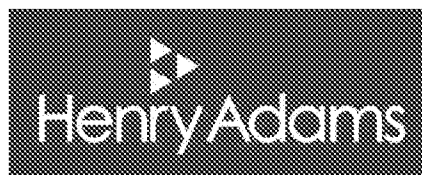


Planning Statement including Affordable Housing Statement and Statement of Community Involvement

**Erection of 76 No. dwellings, means of
access, public open space, play
areas, associated infrastructure and
landscaping.**

Land south of A259, Angmering

On behalf of Redrow Homes Ltd
March 2022



Henry Adams LLP, Rowan House, Baffins Lane, Chichester, West Sussex PO19 1UA



Henry Adams LLP is a limited liability partnership registered in England and Wales. No. OC308996. VAT No. 846 2465 12.
A list of our members and partners is available for inspection at our registered office at Rowan House, Baffins Lane, Chichester PO19 1UA.
Regulated by the RICS (Royal Institution of Chartered Surveyors).

Executive Summary

Henry Adams LLP act on behalf of Redrow Homes Ltd in respect of the submission of a detailed application for the erection of 76 new residential dwellings on land south of the A259, Angmering. This application comprises a re-submission application following the refusal of A/168/21.

This Statement demonstrates the following key points:

- The site is contiguous with the Angmering Settlement Boundary to the west.
- The proposal will support social sustainability by providing a mix of dwellings.
- Retention of existing trees alongside ecological and biodiversity enhancements through the landscaping proposals will result in biodiversity gains and environmental benefits.
- The proposal would not result in visual harm to the local gap, nor would it harm the wider landscape, including the setting of the South Downs National Park.
- Economic benefits will include the creation/maintenance of construction jobs and additional spending by new residents on local goods and services.
- The Local Plan & Neighbourhood Plan for the area are considered to be out of date.
- Lack of five-year housing land supply and lack of an up-to-date Neighbourhood Plan; the presumption in favour of sustainable development is engaged.

This application represents a comprehensive and sustainable development proposal. It reflects the three essential strands of sustainable development delivering economic, social and environmental benefits to the local area.

Contents

1. Introduction	3
2. Site and Surrounds.....	4
3. Planning History	4
4. The Proposal.....	5
5. Pre-Application Consultation	7
6. Community Involvement	8
7. Planning Policy	10
8. Housing Land Supply	15
9. Affordable Housing Statement.....	16
10. Scheme Assessment	17
11. Planning Benefits.....	24
12. Planning Conditions, Infrastructure and Draft Heads of Terms	25
13. Conclusion.....	25

Appendices

Appendix A – Accommodation schedule demonstrating suitable mix and NDSS compliance

Appendix B – Pre-application response 1 (June 2020) and pre-app response 2 (July 2021)

Appendix C – Appeal decision for land north-west of Goring Station, Worthing 25/02/2022

1. **Introduction**

- 1.1 Henry Adams LLP act on behalf of Redrow Homes Limited in respect of this outline planning application for the construction of 76 dwellings, means of access, public open space, play areas, associated infrastructure and landscaping. This application comprises a re-submission application following the refusal of A/168/21.
- 1.2 This statement sets out the relevant background for determination of the planning application, including context of the site and surroundings, details of the proposed development and an assessment of the relevant planning considerations. It also sets out the amendments that have been made to the scheme to overcome reasons for the refusal of the last application. This Statement also incorporates the following:
- Affordable Housing Statement
 - Statement of Community Involvement
 - Draft Heads of Terms
- 1.3 The proposals have been informed by the policies in the National Planning Policy Framework (NPPF), Arun Local Plan, relevant Supplementary Planning Documents, and Angmering Neighbourhood Plan.
- 1.4 In addition to this Statement, the following documents are submitted as part of the planning application:

Report	Consultant
Planning Statement	Henry Adams LLP
Application Drawings	Geoff Perry Associates Ltd
Archaeological Report, including Historic Environment Record Search	PCA
Design and Access Statement	Geoff Perry Associates Ltd
FRA and Drainage Strategy	Abley Letchford Partnership
Transport Assessment Travel Plan	i-Transport
Ecological Impact Assessment	Ecology Partnership
Arboricultural Impact Assessment & Method Statement Tree Retention Protection Plan	ACD Environmental
Landscape Visual Impact Assessment Landscape Masterplan	ACD Environmental
Noise Assessment	24 Acoustics
Agricultural Land Quality Assessment	ADAS

2. Site and Surrounds

- 2.1 The site is located on the eastern edge of Angmering village, immediately adjacent to the existing settlement boundary. It is bounded to the north by the A259 Littlehampton Road, the east by further fields and then the Artists in Stone commercial premises, to the south by the West Coastway Railway Line and the west by the residential development along Old Worthing Road.
- 2.2 The site itself is an open arable field, which is currently in crop and measures 3.22 hectares. It comprises a reasonably square area of flat open land. The sites boundaries are kept by mature conifer hedging to the north, largely screening the site from the A259, metal chain-link fencing and hedgerow to the railway line to the south and domestic fencing enclosing the adjoining residential properties to the west. The eastern boundary is undefined as it is open to the wider field.
- 2.3 Old Worthing Road forms a roundabout junction with the A259 Littlehampton Road at the north-western corner of the site whereby existing access to the site is gained via a field gate. This is a single access track which also serves the industrial units to the east.

Surrounds

- 2.4 The A259 Littlehampton Road provides a key east-west link through the District and wider County. The A259 Littlehampton Road is a dual land two-way carriageway road some 7.5m in width along the site frontage.
- 2.5 An existing shared footway / cycleway is present on the southern side of the A259 Littlehampton Road along the site frontage. This provides a connection between the roundabout junction with the B2140 Old Worthing Road (at the north-western corner of the site) and the Asda superstore to the east of the site. Beyond this, footways are present on all local roads and provide continuous connections to services and amenities in and around Angmering. Street lighting is also present on all local roads surrounding the site.

3. Planning History

- 3.1 Planning permission was refused on this site in 2012 for the erection of a car dealership facility (A/130/12). Whilst the earlier refusal for commercial development is noted, any proposal for housing at the site will be subject to different planning tests, together with a presumption in favour of sustainable development being engaged. This previous decision therefore carries limited weight in the determination of this application.

3.2 As noted earlier, this application follows the refusal of a full planning application under application A/168/21 for the same quantum of development. The application was refused for seven reasons, the first of which was the principle of development. This was despite having had pre-application advice from officers that an application on this site would be likely to be approved (see section 5 below). It is also noted that the officer's report states that "the current Housing Land Supply position is marginal and that a new supply position will be published in January 2022". This recent publication confirms that the supply is only 2.4 years and is therefore a material change in circumstances on the principal point.

3.3 This resubmission therefore sets out the policy considerations in the current housing supply context and provides new and additional information to overcome the other reasons for refusal. This includes a revised landscape and visual impact assessment to deal with the landscape character and local gap issues, drainage information and revised layout including a landscape buffer on land to the east within the applicant's control.

4. The Proposal

4.1 The proposal is for the development of 76 new residential dwellings, comprising a mix of 1-4 bed properties. The site is approximately 3.22 ha in size and thus the development of 76 dwellings has a gross density of 24 dwellings per hectare (dph). This density is considered to be appropriate to the village location and commensurate with the character of the area.

4.2 The dwellings will consist of two-storey detached, semi-detached and terraced properties. 30% (23) properties will also be provided as tenure blind, affordable homes. The proposed properties exceed minimum space standards as set out within the accommodation schedule (Appendix A). In summary, the application proposes the following mix:

53 Market Dwellings (70%)

- 10 no. 2 bed properties
- 10 no. 3 bed properties
- 33 no. 4 bed properties

23 Affordable Dwellings (30%)

- 8 no. 1 bed properties
- 8 no. 2 bed properties
- 7 no. 3 bed properties

4.3 In terms of design, the dwellings will be of a traditional arts and crafts appearance. The proposed elevations would comprise a mix of facing brickwork, hanging tiles, timber detailing and render, which are considered to be reflective of the materials seen in the

local area. The dwellings are positioned to form an outward facing development, where possible, but a need to provide noise mitigation has informed the design and position of dwellings adjoining the southern and eastern boundaries. The approach to the eastern boundary also follows the form and relationship of properties forming the current western edge of Angmering and East Preston.

- 4.4 To assist with noise attenuation a 3.2 metre acoustic fence is proposed along the entirety of the southern boundary. This will also wrap around the gardens of plots 22-39 and 56-66 to ensure suitable protection for the external amenity spaces.
- 4.5 The site is currently accessed via a field gate onto the B2140 Old Worthing Road roundabout junction with the A259 Littlehampton Road. The proposed access arrangement will comprise:
- A new Left In / Left Out type arrangement onto the A259 Littlehampton Road approximately 130m west of the roundabout.
 - Retain the existing access from the roundabout as an 'Entry Only' to the site.
- 4.6 Pedestrian and cycle access will also be provided and this will link directly to the pedestrian cycle path on the A259. This provides a safe off-road route for pedestrians and cyclists wanting to go towards Angmering village or the retail / commercial uses in Ferring to the east and beyond to Worthing.
- 4.7 Parking Provision is in accordance with the Arun Parking Standards SPD, providing 199 parking spaces, 12 of which are visitor spaces. An electric charging point will be provided for each dwelling with a private driveway and cycle parking will be provided within garden sheds.
- 4.8 The scheme seeks to retain the majority of existing, mature trees within the northern edge. Additional planting of trees and shrubs is proposed on the street frontage, breaking up the built form and areas of parking. Following the refusal of the previous permission, the Landscape and Visual Impact Assessment has been updated and the landscaping of the site has responded as necessary. This includes the provision of 10m buffer on the eastern edge of the development site but within land under the applicant's control to minimise the impact of the development when viewed from the gap to the west. Additional planting is also proposed on the southern boundary in a 2m buffer adjacent to the railway line which has been created by the relocation of the dwellings slightly northwards. Trees are also proposed in the rear gardens to filter views of the development.

- 4.9 The landscaping has been enhanced around the substation, pumping station and SuDS. Areas of public open space and rear gardens will also be planted with native species to support and enhance both local biodiversity and the character of the area.

5. Pre-Application Consultation

Arun District Council

- 5.1 Initial discussions took place with the Council's planning officers in March 2021 through the submission of a pre-application enquiry for a housing development at the site. This submission sought the Council's views on the principle of developing the site. In responding, the Council's response confirmed:

"..., I conclude that were an application for planning permission to be submitted for residential development on the Land South of Littlehampton Road, in Angmering it would likely to be approved given that there are compelling reasons to do so that outweigh the policy objection of development in a countryside location including a settlement gap."

- 5.2 This enquiry included an indicative site layout which showed an indicative housing layout, a means of access (as now proposed), associated public open space and play provision. However, as the layout was quite high level at that stage, the Council only provided their view on the principle of development.
- 5.3 Following the initial enquiry which confirmed the principle of development, Redrow took on control of the site and prepared a further pre-application submission. This sought reassurance regarding the principle of development, but its main purposes was to seek views of detailed proposals for the site. The pre application request was submitted to the Council in January 2021, and a written response was received on 23rd April 2021 (Appendix B).
- 5.4 The response sets out the principle of development, noting that Arun cannot demonstrate a 5 year housing land supply (3.3 years) and that development policies relating to the supply of housing within both the Local Plan and the Neighbourhood Plan are out of date. The 'presumption in favour of sustainable development' was therefore confirmed as being engaged. One of the main considerations however, is the site's location within the East Preston to Ferring Local Gap (Policy SD SP3; Gaps between Settlements). Whilst development would be in conflict with this policy, the officers considered that the development would represent sustainable development and thus this, alongside other material considerations, serve to allow for the principle of the application to be supported.

5.5 The other key points raised through the pre application response are as follows;

- It is considered the proposed dwellings would be suitably set back from the A259 and Worthing Road so as to avoid unacceptable harm to the character of the street scene.
- Density, scale and massing is deemed acceptable in accordance with relevant development plan policies.
- Arts and crafts design would be acceptable in this location but flint to some elevations should be considered to reflect rural character opposite and to the east of the site.
- In accordance with Angmering Neighbourhood Plan Policy HD3, 25% of homes should be built to Lifetime Homes standards (or equivalent Cat 2 M4 (2))
- Houses should comply with NDSS and rear gardens should measure at least 10m in length.

As noted in Appendix A, all properties comply with NDSS. All garden lengths are also a minimum of 10m in depth.

- Part of the area of open space in the south-western corner of the site is situated under a pylon and should not be counted towards useable open space. This area should therefore be extended.

West Sussex County Council Highway Department

5.6 A formal pre-application enquiry submission was made to the County Council as the Local Highway Authority. The submission was made by i-Transport on behalf of Redrow Homes. The pre-application enquiry proposed the access that forms part of the planning application. It was confirmed in response that the proposal comprises an appropriate means of access to the site.

5.7 Discussions are likely to progress during the course of the application on any off-site highways works, including works to maintain the pedestrian – cycle route to the south of the A259 and its connectivity with the proposed development site.

6. Community Involvement

- 6.1 Consultation has taken place with both the Parish Council and the Community Land Trust prior to the submission of this application. Redrow Homes Ltd also presented the proposals to the Angmering Advisory Group meeting in June 2021.

Parish Council Engagement

- 6.2 Redrow Homes Ltd presented the proposals to Angmering, East Preston, Rustington, Kingston and Ferring Parish Councils. This did not comprise an open public meeting with the purpose being to introduce the site to the Parish Councils and for Redrow Homes to understand any initial concerns. The principal matters discussed during the meeting were as follows:

- Principle of development on the Local Gap and concern that this will set a precedent
- The suitability / safety of the access
- The location of the proposed open space and play facilities associated with air quality and safety
- Visual impact of the development and potential green routes through the site

- 6.3 Following this discussion, a technical note on the proposed access, open space/ air quality and visual impact of the development was provided to the Parish Council.

Community Land Trust

- 6.4 Promotion of the development site was triggered by an approach to the landowner by Angmering Community Land Trust. At that time they were enquiring as to the site's availability for affordable housing delivery. Engagement has been on-going with the CLT since 2019 on the potential for the CLT to take on some of the proposed affordable housing units.

- 6.5 The main matters discussed was the ability of the CLT to secure land and their overall requirements.

General Public

- 6.6 Redrow Homes prepared a consultation document, which was delivered to local residents. This notified them of the proposed development and provided an overview of the scheme. It went on to provide specific contact details if those residents would like to discuss the proposals in further detail.

- 6.7 Redrow Homes has confirmed its commitment to engage with all interested parties throughout the planning process.

7. Planning Policy

- 7.1 Section 38 (6) of the Planning and Compulsory Act 2004 and Section 70 (2) of the Town and Country Planning Act 1990 requires planning applications to be determined in accordance with the policies of the Development Plan unless material considerations indicate otherwise.
- 7.2 To the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.
- 7.3 The Development Plans for Arun District and Angmering Parish comprise:
- Arun Local Plan 2011-2031
 - Angmering Neighbourhood Plan
 - West Sussex Waste and Minerals Plan
- 7.4 The specific policies of relevance to this application are summarised in the list below.

Arun Local Plan 2011-2031

- AH SP2 Affordable Housing
- C SP1 Countryside
- D DM1 Aspects of form and design quality
- D DM2 Internal space standards
- D SP1 Design
- ECC DM1 Renewable Energy
- ECC SP1 Adapting to Climate Change
- ECC SP2 Energy and climate change mitigation
- ENV DM4 Protection of trees
- ENV DM5 Development and biodiversity
- GI SP1 Green Infrastructure and Development
- HER DM6 Sites of Archaeological Interest
- HER SP1 The Historic Environment
- LAN DM1 Protection of landscape character
- QE DM1 Noise Pollution
- QE DM2 Light pollution
- QE DM3 Air Pollution
- SD SP1 Sustainable Development
- SKILLS SP1 Employment and Skills
- SO DM1 Soils
- HWB SP1 Health and Wellbeing

- QE SP1 Quality of the Environment
- WM DM1 Waste Management
- T DM1 Sustainable Travel and Public Rights of Way
- T SP1 Transport and Development
- W DM2 Flood Risk
- W DM3 Sustainable Urban Drainage Systems

Angmering Neighbourhood Plan

- 7.5 The Angmering Neighbourhood Plan (2014) was adopted prior to the adoption of the Local Plan for the District. Whilst largely superseded by the Local Plan, the following policies are relevant to the proposal:

- HD1 - Built-up Area Boundary
- HD3 - Housing Mix
- HD4 - Materials
- HD5 - Built Form
- HD6 - Housing Layout and Design
- HD7 - Housing Density
- HOS - Parking for New Developments
- HD9 - Phasing of Residential Development
- TM1 - Local Highways
- TM2 - Cycling Walking and Equestrian
- EH3 - Flood Prevention

National Planning Policy Framework and Guidance

- 7.6 At National level the National Planning Policy Framework sets out the Government's most up-to-date policies against which all Development Plans should be prepared, and planning applications assessed. It is a material consideration that carries substantial weight.
- 7.7 The framework sets out at paragraph 8 the three overarching objectives as follows:
- An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure
 - A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect

current and future needs and support communities' health, social and cultural well-being; and,

- An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making efficient use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

7.8 The same paragraph confirms that these objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The paragraph does not, however, state that net gains must be achieved across all three objectives for a proposal to constitute sustainable development.

7.9 The presumption in favour of sustainable development is set out at Paragraph 11, which the Government maintains is at the heart of the Framework. For decision-taking the presumption in favour of sustainable development 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 protects 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.'

7.10 This means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (such as where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites), planning permission should be granted. As the Council cannot currently demonstrate a 5-year HLS (as considered further below), paragraph 11 (d) of the NPPF and the application of the 'presumption' for sustainable development is engaged. The only caveat to this is set out above under paragraphs 11(d)(i) and (ii).

7.11 Paragraph 11(d)(i) relates to footnote 7 and this sets out the areas and assets that should be protected. However, it states that the policies that relate to them should only prevent

the granting of permission where there are clear reasons for refusing development or, in accordance with paragraph 11(d)(ii), any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

- 7.12 With regard to the delivery of new housing, Paragraphs 74 and 75 deal with the requirement for Local Planning Authorities (“LPAs”) 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.
- 7.13 In terms of Neighbourhood Plans, the NPPF states that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided **all** of the following apply:
- a) The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
 - b) The neighbourhood plan contains policies and allocations to meet its identified housing requirement;
 - c) The local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and
 - d) The local planning authority’s housing delivery was at least 45% of that required over the previous three years.
- 7.14 In terms of advice contained in the NPPF regarding emerging Local Plans or Neighbourhood Plans, paragraphs 47 -50 set out how these should be considered. The guidance states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 7.15 The NPPF goes on to state that when applying the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:
- a) The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
 - b) The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

National Design Guide

- 7.16 In October 2019, the Government published the National Design Guide (NDG) to illustrate how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's suite of planning practice guidance. In addition to informing development proposals and their assessment by Local Planning Authorities, it supports paragraph 134 of the NPPF which states that permission should be refused especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Other Material Considerations

Parking SPD

- 7.17 The Parking SPD seeks to set out parking requirements throughout the district; these vary depending on location. Further, the SPD also sets out cycle parking provision and Electric Charging requirements within new developments.

Design Guide SPD

- 7.18 The design guide seeks to provide direction on how good design could be achieved throughout the district, providing the opportunity for urban form and townscapes to be developed in a holistic manner.

Angmering Neighbourhood Plan Review

- 7.19 Early work commenced on a review of the Neighbourhood Plan in 2019. However, following a call for sites, the review has not progressed.

8. **Housing Land Supply**

- 8.1 The Council's current assessment of 5-year housing land supply is set out in its Annual Monitoring Report (AMR) dated December 2021 which post-dates the previous refusal of planning permission. This illustrates that the total requirement 2021-2025 is for 11,028 dwellings and a supply of only 5,339. This results in only 2.42 years supply of housing.

Housing Delivery Test

- 8.2 In January 2021, the Government published results of its Housing Delivery Test. This shows that Arun has under-delivered on its housing targets (achieving only 65%). The Test recommends that all Councils achieving less than 95% prepare an Action Plan to set out how delivery rates will be improved and that the presumption in favour is engaged for those Councils achieving less than 75%. This last three years of under delivery is summarised as follows:

Year	Arun DC's HDT Result
2018	91%
2019	68%
2020	61%
2021	65%

- 8.3 The Council last updated its Action Plan in July 2021. It sets out the reasons for the lower projected delivery. This includes an unwillingness in some instances to coordinate individual schemes through Masterplans in the Strategic allocations, applications refused against officer recommendation, sites not coming forward and slower build out rates due to market or infrastructure issues.
- 8.4 The Action Plan also makes a series of recommendations in order to boost housing delivery. This includes use of the 'presumption in favour of sustainable development' until such time as the 5-year housing land supply re-established. It recommends that applications be invited from landowners/developers on 'deliverable' HELAA sites to re-establish the 5 year housing land supply. It also promotes the submission of compliant planning applications using pre-application discussions; a procedure that was followed in this case.

Summary

8.5 The implications of the low housing land supply and failure of the HDT are as follows:

- Presumption in favour of sustainable development applies, in accordance with paragraph 11 of the NPPF
- Policies which seek to allocate, control or constrain residential development in the Local Plan 2018 are out of date
- Absence of 3 year supply will mean that any adverse impact resulting from conflict with the Neighbourhood Plan will not 'significant and demonstrably' outweigh the clear benefits of the scheme
- The Council do not currently have a robust strategy to deliver the required housing for the District, which is demonstrated by the continuing absence of a housing land supply and sufficient housing delivery, and the absence of the small sites SPD.

9. **Affordable Housing Statement**

9.1 Policy AH SP2 requires all development of 11 residential units or more to provide a minimum of 30% affordable housing. It also requires an affordable tenure split of 75% rented and 25% intermediate housing.

9.2 The Policy also specifies that a suitable mix of should be provided, with affordable housing being visually indistinguishable from market housing, pepper potted as small clusters throughout development proposals.

9.3 The proposal adheres to Policy AH SP2 in that it provides 23 (30%) affordable dwellings. The provision is tenure blind and the dwellings are pepper potted throughout the proposal as can be seen on the submitted Tenure Plan. In terms of tenure split, the submission proposes 74:26 split of affordable rent to shared ownership.

9.4 The applicant has engaged with the Council Housing Strategy & Enabling officer who has confirmed that the proposed tenure split and housing mix is agreeable. The exact mix and tenure split, which has been agreed, is provided below:

Beds	Affordable Rent	Shared Ownership	Total Proposed	AH SP2 requirement
1	8	0	8 (35%)	35-40%
2	4	4	8 (35%)	35-40%
3	5	2	7 (30%)	15-20%
4	0	0	0 (0%)	5-10%

10. Scheme Assessment

- 10.1 This section sets out the merits of the scheme and its compliance with national and local planning policy. It demonstrates the sustainability of the site and its potential to provide for an existing and identified housing need through the provision of a well-designed development of 76 dwellings.

Principle of Development

- 10.2 As set out above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the plan unless material considerations indicate otherwise. The development plan for Arun currently comprises the Arun Local Plan and Angmering Neighbourhood Plan.
- 10.3 It is considered that all development policies that relate to the supply of housing in the Arun Local Plan 2011-2031 (Policy C SP1 Countryside) have significantly reduced weight because Arun District Council are unable to demonstrate an adequate supply of housing land (2.42 years). Policies in the Angmering Neighbourhood Plan that relate to the supply of housing also carry significantly reduced weight because they relate to out of date housing needs as the policies were adopted prior to the current Local Plan.
- 10.4 As a result of the current Housing Land Supply position which means the policies of the development plan are out of date, and the fact that the Council is a 'presumption authority' under the housing delivery test, the presumption in favour of sustainable development is engaged. Paragraph 11 of the NPPF states that planning permission should be granted unless the circumstances in paragraphs 11(d)(i) or 11(d)(ii) apply. In this case, the matters referred to in Footnote 7 to 11(d)(i) are not relevant as the site is not an area or asset of particular importance.
- 10.5 In terms of paragraph 11(d)(ii) this report demonstrates that any adverse impacts are significantly and demonstrably outweighed by the benefits. The benefits include the provision of up to 76 homes which would provide a substantial contribution to housing supply. The tenure and form would make a significant contribution to the availability of affordable homes, alongside market homes. Housing provision in this form is therefore considered a significant benefit that weighs in favour of the proposed development.
- 10.6 The approval of the following planning applications illustrates similar circumstances where the presumption in favour of sustainable development has been applied:
- Y/83/19/OUT – Clays Farm, North End Road (January 2020) – 33 dwellings
 - A/122/19/OUT – Land off Arundel Road, Angmering (March 2020) – 160 dwellings

- Y/121/19/PL – The Steddles, Yapton (August 2020) – 11 dwellings
- WA/79/20/PL – Spindlewood, Walberton (August 2021) (appeal decision – ref: APP/C3810/W/21/3269025)
- BE/109/19/OUT – Land to the east of Shripney Road, Shripney (appeal decision – ref: APP/C3810/W/20/3264105)
- BN/142/21/OUT – Land South of Barnham Station, Barnham, West Sussex (Appeal Decision – ref: APP/C3810/W/21/3273087)

- 10.7 It is also noted that a recent appeal decision in Worthing Borough granted planning permission for 475 dwellings in the gap between Worthing and Ferring (APP/M3835/W/21/3281813). Worthing Borough Council also has a significant housing shortfall that the Inspector considered outweighed any identified harm to the gap (amongst other matters). The decision notice is attached in Appendix C.
- 10.8 This and the other material considerations set out below combine to outweigh the conflict with the policies of the development plan and serve to allow for the principle of the application to be supported.
- 10.9 The proposed development of up to 76 homes would provide a substantial contribution to housing supply. The tenure and form would make a significant contribution to the availability of affordable homes, alongside market homes. Housing provision in this form is therefore considered a significant benefit that weighs in favour of the proposed development.
- 10.10 The proposal has been designed to respect the site's edge of settlement location in order to minimise the impact of development upon adjoining properties. This will also ensure that views in to and out of the site to the countryside beyond could be achieved as part of the detailed design considerations.
- 10.11 It is considered that these material considerations overcome the out of date policies in the Development Plan and the principle of development should be supported.

Housing Mix

- 10.12 In terms of mix, Policy H DM1 requires proposals to accord with the latest evidence set out in the SHMA whilst the affordable mix should also consider housing register figures alongside existing stock and turnover.
- 10.13 The proposal seeks to provide 53 (70%) dwellings as market properties. The market mix is proposed as follows:

Dwelling Size	Proposed Mix
2-bed	10 (19%)

3-bed	10 (19%)
4-bed	33 (62%)

- 10.14 The proposal also seeks to provide 23 (30%) affordable dwellings with a 74:26 split of affordable rented to shared ownership housing. As noted within Section 9 above, the provision and mix is aligned with Policy AH SP2.

Character and Design

- 10.15 Policy D DM1 and D SP1 states that planning permission will be granted where development meets amongst other criteria, the highest standards of design, providing a high-quality living environment in keeping with the character of the surrounding area.
- 10.16 The supporting Design and Access Statement clearly sets out the design ethos whilst providing street scenes and elevations to demonstrate the appearance, proposed materials and context with existing development.
- 10.17 In terms of scale, all properties will be two-storey with the provision of a small number of single storey detached garages. The dwellings are predominantly detached, but some examples of semi-detached and terraced properties/maisonettes are proposed. The scheme proposed a density of 24 dwellings per hectare which is commensurate with not only an edge of village location but also the character of existing development to the west of the site.
- 10.18 In terms of materials, careful consideration has been given to the traditional local character of Angmering. Facing bricks are to be a mixture of red, orange and yellow. In order to add variety to the street scene and create feature properties, a number of properties will also comprise white render, vertical tile hanging or waney edge timber boarding. Roof tiles are to be orange, red or grey. Further details and the location of feature properties can be seen within the submitted Materials Plan.
- 10.19 The proposal incorporates three key areas of multifunctional open space.
- The northern open space will include the provision of orchard trees, a flowering lawn wildflower and native shrubs to create wildlife habitats and enhance visual amenity at the entrance to the site. The LEAP play area adjacent will incorporate a range of equipment for different ages provide with a focus on natural play with timber, stone materials and earthworks to create a challenging play environment that is also in keeping with the informal nature of the site.

- The centrally located large naturalistic attenuation basin with native shrub and marginal planting will create a wildlife habitat and provide a focal point within the central space. The LAP adjoining will create an informal play environment with planting to define the space.
- The western area of open space will be a smaller basin with opportunities for habitat creation and enhancement of visual amenities.

- 10.20 In response to the previous refusal, a 10m wide buffer is proposed on land immediately adjacent to the eastern boundary with native understorey planting and pine trees to provide landscape context reflective of the northern boundary. It will also provide a visual screen between the open agricultural land to the east and the development site. The plots along the southern boundary have been moved northwards to allow the provision of a hedgerow to soften the acoustic fencing and fruit tree planting within the gardens with further soften this edge of the development.
- 10.21 In terms of legibility, connectivity and movement through the proposal, the design provides two entrances: an in-only entrance from the roundabout and a left in - left out access on the A259 to the north. An internal street hierarchy defined by varying surface materials and footpath provision. Vehicular and pedestrian routes connect to the existing transport network, with the widths, grading and surfacing of pedestrian routes having been carefully selected to ensure accessibility and ease of movement. Structural trees will be planted along the roadsides to add a natural vertical element whilst also aiding visual interest.
- 10.22 Given the proposed use of high-quality materials, design variations and density that reflects the local character, the proposal is considered to be aligned with Local Plan Policies D DM1, D SP1 and D DM2.

Accessibility

- 10.23 Local Plan Policies T DM1 and T SP1 seek to ensure that new development is well located, in the most sustainable settlements, designed to minimise the need for travel and encourage the use of sustainable modes of transport. The site is well located to the existing pedestrian/cycle network within Angmering. Within the vicinity of the site, existing bus stops are served by frequent bus routes between Brighton, Littlehampton along with Shoreham-by-Sea and Arundel. Angmering rail station is accessible by foot, cycle and bus, providing services to larger conurbations further afield such as Portsmouth, Southampton and London.
- 10.24 In terms of the access arrangement, it is proposed to utilise a similar access arrangement to that previous agreed as part of the previous planning application ref. A/130/12 (noted in

Section 3 above). This comprises a new left in/left out arrangement onto the A259, to the west of the roundabout as well as retention of the existing access from the roundabout being 'Entry Only' to the site.

- 10.25 A Transport Statement and Travel Plan have been submitted in support of the application, demonstrating that the proposed access and internal road layout is acceptable for residents' vehicles, emergency vehicles and waste lorries.
- 10.26 On plot parking has largely been provided for each dwelling in accordance with the Arun Parking SPD. 199 spaces have been provided which includes 12 visitor spaces. These are mainly provided as spaces to the front of dwellings, but also include integral garages and detached garages to some of the larger units.

Flood Risk and Drainage

- 10.27 The site is located within Flood Zone 1 (low probability of flooding). A Flood Risk Assessment and Drainage Strategy have been submitted in support of the application.
- 10.28 Two attenuation basins will be provided within the public open space which meet the attenuation requirement for the site. These basins will become features within the public open space whilst also providing ecological and biodiversity benefits.
- 10.29 In addition, further SuDS techniques such as swales and permeable paving could be introduced. Flows will be restricted by the use of a control device and the outfall from the attenuation facilities will route flows into the watercourse to the west of the site replicating existing site conditions.
- 10.30 The proposal is therefore aligned with Policy W DM2 and W DM3, which requires priority to be given to incorporating Sustainable Drainage Systems (SuDS) to manage surface water drainage, unless it is proven that SuDS are not appropriate.

Landscape Impact and Trees

- 10.31 Policy ENV DM4 requires protect and manage existing trees wherever possible. It also requires development to take a comprehensive view of tree issues at the early stages of the design process. In this instance, the application is supported by a Tree Protection Plan, Arboricultural Impact Assessment and Method Statement, for which advice has fed into the proposals from the onset. Tree removal is proposed in order to facilitate the development however the majority of these are Category C and U trees. A small number of Category B trees are proposed for removal however the AIA concludes that any loss of

landscape value provided by these specimens could be acceptably mitigated by providing replacement trees as part of the wider landscaping proposals.

- 10.32 The site does not fall within land that has any formal designations. However, there are a number of designations within the study area including South Downs National Park with Ancient and Semi-natural Woodland Areas, Conservation Areas (Angmering, East Preston and Ferring), Highdown Gardens, Highdown Hill Camp Scheduled Monument and Angmering Village Green. There are also a number of routes (PRoW and walking routes), with receptors who will have a degree of focus on the landscape.
- 10.33 The application is supported by a Landscape Visual Impact Assessment, which considers the impact of the development against the above constraints, which as noted are not covering the site, but located with various proximities.
- 10.34 Whilst it is accepted that the site falls within the Local Gap, the site features well defined boundaries, which are enhanced under this revised proposal, and is under considerable urban influence with no or very limited intervisibility with the rest of the Gap. In these regards, the site comprises a low functioning part of the Local Gap.
- 10.35 The proposal is also supported by a landscape masterplan with planting schedule, which seeks to protect the mature site boundaries, extensive planting throughout the site and a 10m landscape buffer adjacent to the site's eastern boundary. Subject to the provision of the proposed landscaping scheme, the proposal would not result in harm to the integrity of the Local Gap or the wider setting of the South Downs National Park.

Ecology and Biodiversity

- 10.36 Policy ENV DM5 states that development should safeguard biodiversity and should avoid or mitigate demonstrable harm to protect habitats or species and should incorporate features that enhance biodiversity as part of good design and sustainable development.
- 10.37 The Ecological Assessment has been updated and in terms of safeguarding biodiversity. It identifies the tree line along the northern boundary as an important feature that will be retained and buffered from development. There will be a loss of modified grassland and pockets of scrub but the loss of these habitats is not ecologically significant. Compensation for this loss will be in the formation of an orchard along the northern tree line.
- 10.38 In terms of enhancement, various measures have been incorporated into the proposal and include the orchard planting, wildflower mix within shared areas, creation of wetland areas as part of the SuDS and scrub planting. Further measures that can be secured by condition

include provision of bat and bird boxes, hedgehog highways, an insect tower in a shared area and long term management of retained habitats.

Noise

- 10.39 The site is located between the A259 to the north and the rail line to the south. Noise surveys were completed over daytime and night time periods in order to determine noise levels.
- 10.40 The supporting Noise Statement determines that noise within external amenity areas is considered to be acceptable in planning terms. It does however make recommendations for internal noise namely; improved glazing and alternative means of ventilation due to rail traffic. The proposal does also look to incorporate a 3.2m high acoustic fence to screen development to the south from railway noise.
- 10.41 The proposed measures are in accordance with the NPPF and PPG in that noise has been considered through the design proposals and improvements to the acoustic environment have been achieved.

Agricultural Land Assessment

- 10.42 The application is supported by a land quality assessment which considers characteristics of the land and its agricultural quality. Agricultural land is graded as follows:
- Grade 1 - excellent quality agricultural land
 - Grade 2 - very good quality agricultural land
 - Grade 3 - good to moderate quality agricultural land
 - Subgrade 3a - good quality agricultural land
 - Subgrade 3b - moderate quality agricultural land
 - Grade 4 - poor quality agricultural land.
- 10.43 The assessment determines the site to be primarily Grade 2. Whilst the loss of this land is considered to be a dis-benefit, this will be considered in the overall planning balance and presumption in favour of sustainable development.
- 10.44 Given the above, the application is consistent with relevant provisions in the NPPF concerning agricultural land (in particular paragraphs 174(b) and footnote 53.

Sustainable Construction

- 10.45 Redrow Homes support the principles of low-carbon design, reducing carbon emissions and ensuring lower energy costs for our customers. They follow a 'fabric first' approach to

building design, maximising the performance of the components and materials of the building itself. This includes insulation, high-performing windows and doors, increased air tightness and maximising passive solar gains.

11. **Planning Benefits**

11.1 The planning benefits of the scheme, comprise:

Benefit	Type	Weight
Provision of 76 dwellings	Social & Economic	Significant
Provision of affordable homes	Social	Significant
Mix of dwellings to meet significant need	Social	Significant
Development in a sustainable location	Social & Environmental	Moderate
Overprovision of on-site open space and play provision	Social & Environmental	Moderate
Ecological enhancement	Environmental	Significant
Sustainable drainage scheme and enhancement of existing watercourse crossing the site	Environmental	Moderate / Significant
Likely reduction in surface water run-off from the site, associated off site flooding and erosion	Environmental	Moderate
Economic benefits during the construction process	Economic	Moderate
Economic benefits from local spend of new residents, including support for local services and facilities	Economic	Significant

12. Planning Conditions, Infrastructure and Draft Heads of Terms

- 12.1 The Council has now adopted its CIL Charging Schedule and therefore any off-site impacts, due to the scale of the development, are expected to be addressed by this. This would be with the exception of a proposed pedestrian crossing on The Street.
- 12.2 Whilst the proposal comprises a detailed scheme, a number of conditions will be likely to secure the delivery of the proposed development.
- 12.3 In light of the above, the Heads of Terms of any future legal agreement are likely to be confined to the following:
- Delivery of the affordable homes,
 - Management and maintenance of public open space, play facilities and SuDS
- 12.4 In terms of utilities, these are defined in the Development Plan as gas supply, electricity supply, heat supply, water supply, waste water treatment, telecommunications infrastructure. Connectivity to existing utilities connections can be achieved and the applicant will work closely with the utility providers to ensure appropriate provision on-site.
- 12.5 Subject to appropriate conditions and agreements suggested above, it is considered that the proposal would comply with Policy ICS1 of the LPP1.

13. Conclusion

- 13.1 The proposal is for the development of 76 new residential dwellings, comprising a mix of 1-4 bed properties. The application submission follows consideration of Local Plan and Neighbourhood Plan alongside public consultation and local authority pre-application enquiries.
- 13.2 This application is a resubmission of application A/168/21 for the same quantum of development. Whilst the reasons for refusal of the previous application included the principle of development, the housing land supply situation has worsened since that time representing a material change in circumstances. The other matters that were raised in the reasons for refusal have been addressed in this application including enhancements to the landscape setting, further drainage details and alterations to the proposed access. The recent appeal decision in the gap between Worthing and Ferring is also a material consideration in the weight to be afforded to the shortfall of housing.

- 13.3 The site is environmentally sustainable as it lies on the northern edge of Angmering and it will be possible for residents to use non-car means of transport to access the primary school, local shops and other services. This is supported by the conclusions of this statement and that of the associated supporting technical assessments. This is also confirmed by the District Council in their response to a pre-application enquiry in April 2021.
- 13.4 The application is support by a Transport Assessment that concludes that the A259 is suitable to provide the proposed means of access to the site for vehicles. Pedestrian and cycle access is also provided independently to this and a choice means of transport is achievable. The Transport Assessment considers the impact of the development on the wider highway network and concludes that the development would not have a severe impact on highway safety. Severe impact being the test set out with the National Planning Policy Framework, when considering highway impacts of proposed new development.
- 13.5 The development of the site is capable of producing a net gain of biodiversity across the site, together with access to over 2 hectares of additional public open space for existing and future residents.
- 13.6 As set out above, the proposal is considered to comprise a sustainable form of development. Given the absence of a strategic approach to housing delivery, together with the significant under-delivery of housing, lack of housing supply and the significant delays on their strategic housing allocations, the Council will need to rely on sites such as the application site to significantly boost its housing delivery. The site is located in a sustainable location and is readily available to deliver housing in the next 5 year period.
- 13.7 It is considered that the Local Plan is out of date and the Neighbourhood Plan carries significantly reduced weight. Whilst only a small amount of work had commenced (report on direction presented to committee) the Council have not progressed work on a small sites Development Plan Document, which means that there is no clear policy document / direction as to the delivery of at least 1,250 homes, as envisaged in the Local Plan 2018.
- 13.8 Whilst the Development Plans continue to carry some weight, any conflict with the policies contained within these documents is considered to be limited.
- 13.9 The scheme does not give rise to any unacceptable harm to the landscape character, nor result in any harmful visual impact. The site is well contained and related to the existing settlement and appropriate connectivity will be provided.
- 13.10 It is accepted that the site forms part of the Local Gap, which must be considered a dis-benefit. However, the proposal has been informed by a Landscape Visual Impact

Assessment, which confirms that the site features well defined boundaries and is under considerable urban influence with no or very limited intervisibility with the rest of the Gap. In these regards, the site comprises a low functioning part of the Local Gap. The proposal does also result in the loss of agricultural land, however, the extent is considered to be limited.

- 13.11 The proposal will create social benefits in the form of affordable housing and a mix of dwellings to suit single occupants, families and downsizers. Economically, the proposal will aid the creation/maintenance of construction jobs, and also result in additional spending by new residents on local goods and services which is key in supporting village and community facilities. Environmentally, the proposal will retain existing trees and planting which will be further enhanced to ensure net biodiversity gain. So whilst some harm results from the principle of development in the Local Gap, together with the loss of agricultural land, this is considered to be significantly outweighed by the social, economic on environmental benefits highlighted.
- 13.12 Overall, the proposal comprises sustainable development. Set against the tilted balance of paragraph 11 (d) of the NPPF, it is the appellant's case that the planning balance falls significantly in favour of granting planning permission.

APPENDIX A

Accommodation schedule demonstrating suitable mix and NDSS compliance

Angmering NDSS Check – 24.02.22

House Type:	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Letchworth				
Occupancy: 2B3P 2 Storey Dwelling	70 sq.m.	89.9 sq.m.	-	-
Bedroom 1	11.5 sq.m.	12.11 sq.m.	2.75 m	2.76 m
Bedroom 2	7.5 sq.m.	11.2 sq.m.	2.15 m	2.80
Storage	2 sq.m.	4* sq.m.	-	-

*Depends on height of Bulk head Store. TBC by Redrow.

House Type:	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Warwick				
Occupancy: 3B5P 2 Storey Dwelling	93 sq.m.	98.9 sq.m.	-	-
Bedroom 1	11.5 sq.m.	13.0 sq.m.	2.75 m	2.89 m
Bedroom 2	11.5 sq.m.	11.64 sq.m.	2.55 m	2.82 m
Bedroom 3	7.5 sq.m.	7.5 sq.m.	2.15 m	2.19 m
Storage	2.5 sq.m.	3.5* sq.m.	-	-

*Allows only 1 Sq.m. under stairs. Total figure depends on height of Bulk head Store. TBC by Redrow.

House Type:	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Oxford - Life				
Occupancy: 3B4P 2 Storey Dwelling	84 sq.m.	120.3 sq.m.	-	-
Bedroom 1	11.5 sq.m.	19.6 sq.m.	2.75 m	3.29 m
Bedroom 2	7.5 sq.m.	10.8 sq.m.	2.15 m	2.40 m
Bedroom 3	7.5 sq.m.	10.0 sq.m.	2.15 m	2.86 m
Storage	2.5 sq.m.	5.2* sq.m.	-	-

*Allows only 1 Sq.m. under stairs.

House Type:	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Windsor				
Occupancy: 4B5P 2 Storey Dwelling	97 sq.m.	111.8 sq.m.	-	-
Bedroom 1	11.5 sq.m.	14.4 sq.m.	2.75 m	2.95 m
Bedroom 2	7.5 sq.m.	10.1 sq.m.	2.15 m	2.93 m
Bedroom 3	7.5 sq.m.	8.9 sq.m.	2.15 m	2.72 m
Bedroom 4	7.5 sq.m.	7.5 sq.m.	2.15 m	2.16 m
Storage	3 sq.m.	3.0* sq.m.	-	-

*Storage Under

House Type:	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Marlow				
Occupancy: 4B5P 2 Storey Dwelling	97 sq.m.	117.6 sq.m.	-	-
Bedroom 1	11.5 sq.m.	15.9 sq.m.	2.75 m	2.75 m
Bedroom 2	7.5 sq.m.	10.5 sq.m.	2.15 m	2.98 m
Bedroom 3	7.5 sq.m.	11.0 sq.m.	2.15 m	3.13 m
Bedroom 4	7.5 sq.m.	9.1 sq.m.	2.15 m	2.60 m
Storage	3 sq.m.	3.4* sq.m.	-	-

* Allows only 1 Sq.m. under stairs. Total figure depends on height of Bulk head Store. TBC by Redrow.

House Type: Oxford	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Occupancy: 4B6P 2 Storey Dwelling	106 sq.m.	120.3 sq.m.	-	-
Bedroom 1	11.5 sq.m.	13.0 sq.m.	2.75 m	3.29 m
Bedroom 2	11.5 sq.m.	12.6 sq.m.	2.55 m	3.04 m
Bedroom 3	7.5 sq.m.	10.7 sq.m.	2.15 m	2.41 m
Bedroom 4	7.5 sq.m.	8.3 sq.m.	2.15 m	2.41 m
Storage	3 sq.m.	3.29* sq.m.	-	-

* Allows only 1 Sq.m. under stairs.

House Type: Cambridge	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Occupancy: 4B5P 2 Storey Dwelling	97 sq.m.	127.8 sq.m.	-	-
Bedroom 1	11.5 sq.m.	16.0 sq.m.	2.75 m	3.55 m
Bedroom 2	7.5 sq.m.	11.3 sq.m.	2.15 m	3.37 m
Bedroom 3	7.5 sq.m.	9.0 sq.m.	2.15 m	2.55 m
Bedroom 4	7.5 sq.m.	8.8 sq.m.	2.15 m	2.48 m
Storage	3 sq.m.	3.21* sq.m.	-	-

* Allows only 1 Sq.m. under stairs. Total figure depends on height of Bulk head Store. TBC by Redrow.

House Type: Henley	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Occupancy: 4B6P 2 Storey Dwelling	106 sq.m.	161.8 sq.m.	-	-
Bedroom 1	11.5 sq.m.	17.2 sq.m.	2.75 m	3.62 m
Bedroom 2	11.5 sq.m.	12.6 sq.m.	2.55 m	2.81 m
Bedroom 3	7.5 sq.m.	10.2 sq.m.	2.15 m	2.88 m
Bedroom 4	7.5 sq.m.	9.3 sq.m.	2.15 m	2.60 m
Storage	3 sq.m.	3.29* sq.m.	-	-

* Allows only 1 Sq.m. under stairs. Total figure depends on height of Bulk head Store. TBC by Redrow.

House Type: Leadon GF	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Occupancy: 1B2P 2 Storey Dwelling	50 sq.m.	50.0 sq.m.	-	-
Bedroom 1	11.5 sq.m.	12.0 sq.m.	2.75 m	3.25 m
Storage	1.5 sq.m.	2.50 sq.m.	-	-

House Type: Leadon FF	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Occupancy: 1B2P 2 Storey Dwelling	50 sq.m.	51.6 sq.m.	-	-
Bedroom 1	11.5 sq.m.	14.9 sq.m.	2.75 m	3.48 m
Storage	1.5 sq.m.	1.68* sq.m.	-	-

* Total figure depends on height of Bulk head Store. TBC by Redrow.

House Type: Tavy	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Occupancy: 2B4P 2 Storey Dwelling	79 sq.m.	79 sq.m.	-	-
Bedroom 1	11.5 sq.m.	14.7 sq.m.	2.75 m	2.91 m
Bedroom 2	11.5 sq.m.	12.0 sq.m.	2.55 m	2.54 m
Storage	2 sq.m.	2.52* sq.m.	-	-

*Allows only 1 Sq.m. under stairs. Total figure depends on height of Bulk head Store. TBC by Redrow

House Type: Dart	Required Area (Sq.m.)	Provided Area (Sq.m.)	Required Width (m.)	Provided Width (m.)
Occupancy: 3B5P 2 Storey Dwelling	93 sq.m.	93.7 sq.m.	-	-
Bedroom 1	11.5 sq.m.	12.2 sq.m.	2.75 m	2.85 m
Bedroom 2	11.5 sq.m.	12.7 sq.m.	2.55 m	2.85 m
Bedroom 2	7.5 sq.m.	7.8 sq.m.	2.15 m	2.20m
Storage	2.5 sq.m.	2.50* sq.m.	-	-

*Allows only 1 Sq.m. under stairs. Total figure depends on height of Bulk head Store. TBC by Redrow

APPENDIX B

Pre-application response 1 (June 2020) and pre-app response 2 (July 2021)



Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Planning & Building Control General Enquiries
Tel: (01903) 737756 Fax: (01903) 730442
Dx: 57406 Littlehampton
Minicom: 01903 732765
e-mail: planning@arun.gov.uk
website: www.arun.gov.uk/planning

Peter Cleveland
Henry Adams LLP
Baffins Lane
Chichester
PO191UA

Date: 8th June 2020

Please ask for: David Spring
Tel: 01903 737521

Your Ref:

Our Ref: PAA/32/20/

Dear Mr Cleveland,

Pre-Application Advice

Construction of 66 residential dwellings.

Land South Of Littlehampton Road, East of Worthing Road Angmering BN12 6PN

I write regarding the above matter and your enquiry received on 27th March 2020.

DESCRIPTION OF PROPOSED DEVELOPMENT

From the details submitted, I understand that you propose the following:

- An outline application for the construction of 66 dwellings
- 30% of the homes (20 units) provided as affordable units a number of which could potentially be owned and managed by Angmering Community Land Trust
- Access via Littlehampton Road
- Pedestrian and cycle links direct to dedicated pedestrian and cycle paths to the south of Littlehampton Road
- Formal and informal public open space
- Landscape buffers to adjoining residential properties and northern boundary

DESCRIPTION OF SITE

The site is located outside the built up area boundary on the eastern edge of Angmering village, immediately adjacent to the existing settlement boundaries of Kingston/East Preston and within the settlement gap of East Preston to Ferring.

It is bounded to the north by the A259 Littlehampton Road, the east by Artists in Stone commercial premises, to the south by the West Coastway Railway Line and the west by the residential development along Old Worthing Road.

The A259 Littlehampton Road provides a key east-west link through the District and wider County. The A259 Littlehampton Road is a dual lane two-way carriageway road some 7.5m in width along the site

frontage.

Old Worthing Road forms a roundabout junction with the A259 Littlehampton Road at the north-western corner of the site whereby existing access to the site is gained via a field gate.

An existing shared footway/cycleway is present on the southern side of the A259 Littlehampton Road along the site frontage and provides a connection between the roundabout junction with the B2140 Old Worthing Road (at the north-western corner of the site) and the Asda superstore to the east of the site.

Beyond this, footways are present on all local roads and provide continuous connections to services and amenities in and around Angmering. Street lighting is also present on all local roads surrounding the site. There are bus stops providing services east and west along the A259 as well as into East Preston and surrounding villages within close proximity of the site.

The site itself is an open arable field, which is currently in crop and measures 2.9 hectares. It comprises a reasonably square area of flat open land. The sites boundaries are kept by mature conifer hedging to the north, largely screening the site from the A259, metal chain-link fencing and hedgerow to the railway line to the south and domestic fencing enclosing the adjoining residential properties to the west. The eastern boundary is open to the wider field.

The site access, as noted above is via an existing track from the roundabout to the north-west and also a single access track, which serves the industrial units to the east.

In terms of the wider locality the site abuts close knit development commencing at the tip of East Preston to the north which develops further into East Preston to the south and towards the coast. To the south east is more ribbon like development of Kingston parish with more dense development west of this within Kington Gorse/Estate.

PLANNING ISSUES

The following issues have been identified for consideration.

Principle

Design

Neighbour Amenity

Amenity Space Provision

Bin Storage

Affordable Housing

Highways, Transport and Parking

Sustainable Construction

Flooding/Drainage

Protected Trees

Open Space Provision

Light Pollution

Noise Pollution

Contamination

Infrastructure Provision

Biodiversity

Protected Species

Loss of Agricultural Land

Landscape

Archaeology

Housing Supply

COMMENT ON SITE HISTORY

A/130/12 - New Chandlers BMW/Mini Dealership facility including workshop/MOT facility, car valeting

and car storage with new access from A259 and comprehensive hard and soft landscaping scheme.

Refused 10/04/2013 for visual and transport reasons.

RELEVANT POLICIES - the following policies are considered relevant to your proposal:

Arun District Local Plan 2011-2031

<u>AHSP2</u>	AH SP2 Affordable Housing
<u>CSP1</u>	C SP1 Countryside
<u>DDM1</u>	D DM1 Aspects of form and design quality
<u>DDM2</u>	D DM2 Internal space standards
<u>DSP1</u>	D SP1 Design
<u>ECCDM1</u>	ECC DM1 Renewable Energy
<u>ECCSP1</u>	ECC SP1 Adapting to Climate Change
<u>ECCSP2</u>	ECC SP2 Energy and climate change mitigation
<u>ENVDM4</u>	ENV DM4 Protection of trees
<u>ENVDM5</u>	ENV DM5 Development and biodiversity
<u>GISP1</u>	GI SP1 Green Infrastructure and Development
<u>LANDM1</u>	LAN DM1 Protection of landscape character
<u>OSRDM1</u>	Protection of open space, outdoor sport, comm& rec facilities
<u>QEDM1</u>	QE DM1 Noise Pollution
<u>QEDM2</u>	QE DM2 Light pollution
<u>QEDM3</u>	QE DM3 Air Pollution
<u>SDSP1</u>	SD SP1 Sustainable Development
<u>SODM1</u>	SO DM1 Soils
<u>TDM1</u>	T DM1 Sustainable Travel and Public Rights of Way
<u>TELSP1</u>	TEL SP1 Strategic delivery of telecomms infrastructure
<u>TSP1</u>	T SP1 Transport and Development
<u>WDM2</u>	W DM2 Flood Risk
<u>WDM3</u>	W DM3 Sustainable Urban Drainage Systems

<u>Angmering Neighbourhood Plan 2014 POLICY EH2</u>	Protect the Landscape setting of the South Downs National Park
<u>Angmering Neighbourhood Plan 2014 POLICY HD1</u>	Built-up Area Boundary
<u>Angmering Neighbourhood Plan 2014 POLICY HD3</u>	Housing Mix
<u>Angmering Neighbourhood Plan 2014 POLICY HD4</u>	Materials
<u>Angmering Neighbourhood Plan 2014 POLICY HD5</u>	Built Form
<u>Angmering Neighbourhood Plan 2014 POLICY HD6</u>	Housing Layout & Design

<u>Angmering Neighbourhood Plan 2014 POLICY HD7</u>	Housing Density
<u>Angmering Neighbourhood Plan 2014 POLICY HD8</u>	Parking for New Developments
<u>Angmering Neighbourhood Plan 2014 POLICY HD9</u>	Phasing of Residential Development
<u>Angmering Neighbourhood Plan 2014 POLICY TM1</u>	Local Highways
<u>Angmering Neighbourhood Plan 2014 POLICY TM2</u>	Cycling Walking & Equestrian

Planning Policy Guidance:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

Supplementary Guidance:

SPD1	Open Space & Recreation Standards
SPD11	Arun Parking Standards 2020

PRINCIPLE

PRINCIPLE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the plan unless material considerations indicate otherwise. The development plan for the Arun District currently comprises the Arun Local Plan, the Angmering Neighbourhood Development Plan (March 2015) and the West Sussex Waste and Minerals Plans.

However, section 38 (5) states: "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". Any conflict between the Angmering NP (ANP) and the Arun Local Plan, should therefore be resolved in favour of the latter.

All development policies that relate to the supply of housing in the Local Plan (policies C SP1, SD SP2) have reduced weight because Arun cannot demonstrate an adequate 5 year supply of housing land (currently stands at 2.9 years). Policies in the Angmering Neighbourhood Plan that relate to the supply of housing have greater reduced weight because they relate to out of date housing needs as the policies were based on the 2003 Arun Local Plan.

Paragraph 14 of the NPPF states that in situations where the 'presumption in favour of sustainable development' applies to applications involving the provision of housing, then the adverse impact of allowing development that conflicts with the neighbourhood plan will not significantly and demonstrably outweigh the benefits if four specific criteria apply. In this case, criteria (a) to (d) are not all applicable because the Neighbourhood Plan was made over two years ago. Therefore, the presumption in favour of sustainable development is unaffected by the Neighbourhood Plan.

The Arun Local Plan (ALP):

The key policy considerations in the determination of this pre-application are considered to be C SP1,

D SP1 , D DM1 and SD SP3 of the Arun Local Plan (ALP) 2011 - 2031.

Policy H SP1 "The Housing Requirement" sets out an overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes a reference to additional non-strategic allocations being made across the District through reviews of Neighbourhood Plans. The Housing Strategy on page 139 goes on to allocate 800 units in Angmering North (SD9) and 250 units in Angmering South and East (SD11). The site is identified in Arun's housing and economic land availability assessment (HELAA) under ref 17A1 for circa 65 residential dwellings.

Policies D SP1, D DM1 and SD SP3 of the ALP deal with visual and residential amenity issues including the impact on the designated gap. These are replicated by identified ANP policies.

In addition the site lies within the western side of the East Preston to Ferring Local Gap, which is identified on the policies map and subject to Policy SD SP3 (Gaps Between Settlements) in the Arun Local Plan (2011-2031). Policy SD SP3 says that "The generally open and undeveloped nature of the gaps between settlements, as identified on the Policies Map will be protected to prevent coalescence and retain their separate identity".

"Development will only be permitted within the gaps if:

- a. It would not undermine the physical and / or visual separation of settlements;
- b. It would not compromise the integrity of the gap, either individually or cumulatively with other existing or proposed development;
- c. It cannot be located elsewhere; and
- d. it maintains the character of the undeveloped coast;
- e. or, if a subsequent DPD or Neighbourhood Plan deems it appropriate through an allocation."

It is considered that the proposed development within the gap between Angering and Ferring would undermine the physical and / or visual separation of the settlements of Ferring and Worthing, due to the introduction of 66 dwellings with the associated highway development and residential lighting within this Ferring Gap, which is considered to be contrary to Policy SD SP3(a).

The proposed would visually compromise the integrity of the gap, contrary to Policy SD SP3(b).

Policy SD SP1 "Sustainable Development" states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work to secure development that contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland).

The site is located within defined countryside outside of the settlement of Angmering. The nearest pub is considered to be the Premier Inn at a walking distance of 1km. The nearest shop is the Asda Superstore (800m). Angmering railway station is approx. 1.5km and there are additional shops and services in Angering to the west and Ferring to the East. All of these distances are considered to be acceptable walking or cycling distances.

Policy C SP1 "Countryside" states that residential development in the countryside outside the BUAB will not be permitted unless in accordance with policies in the Plan which refer to a specific use or type of development. It is noted that none of these relate to the proposed development at the application site.

As this site lies outside the nearest BUAB, it is categorised as being within the countryside and the scheme would therefore conflict with policy C SP1 of the ALP.

Other Material Considerations:

The release of further land for housing will help to maintain delivery rates. This may have to include sites outside the built-up area boundary and it would be preferential if such sites were located close to the edge of the BUAB and in sustainable locations which minimise the need to use the private car.

The 2019 HELAA report assessed the site- Ref # 17A1- Land East of Old Worthing Road and South of Littlehampton Road: "Outside but adjoining the settlement boundary. Currently development on this site would contravene policy and therefore the site would not be considered to be suitable. However, from the information available the site is considered suitable in principle for future housing potential, because of its accessibility to facilities, job opportunities and public transport, and because there are no insurmountable constraints. The site could contribute to the creation of a sustainable, mixed community". It was on this basis that this pre-application (PAA/32/20) was submitted.

The National Planning Policy Framework (NPPF) 2019 is a material consideration in determining planning applications. As the Council cannot currently demonstrate a 5-year HLS, paragraph 11 (d) of the NPPF and the application of the 'presumption' for sustainable development is triggered.

This means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (such as where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), planning permission should be granted unless (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

There is no question that (i) does not apply to this determination as the site does not lie in a protected landscape. In respect of (ii), the remainder of this letter will show that there are no adverse impacts associated with the proposal. The presumption in favour of sustainable development would apply.

Paragraph 8 of the NPPF states that in order to achieve sustainable development; economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The following is an analysis of the sustainable nature of the site and proposal:

The site is environmentally sustainable as it lies on the eastern edge of Angmering and it will be possible for residents to use non-car means of transport to access the primary school, local shops and other services., as set out above.

The development would likely result in economic and social benefits to the local area in the form of the following:

- * An increase in Council Tax receipts;
- * Potential 'New Homes Bonus' payments from the Government;
- * The creation/maintenance of construction jobs; and
- * Additional spending by new residents on local goods & services.

There is potential for an economic cost due to the loss of Grade 1 Agricultural Land.

(5) Site Location:

The pre-application submission includes a location plan, a supporting statement, a layout plan (Drawing No. F02) and a proposed access strategy (Drawing No. 001). The BUAB in this part of Angmering excludes the application site.

It is considered that there would be limited harm to the character of the countryside if the site was developed for housing.

If residential development was allowed on this site, it would be possible to secure a footpath / cycle link to Angmering and Ferring Centre. A 'buffer' on the eastern side is a potential option that could be considered to soften the impact on the open aspect to the east of the site.

It is not enough to simply refuse an application on the grounds of being in the countryside without there being some form of demonstrable harm to the character or beauty of the countryside.

Conclusion on Matters of Principle:

The principle of residential development on this site is clearly contrary to the policies within the Development Plan. However, the policies of the Local Plan that relate to the supply of housing have reduced weight due to the Council not being able to demonstrate an adequate supply of housing land. In addition, policies in the Angmering Neighbourhood Plan that relate to the supply of housing have greater reduced weight because they relate to out of date housing needs as the policies were based on the 2003 Local Plan.

The proposal represents sustainable development and the NPPF 'presumption in favour of sustainable development' is engaged. This and the other material considerations set out above combine to outweigh the conflict with the policies of the development plan and serve to allow for the principle of the application to be supported.

The proposed development of up to 66 houses on the site would go a considerable way in achieving the Council's Five Year Housing Land Supply. It is considered that these material considerations overcome the out of date policies in the Development Plan.

Some policies of the NPPF are cast in terms which indicate that in certain circumstances planning permission should be restricted. These, in this case, relate principally to flooding, agricultural land and the natural environment. Having regard to the tests set out in the NPPF in relation to these issues, and in the context of the content of this report, it is considered that the circumstances are such that none of these issues amount to a reason for withholding planning permission either because the matter can be controlled by suitable conditions, content of the CIL contribution or because the public benefit outweighs the harm in respect of the issue at hand.

The following issues have been identified for consideration but only limited comment will be made as the pre-app submission specified consideration on the issues of principle. Limited details and plans were also submitted.

Design

Highways, Transport and Parking

Neighbour Amenity

Amenity Space Provision

Bin Storage

Affordable Housing

Protected Species

Protected Trees

Open Space Provision

Infrastructure Provision

Biodiversity

Loss of Agricultural Land

Archaeology

Housing Supply

Landscape

Drainage

Light Pollution

Noise Pollution

DESIGN

Policy D SP1 (Design) of the Local Plan says: "all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details". Policy D DM1(2 - appearance/attractiveness) of the Local Plan requires applications to "demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area".

The Angmering NP contains several policies relevant to design. Policy HD4 (Materials) requires developments to reflect 'local materials and features evident in the surrounding area'. The policy lists materials to be integrated into the design of the development (stock brick, flint, hanging clay tiles and pastel renders). It also refers to materials for paved surfaces (preference for permeable surfaces) and high quality street furniture.

Policy HD5 (Built Form) of the Angmering NP seeks to ensure that new development reflects the character of Angmering.

Policy HD6 of the Angmering NP says "proposals for new development should demonstrate high quality design, reflect local distinctiveness, and seek to incorporate local design features evident in buildings in the surrounding area".

Paragraph 124 of the National Planning Policy Framework (NPPF) says: "the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".

Paragraph 128 of the NPPF states: "design quality should be considered throughout the evolution and assessment of individual proposals. Early discussions between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot."

Paragraph 130 of the NPPF says: "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

Paragraph 16 of the National Design Guide states: "well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept and how it has evolved into a design proposal. This explains how the concept influences the layout, form, appearance and details of the proposed development. It may draw its inspiration from the site, its surroundings or a wider context. It may also introduce new approaches to contrast with, or complement, its context. This 'story' will inform and address all ten characteristics. It is set out in a Design and Access Statement that accompanies a planning application."

An assessment of the pre-application residential site layout on the site together with the character; density, scale and massing; and materials and architectural details is set out below.

SITE LAYOUT, DENSITY, SCALE AND MASSING

Policy D DM1(1 - Character) of the Local Plan says "when considering any application for development to have regard to make the best possible use of the available land by reflecting or improving upon the

character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping and design features". Policy D DM1(10 Layout - movement) of the Local Plan requires "any application for development to utilise existing networks or improve access via delivery of a variety of integrated networks, to and from residential areas, commercial zones, open spaces, facilities and public transport. Development schemes should carefully consider walking and cycling as an integral part of the overall design concept".

Policy D DM1(10 Layout - legibility) of the Local Plan requires any application for development "deliver or contribute to the ease of navigation within a new or existing development scheme through use of focal points (landmarks, gateways, vistas, corner buildings, active edges, existing topography), and/or a variety of detail within the public realm (sculpture, planting, street furniture, building materials, building details, signage)"

Policy D DM1 (13) of the Local Plan says "the density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity".

Policy HD7 of the Angmering NP seeks to ensure that the density of new development is in keeping with the surrounding area and should be complied with.

Paragraph 122(a) of the NPPF (February 2019) says that "planning decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it."

The consideration of the proposed scheme will be based upon the layout as specified on 'Drawing No. F2'.

No details of design or materials for the proposed dwellings have been provided and as such this aspect of the scheme has not been considered. However, it is recommended that the applicant give consideration to policy HD4 of the Angmering Neighbourhood Plan.

It is considered that the proposal will not give rise to unacceptably adverse effects on the established character of the locality or the street scene. The existing site features mature planting on the northern and western boundaries and this is shown as being maintained and improved for use as a landscape buffer on the submitted plans. However, it is considered that suitable landscaping scheme could be prepared to mitigate the impact of the development upon the character of the locality. It is considered that the proposed dwellings will be suitably set back from the A259 to the north and Worthing road to the north west so as to avoid unacceptable harm to the character of the street scene.

The proposed layout will result in a residential density of approximately 23 dph. Development situated to the south of the A259 (north of the site) are at a lower density than the rest of the site. Although it should be noted that the existing character of Saxon Close and the B2140 residential area consists of some detached but semi-detached residential properties at an overall similar density.

Therefore the proposed density is considered acceptable and is not deemed to adversely impact upon the character of the locality.

The layout, density, scale and massing of the proposed development is therefore deemed acceptable in accordance with relevant development plan policy.

CHARACTER

The Design and Access Statement which will accompany the forthcoming detailed planning application for the residential development on Land South of Littlehampton Road will need to identify different

character areas within the residential development, which will help to create a sense of place and provide the development with an identity. The pre-application Layout Plan (Drawing No. F2) does not create a sense of place.

MATERIALS AND ARCHITECTURAL DETAILS

In terms of design and appearance, the planning application for residential development on the site would need to include houses that include traditional materials used on the houses in Angmering and you need to demonstrate why you have chosen them

HIGHWAYS, TRANSPORT & PARKING

Policy T SP1 of the Local Plan says that "to ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network".

A Technical Note on Transport and Highways, prepared by i-Transport, has been submitted with the pre-application correspondence. The Technical Note considers matters in accordance with the policy tests set out in paragraph 108 of the NPPF 2019. The Technical Note assesses the scope, structure, transport sustainability, site access, access strategy, traffic impact and trip generation and concludes in the belief that the site is deliverable in highways and transport terms.

The i statement considers the access options for the site and proposes to utilise similar access arrangements to those proposed as part of previous planning applications on the site, which were deemed acceptable by the local highway authority

Planning policies allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians, and car parking. Car parking requirements will vary according to accessibility of the site to public transport or services, or location within a town centre. Some Guidance is provided within Arun District Parking Standards SPD. You are advised to consult with County Highways regarding parking provision/layout, access and visibility splays.

The Highway Authority would require the following documents to be submitted as part of any future application:

- A site location plan scale (1:1250) with site boundary indicated
- Schedule of existing uses including planning history with reference numbers
- Description, including site layout plans, of the proposed development and schedule of uses
- Summary of reasons supporting the site access/highways works proposals, including plan (scale 1:250 or similar) with achievable visibility splays indicated
- Design Audit of any proposed highway works, including plan identified departures from standards
- Final Stage 1 Road Safety Audit of site access and any proposed highway works, with designer's response and including amended plans.
- A Transport Assessment, including location plan of key services, availability of sustainable modes of transport and existing/future vehicular generation
- Reference to supporting national, regional, and local planning documents and policies
- Parking strategy, including provision of parking for all modes of transport
- Relevant data collected to date
- Proposed trip rates supported with TRICS outputs and site selection methodology
- Junction capacity assessment in accordance with the WSCC Transport Assessment Methodology

The proposed 66 no. dwellings will provide parking in accordance with the Arun District Council parking standards SPD 2020.

LIGHT POLLUTION

Planning policies emphasise the need to consider the impact of light on neighbouring uses and wider landscape. Light levels should be the minimum required for security and working purposes, and minimise potential glare and spillage.

Environmental Health has requested the submission of details of a proposed lighting scheme for the residential development.

Subject to the submission of a lighting scheme, the proposed residential development is likely to be acceptable in terms of light emissions.

NOISE POLLUTION

Local Plan policies emphasise that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses i.e. traffic from the A259.

Environmental Health has requested a noise report should be submitted with the forthcoming planning application together with details of an acoustic barrier around the site.

Subject to the submission of a noise report, the proposed residential development is likely to be acceptable in terms of noise emissions.

CONTAMINATION

Development on or close proximity to hazardous sites or contaminated land will be permitted provided the Council is satisfied that appropriate remedial measures can be or have been undertaken in respect of human health and groundwater.

In terms of the precautionary principle, Environmental Health has requested that when the planning application has been submitted and is being determined that a contaminated land condition be recommended in case contamination is uncovered on the site during construction works.

ADAPTABILITY

Policy HD3 of the Angmering NP requires at least 25% of homes to be built to a Lifetime Homes standards. The equivalent standard to Lifetime Homes is Category 2 M4(2).

The LPA has a Guidance Note setting out standards aimed at securing a percentage of homes as disabled friendly and adaptable, meeting suitable standards. Under building regulations optional requirement M4(2): Category 2 - Accessible and adaptable dwellings can be enforced where it is required by a planning condition, in accordance with Policy D DM1 of the Local Plan. For schemes greater than 51 unit inclusive - 15% of units need to be designed to M4(2) standard plus two additional units to be designed to M4(3) wheelchair accessible, for every 50 units proposed thereafter. However, there is an aspiration to secure 100% M4(2). It is considered that this can be secured adequately via a suitably worded condition.

HEALTH AND WELLBEING

Policy HWB SP1 of the Local Plan says: "all development shall be designed to maximise the impact it can make to promoting healthy communities and reducing health inequalities. In particular regard shall be had to:

- a. providing or contributing to the necessary infrastructure to encourage physical exercise and health, including accessible open space, sports and recreation facilities (including outdoor fitness equipment) and safe, well promoted, walking and cycling routes.
- b. creating mixed use development and multi-use community buildings that reduce the need to travel by providing housing, services and employment in close proximity to each other; and
- c. ensuring that arts and cultural facilities are accessible to all residents and visitors to the District.

Where new health, recreation and leisure facilities are planned, where possible, these shall be located

along public transport corridors that are easily accessible to members of the wider community."

Apart from the open space provision mentioned above the site layout consists of a 3m wide cycleway / footpath along the A 259 linking the proposed development to the adjacent residential developments so as to create safe, well promoted walking and cycling routes, in accordance with Policy HWB SP1(a) of the Local Plan.

SUSTAINABILITY

Government Planning policy is to encourage appropriate development in a location that will enable a reduction in the need to travel, particularly by private car and that planning should contribute to reduce emissions and reduce climatic change. Policy EMP DM2 of the emerging Local Plan requires a Travel Plan is submitted to demonstrate how the impacts of development can be mitigated and to bring about modal shift towards an increase in sustainable transport.

SUSTAINABLE CONSTRUCTION

Tackling climate change is a key government priority for the planning system. Applicants for planning permission should consider how well their proposals for development contribute to the Government's ambition of a low carbon economy and how well adapted they are for expected effects of climate change. Applicants should consider the provision of renewable energy in the form of high level insulation, rainwater harvesting, a general minimal energy use - including Carbon Dioxide reduction.

Policy HD6 (Housing Layout and Design) of the ANP includes strong support for development that seeks to meet the highest standards of construction Code for Sustainable Homes and BREEAM standards.

NEIGHBOUR AMENITY

Policy D DM1(3) of the Local Plan sets out the aspects of form and design quality that any planning application for development would need to address. The policy requires development to have minimal impacts on users and occupiers of nearby property and land; for example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. Policy D DM1 indicates that development will be permitted provided that, amongst other considerations, the proposal creates attractive places and spaces with the needs of people in mind.

The NPPF further indicates that good design should contribute positively to making places better for people. When more detailed designs are being developed, consideration should be given to the height of properties to ensure that overlooking and loss of light is not an issue where the site abuts the residential properties to the south of the site. In this case, subject to details of layout and design, it is considered that the proposed residential development on Land to the West of Tye Lane, Walberton would be acceptable on the residential amenities of neighbouring properties.

Without elevational details of the units it is not possible to determine whether the siting of the houses on the site would ensure that there would be no materially adverse overlooking or overbearing impacts on the existing houses on Saxon Close to the west or between units within the development itself.

The applicant is requested to submit a schedule of the internal space standards with the new planning application, to ensure that the houses comply with the Nationally Described Spaced Standard (NDSS) table (Table 1).

Although there are no adopted standards on rear gardens in the Local Plan, all of the rear gardens of the houses on the site need to measure at least 10 metres in length, to ensure adequate amenity space is provided.

BIN STORAGE

For all new residential development including flat conversions, the applicant must show bin storage/collection provision as follows:-

Each of the 66 units on Land South of Littlehampton Road, East of Worthing Road, Angmering should be provided with the equivalent of 240 litres of residual waste storage/bins.

The same amount of storage space/bins for recyclable materials is required to be provided.

Where bin stores are adjacent to the access road serving the development or across a parking area there will need to be a road up to full highway standards and an indemnity provided for the Council's contractors to pass across servicing. The access of this type provided must be accessible/passable for collection schedules i.e. no parking or other obstruction.

The maximum pulling distances allowed under Health and Safety legislation are 10 metres for 1,100 litre bins and 50 metres for 240 litre bins.

It is recommended that if any communal provision is located near or adjacent to the highway, it will be suitably enclosed and landscaped so that the maximum pulling distances and vehicle access requirements are complied with.

AFFORDABLE HOUSING

The Council aims to ensure that 30% affordable housing is achieved on all new residential developments in the district where more than 15 units are proposed such as on this site in line with Policy AH SP2 of the Local Plan. The tenure of the affordable housing is to be agreed with the Council but a split of 75% rented and 25% intermediate housing is sought initially.

It is proposed that 20 dwellings on the Land South of Littlehampton Road would be affordable (i.e. 30% affordable provision) 15 of which would be rented and 5 intermediary with the remaining 46 dwellings would be market housing. The 30% affordable provision would be in compliance with Policy AH SP2 of the Local Plan.

The applicant should ensure that the quantum of affordable housing is broadly delivered in line with the affordable dwelling mix in Policy AH SP2 of the Local Plan:

1 bedroom: 35 - 40%
2 bedroom: 35 - 40 %
3 bedroom: 15 - 20%
4+ bedroom: 5 -10%

The ADC Housing Officer has made the following comments:

Affordable Housing Policy requirements

In accordance with the Local Plan 2018, the Council aims to ensure that 30% affordable housing is achieved on all new residential developments in the district where more than 11 units are proposed such as on this site.

Tenure

The required tenure split for this site is 75% rented and 25% intermediate housing.

Housing Need

There is high demand for affordable housing throughout the Arun District for both rent and low-cost home ownership. As of March 2020 there were 936 households in housing need on the Council's housing register.

S106 considerations and Affordable Housing Agreement

To meet the requirements of the Council's Affordable Housing policy the applicants should provide 20 affordable dwellings, which equates to 15 x rented and 5 x intermediate. We would anticipate the affordable housing mix more closely reflects Policy AH SP2 of the Local Plan than is currently proposed. Thus the proposed mix should be amended slightly to include more 1 bed dwellings at the expense of 2 bed, as follows:

Rented

4 x 1 bed

8 x 2 bed

3 x 3 bed

Intermediate

2 x 1 bed

2 x 2 bed

1 x 3 bed

Due to the affordability of rented accommodation the rent should not be set higher than 90% of Local Housing Allowance (LHA) levels. In addition to ensure sufficient dwellings are accessible for those on the Council's Housing Register we would anticipate that a minimum of 50% of the rented units are set at rent levels of no higher than 65% of open market value.

We note that the applicant has been in dialogue with Angmering Community Housing Trust in relation to the affordable dwellings. We would be keen to discuss this option, and alternative provider options, with the applicant prior to submission of the full planning application.

All of the necessary affordable housing requirements would need to be included in S106 planning obligation not secured by planning condition.

Site Layout

The proposed development should comply with Policy AH SP2 of the Local Plan in terms of clustering. The affordable dwellings should be in small clusters, of no more than five dwellings, which are pepper potted throughout the development.

PROTECTED TREES

Policy ENV DM4 of the Local Plan says "proper provision must be made for the protection and management of trees or areas of woodland on-site when undertaking development." Policy D DM1(7) of the Local Plan says "all new development will be expected to incorporate existing and new tree planting as an integral part of development proposals."

Planning policies seek to protect the environment and avoid damage to protected trees. BS 5837 : 2005 sets out standards for Trees in Relation to construction - Recommendations. The proposal is likely to be acceptable/unacceptable due to the impact on protected trees namely

The ADC Arboricultural Officer has made the following comments:

'I have accessed the application details and been able to review the documents available at by 7th April 2020.

I have yet to undertake my own site assessment. This I shall do in the coming days, with a view to identifying any trees worthy of a preservation Order. I shall forward any recommendations before the end of next week.

There are significant trees and hedgerow both on and off this site which will be adversely affected by the proposals. There is no supporting arboricultural information submitted with the application - a requirement of BS5837:2012. As such, were this application to now proceed, we will not have sufficient

information to guarantee such trees would be adequately respected and protected.

In respect of Site Layout as indicated on Re-Format LLP dwg. no. 0100, Rev. F02, I make the following comments:

- It is logical and encouraging to see the established tree line along the north boundary retained as a landscape buffer zone.
- The scheme of potential access routes may need to incorporate specialised engineering solutions such as 'No-dig' construction, where those routes bisect the root protection area (British Standard 5837:2012 - Trees in relation to design, demolition and construction) or be positioned so as to incur the least amount of tree damage/removal. A detailed tree survey will need to be undertaken, that evaluates local tree populations before such a scheme can be optimised.
- Off-site trees of high public amenity are growing from the publicly maintainable highway either side of the existing farm access road (concrete), which will probably be at risk of damage/loss if not adequately considered at detailed application stage.

As a general principle of design, careful consideration should be given to the intended land use beneath existing canopy of established trees and the potential for further tree growth (root and crown extension). With such a large and open site to work with I would expect a layout proposal to have placed great emphasis on eliminating future 'pressure to prune' of retained trees. Furthermore, there would need to be a compelling argument in favour of any Root Protection Area incursion as this site clearly lends itself to a harmonious design that avoids any direct interference with established trees of current and future landscape value. This is especially relevant for development of arable land where there are relatively few established trees.

There appears to be a considerable amount of well-maintained and established hedgerows about the perimeter of the site which can provide valuable screening and ecological benefit. Their future growth and potential influence over any adjacent residential property should be a major consideration in designing a site layout that is sympathetic to accommodating their long-term presence especially in respect of shading, any ongoing maintenance requirements and curtailing future residential pressure to prune.

Recommendations:

1. The applicants will need to employ the services of an Arboricultural Consultant to carry out a tree survey exercise and then prepare an Arboricultural Implications Assessment (AIA) which must be inclusive of; a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan' - with the trees accurately plotted on same.
2. In the event that a RPA of any tree which is proposed for retention overlaps the development then BS5837:2012 requires that the Detailed Planning Application is accompanied by an Arboricultural Method Statement (AMS) and also most importantly a Tree Protection Plan - to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground'.

Conclusion:

The Tree Officer welcomes the opportunity to comment at this pre-application stage and anticipate the submission of the above survey reports in due course.

OPEN SPACE PROVISION

Policy OSR DM1 (2a) of the Local Plan says: "housing will be required to contribute towards open space provision in accordance with guidance set out in the current Open Space Study. In some parts of the district open space provision is identified as being sufficient in terms of quantity. Therefore, provision of new open space is not deemed necessary but what is needed is to seek contributions for quality improvements and/or new off-site provision to address any future demand."

ADC Greenspace has made the following comments: No objection on landscape grounds to the layout proposals, subject to the considerations and confirmations above

The indicative layout has shown 66 dwellings within the proposals with a large area of POS, towards the northern section of the development and an area of buffer to accommodate existing trees, also located towards the northern aspect of the proposals.

Developments of 66 dwellings are required to provide both onsite facilities and offsite financial contributions as outlined in ADC SPD Open Space, Playing Pitches, Indoor and Built Sports Facilities January 2020.

A development of this size will require the provision of onsite POS minimum area of 5,445m² including for the provision of onsite, unequipped natural play LAP to include such features as landform, boulders or logs, seat and litter bin and onsite equipped LEAP. Confirmation of the area of POS being proposed to be provided.

The indicative layout does not appear to show any SuDS provision. Should this be required with the development then these areas should not be included in the total area of usable POS calculations. Further detail would also be required regarding depths and indication of timeframe for water holding periods ie dry feature or water holding body. Offsite financial contributions would also be sought; playing pitches and ancillary facilities, swimming pools and sport hall contributions to be concluded.

No onsite allotment provision would be required, but financial contribution toward offsite provision of £1,270.00 would be triggered by this development.

Consideration of existing trees and hedges within the site would be required and any removals agreed with Arun District Councils Tree Officer. Existing vegetation to the perimeter of these proposals may be in conflict with private gardens and come under pressure to be removed or pruned. It is good to see that the green buffer shown to the northern boundary of this development would accommodate existing trees and allow for their retention.

Pedestrian and cycle routes within the development should be a considered design feature and their meaningful connection to beyond the site detailed.

Impact

The potential impact on the location would require that Landscaping be provided as mitigation towards screening and softening of the development.

Mitigation/requirements

An existing green boundary is evident in places, this may require further boundary planting treatment to enhance and improve. Further landscaping would be required within the development and POS area to increase biodiversity and habitat within this rural fringe site.

All greenspaces should be considered and valued and their connection for biodiversity and habitat explored. A robust and comprehensive planting scheme will need to be developed which includes a mix of evergreen and deciduous, native and ornamentals. Tree specification should be at a size which allows instant impact, but which will establish and mature as the site develops.

Landscape - Existing trees or vegetation that fall within the proposed or periphery of the development, may provide significant aesthetic impact to the location. Any trees along the boundaries, which adjoin neighbouring properties could provide potential valuable screening and should be protected and retained. Any considered tree works within the site should be agreed with Arun District Councils Tree Officer. Further information concerning the existing hedges across the site and proposed TPO for

worthy trees will need to be provided. A tree condition survey of the application site to be provided to highlight the importance of retaining trees along with the condition of existing hedgerows locally and their contribution to the landscape should be included. Before construction, a tree protection scheme must be in place in accordance with BS5837:2012 'Trees in relation to construction'.

There is a requirement for any scheme, in accordance with policy to be of High-Quality Design. The emerging landscape design aims should be:

- To design and implement a scheme that reflects and incorporates elements of its surroundings and enhances the atmosphere of local distinctiveness.
- To create a visually pleasing and interesting landscape for owners, employees and visitors to the development.
- To enhance the landscape quality of the site when viewed from the surrounding area.
- To provide a planting scheme that includes native species to blend with the surrounding location, enhance biodiversity and create enhanced wildlife corridor opportunity.
- To provide a sense of flow and cohesion between the different elements of the landscape, buildings, open areas and surrounding environment

A clear indication of the proposed future management of the open space must be set out. A clear directive of responsibility should be set out with this statement explaining how the site will be maintained ie responsibility and regime of all POS, play and public realm areas.

A full and detailed landscape scheme will be required to be submitted for approval, detailing species choice, position, densities and size at time of planting. This should be plotted in plan and list form and in relation to the trees and vegetation to be retained so that a clear picture of the proposals can be seen. These details are required to ensure that appropriate screening is provided, maintaining and uncompromising the setting and ensuring that the proposals fit within the area of neighbouring properties, providing screening as required, increasing biodiversity and wildlife habitat.

Recommendation/Conclusion

The Greenspace Officer would welcome the opportunity to comment further at formal application stage and would recommend no objection on landscape grounds to the layout proposals, subject to the considerations and confirmations above.

INFRASTRUCTURE PROVISION

The council will seek fair and reasonable contributions to be made by the landowners or developers towards the cost of infrastructure, service or amenity provision, to meet the needs of the occupiers or users of the development.

Policy INF SP1 of the Local Plan says: "the Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development (including the necessary infrastructure set out in the Infrastructure Delivery Plan) to meet the needs of occupiers and users of the development and the existing community. Infrastructure provision or improvements should be provided on-site as an integral part of a development, wherever possible and appropriate. Off-site measures will require planning obligations or financial contributions, to secure the necessary provision. "

Policy HD9 (Phasing of Residential Development) of the ANP seeks to make sure that new housing proposals demonstrate that there is the necessary capacity in the community and physical infrastructure and services are available to support the increase in population.

Policy CLW4 (Health Facilities) of the ANP seeks to ensure that new development makes adequate provision for the health needs of new occupiers either on or off site, the latter through a financial contribution.

This proposal would generate a requirement in the form of infrastructure provision for County education services, social services, fire service and public open space provision. Details of the required County service provision can be found on the West Sussex County website. It is expected that all of these infrastructure requirements are to be delivered by CIL which is now in operation in the District.

In terms of on-site infrastructure, the LPA has adopted guidance on the provision of electric vehicle charging points. No details have been provided in the pre-application Supporting Statement that provision would be made for electric vehicle charging points to serve each house as set out in paragraph 2.8 and Table 2.2 of the Arun District Parking Standards SPD. As such, a scheme would be required to be submitted with the forthcoming detailed planning application for the provision of Electric Vehicle (EV) charging points within the site.

If permission were to be granted for this development, the Council would request that the applicant signs up to the Developer and Partner Charter and agrees to use local suppliers wherever possible as well as producing a Skills Plan.

BIODIVERSITY

National Planning Policy indicates that developments should aim to maintain and enhance, restore or add to biodiversity and geological resources of the area. An ecological report will need to be submitted setting out the biodiversity present, how biodiversity impacts can be avoided, appropriate mitigation measures and if necessary, compensation measures in the absence of mitigation and how biodiversity gains can be made. All ecological surveys need to be undertaken by a suitably qualified ecologist and at the right time of year and for the right duration. Additional surveys are required and any mitigation suggested below should be considered and the agreed measures should be included within the planning application.

The Council's Ecological Advisor made the following comments:

Bats

As detailed within the Preliminary Ecological Appraisal and Phase 1 Habitat Survey (March 2018) there is potential for bats to be roosting within a number of trees onsite. Due to this and as recommend within the survey further tree climbing surveys and potentially emergence surveys are required to determine if bats are roosting onsite prior to determination. Also due to the suitable habitat for commuting and foraging bats within the site, we require that bat activity surveys are done across the site to assess the sites importance to bats and the potential impacts of the proposals on the existing bat population. Both these surveys and any mitigation will need to be submitted as part of any future planning application.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

Dormice

As detailed within the Preliminary Ecological Appraisal and Phase 1 Habitat Survey (March 2018) there is potential for dormice to be present within the site. Due to this and as recommend within the survey further dormice surveys are required. These surveys will need to take place during the active period April to October by a suitably qualified ecologist. If dormice are found to be present onsite mitigation will be required and a mitigation strategy should be produced and also submitted with the planning application prior to determination. The survey and any mitigation will need to be submitted as part of any future planning application.

Reptiles

As detailed within the Preliminary Ecological Appraisal and Phase 1 Habitat Survey (March 2018) there is potential for reptiles to be onsite. Due to this and as recommended within the survey a reptile activity survey needs to be undertaken by a suitably qualified ecologist to determine if reptiles are onsite. If reptiles are found a mitigation strategy will also need to be produced. The mitigation strategy will need to include details of reptile fencing, translocation methods, the translocation site / enhancements and the timings of the works. Both the reptile activity survey and the mitigation strategy (if required) will need to be submitted with any future planning application.

Great Crested Newts

As detailed within the Preliminary Ecological Appraisal and Phase 1 Habitat Survey (March 2018) a HSI assessment needs to be undertaken on pond 13 to assess the ponds suitability for Great Crested Newts. If the pond is assessed as being suitable a DNA assessment and population size survey would be required. Both these surveys and any mitigation will need to be submitted as part of any future planning application.

Water voles

Due to the presence of water vole records within 2km of the site and the presence of wet ditches within the site we require that an assessment of the ditches is made for water voles. This assessment should look for signs of water vole activity and be done during the active season (April - September).

Badgers

Prior to start on site a badger survey should be undertaken to ensure badgers are not using the site. If a badger sett is found onsite, Natural England should be consulted and a mitigation strategy produced.

Nesting Birds

Field 1 has the potential to support some declining bird species. Due to this and as recommended within the Preliminary Ecological Appraisal and Phase 1 Habitat Survey (March 2018) a breeding bird survey will need to be undertaken between April - Mid June to determine if the site is being used by these species. This survey and any mitigation will need to be submitted as part of any future planning application.

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

Net Biodiversity gain

In line with Policy ENV DM5 of the Arun District Local Plan information on Biodiversity Net Gain needs to be provided as part of any future planning application. Examples of what we would be expecting to see include;

- Any trees removed should be replaced at a ratio of 2:1
- Wildflower meadow planting used
- Wildlife pond onsite
- Filling any gaps in tree lines or hedgerows with native species
- Bat bricks / tiles integrated into the buildings onsite facing south/south westerly positioned 3-5m above ground.
- Bird box to be installed on the buildings / and or tree within the gardens of the properties.
- Grassland areas managed to benefit reptiles.
- Log piles onsite
- We require that gaps are included at the bottom of the fences to allow movement of small mammals across the site
- hedgehog nesting boxes included on the site

LOSS OF AGRICULTURAL LAND

The site is identified as Grade 1 agricultural land which is classified as 'best and most versatile' land

which is the most flexible, productive and efficient. The NPPF (paragraph 170) requires that the Council takes into account the economic and other benefits of this type of land. The Local Plan's Sustainability Appraisal recognised that most of the undeveloped coastal plain within the District is high grade agricultural land. The loss of BMV is one factor in the decision making process.

Policy SO DM1 of the Local Plan states that "Unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term."

Policy SO DM1 requires the submission of an Appraisal of Agricultural Land Quality, a Soil Resources Plan and a Sustainability and Options Appraisal with the forthcoming detailed planning application for residential development on Land West of Tye Lane, which demonstrate that care would be taken to preserve the soil resource, such that it could be incorporated into a productive green environment following development.

ARCHAEOLOGY

Archaeological remains are a fragile and finite resource. Permission will not be granted for development that would be harmful to archaeology on the site. As the site is over 0.5ha a Historic Environment Record Search needs to be undertaken and provided as part of the planning application submission and any identified heritage assets assessed in order to demonstrate that development would not be harmful to the archaeological interest of the site.

HOUSING SUPPLY

The most up to date position on housing land supply is that the Council has a 2.7 year supply of housing land. As a result of this, the weight that can be afforded to policies in the development plan .. The site has not been designated for residential development and the proposal is acceptable as there is an adequate up to date supply of housing units.

LANDSCAPE COMMENTS

Planning policies and Central Government advice emphasise that the conservation of the natural beauty of the landscape and the countryside should be given great weight in development control decisions.

ADC Greenspace has made the following comments:

The indicative layout has shown 66 dwellings within the proposals with a large area of POS, towards the northern section of the development and an area of buffer to accommodate existing trees, also located towards the northern aspect of the proposals.

Developments of 66 dwellings are required to provide both onsite facilities and offsite financial contributions as outlined in ADC SPD Open Space, Playing Pitches, Indoor and Built Sports Facilities January 2020.

A development of this size will require the provision of onsite POS minimum area of 5,445m² including for the provision of onsite, unequipped natural play LAP to include such features as landform, boulders or logs, seat and litter bin and onsite equipped LEAP. Confirmation of the area of POS being proposed to be provided.

The indicative layout does not appear to show any SuDS provision. Should this be required with the development then these areas should not be included in the total area of usable POS calculations. Further detail would also be required regarding depths and indication of timeframe for water holding periods ie dry feature or water holding body.

Offsite financial contributions would also be sought; playing pitches and ancillary facilities, swimming pools and sport hall contributions to be concluded.

No onsite allotment provision would be required, but financial contribution toward offsite provision of £1,270.00 would be triggered by this development.

Consideration of existing trees and hedges within the site would be required and any removals agreed with Arun District Councils Tree Officer. Existing vegetation to the perimeter of these proposals may be in conflict with private gardens and come under pressure to be removed or pruned. It is good to see that the green buffer shown to the northern boundary of this development would accommodate existing trees and allow for their retention.

Pedestrian and cycle routes within the development should be a considered design feature and their meaningful connection to beyond the site detailed.

Impact

The potential impact on the location would require that Landscaping be provided as mitigation towards screening and softening of the development.

Mitigation/requirements

An existing green boundary is evident in places, this may require further boundary planting treatment to enhance and improve. Further landscaping would be required within the development and POS area to increase biodiversity and habitat within this rural fringe site.

All greenspaces should be considered and valued and their connection for biodiversity and habitat explored. A robust and comprehensive planting scheme will need to be developed which includes a mix of evergreen and deciduous, native and ornamentals. Tree specification should be at a size which allows instant impact, but which will establish and mature as the site develops.

Landscape - Existing trees or vegetation that fall within the proposed or periphery of the development, may provide significant aesthetic impact to the location. Any trees along the boundaries, which adjoin neighbouring properties could provide potential valuable screening and should be protected and retained. Any considered tree works within the site should be agreed with Arun District Councils Tree Officer. Further information concerning the existing hedges across the site and proposed TPO for worthy trees will need to be provided. A tree condition survey of the application site to be provided to highlight the importance of retaining trees along with the condition of existing hedgerows locally and their contribution to the landscape should be included. Before construction, a tree protection scheme must be in place in accordance with BS 5837:2012 'Trees in relation to construction'

There is a requirement for any scheme, in accordance with policy to be of High-Quality Design. The emerging landscape design aims should be:

- To design and implement a scheme that reflects and incorporates elements of its surroundings and enhances the atmosphere of local distinctiveness.
- To create a visually pleasing and interesting landscape for owners, employees and visitors to the development.
- To enhance the landscape quality of the site when viewed from the surrounding area.
- To provide a planting scheme that includes native species to blend with the surrounding location, enhance biodiversity and create enhanced wildlife corridor opportunity.
- To provide a sense of flow and cohesion between the different elements of the landscape, buildings, open areas and surrounding environment

A clear indication of the proposed future management of the open space must be set out. A clear directive of responsibility should be set out with this statement explaining how the site will be maintained ie responsibility and regime of all POS, play and public realm areas.

A full and detailed landscape scheme will be required to be submitted for approval, detailing species choice, position, densities and size at time of planting. This should be plotted in plan and list form and in relation to the trees and vegetation to be retained so that a clear picture of the proposals can be seen. These details are required to ensure that appropriate screening is provided, maintaining and uncompromising the setting and ensuring that the proposals fit within the area of neighbouring properties, providing screening as required, increasing biodiversity and wildlife habitat.

The Landscape Officer would welcome the opportunity to comment further at formal application stage and would recommend no objection on landscape grounds to the layout proposals, subject to the considerations and confirmations above.

DRAINAGE ENGINEERS COMMENTS

The NPPF requires development not to give rise to an unacceptable risk of flooding detrimental to human health or property. There will be a requirement for the submission of a Flood Risk Assessment (FRA) and Sequential test documentation. The relevant requirements for these are dependent upon the designated flood zone that the site is located within and the Technical Guidance to the NPPF provides more details on these issues.

Policy W DM3 of the Local Plan says: "to increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SuDS) , appropriate to the size of development, at an early stage of the design process."

The Council's Drainage Engineers have made the following comments:

The hierarchy for sustainable drainage must be followed with infiltration fully investigated. Winter infiltration testing and winter groundwater monitoring must be undertaken, it is advised that the applicant discusses the extent of this monitoring with us at the earliest opportunity. Infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

If on-site infiltration is not possible, drainage via a restricted discharge to a suitable local watercourse may be acceptable. Any discharge should be restricted to QBAR greenfield run-off rates, with a minimum rate of 2l/s. Any connection will require Land Drainage Consent.

We suggest that, at the earliest stage, the developer gives due consideration to the appropriate location and design of surface water drainage features to achieve necessary capacity, water quality (via the SuDS management/treatment train), as well as ease of on-going maintenance. Surface water drainage features should also be designed in a manner that positively affects the amenity of the site. We would like to remind the developer that, open features, such as swales, basins and ponds, when designed correctly, can satisfy all the above aspirations in addition to; being easier to maintain, having longer lifespans and offering ecological advantages over subterranean features such as "plastic crate systems".

It should also be noted that attenuation features should not be counted within useable public open space provision, as already pointed out by the ' Greenspace ' officer. On this basis, there is unlikely to be sufficient room in the current layout, to accommodate suitable open features and would therefore objected to if this was presented as a planning application in its current form. The location of these features is also critical and dependent on further investigations into whether infiltration is feasible or whether a connection to a watercourse is required.

Adequate treatment of surface water must be ensured prior to discharge and therefore permeable paving will be requested as part of that solution.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Council's website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

In the south west corner of the site, there is a watercourse running north to south along the boundary. The layout does not appear to make sufficient provision for future access to this, which will need to consist of a 3 metre clear access strip (ie. to contain no fences, planting, structures, etc) which can be accessed by suitable vehicles. The 3 metres is measured from the top of the bank of the watercourse.

Supplementary guidance notes regarding surface water drainage are located here: <https://www.arun.gov.uk/surfacewater> on Arun District Council's website. A surface water drainage checklist is available here: <https://www.arun.gov.uk/drainagechecklist> on Arun District Council's website, this should be submitted with a Discharge of Conditions (DOC) Application.

ENVIRONMENTAL HEALTH COMMENTS

The Council's Environmental Health Officers have made the following comments:

If this site were to be put forward for development, EH would please comment as follows:

- Prior to occupation of any of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be retained and maintained in good working condition. Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF).

- As this is a major application, consideration must be given to air quality issues. As per the National Planning Policy Framework (NPPF) (updated February 2019) air quality should be considered at the design stage and incorporate appropriate and effective mitigation. The applicant must follow the Air Quality & Emissions Mitigation Guidance for Sussex (2013), available at: <http://www.sussex-air.net/Consultation/AirQualitydocument.pdf>. This countywide adopted guidance states that where a major sized development is proposed a number of checklists should be followed in order to determine the likely impact of the proposed development on air quality. The intention of the guidance is to identify any air quality impacts through an impact assessment and ensure the integration of appropriate mitigation into a scheme at the design stage, so the damage costs on health can be properly mitigated. The air quality impact assessment can follow the procedures contained within the Institute of Air Quality Management (IAQM) Guidance entitled: 'Land-Use Planning & Development Control: Planning For Air Quality' (January 2017), available at: <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>. Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 - 2031.

- No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays. Reason: to protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 - 2031

- No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The

Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a) An indicative programme for carrying out of the works;
- b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e) The parking of vehicles of site operatives and visitors;
- f) Loading and unloading of plant and materials, including permitted times for deliveries;
- g) Storage of plant and materials used in constructing the development;
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);
- j) Measures to control the emission of dust and dirt during construction;
- k) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 - 2031

-Details of the proposed lighting scheme for the development shall be provided and approved by the Local Planning Authority before installation. Due to the relative proximity of existing residential premises, there is the potential for the development to cause a loss of amenity as a result of light glare/creep/bleed. Light intrusion into residential windows shall not exceed 10 Lux between 07.00 Hours and 21.00 hours and 5 Lux between 21.00 hours and 07.00 hours, measured as Vertical Illuminance (EV) normal to glazing. The Sky Glow (Upward Light Ratio) shall not exceed 5.0%. Prior to the commencement of the development, details of the external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors. The lighting installation shall comply with the recommendations of the Institute of Lighting Professionals (ILP) 'Guidance Notes for the Reduction of Obtrusive Light' (GN01:2011). Prior to occupation, the predicted illuminance levels shall be tested by a competent person to ensure that the illuminance levels agreed in the scheme are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed within the application scheme. The approved installation shall be maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to a variation.

Reason: To protect the amenity of local residents in accordance with Policy QE DM2 of the Adopted Arun Local Plan 2011 - 2031.

- No development shall commence until an acoustic assessment has been undertaken to determine the impact of noise from transport related noise sources. The results of the assessment and details of a scheme of mitigation measures necessary to ensure an appropriate level of aural amenity within habitable rooms and amenity in garden areas shall be submitted and approved in writing by the Local Planning Authority. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 - 2031

- Those dwellings, which are sited within 60 metres of the railway tracks, must be subject to an assessment of the impact of the vibration from the railway. This assessment will include details of recommended remedial measures; should vibration levels be found to be unacceptable. This assessment must be supplied to and approved in writing by the Local Planning Authority prior to commencement of development. The assessment shall be carried out in accordance with the method and rating system as detailed in BS 6472-1:2008 and the raw data gathered during the measurement period shall be presented as an 'appendix' to the assessment. Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adopted Arun Local Plan 2011 - 2031.

- Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A Preliminary Risk Assessment which has identified: all previous (historical) uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.
2. A Site Investigation Scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. Based on the Site Investigation Scheme and the detailed risk assessment (2), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A Verification Report providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Note: Any changes to these components, (1) to (4) require the express written consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a longterm monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification report, and for the reporting of this in writing to the Local Planning Authority. Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan 2011 - 2031

CONCLUSION

Based on the above comments, I conclude that were an application for planning permission to be submitted for residential development on the Land South of Littlehampton Road, in Angmering it would likely to be approved given that there are compelling reasons to do so that outweigh the policy objection of development in a countryside location including a settlement gap.

FOLLOW UP MEETING

Your pre application advice fee included a meeting, if this has not already been held, please contact me to arrange a convenient appointment.

MAKING AN APPLICATION

If you decide to proceed with making an application you will need to quote the reference number for this advice in the pre-application advice section of the relevant application form. This will ensure that the application receives priority and a speedy validation process.

You will need to submit the following documentation/information with your application to meet the National Validation Requirements:

Fully completed and signed Application Form with full description of the proposal.
Ownership Certificate and Agricultural Land Declaration
Design and Access Statement
Correct Fee
Location Plan (1:1250)
Site / Block Plan (1:500)
Elevations (Existing and Proposed)
Floor Plans (Existing and Proposed)
Roof Plans
Environmental Impact Statement

Please note that the Council has a Local Validation Requirements List and you should refer to it before submitting your application. Failure to provide the required documentation and to complete the Validation Checklist and the Biodiversity Checklist will result in the application being treated as incomplete and delay the validation of the planning application.

Having looked through the Local Validation Requirements List, I would suggest that the following additional documents will be required:

Affordable Housing Agreement
Affordable Housing Statement
Biodiversity Survey and Report
Land Contamination Assessment
Economic Development Statement
Flood Risk Assessment
Foul and Surface Water Drainage Statement
Land Engineering Works Statement
Landscaping Strategy
Lighting Assessment
Noise/ Extraction Statement
Bin Storage and Collection Provision
Parking Plan
Planning Application Summary
Street Scene
Structural Survey and Conversion Method Statement
Telecommunications Development Statement
Transport Assessment/ Travel Plan
Transport Statement
Tree Survey and Arboricultural Report
Historic Environment Record Search

You should be aware that any advice given by the Council in relation to pre-application advice will be based on the case Officer's professional judgement and will not constitute a formal response or decision of the Council with regard to any future planning applications. Any views or opinions expressed are

given without prejudice to the consideration by the Council of any formal planning application which will be subject to wider consultation and publicity. Although the case officer may indicate the likely outcome of a formal planning application, no guarantees can or will be given about the decision that will be made on any such application. Any further correspondence will be at the Case Officer's discretion depending on the nature of the further enquiry. It may be necessary to submit a further pre-application advice request. Please note this advice only relates to planning and does not relate to any other legislation which may or may not apply such as Building Regulations or ordinary watercourse consents. You will need to carry out your own checks to determine whether any other consents or permissions are required.

I trust this is of assistance to you.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning



Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Planning & Building Control General Enquiries
Tel: (01903) 737756 Fax: (01903) 730442
Dx: 57406 Littlehampton
Minicom: 01903 732765
e-mail: planning@arun.gov.uk
website: www.arun.gov.uk/planning

Henry Adams LLP
Rowan House
Baffins Lane
Chichester
PO19 1UA

Date: 23rd April 2021

Please ask for: Mrs A Gardner
Tel: 01903 737529

Your Ref:

Our Ref: PAA/7/21/

Dear Sir/Madam,

Pre-Application Advice

Construction of 76 dwellings, means of access and associated works
Land South Of Littlehampton Road, East of Worthing Road Angmering BN12 6PN

I write regarding the above matter and your enquiry received on 29th January 2021.

DESCRIPTION OF PROPOSED DEVELOPMENT

From the details submitted, I understand that you propose to erect 76 dwellings on the site. The proposed scheme would comprise a mix of 2 storey properties following a traditional arts and crafts design. 30% of the dwellings would be affordable. The scheme includes formal and informal areas of public open space, Local Area of Play (100sq.m) and Locally Equipped Area of Play (400sq.m). Vehicular access would be via an improved junction on to Littlehampton Road. Pedestrian and cycle routes are included which directly link to a dedicated pedestrian and cycle path to the south of Littlehampton Road.

The scheme also incorporates noise attenuation to the proposed southern boundary, adjoining railway line and additional tree planting and soft landscaping.

It is noted that advice is sought on the proposed detailed site layout, any infrastructure requirements and confirmation that the principle remains supported by officers, as confirmed in the June 2020 response.

DESCRIPTION OF SITE

The site is located outside the built up area boundary on the eastern edge of Angmering village, immediately adjacent to the existing settlement boundaries of Angmering/East Preston and within the settlement gap of East Preston to Ferring.

It is bounded to the north by the A259 Littlehampton Road, the east by Artists in Stone commercial premises, to the south by the West Coastway Railway Line and the west by the residential

development along Old Worthing Road.

The A259 Littlehampton Road provides a key east-west link through the District and wider County. The A259 Littlehampton Road is a dual lane two-way carriageway road some 7.5m in width along the site frontage.

Old Worthing Road forms a roundabout junction with the A259 Littlehampton Road at the north-western corner of the site whereby existing access to the site is gained via a field gate.

An existing shared footway/cycleway is present on the southern side of the A259 Littlehampton Road along the site frontage and provides a connection between the roundabout junction with the B2140 Old Worthing Road (at the north-western corner of the site) and the Asda superstore to the east of the site.

Beyond this, footways are present on all local roads and provide continuous connections to services and amenities in and around Angmering. Street lighting is also present on all local roads surrounding the site. There are bus stops providing services east and west along the A259 as well as into East Preston and surrounding villages within close proximity of the site.

The site itself is an open arable field, which is currently in crop and measures 2.9 hectares. It comprises a reasonably square area of flat open land. The sites boundaries are kept by mature conifer hedging to the north, largely screening the site from the A259, metal chain-link fencing and hedgerow to the railway line to the south and domestic fencing enclosing the adjoining residential properties to the west. The eastern boundary is open to the wider field.

The site access, as noted above is via an existing track from the roundabout to the north-west and also a single access track, which serves the industrial units to the east.

In terms of the wider locality the site abuts close knit development commencing at the tip of Angmering to the north and East Preston to the south and towards the coast.

PLANNING ISSUES

The following issues have been identified for consideration.

Principle

Design

Neighbour Amenity

Amenity Space Provision

Bin Storage

Affordable Housing

Highways, Transport and Parking

Sustainable Construction

Flooding/Drainage

Protected Trees

Open Space Provision

Noise Pollution

Contamination

Infrastructure Provision

Biodiversity

Protected Species

Loss of Agricultural Land

Landscape Impact

Archaeology

Housing Supply

COMMENT ON SITE HISTORY

A/130/12 - New Chandlers BMW/Mini Dealership facility including workshop/MOT facility, car valeting and car storage with new access from A259 and comprehensive hard and soft landscaping scheme.

Refused 10/04/2013 for visual and transport reasons.

RELEVANT POLICIES - the following policies are considered relevant to your proposal:

Arun District Local Plan 2011-2031

<u>AHSP2</u>	AH SP2 Affordable Housing
<u>CSP1</u>	C SP1 Countryside
<u>DDM1</u>	D DM1 Aspects of form and design quality
<u>DDM2</u>	D DM2 Internal space standards
<u>DSP1</u>	D SP1 Design
<u>ECCDM1</u>	ECC DM1 Renewable Energy
<u>ECCSP1</u>	ECC SP1 Adapting to Climate Change
<u>ECCSP2</u>	ECC SP2 Energy and climate change mitigation
<u>ENVDM4</u>	ENV DM4 Protection of trees
<u>ENVDM5</u>	ENV DM5 Development and biodiversity
<u>GISP1</u>	GI SP1 Green Infrastructure and Development
<u>LANDM1</u>	LAN DM1 Protection of landscape character
<u>OSRDM1</u>	Protection of open space, outdoor sport, comm& rec facilities
<u>QEDM1</u>	QE DM1 Noise Pollution
<u>QEDM2</u>	QE DM2 Light pollution
<u>QEDM3</u>	QE DM3 Air Pollution
<u>SDSP1</u>	SD SP1 Sustainable Development
<u>SODM1</u>	SO DM1 Soils
<u>TDM1</u>	T DM1 Sustainable Travel and Public Rights of Way
<u>TELSP1</u>	TEL SP1 Strategic delivery of telecomms infrastructure
<u>TSP1</u>	T SP1 Transport and Development
<u>WDM2</u>	W DM2 Flood Risk
<u>WDM3</u>	W DM3 Sustainable Urban Drainage Systems

<u>Angmering Neighbourhood Plan 2014 POLICY EH2</u>	Protect the Landscape setting of the South Downs National Park
<u>Angmering Neighbourhood Plan 2014 POLICY HD1</u>	Built-up Area Boundary
<u>Angmering Neighbourhood Plan 2014 POLICY HD3</u>	Housing Mix
<u>Angmering Neighbourhood Plan 2014 POLICY HD4</u>	Materials
<u>Angmering Neighbourhood Plan 2014 POLICY HD5</u>	Built Form
<u>Angmering Neighbourhood Plan 2014 POLICY HD6</u>	Housing Layout & Design

<u>Angmering Neighbourhood Plan 2014 POLICY HD7</u>	Housing Density
<u>Angmering Neighbourhood Plan 2014 POLICY HD8</u>	Parking for New Developments
<u>Angmering Neighbourhood Plan 2014 POLICY HD9</u>	Phasing of Residential Development
<u>Angmering Neighbourhood Plan 2014 POLICY TM1</u>	Local Highways
<u>Angmering Neighbourhood Plan 2014 POLICY TM2</u>	Cycling Walking & Equestrian

Planning Policy Guidance:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

Supplementary Guidance:

SPD1	Open Space & Recreation Standards
SPD11	Arun Parking Standards 2020

PRINCIPLE

PRINCIPLE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the plan unless material considerations indicate otherwise. The development plan for the Arun District currently comprises the Arun Local Plan, the Angmering Neighbourhood Development Plan (March 2015) and the West Sussex Waste and Minerals Plans.

However, section 38 (5) states: "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". Any conflict between the Angmering NP (ANP) and the Arun Local Plan, should therefore be resolved in favour of the latter.

All development policies that relate to the supply of housing in the Local Plan (policies C SP1, SD SP2) have reduced weight because Arun cannot demonstrate an adequate 5 year supply of housing land (currently stands at 3.3 years). Policies in the Angmering Neighbourhood Plan that relate to the supply of housing have greater reduced weight because they relate to out of date housing needs as the policies were based on the 2003 Arun Local Plan.

Paragraph 14 of the NPPF states that in situations where the 'presumption in favour of sustainable development' applies to applications involving the provision of housing, then the adverse impact of allowing development that conflicts with the neighbourhood plan will not significantly and demonstrably outweigh the benefits if four specific criteria apply. In this case, criteria (a) to (d) are not all applicable because the Neighbourhood Plan was made over two years ago. Therefore, the presumption in favour of sustainable development is unaffected by the Neighbourhood Plan.

The Arun Local Plan (ALP):

The key policy considerations in the determination of this pre-application are considered to be C SP1,

D SP1 , D DM1 and SD SP3 of the Arun Local Plan (ALP) 2011 - 2031.

Policy H SP1 "The Housing Requirement" sets out an overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes a reference to additional non-strategic allocations being made across the District through reviews of Neighbourhood Plans. The Housing Strategy on page 139 goes on to allocate 800 units in Angmering North (SD9) and 250 units in Angmering South and East (SD11). The site is identified in Arun's housing and economic land availability assessment (HELAA) under ref 17A1 for circa 65 residential dwellings.

Policies D SP1, D DM1 and SD SP3 of the ALP deal with visual and residential amenity issues including the impact on the designated gap. These are replicated by identified ANP policies.

In addition the site lies within the western side of the East Preston to Ferring Local Gap, which is identified on the policies map and subject to Policy SD SP3 (Gaps Between Settlements) in the Arun Local Plan (2011-2031). Policy SD SP3 says that "The generally open and undeveloped nature of the gaps between settlements, as identified on the Policies Map will be protected to prevent coalescence and retain their separate identity".

"Development will only be permitted within the gaps if:

- a. It would not undermine the physical and / or visual separation of settlements;
- b. It would not compromise the integrity of the gap, either individually or cumulatively with other existing or proposed development;
- c. It cannot be located elsewhere; and
- d. it maintains the character of the undeveloped coast;
- e. or, if a subsequent DPD or Neighbourhood Plan deems it appropriate through an allocation."

It is considered that the proposed development within the gap between East Preston and Ferring would undermine the physical and / or visual separation of the settlements of Ferring and East Preston, due to the introduction of 76 dwellings with the associated highway development and residential lighting within this Settlement Gap, which is considered to be contrary to Policy SD SP3(a).

The proposed would visually compromise the integrity of the gap, contrary to Policy SD SP3(b).

Policy SD SP1 "Sustainable Development" states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work to secure development that contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland).

The site is located within defined countryside outside of the settlement of Angmering. The nearest pub is considered to be the Premier Inn at a walking distance of 1km. The nearest shop is the Asda Superstore (800m). Angmering railway station is approx. 1.5km and there are additional shops and services in Angmering to the west and Ferring to the East. All of these distances are considered to be acceptable walking or cycling distances.

Policy C SP1 "Countryside" states that residential development in the countryside outside the BUAB will not be permitted unless in accordance with policies in the Plan which refer to a specific use or type of development. It is noted that none of these relate to the proposed development at the application site.

As this site lies outside the nearest BUAB, it is categorised as being within the countryside and the scheme would therefore conflict with policy C SP1 of the ALP.

Other Material Considerations:

The release of further land for housing will help to maintain delivery rates. This may have to include sites outside the built-up area boundary and it would be preferential if such sites were located close to the edge of the BUAB and in sustainable locations which minimise the need to use the private car.

The 2019 HELAA report assessed the site- Ref # 17A1- Land East of Old Worthing Road and South of Littlehampton Road: "Outside but adjoining the settlement boundary. Currently development on this site would contravene policy and therefore the site would not be considered to be suitable. However, from the information available the site is considered suitable in principle for future housing potential, because of its accessibility to facilities, job opportunities and public transport, and because there are no insurmountable constraints. The site could contribute to the creation of a sustainable, mixed community". It was on this basis that the pre-application (PAA/32/20) was submitted. Although the current status of the HEELA now shows the site as red 'not currently available' it is still considered that development of the site is acceptable for the reasons set out below.

The National Planning Policy Framework (NPPF) 2019 is a material consideration in determining planning applications. Arun can demonstrate a 3.3-year HLS in the latest published AMR 2019/20. As the Council cannot currently demonstrate a 5-year HLS, paragraph 11 (d) of the NPPF and the application of the 'presumption' for sustainable development is triggered.

This means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (such as where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), planning permission should be granted unless (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

There is no question that (i) does not apply to this determination as the site does not lie in a protected landscape. In respect of (ii), the remainder of this letter will show that there are no adverse impacts associated with the proposal. The presumption in favour of sustainable development would apply.

Paragraph 8 of the NPPF states that in order to achieve sustainable development; economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The following is an analysis of the sustainable nature of the site and proposal:

The site is environmentally sustainable as it lies on the north eastern edge of East Preston and it will be possible for residents to use non-car means of transport to access the primary school, local shops and other services, as set out above.

The development would likely result in economic and social benefits to the local area in the form of the following:

- * An increase in Council Tax receipts;
- * Potential 'New Homes Bonus' payments from the Government;
- * The creation/maintenance of construction jobs; and
- * Additional spending by new residents on local goods & services.

There is potential for an economic cost due to the loss of Grade 1 Agricultural Land.

(5) Site Location:

The pre-application submission includes a location plan (Drawing No. 003 revK) Street scenes and and a supporting statement. The BUAB in this part of East Preston/Angmering excludes the application site.

It is considered that there would be limited harm to the character of the countryside if the site was developed for housing given that it directly abuts residential dwellings to the west and residential properties to the south of the railway line and would retain a visual gap to the development to the east.

If residential development was allowed on this site, it would be possible to secure a footpath / cycle link to the centre of Angmering, East Preston and Ferring. A 'buffer' on the eastern side is a potential option that could be considered to soften the impact on the open aspect to the east of the site.

It is not enough to simply refuse an application on the grounds of being in the countryside without there being some form of demonstrable harm to the character or beauty of the countryside.

Conclusion on Matters of Principle:

The principle of residential development on this site is clearly contrary to the policies within the Development Plan. However, the policies of the Local Plan that relate to the supply of housing have reduced weight due to the Council not being able to demonstrate an adequate supply of housing land. In addition, policies in the Angmering Neighbourhood Plan that relate to the supply of housing have greater reduced weight because they relate to out of date housing needs as the policies were based on the 2003 Local Plan.

The proposal represents sustainable development and the NPPF 'presumption in favour of sustainable development' is engaged. This and the other material considerations set out above combine to outweigh the conflict with the policies of the development plan and serve to allow for the principle of the application to be supported.

The proposed development of up to 76 houses on the site would go a considerable way in achieving the Council's Five Year Housing Land Supply. It is considered that these material considerations overcome the out of date policies in the Development Plan.

Some policies of the NPPF are cast in terms which indicate that in certain circumstances planning permission should be restricted. These, in this case, relate principally to flooding, agricultural land and the natural environment. Having regard to the tests set out in the NPPF in relation to these issues, and in the context of the content of this report, it is considered that the circumstances are such that none of these issues amount to a reason for withholding planning permission either because the matter can be controlled by suitable conditions, content of the CIL contribution or because the public benefit outweighs the harm in respect of the issue at hand.

You are advised that the Full Council approved Arun's Interim Housing Statement on 17-03- 2021 which applies to greenfield and brownfield sites outside of but adjacent to settlement boundaries, as is the case with this proposed site. It clarifies that until a 5 year housing land supply is re-established, the material policies that relate to the supply of housing, are consequently, deemed 'out of date'; where applications are not in accordance with the Local Plan, the authority must therefore, apply the 'presumption' in favour of positively determining applications, as set out in NPPF paragraph 11d - however, the NPPF is clear that there are strong caveats to the application of the 'presumption' in that, the starting point remains the statutory Development Plan for determining applications, along with any material considerations and that the sustainability and quality of proposals must not conflict with the policies within the NPPF as a whole.

DESIGN

Policy D SP1 (Design) of the Local Plan says: "all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details". Policy D DM1(2 - appearance/attractiveness) of the Local Plan requires applications to "demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area".

The Angmering NP contains several policies relevant to design. Policy HD4 (Materials) requires developments to reflect 'local materials and features evident in the surrounding area'. The policy lists materials to be integrated into the design of the development (stock brick, flint, hanging clay tiles and pastel renders). It also refers to materials for paved surfaces (preference for permeable surfaces) and high quality street furniture.

Policy HD5 (Built Form) of the Angmering NP seeks to ensure that new development reflects the character of Angmering.

Policy HD6 of the Angmering NP says "proposals for new development should demonstrate high quality design, reflect local distinctiveness, and seek to incorporate local design features evident in buildings in the surrounding area".

Paragraph 124 of the National Planning Policy Framework (NPPF) says: "the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".

Paragraph 128 of the NPPF states: "design quality should be considered throughout the evolution and assessment of individual proposals. Early discussions between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot."

Paragraph 130 of the NPPF says: "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

Paragraph 16 of the National Design Guide states: "well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept and how it has evolved into a design proposal. This explains how the concept influences the layout, form, appearance and details of the proposed development. It may draw its inspiration from the site, its surroundings or a wider context. It may also introduce new approaches to contrast with, or complement, its context. This 'story' will inform and address all ten characteristics. It is set out in a Design and Access Statement that accompanies a planning application."

Any application submitted should demonstrate how the Arun Design Guide has informed the layout and design of any submission. Reference should be made to Part D responding to site and setting, Part H Welcoming Streets and Spaces and Part J Building Design.

An assessment of the pre-application residential site layout on the site together with the character; density, scale and massing; and materials and architectural details is set out below.

SITE LAYOUT, DENSITY, SCALE AND MASSING

Policy D DM1(1 - Character) of the Local Plan says "when considering any application for development to have regard to make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping and design features". Policy D DM1(10 Layout - movement) of the Local Plan requires "any application for development to utilise existing networks or improve access via delivery of a variety of integrated networks, to and from residential areas, commercial zones, open spaces, facilities and public transport. Development schemes should carefully consider walking and cycling as an integral part of the overall design concept".

Policy D DM1(10 Layout - legibility) of the Local Plan requires any application for development "deliver or contribute to the ease of navigation within a new or existing development scheme through use of focal points (landmarks, gateways, vistas, corner buildings, active edges, existing topography), and/or a variety of detail within the public realm (sculpture, planting, street furniture, building materials, building details, signage)"

Policy D DM1 (13) of the Local Plan says "the density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity".

Policy HD7 of the Angmering NP seeks to ensure that the density of new development is in keeping with the surrounding area and should be complied with.

Paragraph 122(a) of the NPPF (February 2019) says that "planning decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it."

The consideration of the proposed scheme will be based upon the layout as specified on 'Drawing No. revK'.

It is considered that the proposal will not give rise to unacceptably adverse effects on the established character of the locality or the street scene. The existing site features mature planting on the northern and western boundaries and this is shown as being maintained and improved for use as a landscape buffer on the submitted plans. However, it is considered that suitable landscaping scheme could be prepared to mitigate the impact of the development upon the character of the locality. It is considered that the proposed dwellings will be suitably set back from the A259 to the north and Worthing road to the north west so as to avoid unacceptable harm to the character of the street scene.

The indicative layout is generally acceptable, but the 4 units close to the western boundary do not appear well integrated into the development. It is noted that the area of open space in the south east corner includes the area of the overhead pylons and this cannot be included within any open space provision calculations since it would not be usable. It is suggested that it is incorporated within a landscaped buffer area, rather than as an additional area for use. It may therefore be more appropriate to delete the four dwellings adjacent to it and re-orientate the dwellings opposite to face onto the open space and improve their outlook. It may be possible to provide an additional unit(s) adjacent to the southern boundary to compensate for the loss of some of these units.

The proposed layout will result in a residential density of approximately 26 dph. Development situated to the south of the A259 (north of the site) are at a lower density than the rest of the site. Although it should be noted that the existing character of Saxon Close and the B2140 residential area consists of some detached but semi-detached residential properties at an overall similar density.

Therefore the proposed density is considered acceptable and is not deemed to adversely impact upon the character of the locality. The provision of 2 storey terraced/ detached and semi detached dwellings would be in keeping with the form and scale of development in the locality.

The density, scale and massing of the proposed development is therefore deemed acceptable in accordance with relevant development plan policy.

CHARACTER

The Design and Access Statement which will accompany the forthcoming detailed planning application for the residential development on Land South of Littlehampton Road will need to identify different

character areas within the residential development, which will help to create a sense of place and provide the development with an identity and should identify how the layout and design of the dwellings has been derived from the guidance provided in Arun Design Guide.

MATERIALS AND ARCHITECTURAL DETAILS

In terms of design and appearance, the planning application for residential development on the site would need to include houses that include traditional materials used on the houses in Angmering and you need to demonstrate why you have chosen them. The streetscene illustrations and supporting statement referring to 2 storey dwellings of arts and crafts design would be acceptable in this location, but you should consider using some flint on elevations, particularly those visible from outside the site, to reflect the rural character opposite and to the east of the site. It is likely that the use of these materials would accord recommended policy HD4 of the Angmering Neighbourhood Plan which should be considered when detailing the use of materials.

Part L of Arun Design Guide refers to the use of appropriate materials to achieve quality design and the choice of proposed materials should reflect this guidance.

HIGHWAYS, TRANSPORT & PARKING

Policy T SP1 of the Local Plan says that "to ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network".

Planning policies allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians, and car parking. Car parking requirements will vary according to accessibility of the site to public transport or services, or location within a town centre. Some Guidance is provided within Arun District Parking Standards SPD and you should ensure that the car parking standards are met and provision of electric vehicle charging points is included. the LPA has adopted guidance on the provision of electric vehicle charging points as set out in paragraph 2.8 and Table 2.2 of the Arun District Parking Standards SPD. For further information on parking strategy please refer to Part I of Arun Design Guide.

You are advised to consult with County Highways regarding parking provision/layout, access and visibility splays.

The Highway Authority would require the following documents to be submitted as part of any future application:

- A site location plan scale (1:1250) with site boundary indicated
- Schedule of existing uses including planning history with reference numbers
- Description, including site layout plans, of the proposed development and schedule of uses
- Summary of reasons supporting the site access/highways works proposals, including plan (scale 1:250 or similar) with achievable visibility splays indicated
- Design Audit of any proposed highway works, including plan identified departures from standards
- Final Stage 1 Road Safety Audit of site access and any proposed highway works, with designer's response and including amended plans.
- A Transport Assessment, including location plan of key services, availability of sustainable modes of transport and existing/future vehicular generation
- Reference to supporting national, regional, and local planning documents and policies
- Parking strategy, including provision of parking for all modes of transport
- Relevant data collected to date
- Proposed trip rates supported with TRICS outputs and site selection methodology
- Junction capacity assessment in accordance with the WSCC Transport Assessment

Methodology

The proposed 76 no. dwellings will provide parking in accordance with the Arun District Council parking standards SPD 2020.

LIGHT POLLUTION

Planning policies emphasise the need to consider the impact of light on neighbouring uses and wider landscape. Light levels should be the minimum required for security and working purposes, and minimise potential glare and spillage.

Environmental Health has requested the submission of details of a proposed lighting scheme for the residential development.

Subject to the submission of a lighting scheme, the proposed residential development is likely to be acceptable in terms of light emissions.

NOISE POLLUTION

Local Plan policies emphasise that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses i.e. traffic from the A259.

Environmental Health has requested a noise report should be submitted with the forthcoming planning application together with details of an acoustic barrier around the site.

Subject to the submission of a noise report, the proposed residential development is likely to be acceptable in terms of noise emissions.

CONTAMINATION

Development on or close proximity to hazardous sites or contaminated land will be permitted provided the Council is satisfied that appropriate remedial measures can be or have been undertaken in respect of human health and groundwater.

In terms of the precautionary principle, Environmental Health has requested that when the planning application has been submitted and is being determined that a contaminated land condition be recommended in case contamination is uncovered on the site during construction works.

ADAPTABILITY

Policy HD3 of the Angmering NP requires at least 25% of homes to be built to a Lifetime Homes standards. The equivalent standard to Lifetime Homes is Category 2 M4(2).

The LPA has a Guidance Note setting out standards aimed at securing a percentage of homes as disabled friendly and adaptable, meeting suitable standards. Under building regulations optional requirement M4(2): Category 2 - Accessible and adaptable dwellings can be enforced where it is required by a planning condition, in accordance with Policy D DM1 of the Local Plan. For schemes greater than 51 unit inclusive - 15% of units need to be designed to M4(2) standard plus two additional units to be designed to M4(3) wheelchair accessible, for every 50 units proposed thereafter. However, there is an aspiration to secure 100% M4(2). It is considered that this can be secured adequately via a suitably worded condition.

HEALTH AND WELLBEING

Policy HWB SP1 of the Local Plan says: "all development shall be designed to maximise the impact it can make to promoting healthy communities and reducing health inequalities. In particular regard shall be had to:

- a. providing or contributing to the necessary infrastructure to encourage physical exercise and health, including accessible open space, sports and recreation facilities (including outdoor fitness equipment) and safe, well promoted, walking and cycling routes.

- b. creating mixed use development and multi-use community buildings that reduce the need to travel by providing housing, services and employment in close proximity to each other; and
 - c. ensuring that arts and cultural facilities are accessible to all residents and visitors to the District.
- Where new health, recreation and leisure facilities are planned, where possible, these shall be located along public transport corridors that are easily accessible to members of the wider community."

Apart from the open space provision mentioned above the site layout consists of a 3m wide cycleway / footpath along the A 259 linking the proposed development to the adjacent residential developments so as to create safe, well promoted walking and cycling routes, in accordance with Policy HWB SP1(a) of the Local Plan.

The proposal should demonstrate that it is compliant with part K of the Arun Design Guide.

SUSTAINABILITY

Government Planning policy is to encourage appropriate development in a location that will enable a reduction in the need to travel, particularly by private car and that planning should contribute to reduce emissions and reduce climatic change. Policy EMP DM2 of the emerging Local Plan requires a Travel Plan is submitted to demonstrate how the impacts of development can be mitigated and to bring about modal shift towards an increase in sustainable transport.

SUSTAINABLE CONSTRUCTION

Tackling climate change is a key government priority for the planning system. Applicants for planning permission should consider how well their proposals for development contribute to the Government's ambition of a low carbon economy and how well adapted they are for expected effects of climate change. Applicants should consider the provision of renewable energy in the form of high level insulation, rainwater harvesting, a general minimal energy use - including Carbon Dioxide reduction. The proposal should take account of part K of the Arun Design Guide.

Policy HD6 (Housing Layout and Design) of the ANP includes strong support for development that seeks to meet the highest standards of construction Code for Sustainable Homes and BREEAM standards.

NEIGHBOUR AMENITY

Policy D DM1(3) of the Local Plan sets out the aspects of form and design quality that any planning application for development would need to address. The policy requires development to have minimal impacts on users and occupiers of nearby property and land; for example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. Policy D DM1 indicates that development will be permitted provided that, amongst other considerations, the proposal creates attractive places and spaces with the needs of people in mind.

The NPPF further indicates that good design should contribute positively to making places better for people. When more detailed designs are being developed, consideration should be given to the height of properties to ensure that overlooking and loss of light is not an issue where the site abuts the residential properties to the south of the site. In this case, subject to details of layout and design, it is considered that the proposed residential development on Land to the West of Tye Lane, Walberton would be acceptable on the residential amenities of neighbouring properties.

Without elevational details of the units it is not possible to determine whether the siting of the houses on the site would ensure that there would be no materially adverse overlooking or overbearing impacts on the existing houses on Saxon Close to the west or between units within the development itself.

The applicant is requested to submit a schedule of the internal space standards with the new planning application, to ensure that the houses comply with the Nationally Described Spaced Standard (NDSS) table (Table 1). and part J of the Arun Design Guide.

Although there are no adopted standards on rear gardens in the Local Plan, all of the rear gardens of the houses on the site need to measure at least 10 metres in length, to ensure adequate amenity space is provided. You are advised to check compliance with the criteria set out in Arun Design Guide part H.

BIN STORAGE

For all new residential development including flat conversions, the applicant must show bin storage/collection provision as follows:-

Each of the 76 units on Land South of Littlehampton Road, East of Worthing Road, Angmering should be provided with the equivalent of 240 litres of residual waste storage/bins.

The same amount of storage space/bins for recyclable materials is required to be provided.

Where bin stores are adjacent to the access road serving the development or across a parking area there will need to be a road up to full highway standards and an indemnity provided for the Council's contractors to pass across servicing. The access of this type provided must be accessible/passable for collection schedules i.e. no parking or other obstruction.

The maximum pulling distances allowed under Health and Safety legislation are 10 metres for 1,100 litre bins and 50 metres for 240 litre bins.

It is recommended that if any communal provision is located near or adjacent to the highway, it will be suitably enclosed and landscaped so that the maximum pulling distances and vehicle access requirements are complied with.

AFFORDABLE HOUSING

The Council aims to ensure that 30% affordable housing is achieved on all new residential developments in the district where more than 11 units are proposed such as on this site in line with Policy AH SP2 of the Local Plan.

Tenure

The Council's Affordable Housing policy requires a tenure split of 75% rented and 25% intermediate housing.

Housing Need

There is high demand for affordable housing throughout the Arun District for both rent and low-cost home ownership. As of December 2020 there were 1022 households in housing need on the Council's housing register.

S106 considerations and Affordable Housing Agreement

As set out in the Supporting Statement, to meet the requirements of the Council's Affordable Housing policy the applicants will need to provide 23 x affordable dwellings, which equates to 18 x rented and 5 x intermediate.

We would anticipate that at least 50% of the rented dwellings would be set at rents no higher than 65% of open market rent and that the remainder do not exceed Local Housing Allowance (LHA) levels, including service charge.

The proposed development should comply with Policy AH SP2 of the Local Plan in terms of clustering. Ideally, the affordable dwellings should be in small clusters, of no more than five dwellings, which are pepper potted throughout the development.

All of the necessary affordable housing requirements would need to be included in S106 planning obligation not secured by planning condition.

SUSTAINABLE CONSTRUCTION

Sustainable Construction

Tackling climatic change is a key government priority for the planning system. Applicants for planning permission should consider how well their proposals for development contribute to the Government's ambition of a low carbon economy and how well adapted they are for expected effects of climatic change. Applicants should consider provision of renewable energy in the form of high level insulation, rainwater harvesting and a general minimal energy use, including Carbon Dioxide reduction.

PROTECTED TREES

Policy ENV DM4 of the Local Plan says "proper provision must be made for the protection and management of trees or areas of woodland on-site when undertaking development." Policy D DM1(7) of the Local Plan says "all new development will be expected to incorporate existing and new tree planting as an integral part of development proposals."

Planning policies seek to protect the environment and avoid damage to protected trees. BS 5837 : 2005 sets out standards for Trees in Relation to construction - Recommendations. The proposal is likely to be acceptable/unacceptable due to the impact on protected trees namely

The ADC Arboricultural Officer has made the following comments:

I have considered this application by means of a desktop review, using the information and plans submitted as well as online resources. Previous consideration from site (PAA/32/20) and familiarity with surrounding areas provides further insight to the proposal.

There are significant trees both on and off this site which could be adversely affected by the proposals. The applicants have employed ACD Environmental Ltd. to prepare an Arboricultural Impact Assessment and Method Statement, inclusive of Tree Protection Plan for this project. It is marked (not for submission) and uploaded as Arboricultural Impact Statement. The report is encouraging and informative although that level of detail (layout) will only be necessary in support of a full application. Unfortunately there is no supporting Tree Survey data, a requirement of BS5837:2012. Although not an essential requirement at Pre-application stage, it will be necessary for any latter-stage application. Until such time as that data is provided and we have had the opportunity to consider it from site, proper evaluation of the proposed tree removals and necessary extent of mitigation cannot be made.

I am concerned about any intentions to alter or expand the existing access from the NW corner of the site, where it travels through nominal root protection areas of mature roadside lime trees (which ought already to be the subject of a Tree Preservation Order). Furthermore, any increase in use directly resulting from this proposal may require the enhancement of existing vehicular sightlines with corresponding damage to/loss of those high value trees. Their already high landscape and amenity value increases when one visualises the proposed loss of trees at the site entrance. Clarification is required around highway proposals in this area.

Recommendations (should this application progress to a full application):

1. The applicants will need to employ the services of an Arboricultural Consultant to carry out a tree survey exercise and then prepare an Arboricultural Implications Assessment (AIA) which must be inclusive of; a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan' - with the trees accurately plotted on same.
2. In the event that a RPA of any tree which is proposed for retention overlaps the development then BS5837:2012 requires that the Detailed Planning Application is accompanied by an Arboricultural Method Statement (AMS) and also most importantly a Tree Protection Plan - to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground.
3. I recommend the making of a Tree Preservation Order.

Conclusion:

I welcome the opportunity to comment at this pre-application stage and anticipate the submission of the above survey reports in due course.

Following receipt of these comments a provisional tree preservation order has been made for 4 Lime

OPEN SPACE PROVISION

Policy OSR DM1 (2a) of the Local Plan says: "housing will be required to contribute towards open space provision in accordance with guidance set out in the current Open Space Study. In some parts of the district open space provision is identified as being sufficient in terms of quantity. Therefore, provision of new open space is not deemed necessary but what is needed is to seek contributions for quality improvements and/or new off-site provision to address any future demand."

ADC Greenspace comments are awaited and will be forwarded when available. There was no objection to the principle of residential development of the site previously.

NOISE POLLUTION

Local Plan policies emphasise that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses. The proposal is likely to be acceptable in terms of noise provided the advice of environmental health is followed.

INFRASTRUCTURE PROVISION

The council will seek fair and reasonable contributions to be made by the landowners or developers towards the cost of infrastructure, service or amenity provision, to meet the needs of the occupiers or users of the development.

Policy INF SP1 of the Local Plan says: "the Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development (including the necessary infrastructure set out in the Infrastructure Delivery Plan) to meet the needs of occupiers and users of the development and the existing community. Infrastructure provision or improvements should be provided on-site as an integral part of a development, wherever possible and appropriate. Off-site measures will require planning obligations or financial contributions, to secure the necessary provision. "

Policy HD9 (Phasing of Residential Development) of the ANP seeks to make sure that new housing proposals demonstrate that there is the necessary capacity in the community and physical infrastructure and services are available to support the increase in population.

Policy CLW4 (Health Facilities) of the ANP seeks to ensure that new development makes adequate provision for the health needs of new occupiers either on or off site, the latter through a financial contribution.

This proposal would generate a requirement in the form of infrastructure provision for County education services, social services, fire service, allotments playing pitches and ancillary facilities, swimming pools and sport hall contributions and public open space provision. Details of the required County service provision can be found on the West Sussex County website. It is expected that all of these infrastructure requirements are to be delivered by CIL which is now in operation in the District. The site is located in CIL charging Zone 5.

In terms of on-site infrastructure, affordable housing delivery, management and maintenance of POS and SuDS would be subject to a sec 106 agreement.

It is noted that reference has also been made to potential works on the A259 during discussions with WSCC highways team. This would not be covered by relevant CIL payments, since it is a site specific requirement to be secured in addition to the CIL payment.

If permission were to be granted for this development, the Council would request that the applicant signs up to the Developer and Partner Charter and agrees to use local suppliers wherever possible as well as producing a Skills Plan.

BIODIVERSITY

National Planning Policy indicates that developments should aim to maintain and enhance, restore or add to biodiversity and geological resources of the area. An ecological report will need to be submitted setting out the biodiversity present, how biodiversity impacts can be avoided, appropriate mitigation measures and if necessary, compensation measures in the absence of mitigation and how biodiversity gains can be made. All ecological surveys need to be undertaken by a suitably qualified ecologist and at the right time of year and for the right duration. Additional surveys are required and any mitigation suggested below should be considered and the agreed measures should be included within the planning application.

The Council's Ecological Advisor made the following comments:

The site is sufficient distant from International Designated Sites to have an impact on the integrity of those sites. Therefore the primary considerations regarding the site is the impacts on protected species and habitats. Therefore a full Phase 2 Habitat Survey/Ecological Assessment survey would be required for the site, to determine the likely impact on protected species and on habitats. Any follow up surveys, identified in the his Phase 2 Habitat Survey such as a reptile survey, should be undertaken and submitted with any subsequent planning application.

In addition, we would expect to see how the proposals intend to achieve Biodiversity Net Gain but demonstrate a suite of ecological enhancement measures on site.

LOSS OF AGRICULTURAL LAND

The site is identified as Grade 1 agricultural land which is classified as 'best and most versatile' land which is the most flexible, productive and efficient. The NPPF (paragraph 170) requires that the Council takes into account the economic and other benefits of this type of land. The Local Plan's Sustainability Appraisal recognised that most of the undeveloped coastal plain within the District is high grade agricultural land. The loss of BMV is one factor in the decision making process.

Policy SO DM1 of the Local Plan states that "Unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term."

Policy SO DM1 requires the submission of an Appraisal of Agricultural Land Quality, a Soil Resources Plan and a Sustainability and Options Appraisal with the forthcoming detailed planning application for residential development on this site, which demonstrate that care would be taken to preserve the soil resource, such that it could be incorporated into a productive green environment following development

ARCHAEOLOGY

Archaeological remains are a fragile and finite resource. Permission will not be granted for development that would be harmful to archaeology on the site. As the site is over 0.5ha a Historic Environment Record Search needs to be undertaken and provided as part of the planning application submission and any identified heritage assets assessed in order to demonstrate that development would not be harmful to the archaeological interest of the site.

LANDSCAPE COMMENTS

Planning policies and Central Government advice emphasise that the conservation of the natural beauty of the landscape and the countryside should be given great weight in development control decisions.

Developments of 76 dwellings are required to provide both onsite facilities and offsite financial contributions as outlined in ADC SPD Open Space, Playing Pitches, Indoor and Built Sports Facilities January 2020.

Offsite financial contributions would also be sought; playing pitches and ancillary facilities, swimming pools and sport hall contributions to be concluded.

ADC Greenspace officer comments: No Objection

This proposal for this site is for residential development of up to 76no dwellings. The information provided within the Landscape Masterplan dwg RED 23031 10 indicates a well-spaced site with good areas of POS surrounding areas of housing. The indicative location of the areas of POS would appear to allow for the formation of large village green areas and cater also for the existing trees and hedges along the northern boundary, where some worthy of retention trees and hedges are located. There would not appear to be any other canopy cover in general across this site. Of note in particular are the trees along the northern boundary particularly those in the north eastern corner where a potential access point separate from that shown from the roundabout is indicated. Any trees in this location which are worthy of retention must be considered, protected and retained. Trees along this road frontage will provide valuable screening along with aesthetic importance, have the potential to become veteran trees and are contributing to wildlife habitat in this location.

This site does not form part of any strategic allocation identified for development in ADCs adopted Local Plan 2011-2031 (July 2018) It would therefore be assumed that CIL contributions would be sought accordingly, these will need to include contributions towards playing pitches, sport, leisure, pools, halls and ancillary facilities as set out in ADC SPD Open Space, Playing Pitches, Indoor and Built Sports Facilities January 2020.

The design of the site should promote a high-quality development that respects, maintains and enhances the local landscape character. This new development should consider the character and distinctiveness of the area reflecting local design characteristics where possible and its setting with the surrounding countryside and rural fringe. All nature conservation features within the development site including existing habitats, trees, hedges, watercourses and other features should be incorporated into the site design and protected from change.

Due to the presence of trees on this northern boundary consultation would need to be made with Arun District Councils Tree Officer re any works in conjunction with these.

Quality, well-designed Public Open Space will be fundamental to any proposal submission, these will need to accord with Arun District Councils OS SPD January 2020. There would be requirement for confirmation of the areas of public open space being proposed with this development, and clarification re quantum. The Landscape Masterplan shows where these are proposed, but also includes SuDS features within these areas. Our SPD January 2020 would require 6,270m² as a minimum of well connected, usable, quality POS provision within this development.

This development will trigger the requirement for play in the form of onsite LAPs and LEAP provision, which would need to be suitable for location in material choice and play experience offer. Both LAP and LEAP have been indicated and appear to be well located within the development which is good to see. No off-site allotment contribution would be triggered from this development.

POS areas will need to connect within and beyond the development site promoting and enhancing footpath and cycle links and their use within the wider area. Consideration should be made to the siting of open space and buffer areas and their use in softening and integrating the proposals with any existing residential development on this fringe. POS should be considered not only for any larger open character areas but also any perimeter buffer areas. Buffer areas will be particularly important in this setting because of the A259 and railway location and proximity to these dwellings. Planting within the boundaries will be needed with a varied species composition and create buffer zones which will assist in providing screening to these properties.

SuDS Policy W DM3 of the Arun Local Plan requires development to integrate SuDS into the overall design of the development. The primary purpose of SuDS is to minimise the impact of urban development on the water environment, reduce flood risk and provide habitats for wildlife. SuDS should increase the levels of water capture and storage. It is essential that SuDS do not impact on the usable levels of public open space whilst providing benefit in the correct capacity within the development and should not be included in the 'usable open space calculations' SuDS feature are presently shown within the POS areas.

Impact

The potential impact on the location would require that Landscaping be provided as mitigation towards screening and softening of the development. Consideration will be required re the access into the site and the Impact this may have on existing trees and hedges on any boundaries. Consideration would also need to be made re access assumed to be from the A259/roundabout junction.

Mitigation/requirements

Existing green vegetation is evident along the boundaries of this site and further enhancement and improvement would be required. A robust and detailed landscape scheme will be required within these proposals for all areas of development and POS to increase biodiversity net gain and habitat within this rural fringe site. Opportunities to enhance the landscape in association with any development of the site, by implementing an ambitious soft landscape and tree planting programme would be sought. A detailed landscape scheme which would incorporate a good selection of native tree species in conjunction with suitable ornamentals would be required.

All greenspaces should be considered and valued and their connection for biodiversity and habitat explored. Tree specification should be at a size which allows instant impact, but which will establish and mature as the site develops.

There is a requirement for any scheme, in accordance with policy to be of High-Quality Design. The emerging landscape design aims should be:

- To design and implement a scheme that reflects and incorporates elements of its surroundings and enhances the atmosphere of local distinctiveness.
- To create a visually pleasing and interesting landscape for owners, employees and visitors to the development.
- To enhance the landscape quality of the site when viewed from the surrounding area.
- To provide a planting scheme that includes native species to blend with the surrounding location, enhance biodiversity and create enhanced wildlife corridor opportunity.
- To provide a sense of flow and cohesion between the different elements of the landscape, buildings, open areas and surrounding environment

A clear indication of the proposed future management of the open space must be set out. A clear directive of responsibility should be set out with this statement explaining how the differing typologies will be maintained ie responsibility of play and public open space areas.

In terms of contributions in conclusion, play provision will be required on site as shown and as this will be a CIL liable site then no offsite contribution for play. Sports and Leisure contributions through CIL also.

There is no trigger for allotment provision.

DRAINAGE ENGINEERS COMMENTS

The NPPF requires development not to give rise to an unacceptable risk of flooding detrimental to human health or property. There will be a requirement for the submission of a Flood Risk Assessment (FRA) and Sequential test documentation. The relevant requirements for these are dependent upon the designated flood zone that the site is located within and the Technical Guidance to the NPPF provides more details on these issues.

Policy W DM3 of the Local Plan says: "to increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SuDS) , appropriate to the size of development, at an early stage of the design process."

The Council's Drainage Engineers have made the following comments:

The comments below are based upon a site walkover with the developer and the proposed drainage strategy/technical note provided.

The hierarchy for sustainable drainage must be followed with infiltration fully investigated. Winter infiltration testing and winter groundwater monitoring must be undertaken. We understand that this has been actioned and results are awaited. Infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

If on-site infiltration cannot provide a total solution (which is probably going to be the case), then drainage via both infiltration and a restricted discharge to the western boundary watercourse will be acceptable in principle. Any discharge should be restricted to QBAR greenfield run-off rates or less. It is clear from the site walkover that there are maintenance issues with this watercourse, both on the site and downstream. Numerous blockages/restrictions and heavy siltation in places were noted. Therefore, works will be required on and off site to facilitate a connection to this watercourse. This will involve the participation of third party landowner/s, including Network Rail.

It is good to see that the developer has considered open suds features, and is giving initial consideration to achieve necessary capacity, water quality (via the SuDS management/treatment train), as well as ease of on-going maintenance. Open features, such as swales, basins and ponds, when designed correctly, can satisfy all the above aspirations in addition to; being easier to maintain, having longer lifespans and offering ecological advantages over subterranean features such as "plastic crate systems". Please note that 'online' attenuation should be considered as opposed to 'offline' and the drainage strategy revised accordingly.

It should also be noted that attenuation features should not be counted within useable public open space provision.

Adequate treatment of surface water must be ensured prior to discharge, hence, permeable paving will be encouraged wherever possible.

Any landscaping scheme must consider drainage infrastructure and visa-versa, in order to avoid conflicts further down the line.

Supplementary guidance notes regarding surface water drainage are located here

<https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available from the same link, and this should be submitted with a Discharge of Conditions Application.

As mentioned in the technical note, a watercourse exists on the western boundary. This has been partly culverted (piped), assumed without approval. This will need to be surveyed to determine its construction/condition so that further discussions can be had in terms of its retention, etc. The preference would be to reinstate this as an open ditch. The layout of the development also needs to consider future maintenance of the watercourse, ensuring that an access strip is achieved over it/alongside. No structures, including fences, are located within 3 metres of the top of the bank of the ditch/side of the pipe.

ENVIRONMENTAL HEALTH COMMENTS

The Council's Environmental Health Officers have made the following comments:

Contaminated Land

Standard contaminated land condition should be attached to any permission granted to include phase 1 and 2 assessments, remediation strategy if necessary and verification process.

Noise

The proposed foul drainage pump could be a potential noise source, this should be assessed and mitigating factors included if required.

Railway noise

I note the proposed development site is bounded by the railway to the south. An assessment for railway noise will therefore be required with recommendations for ventilation and glazing requirements to achieve target internal noise levels - found in BS8233:2014.

Road traffic noise

The proposed development site is bounded to the north by the A259, and to the North West by Worthing road / B2140. An assessment for road traffic noise will therefore be required with recommendations for ventilation and glazing requirements to achieve target internal noise levels - found in BS8233:2014.

Noise from commercial units

I note that there are commercial units close to the Eastern boundary of the proposed development site. Recommend that an assessment for noise impacts from commercial units be undertaken, the assessment to include recommendations for noise mitigation if required.

Construction

The application will require a standard Construction Method Statement condition to consider impacts from dust and noise from construction activities on the local community.

Air Quality

The application should allow for the provision of electric vehicle charging points to service dwellings.

Air Quality - Cumulative impacts - The applicant should consider whether other developments in the area are being developed simultaneously, and if so consideration should be made for the cumulative impacts of concurrent developments.

SUGGESTED EXTERNAL CONSULTTEES:

Ecology Advisor

environmentalstrategy@chichester.gov.uk

CONCLUSION

Based on the above comments I conclude that were an application for planning permission to be submitted for residential development on the Land South of Littlehampton Road, Angmering in principle it would likely to be recommended for approval given that there are compelling reasons to do so that outweigh the policy objection of development in a countryside location including a settlement gap.

However the suggested layout requires amendment to increase the amount of open space in the area of the pylon and the extent of buffering to the eastern and western boundaries and therefore, as currently proposed, an application would be recommended for refusal.

FOLLOW UP MEETING

Your pre application advice fee included a meeting, whilst a preliminary meeting has already been held, please contact me to clarify any of the points raised in this response further.

MAKING AN APPLICATION

If you decide to proceed with making an application you will need to quote the reference number for this advice in the pre-application advice section of the relevant application form. This will ensure that the application receives priority and a speedy validation process.

You will need to submit the following documentation/information with your application to meet the National Validation Requirements:

Fully completed and signed Application Form with full description of the proposal.

Ownership Certificate and Agricultural Land Declaration

Design and Access Statement

Correct Fee

Location Plan (1:1250)

Site / Block Plan (1:500)

Elevations (Existing and Proposed)

Floor Plans (Existing and Proposed)

Roof Plans

Please note that the Council has a Local Validation Requirements List for each type of application and you should refer to it before submitting your application. Failure to provide the required documentation will result in the application being treated as incomplete and delay the validation of the planning application.

Having looked through the Local Validation Requirements List, I would suggest that the following additional documents will be required:

- Affordable Housing Agreement
- Affordable Housing Statement
- Biodiversity Survey and Report - Phase 2 Habitat Survey/Ecological Assessment survey
- Land Contamination Assessment
- Flood Risk Assessment
- Foul and Surface Water Drainage Statement
- Landscaping Strategy
- Lighting Assessment
- Noise Statement
- Bin Storage and Collection Provision
- Parking Plan
- Street Scene
- Transport Assessment/ Travel Plan
- Transport Statement
- Tree Survey and Arboricultural Report
- Historic Environment Record Search
- Appraisal of Agricultural Land Quality,
- Soil Resources Plan and a Sustainability and Options Appraisal

You should be aware that any advice given by the Council in relation to pre-application advice will be based on the case Officer's professional judgement and will not constitute a formal response or decision of the Council with regard to any future planning applications. Any views or opinions expressed are given without prejudice to the consideration by the Council of any formal planning application which will be subject to wider consultation and publicity. Although the case officer may indicate the likely outcome of a formal planning application, no guarantees can or will be given about the decision that will be made on any such application. Any further correspondence will be at the Case Officer's discretion depending on the nature of the further enquiry. It may be necessary to submit a further pre-application advice request. Please note this advice only relates to planning and does not relate to any other legislation which may or may not apply such as Building Regulations or ordinary watercourse consents. You will need to carry out your own checks to determine whether any other consents or permissions are required.

I trust this is of assistance to you.

Yours faithfully



Neil Crowther
Group Head of Planning

APPENDIX C

Appeal decision for land north-west of Goring Station, Worthing 25/02/2022

Appeal Decision

Inquiry Held on 18 to 21 January 2022 and 25 to 28 January 2022

Site visit made on 1 February 2022

by Rory Cridland LLB (Hons), PG Dip, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 25th February 2022

Appeal Ref: APP/M3835/W/21/3281813

Land North West of Goring Station, Goring-by-Sea, Worthing

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Persimmon Homes Thames Valley against the decision of Worthing Borough Council.
 - The application Ref AWDM/1264/20, dated 7 August 2020, was refused by notice dated 11 March 2021.
 - The development proposed is for a mixed use development comprising up to 475 dwellings along with associated access, internal roads and footpaths, car parking, public open space, landscaping, local centre (uses including A1, A2, A3, A4, A5, D1, D2, as proposed to be amended to use classes E, F and Sui Generis) with associated car parking, car parking for the adjacent railway station, undergrounding of overhead HV cables and other supporting infrastructure and utilities.
-

Decision

1. The appeal is allowed and outline planning permission is granted for a mixed use development comprising up to 475 dwellings along with associated access, internal roads and footpaths, car parking, public open space, landscaping, local centre (uses including A1, A2, A3, A4, A5, D1, D2, as proposed to be amended to use classes E, F and Sui Generis) with associated car parking, car parking for the adjacent railway station, undergrounding of overhead HV cables and other supporting infrastructure and utilities at Land North West of Goring Station, Goring-by-Sea, Worthing in accordance with the terms of the application, Ref AWDM/1264/20, dated 7 August 2020, subject to the conditions set out in the attached Schedule.

Preliminary Matters

2. The application is made in outline with all matters reserved. I have determined the appeal on that basis, treating all plans as illustrative.
3. The Council, in its decision notice, identified six reasons for refusal. Reason for refusal (RFR) 1 includes references to the impact of the proposed development on designated heritage assets, including the Highdown Hill Scheduled Monument and the Highdown Conservation Area ("the CA"). The Council confirmed during the Inquiry that no significant areas of disagreement exist between the main parties in relation to heritage matters and both parties

recognise that the resultant harm to the significance of designated heritage assets would be less than substantial¹.

4. During the course of the appeal, the Council confirmed that its concerns in relation to highway safety had been resolved and, as a result, RFR 3 was not pursued by the Council at the Inquiry².
5. Likewise, it was agreed that RFR 5, (impact of the proposed development on ground nesting birds), and RFR 6 (infrastructure requirements in respect of affordable housing, public open space and highways) could be resolved through the use of planning conditions or obligations³. As such, evidence was not presented on these matters.
6. During the inquiry it became clear that the effect of the proposed development on local green space was inextricably linked to the acceptability of the location, the need for housing and the Council's emerging local plan. As such, I have dealt with them together below.
7. Following the close of the Inquiry, a section 106 Agreement signed by both parties was provided which includes all of the planning obligations sought by the Council. I consider these further below.

Main Issues

8. In light of the above, the main issues are:
 - (i) whether the appeal site offers an acceptable location for development having regard to local and national planning policy, the need for housing, the Council's emerging local plan and the effect of the proposed development on local green space;
 - (ii) the effect of the proposed development on the landscape, including the setting of the South Downs National Park (SDNP); and
 - (iii) whether the residual cumulative impact on the road network would be severe.

Reasons

Location and Local Green Space

9. The appeal site is located adjacent to the defined settlement boundary of Goring-by-Sea and consists of around 20 hectares (ha) of land forming part of an area known as Chatsmore Farm. It is currently in agricultural use, consisting of a relatively flat, open field bordered along its southern boundary by the London to Brighton railway line. Beyond the railway is an established residential area linking Goring-by-Sea and the neighbouring settlement of Ferring.

Existing development plan policy

10. Policy 13 of the Worthing Core Strategy (2011) (WCS) sets out the Council's development strategy. It directs new development to sites within the existing

¹ Statement of Common Ground (SoCG) on Heritage Matters (CD-C5C3).

² Planning Statement of Common Ground (SoCG) (CD-C4).

³ Ibid.

built-up area boundary (BUAB) and, with the notable exception of the West Durrington strategic allocation, adopts an approach whereby it will be delivered on previously developed sites. Furthermore, it makes clear that residential development outside the existing BUAB will only be considered as part of a borough-wide housing land review if there is a proven under-delivery of housing within the core strategy period.

11. It is common ground that the appeal site falls outside the BUAB⁴, is not a previously developed site and would conflict with WCS Policy 13. However, the appellant argues that WCS Policy 13 is out of date and should be afforded limited weight. In essence, it argues that the policy is a restrictive policy which fails to accord with the Framework's stated aim of significantly boosting the supply of housing, makes no allowance for balancing benefits against harm and provides no solution to remedy the acknowledged under provision of housing other than by a full review.
12. However, while I accept WCS Policy 13 is now of some age, it must be seen within its overall context. As the explanatory text notes, continued sustainable growth and development are important factors but as pressure for development grows, it is also important to protect the areas of open countryside which contribute to Worthing's character.
13. Even though the Framework makes clear the importance of significantly boosting the supply of housing, it also makes clear that it should be read as a whole. This means balancing the need for housing against a variety of factors including, amongst other things, the need for planning policies and decisions to recognise the intrinsic character and beauty of the countryside.
14. While I acknowledge the local policy context was one in which it was considered all of Worthing's development requirements could be delivered within the existing BUAB, in my view, WCS Policy 13 seeks to achieve a similar balance. Despite being adopted prior to the introduction of the Framework and against a different policy background, its aim of protecting the countryside is generally in accordance with the aims set out in paragraph 174 of the Framework
15. Overall, I consider WCS Policy 13 remains one of the cornerstones of the adopted development plan and agree that it continues to serve a useful planning purpose. This is despite it being intended to meet a significantly lower housing requirement, having been prepared under a different policy background and being primarily protective in nature.
16. In reaching this conclusion, I have noted the appellant's concerns in relation to the consistency in the Council's approach to WCS Policy 13. In particular, I note its previous decision to approve a development of 240 dwellings on a greenfield site at West Durrington⁵. However, it is clear that there are material differences between the appeal site and the one at West Durrington, including the latter's location within the BUAB and a recognition that it had been long accepted as having some potential for housing development. I do not therefore consider the approval by the Council of that application provides any meaningful support in

⁴ Planning SoCG (CD-C4), Para 2.9.

⁵ Planning Permission ref AWDM/1882/16; CD-J49.

the present case. In any event, each application must be considered on its own merits.

Housing need

17. The parties agree that the housing need for Worthing, based on the standard method, is 885 dwellings per annum which equates to 14,160 homes over a 16-year plan period. Furthermore, the Council accepts that there is currently an exceptionally high unmet need for housing and a substantial unmet need for affordable housing⁶ within the borough.
18. While I acknowledge that this must be seen in the context of Worthing's geographical constraints - its tightly constrained boundaries, the fact that it is bordered to the north by the SDNP, by the sea to the south and that the vast majority of its land already falls within the existing BUAB - taken together, it is clear that the unmet need for both market and affordable housing in Worthing is considerable.
19. Furthermore, there is also a substantial unmet housing need in neighbouring areas and within the wider sub-region. While I note the stated commitment of the Council and its partners to work together in identifying a strategic, cross boundary solution to meet this unmet need, it remains the case that at present, no such solution has been identified.
20. Moreover, while the parties disagree on the extent of the shortfall⁷, the Council accepts that it is unable to demonstrate a 5-year housing land supply and will continue to be unable to do so post adoption of the emerging Worthing Local Plan (eLP)⁸. In addition, I also note that the most recent Housing Delivery Test results for Worthing⁹ identify a record of considerable under delivery¹⁰.
21. While I acknowledge that this area of the country is one of the most densely developed areas of the UK, and that even if the Council was to develop every blade of grass within its administrative area, meeting this need is likely to prove challenging for the foreseeable future. Nevertheless, I agree with the appellant that the real-life consequences that flow from this unmet need should not be taken lightly.

The emerging local plan and prematurity

22. The appeal site is not designated as a local green space, local or strategic gap and does not currently benefit from any formal protection in planning terms. Likewise, while I acknowledge the appeal site was previously designated as a strategic gap under the West Sussex Structure Plan (2005)¹¹, that plan is no longer extant. As such, I do not consider there is any policy support for its strategic retention in planning terms as part of the current development plan
23. However, emerging Policy SS5 of the eLP identifies the appeal site as part of one of four Local Green Gaps. It restricts development within these areas in order to retain the separate identities and character of Goring-by-Sea and

⁶ SoCG on Housing Need (CD – C5E2).

⁷ Ibid.

⁸ Ibid.

⁹ Published 14 January 2022, DLUHC.

¹⁰ with the most recent measurement being 35%, a fall against the borough's previous measurement of 52%.

¹¹ West Sussex Structure Plan 2001-2016 (2005) (CD-K12).

- neighbouring settlements. Likewise, emerging Policy SS6 seeks to designate Chatsmore Farm, including the appeal site, as Local Green Space (LGS).
24. The Framework advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections and their degree of consistency to the Framework.
25. I note that the eLP is currently at a relatively advanced stage - with hearings having been held and the eLP inspector having issued an initial advice letter. However, in his initial advice, the eLP inspector has made a number of comments on the relationship between emerging Policies SS4, SS5 and SS6, their internal consistency and in some cases their compliance with the Framework and the planning practice guidance.
26. While I agree that the site may be demonstrably special to the local community and of particular local significance, the Council accepts that, in view of the conclusions of the eLP inspector, Chatsmore Farm constitutes an extensive tract of land and is unsuitable, as currently proposed, for LGS designation under emerging Policy SS6. I concur with the Council's conclusions on this and as such, afford that policy no weight in the determination of this appeal.
27. Turning then to emerging Policy SS5, I acknowledge there would be some potential conflict with that emerging policy in so far as the proposal would develop a significant portion of the proposed gap and reduce the visual separation of the settlements. However, a number of main modifications are also proposed to that emerging policy to ensure its effectiveness and provide internal consistency with policies SS4 and SS6. While I accept that these do not affect the overall policy aims, they are nevertheless subject to further consultation and it is, at present, unclear what form the final policy will take. This, in my judgement, considerably limits the weight which it should be afforded.
28. Furthermore, while I note the Council's arguments in respect of prematurity and its concerns with the effect that the proposal would have on the strategic balance it is seeking to achieve in the eLP, the Framework makes clear that arguments that an application is premature are unlikely to justify a refusal of planning permission other than in limited circumstances. This is particularly the case where the presumption in favour of sustainable development applies.
29. In the present case, while I acknowledge the eLP is at a reasonably advanced stage, it is nevertheless still some way off from adoption. Furthermore, even though the proposed scheme would develop one of the 4 remaining gaps which emerging Policy SS5 of the eLP seeks to protect, I do not consider its effect would be so substantial, or its cumulative effect so significant, that granting permission would undermine a fundamental aspect of the eLP's strategic balance as a whole.
30. Overall, I am not persuaded by the Council's arguments on prematurity and do not consider the eLP is at a sufficiently advanced stage to justify a refusal of planning permission on those grounds. Likewise, I do not consider the emerging policy SS5, in so far as it relates to the appeal site, is so central to the eLP that granting permission would have a materially undermining effect, particular when viewed in light of the exceptional need for housing in the borough.

31. Indeed, the fact remains that, at present, the appeal site does not form part of a designated strategic gap for planning purposes, nor does it benefit from any other specific form of protection in planning policy terms over and above that set out in Policy 13 of the WCS.

Summary on location and local green space.

32. I have found above that while the site may be demonstrably special to the local community and of particular local significance, I concur with the views of the eLP inspector and the Council that the site does not meet the criteria for designation as LGS. Likewise, I have found that the proposal would not materially undermine the strategic balance that the Council is seeking to achieve as part of the eLP.
33. However, I have also found the proposal would be in conflict with WCS Policy 13 due to its location on a greenfield site outside the BUAB. I consider this policy forms one of the cornerstones of the adopted development plan and, as such, I consider it should be afforded full weight.
34. Nevertheless, it is clear that the identified conflict with this policy needs to be considered in light of the area's exceptionally high levels of unmet housing need - which I accept will have significant, real-life consequences for residents of the borough. I consider these matters further in the planning balance below.

Landscape

35. The appeal site does not lie within a designated or valued landscape for planning purposes, although it does form part of the setting of the SDNP, being around 200m from its boundary. It is located within National Character Area 126, noted as one of the most concentrated stretches of shoreline ribbon development in Britain. It consists of a narrow area of open farmland, classified as best and most versatile agricultural land, located between the settlements of Goring-by-Sea and Ferring.
36. The application was accompanied by a Landscape and Visual Impact Assessment (LVIA)¹², prepared in accordance with the guidance set out in GLVIA3, which identifies a number of representative viewpoints. The Council accepts that the LVIA contains a proportionate review of the local landscape and is suitable to assess the effects of the proposed development on the surrounding area¹³. Furthermore, the main parties agree that the scheme will result in some adverse landscape and visual effects. It would involve the erection of up to 475 dwellings on what is currently an open, undeveloped site which forms part of the countryside setting to Goring-by-Sea and the SDNP. However, the parties disagree on a number of the judgements made within the LVIA.
37. In particular, the Council have raised concerns in relation to the impact the proposal would have on the landscape value of the 'gap', the setting of the SDNP and views from within it as well as more localised visual impacts from nearby vantage points. I consider these issues in further detail below.

¹² CD-A11.

¹³ Landscape SoCG (CD-C5C3).

Landscape value of 'the gap'

38. As already discussed above, the appeal site forms part of an area of land that separates Goring-by-Sea and Ferring north of the railway. There was some considerable discussion at the Inquiry as to the best way to describe the role that the appeal site plays in separating these settlements¹⁴. However, notwithstanding my conclusions above on its role as a strategic gap in planning terms, it is clear that the appeal site consists of a physical 'gap' between the settlements and appears as a break in the surrounding development.
39. The existing 'gap' is around 750m wide and 450m deep and consists of an area of around 30ha. Adopting the words of the eLP inspector, 'it is well related visually to the SDNP and thus provides an opportunity for the open countryside to penetrate the built-up area'¹⁵.
40. The Council argues that the proposed development would close the existing open views between the settlements, negatively impacting on their separate identities. It points to previous appeal decisions issued in 1963 and 1974 respectively¹⁶ which, amongst other things, recognise the importance of maintaining an area of separation between the settlements - particularly in view of the development which had, at that time, already occurred south of the railway.
41. While I acknowledge these decisions were taken under entirely different local and national planning policy contexts, they nevertheless recognise the importance of the gap in the overall structure of the urban area. I agree with that assessment and, in view of the limited changes that have taken place in this part of Worthing in the intervening period, see no reason to take an alternative view.
42. However, while it is clear that the introduction of the proposed scheme would have an urbanising effect on the site itself and would diminish the sense of separation between Goring-by-Sea and Ferring, the illustrative masterplan indicates that most of the built form would be located towards the southern end of the site, in a location where it is clear, both from the aerial photographs submitted and on the ground that a merging of the settlements has already taken place. This would limit the overall visual impact and with around 14ha of land remaining open and undeveloped, I do not consider the physical or visual separation of the settlements would be undermined.
43. Accordingly, while I acknowledge the appeal site is of landscape and amenity value to the local community, and that its loss would result in some harm in this respect, I am not persuaded that the proposed development would materially undermine the landscape value of the 'gap'.

Setting of the NP and views from within it.

44. As noted above, the appeal site is visible from within the SDNP, with clear views of the appeal site possible from the Scheduled Monument at Highdown Hill as well as from parts of Highdown Rise and the car park at Highdown

¹⁴ With the appellant suggesting it was more of an 'indentation' in the surrounding built form and the council preferring the terms 'break' or 'gap'.

¹⁵ Local Plan Inspector's post hearing advice note (CD -E4), paragraph 11.

¹⁶ CD-J11; CD-J14.

Gardens. It forms part of the middle distance, framed to either side by the settlements of Goring-by-Sea and Ferring, with longer range, extensive views towards the sea.

45. The SDNP Authority has not raised any specific concerns in relation to views from within the SDNP or with the impact of the proposed development on the setting of the National Park. Nevertheless, the Council consider that the overall effect of the proposal on views from Highdown Hill would be substantial adverse.
46. I do not agree. While I note that views are breath-taking from this vantage point, I observed that the appeal site itself is not prominent in those views and the focus is clearly on the sea. This accords with the Viewpoint Characterisation and Analysis Study (2015)¹⁷ which identifies Highdown Hill as a good vantage point from which to view the surrounding landscape and recognises that, notwithstanding the densely populated areas of Worthing and Ferring, extensive sea views are the main focus. Even though the proposed development would be visible in the mid-ground view, it would nevertheless be seen in the context of existing development - much of which already extends further north and in closer proximity to the SDNP than would the proposed development.
47. I accept that the addition of built form on the appeal site would result in a clearly perceptible and noticeable change to the existing view. However, these views already include intrusive development which affect the tranquillity from within the SDNP. The appeal site would be seen within this context. Extensive views towards the sea and the sense of tranquillity within this part of the SDNP would not materially alter and while I accept there would be change to the view, I concur with the appellant that the level of harm would be moderate adverse and not significant.
48. Turning then to the views from Highdown Rise and the public car park at Highdown Gardens¹⁸, from these locations within the SDNP I acknowledge the proposed development would, from certain viewpoints, be more noticeable. However, as with views from Highdown Hill, it would be seen within the context of the existing development south of the A259 and would appear neither overly prominent, visually intrusive or materially affect views towards the sea.
49. Paragraph 176 of the Framework does not seek to restrict development within the setting of a national park but instead advises that it should be sensitively located and designed to avoid or minimise adverse impacts. In view of its location towards the southern end of the site, and the limited impact on views from within the SDNP, I consider that would be the case with the development proposed and do not therefore consider that the setting of the SDNP or views from within it would be materially affected.

Localised impacts

50. The Council has raised a number of concerns with the effect of the proposed development on localised views including those from the A259 Littlehampton Road, Goring Street, public footpaths 2121 and 2121-1 and the railway station

¹⁷ South Downs National Park: View Characterisation and Analysis (November 2015) (CD-G6).

¹⁸ See LVIA Appendix C (Photographs 19 and 20) and Appendix I (Viewpoints 19 and 20) (CD-A11).

- footbridge, all of which they consider would experience substantial adverse effects.
51. I observed all of these locations during my site visit and noted that, while the site is clearly visible from parts of Goring Street, views are filtered in parts by existing vegetation. While some views would become more open, particularly near the proposed access, the retention of the existing vegetation and proposed new tree planting along the eastern boundary of the site would continue to act as an effective filter. Overall, I consider the effect on visual receptors at this location would be moderate adverse.
52. However, it was clear during my site visit that views from Littlehampton Road would be more affected. Whereas at present drivers and pedestrians passing along this route experience an open agricultural site which contrasts with the clearly defined settlement boundary evident along Goring Street, these views would materially alter, becoming far more urbanised and extending the settlement further north and west.
53. While I acknowledge the proposed development would be seen within the context of the surrounding urban environment and set back behind areas of open space to the north of the site, I agree with the Council that the proposal would result in a high magnitude of change at this location and consider the overall effect would be substantial adverse.
54. Likewise, at present there are open, uninterrupted views across the site towards the SDNP and Highdown Hill from the public footpaths (and more informal routes crossing the site) as well as from the nearby railway bridge. Most receptors at these locations will be looking towards these areas and would, notwithstanding the noise from the roadway, enjoy the more quiet and tranquil nature of the site and its attractive surroundings, which provides a considerable sense of relief from the nearby built-up areas. The majority of these views would be lost and replaced with more built form, significantly eroding views towards the SDNP and materially impacting on the users' experience.
55. I do not therefore agree with the appellant's assessment that the visual effects on these receptors would be moderate adverse and instead agree with the Council's assessment that the effect would, in fact, be substantial adverse. While I acknowledge the illustrative masterplan indicates that there would be framed views and corridors within the site, which would preserve some of these views, I do not consider they would act as a suitable replacement or fully mitigate against the resultant harm.
56. Overall, while I agree with the appellant's assessment on views from many of the representative viewpoints assessed, including from Goring Street, I consider the impact on receptors travelling along Littlehampton Road, users of the public footpaths 2121 and 2121-1 (as well as those users of the more informal routes across the site) and those using the nearby railway bridge would be substantial adverse.

Overall conclusions on landscape

57. Drawing the above threads together, I do not consider the proposed development would materially affect the setting of the SDNP, the wider landscape or undermine the existing physical or visual separation between the

settlements of Goring-by-Sea and Ferring. However, I acknowledge the appeal site is valued by the local community and that its loss would result in some harm in this respect. I have also found that the proposal would adversely impact on a number of visual receptors which would result in some further harm. I consider these further as part of the overall planning balance below.

Transport

58. The illustrative drawings indicate that vehicular, pedestrian and cycle access to all parts of the proposed development would be achieved via the creation of a 3-arm roundabout junction which the Council has acknowledged would raise no substantive highway safety concerns. However, the Council has raised concerns with the residual cumulative impact that would occur on the road network in 2033 when taken with other committed and planned developments, including those identified in the eLP. In particular, it raises concerns with the operation of certain arms of the roundabouts located to the north and south of the proposed site access.
59. The appellant's Transport Assessment (TA) and Transport Assessment Addendum (TAA), taken together, recognise that both the northern and southern roundabouts currently operate close to or over capacity during the weekday AM and PM peak hour periods. Likewise, they indicate that the predicted level of growth likely to occur by 2033 cannot be adequately accommodated by the current junction arrangements. In response, the appellant has identified mitigation in the form of a number of improvements to the northern and southern roundabouts including lane widening as well as enhancements to pedestrian and cycling infrastructure - which it proposes would be delivered as part of the proposed scheme.
60. Following some initial concerns raised by the highway authority, the appellant provided further information including a microsimulation model (VISSIM) which models the proposed development (with the proposed mitigation) compared to a 2033 base year (without the development or mitigation).
61. However, although the Council accepts that the VISSIM model has been independently audited and is robust, it argues that it does not provide an accurate picture of the impacts of the appeal scheme against the 2033 base scenario because it fails to account for any improvements to the roundabouts already identified in the Worthing Local Plan Transport Study (WLPTS). Instead, it suggests that the results of the VISSIM model should be compared to those set out in 'Sensitivity Test 2' of the WLPTS (based on SATURN modelling) or alternatively the VISSIM model should be disregarded, and the results contained in the appellants' TAA (based on ARCADY modelling) used in its place.
62. I do not agree. During the Inquiry, I heard considerable evidence on the various options for comparing the outputs of the different modelling undertaken. However, both highway witnesses accepted that it is difficult to make direct comparisons between the models as they rely on different inputs and serve different purposes. Indeed, it is clear that the outcomes produced by any particular model will vary depending on a number of differing factors. As such, attempting to make any meaningful comparison between them is, in my view, inherently flawed.

63. Likewise, while I accept that the results contained in the TAA would not involve comparing different models, the VISSIM model was prepared at the request of the highway authority, in part due to the limitations of the ARCADY modelling carried out in the TA and TAA.
64. Furthermore, the VISSIM modelling takes into account the proposed development, the proposed mitigation that would be delivered along with it as well as the traffic generated by the proposed allocations within the eLP, together with the estimated levels of growth which are expected to have occurred at that time. It considers the interaction of traffic on all arms of the roundabout and while I accept that it comes with a number of limitations, I consider that it provides a robust scenario against which to assess traffic conditions at the roundabouts in 2033.
65. There is no dispute that the VISSIM modelling indicates that in the 2033 AM peak hour period, there would be increased queuing along the A259 Littlehampton Road arm of the northern roundabout. The average number of vehicles queueing on this arm would be around 229 (with development and mitigation), an increase of around 36 vehicles over the 2033 modelled baseline. I accept that this would be a considerably long queue, estimated by the Council to be around 1.3km. Furthermore, the modelling indicates that travel time along this route would increase by around 209 seconds.
66. Likewise, at the southern roundabout, the modelling indicates average queue lengths along the Goring Way West arm of around 56 vehicles in the AM peak (with development and mitigation), an increase of around 23 vehicles and around 6 seconds over the 2033 modelled baseline.
67. However, the VISSIM modelling videos presented at the Inquiry¹⁹ show traffic would not be stationary and would continue to move through these junctions, albeit more slowly. In all of the other junctions modelled, the evidence indicates that there would be either a decrease in queues during the AM peak hour or they would remain substantially the same²⁰. Similarly, the VISSIM modelling indicates that in the PM Peak, while there would be a deterioration on the A259 Littlehampton Road western arm of the northern roundabout, for all other arms there would be a general improvement.
68. In the present case, the modelling indicates that there would be increased congestion and travel time along parts of the highway network - which I acknowledge would result in inconvenience to users of these routes. Furthermore, I accept that where a junction is operating at or over capacity even a small increase in queuing and travel time during peak hours can have a significant effect.
69. Nevertheless, while I accept that the proposed development would place some further strain on certain parts of the local road network in Worthing and would result in increased queuing and increased journey times along A259 Littlehampton Road and Goring Way West, I do not consider the residual cumulative impact would be severe. Indeed, I consider the overall picture

¹⁹ CD -K8i; K8ii; K8iii; and K8iv.

²⁰ Other than in the case of The Strand, where the Council accepts there would be no severe impact due to an ability for drivers to use alternative routes.

would be one of improvement. As such, I find no conflict with Paragraph 111 of the Framework in this respect.

70. In reaching my conclusions, I have noted the other appeal decisions referred to by the Council²¹ where smaller increases in vehicle numbers have been found to result in severe cumulative impacts on the road network. However, in those cases it is clear that the network as a whole was already operating under considerable strain. I am not persuaded that such is the case in Worthing and, as such, I do not consider they provide any meaningful support for withholding planning permission in the present case.

Other Matters

71. I have had regard to the considerable number of objections received from local residents and others as part of this appeal. I also note the views expressed by those interested parties who attended at the Inquiry, many of whom spoke as representatives of local interest groups. It is clear that a large number of local residents greatly value the role of the site in providing a gap between the settlements of Goring-by-Sea and Ferring. I have taken this into account in my consideration of landscape impacts above.
72. Likewise, I have noted the heritage concerns raised by the Worthing Society and in particular those in relation to the impact on designated heritage assets, including on views from within the CA. However, I am satisfied that the assessment undertaken by the appellant is sufficiently robust and note that the Council is generally in agreement with that assessment. It indicates that while there would be some harm to nearby designated heritage assets, that harm would be less than substantial, at the lowermost end of the spectrum. There is no robust evidence before me which would lead me to reach a materially different conclusion. Nevertheless, the Framework makes clear that any harm to the significance of a designated heritage asset should require clear and convincing justification. I consider this matter further in the overall planning balance below.
73. I have also noted the other concerns raised by local residents in relation to increased traffic, parking congestion and highway safety. However, I am mindful that the highway authority is content that, following the submission of additional information, the proposal would not result in any material risk. Furthermore, I note the proposal includes a number of improvements to the local highway network including additional crossing points on Littlehampton Road. Overall, I am satisfied that any risk to highway safety could be suitably managed.
74. Likewise, there is nothing to indicate that the proposed development would materially affect air or light pollution in the surrounding area. Similarly, while I acknowledge there would be some impact on wildlife, overall, the evidence indicates that suitable measures can be secured which would adequately protect nesting birds and result in an overall biodiversity net gain.
75. Furthermore, there is nothing to indicate that the proposal would result in increased flooding, either on site or elsewhere and I note that the Council has not raise any concerns in this respect. Likewise, while I acknowledge the

²¹ Including APP/J2210/W/18/3216094 (CD -J71).

numerous concerns of local residents in relation to the impact on existing infrastructure and services, there is no robust evidence to indicate these would be detrimentally affected by the proposed development.

76. Moreover, I consider potential impacts to residential amenity during construction, including noise, can be adequately safeguarded against by means of a suitable condition. Concerns in relation to the impact of the proposed development on local house prices, developer profit and the impact on private views are not material planning considerations.

Planning Obligations

77. An executed section 106 agreement ("the Agreement") has been submitted which provides for 40% of the dwellings to be affordable. Although Policy 10 of the WCS only requires a 30% contribution, in view of the substantial need for affordable housing in Worthing and the challenges faced by the Council in meeting that need, I consider the higher-level contribution is justified. Furthermore, I note that the 40% figure accords with emerging Policy 10 of the eLP in so far as it relates to development on greenfield sites.
78. The Agreement also contains obligations in relation to a scheme of highway works and the provision of a car park at Goring Station which I consider are necessary to mitigate the impact of the development on the surrounding road network. It also makes provision for the submission of a travel plan to promote sustainable modes of transport and secures financial contributions for improvements to existing highways infrastructure in the immediate surroundings. These are necessary in order to ensure that future users and occupiers of the development have a choice of sustainable modes of transport and to secure improvements to existing infrastructure.
79. Obligations in relation to off-site mitigation for nesting birds are necessary to ensure that appropriate measures are put in place to protect against the effects of the proposed development on biodiversity. Likewise, I consider the submission of an ecological management plan is necessary in order to ensure that an overall net biodiversity gain is achieved. These are supported by WCS Policy 13 as well as emerging Policy DM18 of the eLP.
80. Likewise, I consider obligations in relation to public open space and play areas (both on site and off site) are necessary to meet the anticipated demand for such spaces and to reduce social disparity within the borough. These are supported by WCS Policies 11, 12 and 14 and emerging Policies DM7 and DM19 of the eLP.
81. In view of the above, I consider the obligations set out in the Agreement are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind. Therefore, they meet the tests within CIL Regulation 122 and those set out in paragraph 57 of the Framework. As such, I have taken them into account in reaching my decision.

Overall Planning Balance

82. I have found above that the proposed development would be in conflict with WCS Policy 13. As I have made clear, I consider this policy remains one of the cornerstones of the adopted development plan and should be afforded full weight. As such, I consider the proposal would be in conflict with the

development plan as a whole, which I consider should be afforded significant weight.

83. I have also found that there would be some potential conflict with emerging Policy SS5. However, as I have noted above, this emerging policy is subject to a number of modifications, further consultation and it is unclear what form the final policy will take. As such, in accordance with paragraph 48 of the Framework, I afford it only limited weight.
84. The proposal would also involve the loss of best and most versatile agricultural land and would have an adverse impact on a number of visual receptors. However, in view of the limited nature of these impacts I afford them only moderate weight. It would also result in the loss of a site that is greatly valued by the local community. While I acknowledge it is not a valued landscape in planning terms, in view of the considerable amount of local opposition, I afford this significant weight.
85. Furthermore, while I have found above that the residual cumulative impact on the local highway network would not be severe, it would nevertheless result in a deterioration of conditions on a number of routes and increase congestion and inconvenience to users of the network. While the Framework makes clear that applications should not be refused on highway grounds unless the residual cumulative impacts are severe, it is nevertheless a matter which weighs against the proposal, and I afford it moderate weight.
86. Turning then to heritage, the main parties agree that there would be less than substantial harm to a number of designated heritage assets. In accordance with paragraph 199 of the Framework, I afford this great weight. However, I also note that paragraph 202 of the Framework indicates that where a proposed development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The Council has acknowledged that in the present case the public benefits would outweigh the identified harm²². On the evidence before me, I have no reason to conclude otherwise.
87. Nevertheless, it is clear that Worthing has an exceptional unmet need for housing and that that position is unlikely to change in the medium term. Furthermore, the shortfall in its 5-year supply of deliverable housing sites is considerable even on the Council's own measure. While I acknowledge the efforts of the Council in seeking to ensure that it has left no stone unturned in identifying sites that can sustainably assist in meeting its housing needs, in the present case, the appeal site is well located to the existing built-up area and would make a meaningful contribution to addressing this unmet need. In this respect, I concur with the parties that this should be afforded very significant weight and at the uppermost end of the spectrum.
88. Likewise, I consider the appeal scheme would make a significant contribution to meeting the area's substantial unmet need for affordable housing. While I also recognise the steps the Council is taking to address this unmet need, I am mindful of the considerable challenges it faces in doing so within the existing BUAB. The consequences that flow from this unmet need are considerable and affect real people, often in urgent need of affordable homes. A failure to meet

²² Planning SoCG (CD-C4),

these needs within the borough can create both social difficulties and affect community cohesion in the wider area. In the present case, the appeal site would contribute 40% affordable housing, which would equate to up to 190 affordable dwellings. This would make a significant contribution to meeting the unmet affordable housing need and would result in tangible benefits for real individuals whose needs may otherwise go unmet. As such, I afford it very significant weight.

89. The proposal would also result in a number of more modest benefits including a net gain in biodiversity, construction jobs in the short term, the provision of a local centre, as well as other related benefits to the local economy. I afford these moderate weight
90. In addition, it would result in a number of other benefits including increased car parking, improvements to the local highway network, financial contributions to improve existing highway infrastructure, the promotion of sustainable modes of transport, and the provision of public open space and play areas. However, these are, in the main, intended to help mitigate the impact of the proposed development. As such, I afford them only limited weight.
91. On balance, while I consider the proposal would result in a number of adverse impacts, I do not consider they would significantly and demonstrably outweigh the clear and substantial benefits that would arise from the proposed development when assessed against the policies of the Framework taken as a whole.
92. Consequently, notwithstanding the overall conflict with the development plan identified above, I consider there are material considerations which indicate that a departure is justified in the present circumstances.

Planning Conditions

93. The necessary planning conditions are set out in the attached schedule and were discussed in detail at the Inquiry.
94. Conditions 1 and 2 are required as the necessary conditions concerning the approval of reserved matters and implementation of the development. They allow for the approval of the reserved matters in phases if necessary. Conditions 3, 7 and 9 are necessary to safeguard residential amenity and to ensure that any potential environmental impacts are minimised.
95. Conditions 4 and 5 are necessary to ensure the site is adequately drained. Condition 6 is necessary in order to guard against the risks of contamination. Condition 8 is necessary in order to ensure an acceptable lighting strategy is in place which adequately serves the site and which does not adversely affect the setting of the SDNP. Condition 10 is required in view of the site's archaeological potential.
96. I have not, however, imposed the suggested condition requiring the reserved matters application to be in general accordance with the illustrative master plan as I do not consider it is necessary or would serve a legitimate planning purpose. Likewise, as the application is made in outline, I have not imposed the other suggested condition referring to approved plans as these are more appropriately dealt with as part of the reserved matters. The Council's suggested conditions in relation to piling and investigation boreholes, air quality mitigation, and fire hydrants have not been imposed as I do not

consider sufficient reasons have been given to justify them. Similarly, I have not imposed those suggested by Mr Ring as I do not consider they would meet the requisite tests.

97. Conditions 3 and 4 need to be discharged before work commences on site as they relate to matters which need to be resolved on a fully coordinated basis.

Conclusion

98. For the reasons set out above, and having had regard to all other matters raised, I conclude the appeal should be allowed.

Rory Cridland

INSPECTOR

SCHEDULE

CONDITIONS

1. Details of access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") for any phase of the development shall be submitted to and approved in writing by the local planning authority before any development in that phase begins and the development shall be carried out as approved.
2. Application(s) for approval of all of the reserved matters shall be made to the Local Planning Authority not later than 3 years from the date of this permission. The development hereby permitted shall not begin later than two years from the date of approval of the last of the reserved matters to be approved.
3. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority and shall include (without limitation):
 - a. the anticipated number, frequency and types of vehicles used during construction;
 - b. the method of access and routing of vehicles during construction;
 - c. the parking of vehicles by site operatives and visitors;
 - d. the loading and unloading of plant, materials and waste;
 - e. the storage of plant and materials used in construction of the development;
 - f. the erection and maintenance of security hoarding;
 - g. a commitment to no burning on site;
 - h. the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
 - i. details of public engagement both prior to and during construction works; and
 - j. methods to control dust and noise from the site

Thereafter the approved Plan shall be implemented and adhered to during all phases of development.

4. A detailed surface water drainage strategy for the entire development hereby approved shall be submitted to and approved in writing by the local planning authority prior to, or accompanying, the first reserved matters application. The submitted details shall follow the principles established within the Approved Flood Risk Assessment produced by RGP Design Ltd (D1586/FRA/1.3) in respect of both methods and rates of discharge, and:
 - a. follow the hierarchy of preference for different types of surface water drainage disposal systems;
 - b. be informed by winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365;
 - c. demonstrate that the designed system is capable of storing the 1 in 30 year plus 40% climate change event within the surface water drainage system, and that flood risk to the development and surrounding areas will not be increased in the 1 in 100 year plus 40% climate change event;

- d. demonstrate adequate treatment of surface water prior to its disposal;
- e. include full details of the maintenance and management of the surface water drainage system within a site-specific maintenance manual which shall include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f. provide evidence of required consents to discharge to or culvert any watercourse; and
- g. provide details of any necessary easements.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details. The details so agreed shall be maintained in good working order in perpetuity in strict adherence with the details contained within the maintenance manual.

- 5. Prior to the occupation of buildings in any phase of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.
- 6. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or any relevant phase of development) is resumed or continued.
- 7. The development hereby permitted shall be carried out in full accordance with the noise mitigation recommendations set out in the applicants Environmental Noise Impact Assessment Reference SA-5751, and all works which form part of the noise mitigation scheme shall be completed before any dwellings that require mitigation are occupied.
- 8. Prior to the occupation of the first building in a given phase, an external lighting strategy and management plan for that phase shall be submitted to and approved in writing by the local planning authority and the approved details maintained thereafter.
- 9. No construction work relating to the development, or operational or construction vehicles, shall be undertaken or operated on the site except between the hours of:
 - 08.00 and 18.00 on Mondays to Friday;
 - 08.00 and 13.00 on Saturdays;
 - and not at any time on Sundays or Public Holidays.

10. Any historic or archaeological features not previously identified which are revealed when carrying out the development hereby permitted shall be retained in-situ and reported to the local planning authority in writing within 5 working days of their being revealed. Works shall be immediately halted in the area/part of the building affected until provision shall have been made for the retention and/or recording in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.

END OF SCHEDULE

APPEARANCES

FOR THE COUNCIL

Ms Isabella Tafur and Ms Daisy Noble of Counsel

Instructed by Worthing Borough Council

Called:

Mr Brian Duckett BSc (Hons), BPhil, CMLI

Mr Stephen Gee BA, MSc, CMILT

Mr Ian Moody BA (Hons) MA, MRTPI

Mr Gary Peck BA (Hons), Dip TP, MRTPI

Mr Richard Burraston

FOR THE APPELLANT

Mr Paul Cairnes of Queens Counsel

and Ms Leanne Buckley-Thomson of Counsel

Instructed by Pegasus Group

Called:

Ms Gail Stoten BA (Hons), MCIfA, FSA

Mr Clive Self DiP LA, MA (Urban Des), CMLI

Mr Tony Wares BSc (Hons), MSc (Hons), MCIHT

Mr Neil Tiley BSc (Hons), Assoc RTPI

Mr James Stacey BA (Hons), Dip TP, MRTPI

Mr David Hutchinson BSc (Hons), Dip TP, MRTPI

Mr Matthew Stimson

OTHER INTERESTED PERSONS WHO SPOKE AT THE INQUIRY

Sir Peter Bottomley MP

Mrs Susan Belton (Worthing Society)

Mr Bob Niall (Ilex and Worthing Conservation Group)

Mr Ed Miller (Ferring Conservation Group/Ferring History Group)

DOCUMENTS SUBMITTED AT THE INQUIRY

- K1 – Appellant’s Opening Statement
- K2 – Council’s Opening Statement
- K3 – Planning Statement of Common Ground (also listed as CD-C4)
- K4 - Statement from Mr Bob Niall (Goring and Ilex Conservation Group)
- K5 - Statement from Mrs S Belton (Worthing Society)
- K6 – Revised Appendix H of Appellant’s Landscape Proof of Evidence
- K7i -K7iv - Aerial Photographs of Site and Surroundings
- K8i – Goring 2033 Base AM Video (VISSIM Model)
- K8ii – Goring 2033 Base PM Video (VISSIM Model)
- K8iii – Goring 2033 with mitigation AM video (VISSIM Model)
- K8iv - Goring 2033 with mitigation PM video (VISSIM Model)
- K9 - Draft S.106 Agreement
- K10 – Draft CIL Compliance and Justification Statement
- K11 - Appeal Decision Ref: APP/P3040/W/17/3185493
- K12 – West Sussex Structure Plan (2005)
- K13 – SoS Appeal Decision Ref: APP/F1610/A/11/2165778
- K14 – Worthing Council Draft Integrated Impact Assessment - Main Report (2018)
- K15 - Worthing Council Draft Integrated Impact Assessment – Appendices
- K16 – Worthing Local Plan 2020-2036 Sustainability Appraisal Note on Unmet Need
- K17 – Statement from Mr Grant Ring
- K18 – The South East Plan: Regional Spatial Strategy for the South East of England (2009) (Section A)
- K19 – The South East Plan: Regional Spatial Strategy for the South East of England (2009) (Section B)
- K20 – The South East Plan: Regional Spatial Strategy for the South East of England (2009) (Section C)
- K21 – The South East Plan: Regional Spatial Strategy for the South East of England (2009) (Section D)
- K22 – Panel report on the regional Spatial Strategy for the South East of England (2009)
- Additional Statement from Mr Bob Niall (Goring and Ilex Conservation Group)
- Statement from Mr Ed Miller
- Minutes of Ferring Parish Council meeting dated 24 January 2022

Additional Statement from Mrs Susan Belton (Worthing Society)

Updated List of Proposed Conditions

Updated Draft Section 106 Agreement

Update Draft CIL Compliance and Justification Statement

Combined Summary of LVA effects

Council's Closing Statement

Appellant's Closing Statement

DOCUMENTS SUBMITTED FOLLOWING THE CLOSE OF THE INQUIRY

Final S106 Agreement

Final CIL Compliance and Justification Statement

END