rural areas, noting that “*Local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including rural exception sites where appropriate*”.

Para 55 notes that Local Planning Authorities “*should avoid new isolated homes in the countryside unless there are special circumstances such as:*

- *The essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- *Where such development would represent the optimal visible use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*

- *Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- *The exceptional quality or innovative nature of the design of the dwelling”.*

Section 7 discusses the need for good design. Under paragraph 58 the NPPF provides what appears to be a clearer and more robust approach to design than in PPS1 paragraph 33 – 39.

The NPPF wishes to avoid unnecessary prescription or detail (paragraph 59), whilst the key criteria of scale, density, massing, height, landscape, layout, materials, access, relationship to neighbouring buildings and relation to the local area more generally remain. Paragraph 58 expands on this by stating that developments should: *“function well and add to the overall quality of the area... establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit... optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses... respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping”.*

Finally, the crucial caveat of PPS1 paragraph 35 remains within the NPPF. That is that good design goes far beyond aesthetic considerations, with paragraph 61 specifically referring to *“integration of new development into the natural and historic environment.”*

b. Regional Planning Policy

The South East Plan has now been revoked. Consequently, the former policy H1, by which Arun District Council was expected to provide 11,300 homes (565 per annum) in the period from 2006-2026, is no longer in place.

Revocation has followed Government consideration of responses to their 2nd consultation on the Strategic Environmental Assessment (SEA) relating to the intended revocation of each of regional plans.

The second SEA consultation document on the South East Plan was issued on 11th October and the 8 week consultation period ran until 6th December 2012. The extract from appendix D to the SEA of Revocation of the SEP relating to Policy H1 - Regional Housing Provision 2006 – 2026, states under the heading ‘Likely Significant Effects of Revocation’ that *“Revocation of the Regional Strategy will not remove the need for more houses within the South East region and addressing this need will still lead to positive impacts on population. It is Government policy to boost significantly the supply of new housing, for example through initiatives such as the Community Infrastructure Levy, New Homes Bonus and the local retention of business rates, which are intended to encourage more positive attitudes to growth... In the short to medium terms following revocation the impact could be uncertain on those local authorities that do not have a plan that was in conformity with the regional spatial strategy. The regional plan provided clarity on the quantum of development required... [Until replacement plans are adopted] the amount of development anticipated in this period... may be lower than if the regional plan were in place; however, the NPPF presumption in favour of sustainable development and its policies to boost the supply of housing will help where plans or policies are absent, silent or out of date”*.

c. Local Planning Policy

(i) The Arun District Local Plan

The Arun District Local Plan was statutorily adopted in 2003. The NPPF clearly outlines its method of Implementation within Annex 1 of this document. At paragraph 211, the guidance notes that *‘for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of this framework’*. However, at paragraph 214, it goes on to note that Local Plan Policies can **only be given full weight if adopted since 2004**. *‘In other cases... due*

weight should be given to relevant policies in existing plans according to their degree of consistency with this framework’.

We would therefore argue that the implications of paragraph 214 are that the policies of the 2003 Local Plan can be afforded no weight unless they are still explicitly consistent with relevant policies in the NPPF. In our view, this argument is strengthened because full weight can continue to be given to post-2004 Local Plan policies only if ‘there is a limited degree of conflict (with NPPF)’.

Nonetheless, the relevant saved policies of the Local Plan are as follows:-

Within Arun District, ADLP saved **policy GEN2** defines built-up area boundaries outside which saved **Policy GEN3** resists development, in order to protect the countryside for its own sake.

Saved **policy GEN7** seeks high quality design that responds to site characteristics and allows for safe movement of vehicles, giving priority to pedestrians.

For housing, ADLP saved **policy GEN5** sets a District target of 8,700 new dwellings between 1996 and 2011, a figure that was based on gross totals before losses in the former West Sussex County Structure Plan.

(ii) Emerging Local Policy

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication.

The first draft of the Councils District Local Plan 2013 – 2028 has previously been approved by the Council (14th June 2012), and has undergone public consultation (Summer 2012). This pre-submission draft Local Plan is a material consideration. The elements of the Plan that have been endorsed by Full Council (overall growth for the Plan period) carry weight, albeit limited, in the Council’s decision making but those elements

of the Plan that have yet to be considered (the location for this growth) carry reduced weight at this time.

5.0 PLANNING APPRAISAL

a. Planning History

According to the Councils records, the following planning history relates to application site:-

- **Planning ref: AL/122/87:** Outline – 6 dwellings on Land west of Fontwell Avenue, Eastergate. Refused. Appeal Dismissed (ref: APP/C3810/A/88/089063/).

It should be noted that **Planning application ref: AL/122/87** was refused planning permission solely due to being located outside of the built up area boundary, where there is a presumption against residential development. It is noteworthy that West Sussex County Highways were consulted on the application and raised no objection from a highway safety perspective, subject to a number of conditions being imposed on any approval.

A planning appeal was subsequently lodged against this decision (**ref: APP/C3810/A/88/089063/**) and later dismissed. The Inspector identified the main issue as being *“whether the proposal constitutes an inappropriate intensification of development beyond the reasonable built-up area of the village, and if so, whether there are special circumstances sufficient to outweigh any planning objections”*.

The inspector acknowledged that the site was indeed located outside the defined built up area boundary and was not allocated for housing. Further, it was recognised by the Council that they *“have more than fulfilled their obligations to maintain a five year supply and already have a surplus, both up to 1992 and to the end of the Structure Plan Period”*. The Inspector concluded that there was *“no overriding justification for arriving at a different conclusion”*. As such, the appeal was dismissed.

b. Principle of Development

Fig. 5 below details an extract from Inset Map H (Westergate – Eastergate) of the Arun District Local Plan 2003, which clearly outlines the built up area boundary of Eastergate. It should be noted that the houses located directly opposite the site are *within* the built up area boundary (within the thick **black** lined area); whilst the proposed application site and all other properties to the west of Fontwell Avenue are located *outside* of this designated boundary.

As such, the site is semi-rural in nature; located on the outskirts of the village of Eastergate. The application site is *outside*, albeit *adjoining* a designated Built up Area Boundary, being immediately opposite such a defined area that lies to the east of Fontwell Avenue.

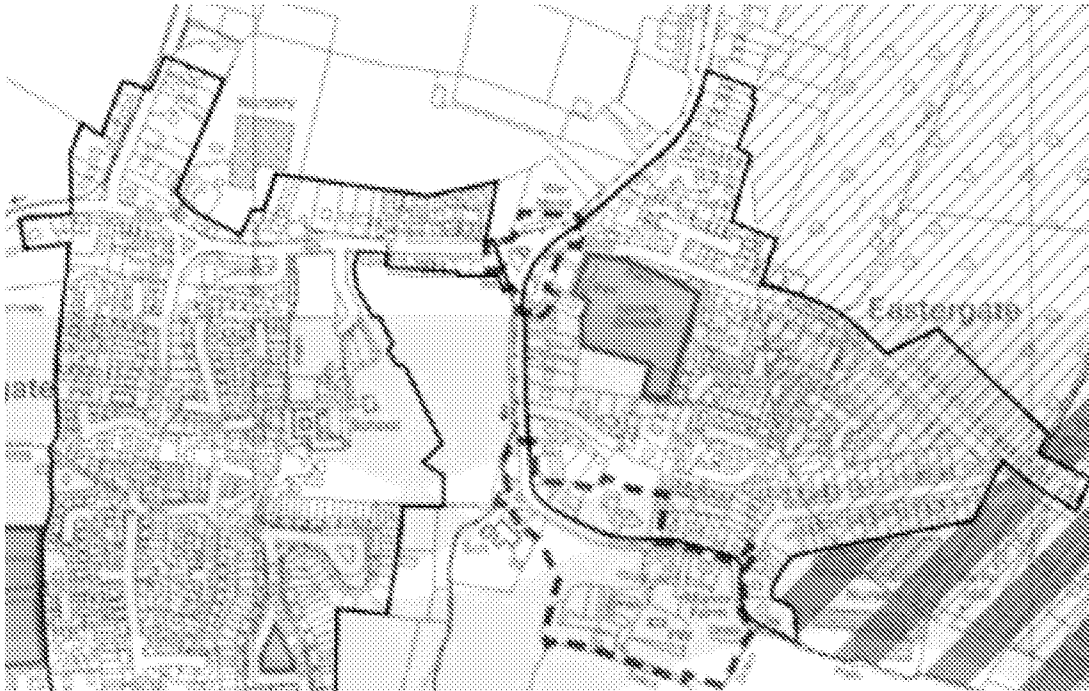


Fig 5. An extract from Inset Map H of the Arun District Local Plan

As discussed above, **saved Policy GEN3** is the most relevant local level policy and reads as follows:-

“Outside the Built-Up-Area, as defined on the Proposals Map, the countryside will be safeguarded for its own sake. Development will not be permitted unless:

- (i) It meets the operations needs of agriculture, forestry, the extraction of minerals or the deposit of waste; or*
- (ii) For quiet, information recreation; or*
- (iii) For the diversification of the rural economy; or*
- (iv) For essential road schemes; or*
- (v) It is in accordance with a policy in Sections 2 and 3 of the plan referring to a specific use or type of development.*

Permission will not be given for the extension of isolated groups of buildings or the consolidation of linear or sporadic development unless the proposal accords with criteria (i) to (iii) or (v)”.

It is accepted that residential development on the site in question *cannot* be considered essential to its countryside location and nor would it meet any of the criteria detailed above and as such, in line with this local plan policy there is a *presumption against* any new residential development on this site.

It is our view however that given recent appeal decisions within the Arun District, the weight that should be applied to this policy and these defined built up area designations has been significantly reduced. Indeed the Council has reiterated this viewpoint in a recent Committee Report, which was considered by Members at the Councils own Development Control Committee Meeting on 28th August 2013. This report related to a planning application for ‘residential development for 40 dwellings, including 30% affordable, with associated access, landscaping and ancillary works. Re-submission following EG/73/12’ (ref: EG/29/13/).

The application was similar to that currently being proposed; relating to a site outside of the existing built-up-area of Barnham and as such saved **policies GEN2** and **GEN3** were relevant.

The Case officer stated within his report that *“saved policies GEN2 and GEN3 seek to focus development within the built-up areas, and safeguard the land outside the built up areas (referred to as the countryside for policy purposes). The built up area boundaries were drawn for the purposes of defining the extent of built up areas and countryside. This was done with the background of the required number of dwellings for the plan period being provided within the built up areas or on allocated sites.*

Whilst policies GEN2 and GEN3, which both seek to protect the countryside, could be envisaged to have a place in a future Plan, the policies and boundaries have significantly reduced weight as they do not relate to housing provision beyond 2011. This is acknowledged by the Council in its Core Strategy 'Options for Growth' and draft Local Plan, which both forward beyond 2011, as the options identified all show proposed development locations outside the currently defined built-up areas. The development on Greenfield sites (with the exception of one allocation) was not envisaged in the plan period up to 2011.

Recent appeals have considered the weight to be afforded to these policies. Whilst the principles of GEN3 (protection of the countryside) are timeless, the way they are expressed (as built up area boundaries) has significantly reduced weight as they are out of date and do not take account of up to date housing needs or boost significantly the supply of housing. The Inspector for the Grenyars Field proposals further concluded that these policies were in conflict with the NPPF”.

It is therefore our view that **Policies GEN2** and **GEN3** have significantly reduced weight for the reasons outlined above and that there are other material considerations that outweigh this applications conflict with saved **policy GEN3**; such as the infill nature of

the site, its close proximity to established residential development and the built up area boundary, housing provision and that the site is positioned in a sustainable location. Therefore it is our view that in this instance a presumption in favour of development applies.

c. Housing Land Supply

The following statements have been taken from the case officers report that was taken to Development Control Committee on 28th August 2013. This report related to a planning application for 'residential development for 40 dwellings, including 30% affordable, with associated access, landscaping and ancillary works. Re-submission following EG/73/12' (ref: EG/29/13/). This is considered to be the most up-to-date position of housing land supply within the Arun District:-

"The Council published a Housing Land Supply Assessment (HLS) on 15 October 2012 (though the report is titled September 2012). This has been adopted by Local Plan Sub-Committee and was presented to Full Council in January 2013. At the time of writing, this document is the most up to date published position on land supply for the District.

The conclusions of this document outline that the Council assumes a supply of 5.26 years. Based on the fact that the Council has to demonstrate 5.25 years supply of housing land (which includes a 5% buffer required by the NPPF).

There have been three recent appeal decisions that have critically examined the Councils position in respect of Housing Land Supply - Woodgate Centre, Grenyer's Field and Garden Crescent.

The Inspectors decision letter on the Woodgate Centre concluded that, at that time (June 2012), the Council had a minimum of 3.8 years (62%) housing land supply and a maximum of 4.7 years (78%). The Grenyers Field Inspector (December 2012) concluded that there is a deficiency in housing land supply and the Garden Crescent Inspector

(January 2013) concluded that supply was approx. 4.6 years (88%) (the percentage figures are lower from the Woodgate Centre appeal as that Inspector applied a 20% buffer). These decisions are material considerations in considering housing land supply and, in recent years, the Council has been unable to demonstrate an adequate supply of housing land and does not presently have a supply of housing land required by the NPPF. In the most recent appeal (Garden Crescent), the Inspector considered that, for the purposes of paragraph 47 of the NPPF, the Council should apply a 5% buffer to the overall housing requirements for the 5 year period.

The above decisions were made on the basis of housing requirements in the South East Plan. This Plan has now been revoked, therefore the housing requirement figure of 565 homes per annum is removed. However, the following has to be noted:

- *The Arun Local Plan (the remaining part of the development plan) has an annual requirement of 580/year*
- *The most up to date evidence in the Strategic Housing Market Assessment (SHMA) identifies a recommended requirement of 580/year*
- *The figure of 565/year in the SEP is the only figure that has been through a formal examination at this time.*
- *The NPPF requires local authorities to boost significantly the supply of housing.*

Further, the methodology adopted in the September HLS also forecasts a significantly worse position in terms of demonstrable supply in the year commencing 31 March 2013 and for (at least) the two following years.

Because of the above, policies GEN2 and GEN3 cannot be considered up to date for the purposes of paragraph 214 of the NPPF”.

*This statement on the Councils Housing Land Supply position concludes that “the current published position on HLS has been examined on a number of occasions and the Council **does not** currently have an adequate supply of housing land. More planning permissions*

are needed to increase the Council's housing supply position. Housing land supply should not be a reason for refusal of the proposals and, in addition, it should be a factor that strongly supports the proposals”.

More recently, it is noted that an appeal for the development of 107 houses at Lake Lane, Barnham (ADC ref: BN/16/12; PINS ref: APP/C3810/A/13/2193942) has recently been allowed by the Planning Inspectorate (decision dated 17th October 2013). The Inspectors decision confirms that *“the Council cannot demonstrate a five year housing supply of land; the agreed figure for this appeal equates to around 4.6 years supply. Moreover, in considering the emerging Local Plan, the Council has approved the main policies for development control purposes but has not yet agreed the housing land allocations. In such cases, the Framework [NPPF] sets out that housing applications should be considered in the context of the presumption in favour of sustainable development.”*

It is therefore clear that at this time Arun District Council **do not** have a five year housing land supply; a point that has been recently accepted by the Council, and confirmed within a very recent appeal decision from the Planning Inspectorate on behalf of the Secretary of State. It is considered that the addition of 3 No. houses at this sustainably located site, which is suitable, achievable and available, would make a valuable contribution to this housing shortfall of this District and this is a significant factor that should weigh heavily in favour of the development proposals.

d. Visual amenities/ character

The proposed development would comprise 3 no. two storey detached dwellings. The dwellings would be positioned in a linear position to one another, adjacent to Fontwell Avenue. The site is bordered by residential development to north, south and east sides; with this being an infill sites that is wholly appropriate for development.

As detailed at **Fig 6** below, indicative plans show the proposed dwellings as being two storey detached dwellings, with integral double garages; however detailed design is a matter for consideration at the reserved matters stage.

Great care would be taken to design dwellings, which are of a traditional design that would blend in with the surrounding semi-rural locale. Each of the dwellings would be of a modest scale, form and height, with articulation to the roof styles to soften their appearance within this semi- rural location.



Fig 6. Indicative plans showing the front and rear elevations of Proposed Dwellings

The bulk of the dwellings could be further softened by introducing a mix of materials. Indicative plans show brickwork at ground floor level, with horizontal timber boarding above.

Our client would be happy for conditions to be imposed regarding window/ door details and materials, if the Council considers this to be necessary.

Careful consideration has been given to the design and positioning of the dwellings and it is our view that the proposed dwellings would respect the rural character of the

surrounding area. **Fig 7** below details how the dwellings could blend in with the surrounding area and respect the semi-rural character of the area.



Fig 7. Panoramic Street Scene

It is our view that the proposed dwellings could be designed in such a manner that they would not detract from the character of the surrounding area, and will both conserve and enhances the natural beauty and character of the landscape.

The site is well contained by existing built and natural form, with predominantly detached housing to both the immediate south and north sides, with further housing lying within the built-up area on the immediately opposite side of Fontwell Avenue (to the east). There is a strong tree belt to the rear (west) boundary, which separates the site from commercial scrap yard. The site cannot be described as being isolated or divorced from the established built up area. The proposed development would introduce buildings to the site, but they when considered in context, it is evident that this type of infill development would not jar with the rhythm of the street, and nor would it be an inappropriate form of development, notwithstanding the sites 'countryside' status outside of the built up area. Indeed, the development would not project out in to any important rural view, but instead would be set within an already established immediate streetscene of detached, fairly spaciouly set houses. In this respect, the proposals are

evidently entirely in keeping with the surrounding area. The proposed density, although low, would also be reflective of the established layout and size of neighbouring dwellings plots. The development would allow three good sized family homes, with ample space for parking and private amenity spaces. The development would not be cramped or at odds with the character of the surrounding area.

It is noted that when considering the previous appeal scheme for this site (ADC ref: AL/122/87), the Planning Inspectorate only dismissed the proposals due to the site being outside of the built-up area, and at that time the Council had met their 5-year housing land supply obligations. As outlined above, currently a different set of circumstances apply to Arun District Council. The Planning Inspector did not find that the previous scheme (albeit for 6 units) would have harmed the essential characteristics of the streetscene or wider rural area. There has been very little change in site circumstances since this previous decision was made. The now proposed development, with a reduced density, we contend would be of improved appearance and layout when compared with the 1988 appeal decision.

It is our view in fact that the development of the site would represent an acceptable form of development, which would make a positive contribution to the immediate area, and would actually serve to improve local character.

e. Residential Amenity

The proposed dwellings would be positioned adjacent to Fontwell Avenue, with a scrap yard and open fields further west. The site adjoins residential properties to the immediate north and south sides of the site.

The closest property to the east side, is 'Westfield House' a two storey detached property with no windows to the westerly side elevation. 'Oaktrees' is a detached chalet bungalow positioned south of the site. This dwelling has windows to the roof slope that adjoins the application site.

The proposed layout plans show a separation distance of some 10.5m would be maintained between the side elevation of 'Oaktrees' and the closest side elevation of Unit 3. Further, the indicative plans show that there is no need for any windows to the side elevations of the proposed dwellings that would face towards neighbouring sites. This matter could be discussed in detailed at the reserved matters stage and at this time, our client would be happy for this to be conditioned accordingly.

In addition, it is not envisaged that the proposed residential use on this site will result in notable activity or disturbance. The use proposed is low key and will not demonstrably disrupt or cause nuisance to the detriment of any neighbour's amenities.

Therefore it is clear that the proposed development of 3 No. houses on this site could be achieved without causing demonstrable harm to the residential amenities of any neighbouring property by way of overlooking effect or loss of privacy.

f. Trees and Landscaping

The application site is positioned adjacent to Fontwell Avenue. Residential properties are located to the immediate north and south sides of the site; whilst the rear adjoins a scrap yard, with open fields further west. The site is laid to grass and there are no protected trees or any other landscape features of significance located within or adjoining the application site.

Landscaping is a reserved matter; however indicative landscaping is detailed on the submitted location plan. Our client would be happy for an appropriately worded landscaping condition to be attached to any planning permission.

g. Access and Parking Arrangements

Access would be obtained from the north east corner of the site, off the west side of Fontwell Avenue. The access would run along the site frontage, leading to a driveway and turning area in front of each property. Refer to **Fig 8** below.



Fig 8. Photograph showing best point of access into the site

The application is accompanied by a Highway Statement from Stilwell Partnership, which considers the proposed access and internal layout in relation to Highways and Traffic at the site detailed above.

The existing access into the field is via a gated entrance, adjacent to a small private road at the very north of the site. A dropped crossing serves the existing field access and the adjacent private road.

It is proposed that the site is continued to be served from the north of the site, via an improved access. The access would be 6m wide near to Fontwell Avenue to allow 2 no.

vehicles to pass each other and a turning area will be provided within the site to allow vehicles to enter and leave the site in forward gear. The proposed site layout, including access and sightlines is detailed on the submitted plans.

Each property has an integral double garage, providing 2 No. parking spaces. Cycle parking could be accommodated within garages provided or a garden shed.

The Highway statement concludes that *“the proposed development could be safely accommodated and that y-distance sightlines would be in excess of those identified within MIS and Design Manual for Roads and Bridges. The development is located within 200m of bus stops and 2km of a railway station. Many trips could potentially be undertake either on foot, by cycle, by train or by bus. In any event, the development would generate an insignificant volume of traffic with the addition of less than two trips likely in each peak hour and is therefore, acceptable in height and traffic terms”*.

h. Affordable Housing

It is recognised that the Council has revised its standards for Affordable Housing.

On 18th August 2010 the Council resolved that:

“1. The following interim approach towards the provision of affordable housing in accordance with Planning Policy Statement 3 (PPS3) be approved:

(i) the Council will seek affordable housing provision on new housing developments in accordance with PPS3 as detailed below; and

(ii) the following be adopted by way of guide figures for the purposes of negotiation, to be read in conjunction with Arun Local Plan Policy DEV17:

(a) from developments of 15 or more units an affordable housing provision of 30% across the board should be required of developments; and

(b) from developments of 1 to 14 units an affordable housing provision of 15% be sought district wide, subject to further research to ensure this is financially viable.

2. In order to introduce a degree of certainty and transparency in discussions with developers a 'capping clause' be sought in Section 106 agreements regarding the value of land and property sold by a developer to a Registered Social Landlord. It is proposed that this will seek that the owner or developer make an offer to a RSL. This shall include:

(a) Sale of land contract.

(b) A Draft Transfer.

(c) A price of 45% of open market value at time of offer".

It is recognised that the provision of affordable housing is a significant benefit of this development and a material consideration given the need for affordable housing in this area, as well the strong need in the District as a whole. As such, our client is happy to provide 15% affordable housing, as required by this document and this application is accompanied by a S106 Legal Agreement.

i. Biodiversity

This application is accompanied by an Ecology Report from Furze Landscape Architects.

This report notes that there are no Statutory Designated Sites for nature conservation such as Sites of Scientific Importance, Special Areas of Conservation or Special Protection Areas located within 2km of the site. There are a number of known non-statutory sites within 2 km of the site, all UK Biological Action Plan (UKBAP) priority habitats. They include Habitat Action Plan Woodland, Lowland Meadows and Lowland Calcareous Grassland, the closest being 1 km to the south west. It is not anticipated that the proposed development will result in negative impacts upon any of the statutory or non-statutory sites within the area.

The study identifies the following bird populations in the area - barn owl (*Tyto alba*), common to woodland edges; king fisher (*Alcedo atthis*), corn bunting (*Emberiza*

calandra), and hobby (*Falco subbutio*). However, no notable bird species were identified during the survey.

No notable invertebrates were identified during the survey. The urbanised setting is considered as completely unsuitable for badgers. It is a small isolated piece of unmanaged land, bounded by residential dwellings on all sides lacking suitable features for successful breeding and foraging. Badgers are normally associated with open and wooded countryside.

The Water vole (*Arvicola terrestris*) and otter (*Lutra lutra*) are the only protected mammals, which have been recorded within 2 km of the site; although it is not anticipated the proposed development will result in negative impacts on local populations as their activities are generally confined to river corridors water course and occasionally ponds.

The survey concludes that the site has low potential for supporting bat species as it lacks suitable habitat features such as mature trees and older buildings associated with roosting bats. The site is devoid of linear features such as hedgerows, water courses or tree line used for foraging and is a small isolated piece of ground in an urbanised setting. Therefore bats are not considered to be at risk from the proposed development nor will the development result in the loss of suitable foraging habitat.

Finally, Adder (*Vipera berus*) and great crested newt (*Triturus cristatus*) have been recorded within 2 km of the site, although it is not anticipated that the site is utilised by either of the above species, due to the lack of suitable breeding and foraging habitat and the lack of connectivity with suitable habitats. Ponds are required for species such as reptiles and amphibians, slow worm (*Anguis fragilis*), great crested newts (*Triturus cristatus*), smooth newt (*Triturus vulgaris*), pool frog (*Pelophylax lessonae*) and the common toad (*Bufo bufo*). The desk study survey did not identify any suitable habitat for reptiles or amphibians which has connectivity with the site.

The study notes that *“the loss of a parcel of low ecological value un-managed land does not constitute a significant impact therefore minimal mitigation is required”*. This proposed mitigation is set out in detailed within the submitted study; however involves the inclusion of bat and bird boxes; swift boxes for the building; any vegetation clearance at the site should be undertaken outside of the breeding bird season (March to August inclusive); however if this is not possible then it should be supervised by a suitably qualified ecologist. Finally, if active nests are found a 10 m buffer should be adhered to until the young have fledged the nest.

My client is happy to carry out the suggested mitigation measures as part of the proposed development and would be happy for conditions to be imposed accordingly.

j. Sustainability

Paragraph 14 is an important element of the NPPF. It states that: *“at the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking”*. It details that objectively assessed needs, such as housing, have to be met unless *“any adverse impact of doing so would significantly and demonstrably outweigh the benefits.”*

The site is located immediately opposite the settlement policy boundary and is in a sustainable location in terms of accessibility to services and public transport links such as bus and train services. This view is reiterated by the Highway Statement that accompanies this planning application, which describes the sites location and sustainability as follows:-

“The site is located on the A29 (Fontwell Avenue) approximately 800m south of the A27 Arundel Road (dual carriageway). The site is located approximately 2km form Barnham railway station and Barnham village centre which provides; a variety of shops (including co-op supermarket, opticians, banks, a pharmacy and an estate agency; public houses

and takeaways. There are two local schools within 800m of the site (10 minute walk away), with Eastergate C of E Primary School being located on Church Lane and Westergate Community School being located on Lime Avenue.

One bus route runs (route 66) directly passed the site and there are additional services available from the bus stops located on Barnham Road. The closest bus stops is located approximately 200m (3 minute walk) south of the site on Fontwell Avenue. The bus stops on Barnham Road are just 350m (less than a 5 minute walk) from site and these stops are serviced by routes 85, 85A, 658, 665 and R3”.

Fig 9 below outlines the Bus routes in detail.

Service Number	Route	Monday to Friday		Saturday	
		Hours of Operation	Frequency	Hours of Operation	Frequency
66	Bognor Regis to Yapton	07:02am until 10:44pm	Approximately every 1 – 2 hours	07:10am until 10:44pm	Approximately every 1 – 2 hours
85 / 85 A	Arunce – Chichester	07:01am until 10:28pm	Approximately every 1 – 2 hours	08:05am until 10:28pm	Approximately every 2 hours
666	Chichester – Westergate	07:35am until 08:10am	One journey – School Service	No service available	No service available
665	Littlehampton – Chichester	07:21am until 08:40am	One journey – School Service	No service available	No service available
R3	Westergate – Rustington, Sainsburys	Tuesday & Thursday 09:47am until 10:31am	One journey – Sainsbury shuttle service	No service available	No service available

Fig 9. Bus Routes

The closest railway station to the site is Barnham mainline railway station, which is located just 2km from the application site. This station has services to a variety of locations including Bognor Regis, Portsmouth Harbour, Littlehampton, London Victoria, Portsmouth and Southsea and Brighton.

The Highway statement notes that it is generally accepted that for a distance of up to around 5,000m 'cycling can reasonably be considered as an alternative to travelling by private car'. On this basis of a relatively slow cycling speed of 15kph, this distance could be achieved in 20 minutes. Within this distance, various amenities, facilities and town centers could be reached within Aldingbourne, Fontwell, Walberton, Barnham, Westergate and Woodgate.

As outlined above, Barnham railway station is approximately 2km from the site, easily accessible by cycling for 10 minutes. It is recognised that cycling could realistically replace car trips to the local school, shops, railway and employment areas.

It should be recognised that the proposed properties will be provided with secured covered cycle parking either in the form of garden sheds or garages; however our client would be happy for this to be conditioned accordingly if the Council considers this necessary.

It is our view that the location of the site, adjacent to the built-up area of Eastergate together with availability and proximity of services means that the site is within a sustainable location.

6.0 CONCLUSIONS

In conclusion, this proposed development is considered acceptable for the following reasons:

- This proposal seeks outline planning permission for the erection of 3 No. dwellings;
- This application is to consider Layout and Means of Access only, with all other matters being reserved;

- This application is merely seeking permission for an infill development; with the site being bordered by residential properties to 3 sides, and a scrap yard to the rear;
- The site is located outside of; albeit directly opposite the defined built up area boundary for Eastergate;
- It is noted that outline planning permission has previously been refused on this site for 6 no. dwellings (ref: AL/122/87); however at this time the fact that the site was located outside the defined built up area boundary carried significant weight as the council were able to demonstrate a five year housing land supply. There have been a number of significant changes in material planning circumstances since this time;
- The Council themselves have stated in a recent committee report that built up area boundaries and Policies GEN2 and GEN3 have considerably reduced weight;
- At this time, Arun District Council **do not** have a five year housing land supply; a point that was accepted by the Council themselves in August 2013, and more recently at appeal by the Planning Inspectorate. It is considered that the addition of 3 No. houses on this site, which is suitable, achievable and available, would make a valuable contribution to this housing shortfall of this District and this is a significant factor that should weigh heavily in favour of the development proposals;
- It is our view in fact that the development of the site would represent an acceptable form of development, which would make a positive contribution to this rural locale and actually serve to improve local character.
- The proposed development could be achieved on this site and would not caused demonstrable harm to the residential amenities of any neighbouring property by way of loss of privacy, overbearing effect or loss of light;
- The provision of affordable housing is a significant benefit of this development and a material consideration given the need for affordable housing in this area, as well the strong need in the District as a whole;

- The proposal would utilise an existing vehicular access into the site. There is ample turning space and parking provision provided on site;
- The proposal will provide a high quality, sustainable development, which will set a positive benchmark for Eastergate, be accessible now and in the future and be in accordance with planning policy and guidance; and
- It is our view that there are a number of material considerations that outweigh this applications conflict with saved **policy GEN3**; such as the infill nature of the site, its close proximity to established residential development and the built up area boundary, housing provision and that the site is positioned in a sustainable location. Therefore in our view that in this instance a presumption in favour of development applies;
- As the proposal accords with the aims and objectives of national and local guidance, the application site is a suitable for the proposed development and permission should therefore be granted;

December 2013