



PLANNING STATEMENT

MARCH 2021

SITE: LAND AT JUNC. DOWNS WAY AND HEATHFIELD AVE, EAST PRESTON, WEST SUSSEX, BN16 1AB

PROJECT: OUTLINE PLANNING APPLICATION FOR THE ERECTION OF A PAIR OF ONE AND HALF STOREY SEMI-DETACHED DWELLINGS WITH VEHICULAR ACCESS, PRIVATE AMENITY SPACE AND LANDSCAPING

APPLICANT: MR KOSTAS POVILAITIS

LPA: ARUN DISTRICT COUNCIL

1.0 EXECUTIVE SUMMARY

- 1.1.1 There is common ground between the applicant and the Local Planning Authority in respect of the fact that there is an identified and unaddressed housing shortage within the district at the present time. The applicant has not needed to explain that in any great detail because the latest Annual Monitoring Report (2019/20) shows that there is a substantial need for housing. It states that the Local Planning Authority can only provide sufficient deliverable sites to meet its need over the next 3.3 years. This is considerably shorter than the required 5 years.
- 1.1.2 The Housing Delivery Test for the period 2017 to 2020 shows that the situation is even more critical when looking at how the district has been able to meet a lesser housing requirement over the last three years. The rate of housing completions has steadily dropped against the backdrop of an ever increasing housing requirement. It is therefore evidentially the case that there is a growing shortfall of housing within the district, and this is placing pressure on affordability, and causing increased social and economic stress.
- 1.1.3 Furthermore, it is common ground between the applicant and the Local Planning Authority that there are not enough sites identified in the current system to address the need and the shortfall that is accumulating on a daily basis whilst need is outstripping completions. It is therefore clear that there needs to be a concerted effort by the Local Planning Authority to increase its housing completions, and in view of the fact that this cannot at present be achieved through strategic housing allocations (as evidenced on the last three years completions), the authority will need to look elsewhere, notably at what can be achieved through the small-scale private sector which drives a large proportion of the windfalls.
- 1.1.4 The site the subject of this application is a typical windfall site. It is an undesignated piece of land within the urban area that is owned by a private individual. The land has the potential to provide up to two residential dwellings, and this will be evidenced through the submission documents comprising of this application. These show that a small residential development can be provided whilst achieving a satisfactory level of amenity for future occupiers and neighbouring residential properties, it can be provided with safe access to the highway and in

an accessible location, moreover its design can retain key attributes of the character of the area with causing minimum harm to the urban context of the estate in which it is located.

- 1.1.5 We have supplied indicative plans with the application, however this is for the purpose of demonstrating that there are no significant adverse impacts arising from a development of the application site to provide two residential dwellings. The indicative plans do not necessarily reflect the actual scheme that will be built out, and the Local Planning Authority retain a considerable amount of control over the details of the final development at the reserved matters stage.
- 1.1.6 For now, all that is asked, is that the authority recognise the expediency of the need to provide housing in sustainable locations such as this, and grant outline planning permission on the basis of the residential development of the site to provide two new homes in the heart of East Preston. For every new home that is built within a sustainable and accessible part of the urban area, that reflects two less homes that need to be built in the countryside. This is a matter of fact derived out of the housing land supply position of Arun District Council.
- 1.1.7 It is therefore imperative that we make the most effective use of the land within the settlements that exist at the moment and protect the countryside to the best extent that we can, even if this means accepting a change to the established character of the urban areas. We contend that, in the case of this site, the change is minimal and can be managed. We therefore ask that outline planning permission be hereby approved.

*James Hutchison BA MA MRTPI
Planning Director
Corbil Estates & Planning Ltd*

12 March 2021

2.0 THE PROPOSAL

2.1.1 This is an outline planning application seeking approval of the principle of the residential development of the application site to provide a pair of semi-detached dwelling houses in the form of a one and half storey building. All matters have been reserved.

2.1.2 On agreement from the Local Planning Authority as to the principle of the residential development of the application site with the above form of development, we will make a reserved matters application seeking agreement to the following matters:

- Access
- Appearance
- Landscaping
- Layout
- Scale

2.1.3 With the above in mind, we have submitted the following indicative drawings to show how the proposed development could be laid out on the site, and to aid the understanding of the form and scale that such a development may take. The indicative plans show where access could be taken from (Downs Way or Heathfield Avenue).

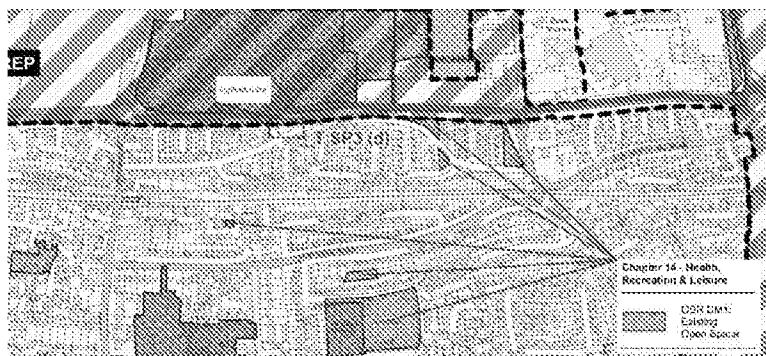
2.1.4 The applicant strenuously makes the point that these plans are indicative only, and there should be no misconceptions that what is being provided in terms of drawings, represents what must be built on the site. The scheme may change in the future depending on more detailed discussions with officers regarding the aforesaid reserved matters. We only seek to establish the principle of a pair of semi-detached dwelling houses at this outline stage.

2.1.5 With the above in mind, the following drawings have been submitted to support this application:

CBL-0820225-L101	Location Plan	(fixed for determination now)
CBL-0820225-ES101	Existing Site Plan	(indicative content only)
CBL-0820225-PS101	Proposed Site Plan	(indicative content only)
CBL-0820225-P101	Proposed Ground Floor Layout	(indicative content only)
CBL-0820225-P102	Proposed First Floor Layout	(indicative content only)
CBL-0820225-P104	Proposed Front Elevation	(indicative content only)
CBL-0820225-P105	Proposed Rear Elevation	(indicative content only)
CBL-0820225-P106	Proposed West Elevation	(indicative content only)
CBL-0820225-P107	Proposed East Elevation	(indicative content only)

3.0 SITE DESCRIPTION

- 3.1.1 The application site comprises of a triangular piece of land measuring 1,353m² (0.14ha). The site is positioned south of the tree belt that aligns the A259 Roundstone Road to the north and alongside the northern side of the residential estate road of Downs Way. The western boundary of the site aligns Heathfield Avenue, with the point of the wedge of the site being some 85m to the east of Heathfield Avenue. The site is located within the urban area.
- 3.1.2 The application site is flat with little change in the topography of the land. It comprises of several small and semi-mature trees and is mainly laid to grass. Along the northern side of the site is public footpath. A pavement runs around the perimeter of the site on the western and southern sides adjacent to the carriageway. There are few other defining features of the application site.
- 3.1.3 The surrounding area is characterised by two storey development to the south of Downs Way, and single storey bungalows on the western side of the application site. There is a discernible absence of two storey development north of Downs Way, and that partly precipitates the proposed scheme which seeks to provide a lower height building of a comparable footprint to those other properties in Heathfield Avenue.
- 3.1.4 The site is located within flood zone 1 and has no designations on the Local Planning Authority's planning policies map. The site is not within the curtilage or setting of a heritage asset or an archaeologically sensitive area. The land is also not designated as an existing or proposed open space on the Council's policies map (please see below):



- 3.1.5 We have submitted a tree survey alongside this application which has been carried out by a qualified arboriculturalist in accordance with BS5837:2012. This survey shows the relevant trees on the application site. The same information is replicated in our drawing ref: ES101.
- 3.1.6 The application site is currently part of the prescribed highway land, albeit we intend that this will be extinguished through the express grant of planning permission.

4.0 RELEVANT PLANNING POLICY

4.1 *Statutory Legislation*

4.1.1 The following statutory instruments form the legislative basis for the lawful processing and determination of a planning application made to the Local Planning Authority:

- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Order 2004

4.2 *National Planning Policy Framework (NPPF)*

4.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 establishes that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 1 of the National Planning Policy Framework (NPPF), which was published in February 2019, sets out that the NPPF must be taken into account in the preparation of development plans, and that it represents government policy that is material in planning decisions.

4.2.2 Section 2 of the NPPF establishes the government's policy on achieving sustainable development. Within this section is the definition of sustainable development under paragraph 8, and the presumption in favour of sustainable development under paragraph 11. In instances where a Local Planning Authority's development plan policies are out of date or absent, paragraph 11 (d) of the NPPF is applied in the determination of the application.

For decision-taking this means:

... (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 of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; 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.*

⁷ *This include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73) or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.*

4.2.3 We have set out within section 5.1 the grounds upon which we allege that the Local Planning Authority's policies relevant to the supply of housing are out of date. Essentially, this relates to the inability of the Local Planning Authority to be able to demonstrate a future five year supply of housing delivery, and also on the basis that the Local Planning Authority's latest results in the Housing Delivery Test (January 2020) showed that only 61% of the required amount of housing was completed within the district between 2017 and 2020.

4.2.4 Section 11 of the NPPF is also highly relevant to an application of this nature, which proposes a more efficient use of land within the urban area. It requires that planning decisions should

promote the more effective use of land within the urban area. We would specifically draw officer's attention to paragraph 123, which seeks to maintain and enhance the density of development in instances where there is an existing shortage of land for meeting identified housing needs. Paragraph 123 (c) states:

- (c) *local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).*

4.3 Arun District Council Local Plan (2018)

- 4.3.1 The development plan for the purposes of decision-making in Arun comprises of the adopted Local Plan in 2018. Those policies considered to be relevant to this application are contained in the table below (please note that this list is not exhaustive).

Arun District Council – Local Plan (2018)	
Policy Ref:	Policy Description:
SD SP1	Sustainable Development
SD SP1A	Strategic Approach
SD SP2	Built-Up Area Boundary
H SP1	The Housing Requirement
H DM1	Housing Mix
D SP1	Design
D DM1	Aspects of Form and Design Quality
D DM2	Internal Space Standards
ECC SP1	Adapting to Climate Change
ECC SP2	Energy and Climate Change Mitigation
HWB SP1	Health and Wellbeing
T SP1	Transport
ENV SP1	Natural Environment
ENV DM1	Designated Sites of biodiversity or geological importance
ENV DM4	Protection of Trees
ENV DM5	Development and Biodiversity
W DM1	Water Supply and Quality
W DM3	Sustainable Urban Drainage Systems
WM DM1	Waste Management

4.4 Arun District Council – Supplementary Planning Documents

- 4.4.1 The Local Planning Authority has published the following guidance documents:

- Arun District Design Guide (adopted January 2021)
- Parking Standard (adopted January 2020)

5.0 RELEVANT PLANNING HISTORY

5.1 *Land at Downs Way / Heathfield Avenue (The Application Site)*

5.1.1 The application is a self-contained piece of land with no relevant or recent planning history.

6.0 PLANNING ASSESSMENT

6.1 *Housing Need*

- 6.1.1 Paragraph 73 of the NPPF requires Local Planning Authorities to 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. The supply of specific deliverable sites should include a buffer of 5%, 10% or 20% dependent on past housing completions against the housing requirement figure. A 20% buffer should be applied where the Housing Delivery Test has indicated that completions fell to below 85% of the housing requirement, and this reflect a persistent under-delivery.
- 6.1.2 In the case of Arun District Council, policy H SP1 of the Local Plan (2018) sets out a stepped housing requirement figure which increases incrementally throughout the 20 year period, with a drop in the last five years. We have used the latest information in the Local Planning Authority's Annual Monitoring Report (2019/20) dated December 2020 to demonstrate the current housing land supply position for the period 2020-2024. The adopted requirement includes 1 year at 1,120 dpa and 4 years at 1,310 dpa. Added to this figure is the shortfall of 2,039 from previous years under-delivery. The total housing requirement for the five year period 2020-2024 is therefore 8,399 dwellings.
- 6.1.3 In order to calculate the extent of buffer that needs to be added to the above housing requirement figure, we have reverted to the government's Housing Delivery Test results for 2017-2020 (published in January 2021). These are provided below:

	2017-2018	2018-2019	2019-2020	Total	%
Housing Requirement	947	1,120	1,025	3,092	61
Housing Completions	704	660	515	1,879	

- 6.1.4 Paragraph 73(c) footnote ³⁹ states that from November 2018, where a Local Planning Authority fails to achieve 85% or more of its housing completions against the identified housing requirement, the 20% buffer shall be added for under-delivery. This takes the total housing requirement for the five year period 2020-2024 to 10,079 dwellings, which disaggregated down across each year represents a requirement for 2,016 dpa.
- 6.1.5 We have not sought to interrogate the Local Planning Authority's intended housing supply for the five year period 2020-2024 for the simple reason that there is no need to look into this matter any further for the purposes of this application. The AMR 2019-20 shows a housing supply of 6,599 dwellings over the five year period. This equates to 1,320 dpa, a number which is substantially lower than the identified housing requirement, and which represents a 3.3 year supply.
- 6.1.6 It is also worth noting that, from the previous performance as evidenced in the above HDT results, the Local Planning Authority is not getting anywhere close to their anticipated 1,320 dpa for the next five year period with the average annual completions at only 626 dpa. It is inconceivable to think that the substantial deficit of housing that is building up in Arun is likely to be met at anytime in the near future, and there are no further strategic allocations identified by the Local Planning Authority to address the growing shortfall.
- 6.1.7 The latest available evidence within the HDT shows that as the housing requirement is consistently increasing with more dwellings being added to the growing shortfall, housing completions within the district have steadily decreased over the past three years. There is no new Local Plan on the horizon and no future means by which to show that this Local Planning Authority has got its housing needs under control. Quite clearly, by reason of the disparity

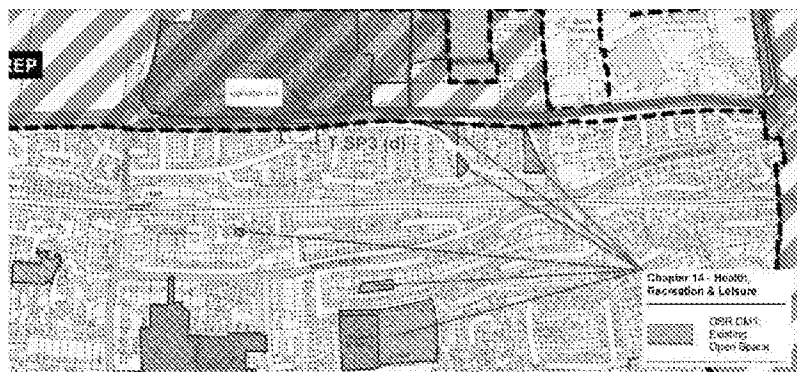
between the housing requirement figure in the Local Plan, and the housing land supply deficit, the Local Planning Authority's housing policies are out of date. In addition, with a past delivery of less than 75% of the housing requirement, the HDT has been failed. The consequence of both of these factors is that the presumption in favour of sustainable development is to be applied to the consideration of any development for new housing.

- 6.1.8 In accordance with paragraph 11(d)(ii) of the NPPF, planning permission should therefore be granted *unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*. There are no specific policies whereby a conflict would disengage the presumption, and there is every reason in view of the enormity of the housing deficit within the district and absence of any clear direction out of the current shortage, to grant planning permission.

6.2 Character of the Area

- 6.2.1 The application site is unconstrained in terms of any policy designations. The site is located within the settlement constraints of the urban area, and so therefore falls on land that would be considered to be appropriate for development in principle. Whilst the site is clearly greenfield and does not represent previously developed land, it is not contrary to policy to develop such sites provided that the proposal amounts to sustainable development.

- 6.2.2 In the recently adopted Local Plan, the site was not defined and protected as existing open space, despite there being many pockets of land within the surrounding area which were deemed to be worthy of retention and of which were of a comparable size and location. We include below an extract from the Local Plan policies map in which we have identified the smaller areas of existing open space in the immediate area.



- 6.2.3 It is the applicant's contention that were the Local Planning Authority to consider the application site as important open space that is worthy of retention, then it would have designated it as such on the policies map. Instead, the application site is clearly devoid of any such designation, and unless the policies map is incorrect, then one must take from this the premise that it was not considered to amount to existing open space.
- 6.2.4 It must be an undisputed point of common ground between the Local Planning Authority and the applicant that the character of the area in which the site is located within is distinctly suburban. Downs Way is an arterial road that forms the basis for the layout of the residential estate, and this estate heavily influences the character of the application site and gives it the feeling and perception of being part of the urban area.
- 6.2.5 The application site does have some attributes in terms of contributing to the open plan design of the estate, however it was only ever a set-aside area designated as part of the prescribed highway, and it was not, as evidenced in the current Local Plan, a designated open space to be protected and kept free of development. Just because a piece of land may have

some attributes of openness, this does not mean that there is a policy restriction against its development, where such development can still retain the in principle character of the area.

- 6.2.6 The application has been made in outline only, and this is for the sole reason of establishing the principle of the development of the site as opposed to the details of the design of a proposed scheme. The applicant has been open and transparent in terms of providing indicative plans of the nature and scale of development that he would like to place on the application site, but has stopped short of fixing the scheme in order that the Local Planning Authority may agree to the principle of the development but then work with the applicant to agree the details of the proposed scheme when considering a reserved matters submission.
- 6.2.7 We therefore only ask the Local Planning Authority to determine the principle of a building on the site, and that this building would comprise of two residential dwellings. The rest of the detail can be agreed with the applicant under a separate and later submission. The indicative plans show a pair of semi-detached houses of a similar footprint to those found on the western side of Heathfield Avenue. The height and scale of the proposed building reflects the characteristic divide of two storey dwelling houses south of Downs Way, and single storey dwelling houses to the north of Downs Way. The garden sizes are also similar to those of Heathfield Avenue, with the width of the application site being a positive factor which allows wider and shorter rear gardens without concern of overlooking to the rear.
- 6.2.8 A characteristic feature of the residential development in the estate is its open plan frontages where boundary treatment has, on the whole, been limited with only the rear garden private amenity spaces being physically set apart from the wider area. We intend to replicate this feature of the estate by proposing open plan frontages to the houses, with only the rear gardens to be fenced off for privacy reasons. Where hard boundary treatment will be installed to the private gardens, this will be discreetly hidden behind soft landscaped buffers to the west, north and east of the application site. New tree planting is proposed along the Heathfield Avenue landscape strip, and the applicant would welcome the opportunity to provide more tree planting to the east of the site within land in his ownership.
- 6.2.9 The applicant contends that the indicative drawings supplied with this application clearly show how a small residential development comprising of two attached single storey houses can be accommodated on the application site without causing harm to the character of the area. In saying this, we must stress that the plans are indicative at this stage, and the Local Planning Authority retains their full discretion and control (subject to reasonableness) to be able to influence the appearance, scale, siting, access and landscaping of the proposed development.
- 6.2.10 We hereby only ask for outline permission for the principle of the development, and we firmly believe that this site can be developed without causing any adverse impacts that could be considered to *significantly and demonstrably outweigh the public benefits* created through providing new housing in a sustainable part of the existing urban area.
- 6.2.11 In view of the housing land supply position of the Local Planning Authority at the present time, and in the foreseeable future, it is a material consideration that if these houses are not approved and constructed on the application site, then the same development pressure to the tune of two houses will be transferred to somewhere else in the district. It is our view that any limited harm to the character of this area will be localised and not nearly as harmful as development within a less sustainable greenfield site outside of the existing urban area.
- 6.2.12 The indicative plans and the principle of the development show that the proposed scheme is compliant with policy D SP1 of the Local Plan 2018, as well as the aspirations set out within section 12 of the NPPF.

6.3 *Amenity of Future Occupiers & Neighbouring Properties*

- 6.3.1 The plans supplied with this application are indicative on the basis that only outline planning permission is being sought. However, the proposed dwellings shown on these drawings are in excess of the required floor space for two bed (4 person) dwelling houses split over two floors. The required floor space for a dwelling of this nature would be 79m² according to the nationally described space standards (NDSS), whereas the proposed development shows 88.6m² per unit. The proposed dwellings would have good daylight, sunlight from a front southerly aspect, and a significant degree of privacy to their windows and garden areas. Each dwelling has been provided with garden space the equivalent of the dwelling's footprint.
- 6.3.2 There is little to say in respect of the amenity of neighbouring residential properties because the new dwelling houses are positioned some 25-30m from the nearest houses in Heathfield Avenue and Downs Way. At these distances, there would be no adverse impact on neighbouring properties in terms of daylight, outlook, or privacy. The intensification of the use of the application site is not significant in respect of the ambient noise levels and the existing level of vehicle movements along Downs Way and Heathfield Avenue. The proposed dwellings may bring advantages to neighbouring properties by ensuring that this land is maintained and managed in the future.
- 6.3.3 The indicative plans show that the proposed development would comply with policies D DM1 and D DM2 of the Local Plan 2018.

6.4 *Highways*

- 6.4.1 We have not included a means of access within this outline application to provide for the flexibility of a future development to be served both off Downs Way or, as we have suggested, being served separately off Downs Way and Heathfield Avenue. As the site is bordered by a pavement and then a grass verge onto the carriageway, and in view of the low vehicle speeds along Downs Way (being a residential road with a 30mph speed limit), the visibility splays are more than sufficient onto Downs Way. The lower vehicle speeds in Heathfield Avenue provide for safe access and egress of vehicles onto this carriageway from the western dwelling house.
- 6.4.2 We have shown one parking space for each dwelling unit on the basis that the proposed units are two bedroomed non-family residential homes, and because the application site is in a very sustainable and accessible location. The site is within easy walking distance of numerous shops and services in Angmering centre (400m to the west), a Costcutter convenience store (400m to the east), and Angmering railway station (350m to the west). There are bus stops with routes to the wider area located at the railway station and next to Costcutter.
- 6.4.3 The means of access onto the public highway, and the parking provision on-site, are both reserved matters for later determination. On this basis, provided that both can be deliverable in a future application, then that is all that is required for the application to be approved on the basis of no significant adverse impact on highway safety and capacity. The application is considered to be compliant with policy T SP1 of the Local Plan 2018, as well as paragraph 109 of the NPPF which restricts against the refusal of applications unless it is demonstrated that the residual cumulative impacts on the road network would be *severe*.

6.5 *Natural Environment*

- 6.5.1 The application site comprises of a grassed area in-between Downs Way and Heathfield Avenue, and with the exception of the trees that are positioned on the site, there are no habitats or biodiversity that would be adversely affected by the proposed development. The loss of grassed area can be compensated for by improving the quality of the habitat space on the eastern end of the site as this is set apart from the proposed development and is within the control and ownership of the applicant.
- 6.5.2 The applicant has appointed an arboricultural consultant to survey the trees on the site, and these are shown on the accompanying tree schedule and tree protection plan. Invariably, because of the position of the proposed building, there will be some loss to existing trees. However, the effects of this have been kept to a minimum having regard to the careful siting of the proposed building and the removal of only lesser quality trees.
- 6.5.3 The tree protection plan shows the loss of a total of 7 trees, of which 4 (T2, T3, T4 and T7) are considered to be low quality category C trees, and 2 (T5 and T6) are category B trees but are of a small size and not of a significant contribution to the visual amenity of the street scene and surrounding area. T8 (a Norway Maple) is to be lost, however as this is close to and largely screened by the larger Lime tree (T9), the effect of the loss of T8 is not considered to be significant. It should be noted that the extent of the application site allows for considerable scope to plant many new trees that would far outweigh the loss of the seven trees identified.
- 6.5.4 As part of the reserved matters application, a landscaping scheme will need to be provided, and this will include a comprehensive scheme for soft landscaping on the site, and the planting of many new trees that would compensate for and significantly outweigh the more limited loss to be created out of the siting of the proposed development. An arboricultural implications assessment will also be submitted at that time and will include the detail of the proposed scheme once this has been fixed and is for the consideration of the authority.
- 6.5.5 Through the combination of the landscaping scheme, an appropriate siting of the development, and the arboricultural implications assessment at the reserved matters stage, the proposal will be demonstrably fully compliant with policies ENV SP1, ENV DM1, ENV DM4 and ENV DM5 of the Local Plan (2018). However, for the purposes of the current outline submission, with all matters reserved, there are no substantive grounds for objection.
- 6.5.6 It is not possible to provide a SUDS scheme for a development that only seeks outline planning permission with all matters reserved. However, the requirements of policy W DM3 of the Local Plan (2018) will be met at the time that the reserved matters application is submitted.

Report Prepared By:

*James Hutchison BA MA MRTPI
Planning Director
Corbil Estates & Planning Ltd*

12 March 2021