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Arun District Council
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BN17 5LF

Date: 15 July 2022
Our ref: 14677/01/SSL/ITL/20931254v5
Your ref: BN/11/22/OUT

Dear Mr Arthurs

BEW Parcel SC1: Application for outline planning permission ref. BN/11/22/OUT - Response to Consultation Comments

On behalf of The Southern Consortium, comprising C.C. Projects, Ashmarden Limited and Hanbury (PM) Limited, we are writing to provide a response to consultation comments received to date on the planning application BN/11/22/OUT, regarding BEW Parcel SC1 forming part of the Barnham Eastergate Westergate (BEW) site allocation.

We welcome the comments from Sussex Police, Arun District Council (ADC) Archaeology Advisor, Natural England, West Sussex County Council (WSCC) Fire and Rescue, Sport England, ADC Environmental Health, ADC Drainage Engineers and ADC Greenspace which raise no objection, subject to conditions. Our comments on the proposed conditions are included in Annex 3 of this letter. The letter therefore focuses on the consultation comments that require further information, namely highways, flooding and public rights of way as well as the issues raised by the Parish Councils.

We understand that Essex County Council has recently been appointed to provide ecology services to ADC and these consultation comments are currently outstanding. We would be grateful if you could advise whether, other than these consultees, you await responses from any other key consultees which may delay your consideration of the planning application.

Environment Agency

The Environment Agency has raised concerns regarding the submitted Flood Risk Assessment (FRA) and has requested an updated to address their comments related to presenting how the impacts of climate change have been taken into account and the approach to floodplain compensation related to the Lidsey Rife Bridge. Pell Frischmann is arranging a meeting with the EA officers to discuss the FRA in more detail ahead of submitting further information to assist with EA in assessment the application.

Celebrating 60 years

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National Highways and WSCC Highways

Initial comments have been received from National Highways which seek clarification on details raised within the TA on trip generation, trip distribution and traffic modelling. A response to National Highways was submitted in May 2022 providing clarification on trip rates; trip distribution and assignment and TEMPro and is available on the Council's website. No further comments have yet been received.

WSCC Highways has issued two rounds of comments on the transport modelling and design of the realigned A29.

- Round 1 comments (dated 7 April 2022): Sought justification of the design speed of 30 miles per hour; confirmation of no departure from design standards (this is correct); further information on the design of crossing points, arrangement of the pedestrian and cycle link beneath the bridge structure, bridge design and junction designs along the A29 realignment; and clarification on the modelling.

  A response was issued on 17 May 2022 which provided updated documents and further information to address the comments and reflected on the pre-application advice that had been received from WSCC prior to submission. With respect to the highways modelling, WSCC sought clarification on how the other land parcels had been accounted for in the modelling and also requested modelling for the opening year and interim/intermediate years of development. The response sets out what the modelling has included and the quantum of development on other land parcels within the allocation. It also explains that the modelling demonstrates that the scale of development proposed (1,250 homes) can be accommodated in the 2031 scenario and therefore on this basis the development can be accommodated in the years proceeding this.

- Round 2 comments (dated 10 May 2022): Sought further clarification on the detailed design of the realignment A29 regarding the design of cycle lanes, roundabouts, crossing points and the relationship of the proposed southern tie-in with the existing A29 and an adjacent industrial unit. A response was issued on 24 June 2022 which clarified the design approach to these matters and provided vehicle tracking where requested to assist WSCC consider the design further.

WSCC Highways (Public Rights of Way)

A comment was received from WSCC raising queries in relation to the Public Rights of Way (PROW) on the site. A meeting was held with WSCC to discuss the comments on 29th March 2022 and we welcome the support for the signal controlled crossing at the 'Green Link' across the A29 realignment. Following the meeting, we have further reviewed the proposals and comment as follows:

1. FP296: We confirm that the proposed connection will extend to the site boundary to connect with the existing PROW at the site boundary.
2. FP321: As advised by the WSCC PROW officer, it is proposed that the 'Green Link' on this route is upgraded to a E Class highway to allow use by both pedestrians and cyclists.
3. FP323: We confirm that the diverted route is intended to be used by both pedestrians and cyclists and therefore following advice from the PROW officer propose that this diverted route is a Class E highway. The realigned route is submitted in outline and so the width is not yet fixed, however, JTP

and Pell Frischmann has reviewed the available width and confirm that a segregated footway and cycle link can be accommodated following the route of the proposed realignment. A section and layout sketch (ref. 00605B_SK71 and 00605B_SK_070 respectively) have been prepared to demonstrate this and are provided at Annex 5. As advised, we will pursue the relevant approval for the diversion of the PROW with ADC.

4 Off-site cycle links: The WSCC comments request existing routes beyond the site boundary to be upgraded, namely the FP296 and FP321. We note that FP321 forms part of the 'Westergate Link Cycle Scheme' as referred to in Local Plan Policy H SP2C SD5 and, as recognised by the WSCC PROW officer, FP296 is expected to form part of the South Downs to Coast cycle route. The proposed development will deliver the connections on site within the land it controls and it is noted that the Infrastructure Delivery Plan (IDP) seeks financial contributions from applications within the allocation towards the delivery of these wider schemes. It is therefore expected that ADC/WSCC will be responsible for the delivery of these schemes.

WSCC Education

We note that the WSCC Education Team has advised ADC that it objects to the application on the basis of secondary school provision, namely that a site has not been allocated or secured for the provision of a 10 form entry secondary school to accommodate the development on site allocations within the Local Plan as outlined in Local Plan Policy INF SP2. WSCC provides no comments on the proposed primary school on site and so the objection relates only to secondary school provision. The proposed primary school provision has been informed by pre-application discussions with WSCC Education Team and these remain ongoing to inform delivery.

In response to the objection, we note that the proposed financial contributions to a new 10 form entry secondary school is in line with Local Plan Policy INF SP2 part (c), which states that all development that generates a need for secondary school places where there is an identified deficient shall make an appropriate financial contribution as identified in the Infrastructure Delivery Plan. It is not the responsibility nor within the gift of The Southern Consortium to deliver the new secondary school. The applicant is reliant on WSCC and ADC securing a site for the secondary school and therefore it is unreasonable to object to this application solely on the absence of a secured school site when an appropriate contribution has been secured towards its delivery, which is the policy requirement. This is consistent with the approach for the Ford strategic allocation (planning application reference F/4/20/OUT) which the Planning Committee resolved to approve on 27 April 2022.

WSCC Minerals and Waste

WSCC Minerals and Waste confirms that the site partly falls into a mineral safeguarding area for sharp sand and gravel. The view of WSCC Minerals and Waste is that the sterilisation of the mineral resource would be regrettable but recognises that policy requires the determining authority to weigh the need for development against the safeguarded resource.

In this respect, Policy M9 states that proposals for non-mineral development within Minerals Safeguarding Areas will not be permitted unless the overriding need for the development outweighs the safeguarding of the minerals and it has been demonstrated that prior extraction is not practicable or environmentally feasible.

As set out in the Minerals Resource Assessment prepared by Pell Frischmann, there are geotechnical constraints which result in prior mineral extraction being economically unfeasible. These comprise the high groundwater affecting excavation works, that extraction would require the replacement infill of material beneath the water table and also the negative impact on residential amenity of extraction in this location. The substantial public benefits of the scheme including the delivery of 1,250 new homes to contribute to Arun's housing need and significant infrastructure provision notably the A29 realignment, outweigh the safeguarding of the mineral resource in compliance with Local Plan Policy M9. Please refer to paragraphs 6.171-6.172 of the Planning Statement, and the submitted Minerals Resource Assessment, for more information on this matter. A full summary of the substantial planning and public benefits arising from the scheme that weigh heavily against safeguarding of the mineral resource are outlined at paragraph 8.4 of the Planning Statement.

Natural England

We welcome Natural England's comments that it has no objections in relation to the impacts on designated sites. The comments also include advice in relation to the loss of the Best and Most Versatile Agricultural Land and recommend conditions to safeguard soil provisions and on soil management. With respect to the latter, it is expected that measures in relation to soil management would be secured as part of phase specific Construction Environmental Management Plans (CEMPs).

In relation to the loss of agricultural land, Local Plan Policy SODM1 states that unless designated by the Local Plan or a Neighbourhood Plan, the use of Grades 1, 2 and 3a agricultural land for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless certain provisions are met. This is reiterated by the BE NP Policy ES14. The Site currently includes Grade 1, 2 and 3 agricultural land. The Site forms part of the BEW allocated designated within the Arun Local Plan and is identified in the Aldingbourne and Barnham and Eastergate Neighbourhood Plans as within the Built Up Area Boundary. The principle of the loss of agricultural land in this location is therefore established.

Barnham and Eastergate Parish Council, Walberton Parish Council, Aldingbourne Parish Council and the Five Village Society

Objections have been received from each of these consultees. It is also noted that Bognor Regis Town Council has noted concerns regarding highways impact and has advised the Council Members to satisfy themselves that the development is acceptable in transport terms.

A meeting was held with Barnham and Eastergate Parish Council to discuss their response on 20th March 2022 during, which it was recognised that its objections related to wider strategic planning matters and a follow up response was provided (see Annex 4). The table at Annex 1 addresses the main matters raised relevant to the application.

Network Rail

Comments from Network Rail were received on 17 May 2022 in relation to railway crossings, Barnham Station improvements, drainage and asset protection and a meeting was held on 7 July 2022 to discuss the comments. The commercial comments regarding asset protection and shared value are not planning

matters and therefore will be discussed separately with Network Rail. In relation to the planning comments:

1 Pedestrian and cycle connection to Barnham Station: At the meeting on 7 July, Pell Frischmann explained the rationale informing the proposed connection via Gospond Road and the land ownership constraints that restrict the ability of the applicant to commit to the delivery of a connection directly to the station. On this basis, Network Rail verbally confirmed that the proposed connection is acceptable.

2 West Barnham and Birch footpath level crossings: Network Rail identifies the need for mitigation to the crossings as a result of the potential additional use arising from the development. It is noted that the underpasses beneath the railway are proposed to be upgraded in the Framework Masterplan and it is proposed that these measures will be brought forward as part of applications for the relevant land parcels south of the railway, when there is development that will attract residents from north to south. In the meantime, it is noted that the footpaths are due to be upgraded by the Gleesons development, south of Barnham Station (ref. APP/C3810/W/21/3273087).

3 New Barn User Worked Crossing: It is expected that the need for the crossing will fall away following development of the farmers land in the north, following which the access will no longer need to be retained and can be removed.

4 Canal footpath: As recognised by Network Rail, the footpath is not directly impacted by the proposed development as no development surrounding or connecting to this route is proposed. It is intended that matters regarding the canal route and provision of a pedestrian and cycle connection along the route within the site boundary would be considered as part of application for the relevant land parcel south of the railway line.

5 Barnham Railway station improvements: Network Rail requests a contribution towards additional cycle parking at the station, which The Southern Consortium is agreeable to in principle. Further discussions will take place with Network Rail to establish an appropriate number of and location for cycle parking at the station. In addition, discussions are ongoing regarding the management of the proposed on-site station parking.

Public comments

To date, 12 public comments have been submitted in relation to the application. We have reviewed these to draw out the key themes and a response is enclosed at Annex 2. Several objections have been received in relation to the proposed housing numbers and an objection has been received from a local business which we consider below.

Housing numbers

The principle of the site for development is established through the Local Plan allocation. Adopted Local Plan Policy HSP2c SD5 states that the BEW allocation will provide *"at least 2,300 dwellings over the plan period, and up to 3,000 in total (a further 700 beyond 2031)."* The Inspector's Report for the Local Plan made clear that Policy H SP1 reflects the requirements for 20,000 homes based on the assessment of local need. However, in the light of the objective to boost significantly the supply of housing, the figure should be seen as a minimum figure rather than a target.

As part of the Framework Masterplan, detailed design and technical work was undertaken to understand the site constraints. This included capacity testing using appropriate housing types and densities, alongside Local Plan requirements. This work demonstrated the Site Allocation (HSP2c SD5) can comfortably accommodate an increased number of up to 4,300 homes. In providing a comprehensive plan for development, the Framework Masterplan ensures an appropriate level of infrastructure is accounted for to serve the needs of the new community, including the increased number of homes. The Framework Masterplan, including this increased total housing number, was endorsed by Members in November 2020. The proposed 1,250 homes in this application fall well within this number.

SCC Composites

SCC Composites is a local business located to the north of the proposed southern tie in of the A29 realignment. Consultation comments have been submitted by SCC Composites in relation to the application raising concerns that the submitted highways drawings for the A29 realignment show that the route would cut across the entrance to the business. Associated with this, the comments suggest that this would impact the continuation of the business and would lead to the loss of jobs in this location.

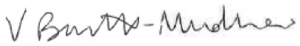
In response, it is noted that the proposed position and layout of the roundabout to connect the realigned A29 with the existing A29 has been designed to maintain the existing access to the business and ensure that it is not affected by the proposed roundabout. Please see drawing A29 Link Road General Arrangement Sheet 7 of 10 (reference A13394-PF-ZZ-XX-DR-CD-00106-P06) for further detail.

Next steps

This letter provides a response to the consultation comments received to date and explains the work that remains ongoing to respond to consultation comments. In terms of next steps, we continue to liaise with the Environment Agency, WSCC and National Highways in relation to drainage and highways matters respectively and will provide further information to respond to these as required. We hope to work towards consideration of the application by the Planning Committee in late-summer 2022.

We trust that the above is sufficient to address the comments received on the application. Should you have any further queries, please do not hesitate to get in touch with me or my colleague Pauline Roberts.

Yours sincerely



Victoria Barrett-Mudhoo
Associate Director

Annex 1: **Response to Parish Councils & Five Village Society Comments**

Matter Raised	Applicant Response
The A29 should be delivered before housing and concern that there is no guarantee that the A29 will be delivered.	The proposed A29 is proposed to be developer funded as required in the Local Plan and included in the accompanying Infrastructure Delivery Plan. Proportionate contributions will be secured by ADC towards the costs of the A29 realignment via the Section 106 agreements from all planning applications within the site allocation. With respect to the current application, the section of the A29 north of the railway line will be delivered early in the construction programme to provide access to the site and proposed primary school plot. The submitted highways modelling demonstrates that subject to the delivery of the WSCC Phase of the A29 realignment and the off-site junction improvements, the road network can accommodate the proposed development (alongside the other land parcels north of the railway line) without the provision of the bridge and southern tie-in to the existing A29 south of the railway line. The realignment south of the railway is therefore not required to deliver the proposed development and as such the application is acceptable in highways terms without the delivery of the bridge and road south of the railway. However, it is included in the application to provide greater certainty over the delivery of the route in full in response to concerns regarding its deliverability. The application seeks detailed approval for the road design and this will expedite delivery of the southern section over the railway when it comes forward. Notwithstanding, Arun and The Southern Consortium continue to explore opportunities for third party funding to expedite delivery of the road. The Southern Consortium continues to work with ADC to explore options for third party funding to facilitate the delivery of the full length of the road as early as possible. This would expedite delivery of the wider site allocation by allowing development to also come forward from the south.
Increase of heavy lorry traffic during construction.	The impact of the construction of the development on local residents has been considered in the submitted Environmental Statement. This concludes that during construction there will be minor adverse impacts on the local highways network and in relation to noise and vibration, for local residents for a temporary period. Construction vehicles will use the new WSCC phase of the A29 realignment from Fontwell Avenue to Barnham Road to access the site in turn avoiding construction vehicles passing through the villages.
Concerns that climate change and sustainable heating sources have not been considered.	Climate change and resilience is considered at Chapter M of the Environmental Statement, and also in Chapter K in relation to flooding which is supported by a drainage strategy which has had full regard to the potential impacts of climate change as well as other ecological and hydrological considerations. A Sustainability Strategy forms part of the planning application and identifies a number of measures that will be considered further going forward during the Reserved Matters process. Given that a long construction period is anticipated, it is appropriate that the

Matter Raised	Applicant Response
	sustainability strategy remains flexible until the detailed design stage so that it can reflect the latest guidance and technology at the time of delivery.
Water supply issues. The planning application should be water neutral.	Concerns have been raised that groundwater abstraction within the Sussex North Water Supply Zone may be harming biodiversity within internationally designated sites. Sites within this zone need to demonstrate water neutrality. The BEW site does not fall within this zone and it is not a planning requirement to demonstrate water neutrality. Nevertheless, the Sustainability Strategy includes measures to minimise the consumption of potable water.
Infrastructure provision is considered inadequate, such as schools, drainage, sewerage, electrical supply and clarification is sought on how these will relate to existing facilities	The application includes necessary infrastructure to support the proposed development. The application includes land for a new primary school, with nursery and SEND provision which will serve the needs of the proposed development and create capacity for the wider allocation. ADC is proposing to build a new secondary school at Ford, which this application will make a proportionate financial contribution towards, as per local policy requirements. In relation to sewerage, Southern Water is currently in the process of identifying strategic improvements that are needed to its wastewater treatment works to increase the capacity to receive foul water flow. Discussions remain ongoing with Southern Water and further detail of this is provided in the ES Water Environment and Drainage Chapter. The approach to drainage is set out in the drainage strategy and in line with policy will not increase the flood risk to surrounding areas. With respect to electricity supply, the sustainability strategy includes an energy strategy that will inform detailed energy strategies at Reserved Matters stage which will include consideration of connection to the electricity supply.
A different sports pitch should be included rather than a cricket pitch. Flood lights are not appropriate.	The location of the proposed cricket pitch is in the setting of the Grade II* listed St George's Church and as such it was considered that the cricket pitch would present a low intensity use that could be acceptable in this context. Consideration has been given to the use of the space for other sports facilities such as football pitches, however due to the need for floodlights to be provided which as recognised by the Parish Council would not be appropriate, this option has been discounted and feedback from ADC officers has identified a need to continue to include land for a cricket pitch in the submission. A larger sports hub will be provided on land parcels south of the railway line which will include sports pitches for other sports, in full accordance with the allocation.
Lack of integration with the existing villages and local identity.	The design rationale for the proposed development has drawn upon the Site analysis and appraisal of the existing and historic features of the Site and its setting alongside technical assessments. The design seeks to secure the creation of a place that will complement the local area, responding to and enhancing the existing features and natural resources of the Site, whilst also a being distinct place in its own right. This responds to the guidance from ADC in the High Level Design Principles for the sensitive urban extensions where the allocation connects to the existing villages and a distinct new settlement with its own identity within the rest of the allocation. This has informed the character area design principles. The design intent and commitment for the Site is set out in the submitted Design Principles document and is further explained in the supporting documents comprising the Design and Access Statement, Landscape Strategy and Illustrative Masterplan.

Matter Raised	Applicant Response
No public bus service.	A bus service is expected to be provided along the realigned A29. Discussions remain ongoing with Stagecoach to agree the principles for a future bus service along the realigned A29. Further detail is provided in the Transport Assessment submitted as part of the application.
Car ownership will be essential.	An extensive network of pedestrian and cycle links are proposed as part of the development amounting to 12km of routes to encourage and promote an uplift in trips by active modes. Please refer to page 46 of the Planning Statement which provides a summary of key routes, including the East-West Link Road, the 'Green Link' around the northern boundary, a 4km circular walking and cycling route and a direct pedestrian and cycle link via Gospond Road to improve connectivity towards the station. . To promote sustainable modes of transport a Travel Plan will be secured by condition. In addition, discussions have been ongoing with Stagecoach regarding regular bus provision along the A29 realignment through the Site and beyond.

Annex 2: **Response to Public Comments**

At the time of writing, comments have been received from twelve members of the public/local businesses. The table below summarises the additional matters raised and provides a response where these have not already been addressed within the body of the letter. The majority of the issues raised have also been considered in the submitted Statement of Community Involvement.

Response to Public Comments

Issue Raised	Applicant Response
Flood risk	The drainage strategy promotes a sustainable approach to managing rainfall runoff from the development. A comprehensive surface water drainage strategy has been developed to manage the increased surface water runoff from the development in a safe manner, so that runoff is contained within the site, and any outlet into the watercourses is at a controlled rate less than the current natural runoff. This therefore prevents flooding both on the site, and further downstream and offsite. The robust strategy has had full regard to the potential impacts of climate change as well as other ecological and hydrological considerations, and we consider it to be acceptable in technical terms. Discussions remain ongoing with the Environment Agency to ensure that the proposed drainage strategy is acceptable.
No provision for medical services/doctors surgery.	The applicants have engaged in discussions with ADC and the NHS Coastal West Sussex Clinical Commissioning Group (CCG) on the primary health care requirements arising from the development, including GP surgeries. We understand that the CCG's current preference is for expansion of existing off-site facilities, namely the Croft Practice in Barnham. Financial contributions will be agreed as part of the Section 106 legal agreement for this and other applications, for the CCG to deliver these facilities to meet the needs of the new development.
Lack of capacity at local schools.	The application includes land for a new primary school, with nursery and SEND provision which will serve the needs of the proposed development and create capacity for the wider allocation in line with the policy requirements and ongoing discussions with the WSCC Education Team. ADC is proposing to build a new secondary school at Ford to serve the site allocations within the adopted Local Plan, which this application will make a financial contribution towards, as per policy requirements. Similarly a financial contribution will be made towards sixth form provision in line with the consultation response from WSCC.
Employment provision for future residents.	The facilities within the Neighbourhood Centre will be employment generating and further detail on this is provided in the socio-economic chapter of the Environmental Statement. The proximity of Barnham station to the application site and the enhanced connectivity forming part of the proposal, will support new residents to access workplaces in the local area. In this respect, the Local Plan allocates circa 75 hectares for employment land across the district to support strategic economic growth and job creation for the District including as a result of the site allocations within the Local Plan. Future residents will also include those relocating from within the district and West Sussex that will not lead to a new job requirement.
Traffic and highway safety. East-west access road linking to Gospond Road is unsuitable – additional traffic cannot be sustained and	As required by the National Planning Policy Framework (2021) and local planning policy (INCLUDE REF) a Transport Assessment has been prepared and is appended to the Environmental Statement. The comprehensive assessment has been undertaken by the appointed highways consultant Pell Frischmann in consultation and agreement with the highway authority WSCC (and their appointed consultant WSP). This concludes that the proposed development will not lead to a detrimental impact on the surrounding highways network and is acceptable in highways terms subject to the recommended mitigation. As mentioned in the body of the letter, discussions are ongoing with National Highways and WSCC Highways regarding the details of the transport elements.

Issue Raised	Applicant Response
consideration is needed of the privacy of existing residents.	The East-West link road is a requirement of the strategic allocation as set out in Policy HSP2c SD5 of the Local Plan. It provides a connection towards Barnham Station and will comprise a loop road at its eastern end to provide a drop off bay and car parking for the station. Users would then access the station on foot or by bike via a new pedestrian and cycle link that is proposed to connect via Gospond Road. A connection for cars will not be provided onto Gospond Road. The detailed design of the pedestrian and cycle route will be progressed as part of the relevant Reserved Matters submission and will ensure that the route is safe whilst also ensuring that it protects the privacy of existing residents on Gospond Road.
Impact on St George's Church	The Grade II* Listed St George's Church has been taken into account in the design of the scheme. Open views towards the south from the Church would be retained through the positioning of the Linear Park and the land for the cricket pitch which presents a low impact recreational use. The closest built development is proposed over 125m to the east of the Church and so open views from the Church would largely be retained. A full assessment is provided in the Built Heritage Chapter in the ES.
Development on green fields detrimental to environment and loss of agricultural land.	The site is allocated for development in the ADC Local Plan which was adopted in 2018. As part of the Local Plan process the Council assessed the impacts of the allocation on the countryside and environment in detail, and this was independently examined by a Planning Inspector. The principle of development in this location and the loss of agricultural land was assessed during the examination of the Local Plan and considered acceptable.
Coalescence/urbanisation of villages will affect quality of life.	The design principle around growth that forms part of the Outline Planning Application proposes new, distinct clusters of development in a landscape setting. The Application proposals include provision of approximately 35ha (38% of application site total) of green space and 30.5ha of Public Open Space (33% of application site total). This significantly exceeds the policy requirement for 9.99ha of public open space within the site. As part of this design principle, the scheme parameters incorporate the Lidsey Rife Linear Park and Green Ring which will create a buffer between the urban extensions and the separate new settlement. This reflects the layout of the council endorsed Framework Masterplan.
The roundabout next to Polson Dairy is drawn over a protected hedgerow which has ecological value	An assessment of ecological impacts is provided in the Environmental Statement Chapter F which acknowledges the loss of the hedgerow/tree line at the location of the proposed roundabout to tie in with the existing A29 and assesses the potential impact on biodiversity. It is anticipated that the Proposed Scheme will deliver a clear and demonstrable net gain in biodiversity across the site, such that it would meet the minimum 10% requirement outlined in the Environment Act.
Concerns about the long-term business plan for the community hub	Further details in relation to the community hub will be provided at Reserved Matters stage. The scale of the neighbourhood centre has been informed by a consideration of market demand to ensure that it is viable in the long term.
Affordability of houses for local people.	The maximum viable level of affordable housing, as defined by planning policy, will be secured as part of the application. Overall, and over the years, the affordable housing mix for the Site will be derived from the latest evidence setting out the existing and future need of affordable housing dwellings within the District. A Viability Assessment will be submitted alongside the planning application and will confirm the proposed level of affordable housing to be included.

Issue Raised	Applicant Response
	Discussions with ADC regarding the tenure, location and timing of the affordable housing will take place during determination and will be secured by a Section 106 agreement.

Annex 3: **Recommended Conditions**

A number of proposed conditions have been suggested by consultees and these are set out in the table below, alongside any comments/suggested amendments to these conditions.

Due to the scale of the BEW Parcel SC1, the delivery of the development will be phased. Therefore, we request that all conditions are worded accordingly to apply to each phase as it comes forward.

Suggested Conditions and Applicant Response

Proposed Condition Topic	Detail/Proposed Condition Wording	Comments/Suggestions
Demolition – Asbestos	Prior to commencement of the demolition of any existing building the applicant shall undertake an asbestos survey for that building to identify any Asbestos Containing Materials (ACMs). Where ACM is identified the developer shall submit a scheme in writing for aproval to the local planning authority to demonstrate ACMs shall be removed and managed in accordance with Health and Safety Executive guidance, employing licensed contractors where appropriate.	No comments.
Contaminated Land	A scheme to include the following elements to control risks from contaminated land is submitted in writing to the local planning authority for approval: 1.A Site Investigation Scheme, based on the Pell Frischmann Land Contamination Desk Study report to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 2.Based on the Site Investigation Scheme and the detailed risk assessment, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3.A Verification Report (if remediation is required) providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer- term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme shall be implemented as approved above and, prior to commencement of any construction work **within a phase** (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), in the event that remediation workswere required, a Verification Report for that phase 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	The proposed conditions in relation to contamination are acceptable and we request that the condition is phased to allow a phased discharge. See additions in bold.

Proposed Condition Topic	Detail/Proposed Condition Wording	Comments/Suggestions
	site remediation criteria have been met. The report shall also include a long-term 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.	
Internal Noise Levels – Residential Units BS8233:2014	Prior to the commencement of the development **within each phase containing residential development** hereby approved, a scheme to demonstrate that the internal noise levels within the residential units **within that phase** will conform to the 'Indoor ambient noise levels for dwellings' guideline values specified within Table 4 under section 7.7.2 of BS 8233:2014 shall be prepared by a competent acoustician on sound insulation and noise reduction for buildings and shall be submitted to and approved in writing by the Local Planning Authority. The scheme should take into account the correct number of air changes required for noise affected rooms. The works specified in the approved scheme shall then be carried out **for each premises** in accordance with the approved details prior to occupation of **that** premises and be retained thereafter.	This condition is acceptable. See suggested amendment in bold to phase condition.
External Noise Levels – Residential Units BS8233:2014	Prior to the commencement of the development **phase containing residential development** hereby approved, a scheme to demonstrate that the external noise levels within the curtilage of residential units **within that phase** will conform to the 'Design criteria for external noise' upper guideline value of 55 dB LAeq.r as specified within section 7.7.3.2 of BS 8233:2014 Guidance on sound insulation and noise reduction for proposed developments shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme **for a premises** shall then be carried out in accordance with the approved details prior to occupation of **that** premises and be retained thereafter.	This condition is acceptable. See suggested amendment in bold to phase condition.
Noise and Vibration from Railway Line Road Noise Commercial Noise Sources	Prior to the commencement of each phase of development containing residential development, an acoustic assessment will be submitted to and approved in writing by the Local Planning Authority to include: • An assessment to determine the impact of noise from transport related noise sources including the A29 on the proposed dwellings. The assessment shall be in accordance with the 'shortened measurement method' described in the Department for Transport document 'Control of Road Traffic Noise' (CRTN) 1988; • An assessment to determine the impact of noise from commercial related noise sources on the proposed dwellings; and	It is suggested that these three sources of noise are dealt with by a single condition which incorporates the proposed wording of the suggested conditions.

Proposed Condition Topic	Detail/Proposed Condition Wording	Comments/Suggestions
	• An assessment to determine noise and vibration impacts from the existing railway lines on the proposed dwellings. Where relevant the assessments shall include details on mitigation measures necessary to ensure an appropriate level of aural amenity within habitable rooms and amenity in garden areas. The identified mitigation shall be implemented in accordance with the approved details.	
Occupancy before development is fully completed	If residential properties are to be completed and occupied prior to the whole development being finished, a scheme to protect those early occupants from noise and vibration during construction should be submitted and approved in writing by the Local Planning Authority. Prior to occupation of relevant properties.	We consider this requirement should be incorporated into the Construction Environmental Management Plan for each phase and is not necessary as an individual condition.
Electric Vehicle Charging Points	Prior to occupation of any of the dwellings **within each phase**, a scheme for the provision of **electric vehicle charging points** to serve the approved development 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.	It is requested that the wording of this condition is phased.
External Lighting	No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The lighting shall be installed, fully assessed by a competent individual when operational to ensure no light creep / bleed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.	It is requested that the wording of this condition is phased.
Care Home – Control of fumes/odours/cooking smells	Prior to the first operation of any care home constructed as part of the development, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises, shall be submitted to and approved in writing by the Local Planning Authority. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and retained in compliance with the approved scheme.	No comment.
Archaeology	Condition requiring archaeological investigation to take place in accordance with an agreed Written Scheme of Investigation.	Request for this to be a phased condition.
Surface Water Drainage	Development shall not commence in each phase, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme for that phase have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved	See suggested amendment in bold to phase condition.

Proposed Condition Topic	Detail/Proposed Condition Wording	Comments/Suggestions
	Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by Cl RIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be repaired to support the design of any Infiltration drainage. No building for **that phase**~~/ No part of the extended building~~ shall be occupied until the complete surface water drainage system serving the building has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.	
Drainage	The development **in each phase** shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals within that phase: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values and in accordance with current policies. No construction is permitted **in this relevant phase**, which will restrict current and future landowners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.	See suggested amendment in bold to phase condition.
Maintenance of surface water drainage systems	Development shall not commence **in each phase** until full details of the maintenance and management of the surface water drainage system within that phase is set out in a phase-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system **for that relevant phase**, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.	See suggested amendment in bold to phase condition.
Drainage – As-built drawings	Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development **within the relevant phase**, 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.	See suggested amendment in bold to phase condition.
Fire Hydrants	Prior to the commencement of the development **in each phase** details showing the proposed location of the required fire hydrants shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.	See suggested amendment in bold to phase condition.

Proposed Condition Topic	Detail/Proposed Condition Wording	Comments/Suggestions
	Prior to the first occupation of any dwelling/unit forming part of the proposed development the required fire hydrants serving such dwelling / unit shall be installed in the approved location to BS 750 standards or stored water supply and connected to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting. The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner/occupier if the installation is retained as a private network.	
Soil	Natural England would advise that any grant of planning permission should be made subject to conditions to safeguard soil resources, including the provision of an appropriately experienced soil specialist to advise on and supervise soil handling, including identifying when soils are dry enough to be handled.	It is considered appropriate that this is incorporated into the CEMP condition for each phase of development.
Cricket Pitch/Pavilion	Sport England would recommend that any grant of outline planning permission is subject to conditions to secure pitch quality, and future management and maintenance and community access to the facilities.	Proposed conditions awaited, but certain aspects may be more appropriate in the s106 obligation.

LICHFIELDS

Annex 4: **Response to BEPC Comments in relation to Traffic Forecasts**

Pell Frischmann

Project	Barnham Eastergate Westergate (BEW) Parcel SC1 Barnham
Document Title or Subject	Pell Frischmann (PF) Response to Barnham Parish Council comments
Document Reference	PF response to Barnham Parish Council comments
Revision Reference	F2
Date	2022-05-11

1 Introduction

1.1.1 Pell Frischmann has been commissioned by C.C. Projects Ashmarden Ltd and Hanbury (PM) Ltd (promoting the site together as 'The Southern Consortium') to provide transport planning and highways consultancy services in connection with a planning application for a strategic residential-led mixed use development on land forming part of the site allocation at Barnham/ Eastergate/ Westergate (BEW), West Sussex.

1.1.2 Comments have been received from Barnham and Eastergate Parish Council (BEPC), on the Transport Assessment (TA) written by Pell Frischmann dated 13th January 2022. The comments were produced following a meeting of the full council on 8th March 2022. A meeting was held with representatives of BEPC on 20th April 2022, and the applicant is happy to engage further with BEPC to discuss these matters. The comments are included at Appendix A and it is recognised that much of this focuses on strategic infrastructure planning at the regional level. This note is provided to assist the Parish Council and local residents in digesting the scenarios modelled in the TA.

2 Traffic modelling scenarios

2.1.1 The traffic scenarios are explained in the TA's Chapter 6 under the heading 'Section 6.1.4: Summary of strategic model scenarios'. The following scenarios were considered:

- **2031 do minimum**: background growth + committed developments + wider infrastructure changes + other local plan developments and associated infrastructure
- **2031 do something**: background growth + committed developments + wider infrastructure changes + other local plan developments and associated infrastructure + BEW development + BEW infrastructure
- **2031 do minimum No Cala**: background growth + committed developments + wider infrastructure changes + other local plan developments and associated infrastructure, no Cala development parcel and no East-west link road
- **2031 do something No Cala**: background growth + committed developments + wider infrastructure changes + other local plan developments and associated infrastructure + BEW development + BEW infrastructure, no Cala development and no East-west link road
- **2038 do minimum**: background growth + committed developments + wider infrastructure changes + other local plan developments and associated infrastructure
- **2038 do something**: background growth + committed developments + wider infrastructure changes + other local plan developments and associated infrastructure + BEW development + BEW infrastructure

2.1.2 The strategic modelling scenarios are made up of various selections of inputs, as detailed below.

- The **background growth** consists of predicted traffic growth as a result of general increase in driving over time. The strategic modelling includes NTEM-adjusted TEMPRo growth, known committed developments, and the allocated sites within adopted local plans. This approach was agreed with and informed by WSCC.

- The **committed developments** consist of other developments which have been approved. This method is to ensure that the future scenarios show a realistic, yet robust, prediction of the levels of traffic on the roads.
- The **wider infrastructure changes** are schemes that are committed projects.
- **Other Local Plan Developments** consists of sites in the adopted Local Plan, including developments by Barratts, Landacre, Boweries, Cala, and Pye Homes, which make up the rest of the BEW allocation.

2.1.3 The development growth assumption for the planning application was that all of the homes within the red line boundary would be built and occupied by 2031. The northern section of the re-aligned A29 (north of the West Coastway railway line) is included in the 2031 do something scenario, and the entire length of the A29 is included in the 2038 do something scenario.

2.1.4 The Parish Council has sought clarification on the further modelling scenarios beyond the scope of The Southern Consortium's application. These are listed below. It is noted that the developments within these are considered as part of the do minimum modelling for the proposed development.

1. When the unbuilt 1000 houses worth of planning permissions are completed in Barnham and Eastergate
2. When the A29 is realigned Barnham Road to Fontwell Avenue and the Barratts development completed
3. When the Barnham mini masterplan is constructed without the southern part of the realigned A29 being connected

2.1.5 The Parish Council also refer to a scenario for the proposed A27 Arundel bypass. This highway scheme is not currently a committed infrastructure improvement and therefore should not be included in the modelling of the proposed development. This is because new infrastructure would impact on the decisions drivers would make when making journeys, and as the proposed A27 Arundel bypass is not committed any benefits from this scheme cannot be relied upon. It is however noted that due to the planning status of the proposed development, the modelling of the A27 Arundel bypass scheme would be required to consider the proposed development (including all of the wider allocation) at BEW.

3 Junction results

3.1.1 It was agreed during the meeting on 20th April 2022 that the locations of modelling results would be identified for the junctions referred to in the BEPC response. This is shown in Table 3-1.

Table 3-1: Junction results signposts

Junction name in BEPC comments	Junction name in TA	Tables in the TA
Woodgate crossing	6.7 Level crossing assessment	• Table 6 198: 2016 queues shows the surveyed queues • Table 6 199: Summary of results shows the expected queues at the level crossing for the 2013 do minimum, 2031 do something (with Cala), 2031 do something (no Cala), 2038 do minimum and 2038 do something scenarios, on pages 133 and 134.
A27 Fontwell Roundabout	A27 Fontwell Avenue	**Existing junction geometry:** • Table 6-18 contains 2019 baseline modelling results and capacity adjustments to calibrate the model (A27/Fontwell Avenue) on page 63. • Table 6 19 to Table 6 22: The results from the 2031 do minimum No Cala, 2031 do minimum, 2031 do something No Cala, and 2031 do something scenarios on page 64. • Table 6 145 and Table 6 146: The 2038 do minimum and do something scenarios are shown in on pages 111 and 112.
		Junction with proposed mitigation scheme: • Table 6 23 to Table 6 26: The results from the 2031 do minimum No Cala, 2031 do minimum, 2031 do something No Cala, and 2031 do something scenarios are shown in on page 65-66.

Junction name in BEPC comments	Junction name in TA	Tables in the TA
		• Table 6 147 and Table 6 148: The 2038 do minimum and do something scenarios are shown in on page 112.
Eastergate Lane	Fontwell Avenue / Eastergate Lane	• Table 6 27 contains 2019 base junction modelling results (Fontwell Avenue/Eastergate Lane) on page 67. • The results from the 2031 do minimum and do something scenarios are shown in Table 6 24 to Table 6 31 on pages 67 and 68. • The results from the 2038 do minimum and do something scenarios are shown in Table 6 149 to Table 6 150 on page 113.
(Eastergate) War Memorial roundabout	Fontwell Avenue/ Barnham Road junction	• The baseline modelling results are shown in Table 6 32: 2019 base junction modelling results (Fontwell Avenue/Barnham Road) on page 68. • The results from the 2031 do minimum and do something scenarios are shown in Table 6 33 to Table 6 36 on pages 68 and 69. • The results from the 2038 do minimum and do something scenarios are shown in Table 6 151 and Table 6 152 on page 113.
Barnham Village Centre	Barnham Road / Lake Lane	• The baseline modelling results are shown in Table 6 111 on page 98. • The results from the 2031 do minimum and do something scenarios are shown in Table 6 112 to Table 6 115 on pages 98-99. • 2038 do minimum and do something scenarios are shown in Table 6 189 and Table 6 190 on page 127.

3.1.2 The proposed development would be required to provide s106 contributions towards the highway capacity improvements identified as part of the Arun District Local Plan. These schemes have been considered in the transport assessment and demonstrate that they offer improvements to the operation of the highway network, even when the additional traffic generated by the site is included in the assessment.

4 Appendices

4.1.1 The Appendices included in this note are:

- Appendix A Barnham and Eastergate Parish Council comments

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Report Ref.		**Response To Barnham Parish Comments F2.Docx**				
File Path		P:\133--\A13394-VAA Barnham Eastergate Westergate\40 Reports\Barnham Parish Council response\Response to Barnham Parish comments F2.DOCX				
Rev	Suit	Description	Date	Originator	Checker	Approver
D1	-	Draft	26-Apr-22	PA	SM	PS
F1		Final	29-Apr-22	PA	SM	PS
F2		Final	11-May-22	PA	SM	PS
Ref. reference. Rev revision. Suit suitability.						

Appendix A Barnham and Eastergate Parish Council comments

BN/11/22/OUT Barnham, Eastergate, Westergate BEW Parcel SC1 Barnham

BEPC Response to above application

At a meeting of the Full Council of Barnham and Eastergate Parish Council (BEPC) held on 8th March 2022 the Committee resolved to submit an objection that implementation (or approval) of the application should be delayed until such time as evidence is forthcoming that the A29 realignment scheme and other infrastructure requirements will be undertaken concurrently with the housing delivery element of the application.

In terms of the roads our position is that the A29 must be completed from the Bognor Relief Road to the Fontwell roundabout. We have been provided with no evidence that this is being satisfactorily addressed.

Specifically we would request the following evidence:

- We wish to see the traffic forecasts and all their underlying assumptions, including current housing delivery forecasts, for the key project milestones in the A29 Realignment and A27 Arundel Bypass projects. It is clear to BEPC members that many assumptions currently being used are out-of-date and don't consider the cumulative impact of all current projects and strategies. BEPC strongly believes that the proposals will have an unacceptable impact upon existing residents, the environment and safety for all road users.

- We need to understand average and peak forecast queue lengths and flows at Woodgate crossing, A27 Fontwell Roundabout, Eastergate Lane, Eastergate War Memorial roundabout and Barnham Village Centre for each of the following scenarios individually and cumulatively:

    - When the unbuilt 1000 houses worth of planning permissions are completed in Barnham and Eastergate
    - When the A29 is realigned Barnham Road to Fontwell Avenue and the Barratts development completed
    - When the Barnham mini masterplan is constructed without the southern part of the realigned A29 being connected
    - When the outline planning application BN/11/22 for BEW Phase 2 is constructed without the realigned A29 being connected over the railway line
    - When the proposed A27 Arundel bypass is constructed and access to it via Ford Road is no longer possible. This scenario should include traffic flows from the Yapton and Climping housing developments and the routes for HGV's associated with the Ford Industrial estates and proposed incinerator.

- Transparency is required on the Traffic Impact Assessments, to aid understanding on the anticipated queue lengths at both the War Memorial roundabout and the Westergate railway crossing;

BEPC is campaigning for the A27 Arundel Bypass scheme to include Fontwell roundabout, a connection at Ford Road and intermediary links to local roads. The A29 and A27 schemes together represent an opportunity to unlock BEW sustainably. We have recently sent an open letter to Secretary of State Michael Gove expressing our concerns in this regard. Furthermore, we are fearful that C2C funding will be withdrawn unless the whole A29 realignment fulfils its promise of an economic link for Bognor to the strategic road network. Other LEPs have been forced to do this this. The SEP funds are specifically targeted at enabling economic development (housing and commerce).

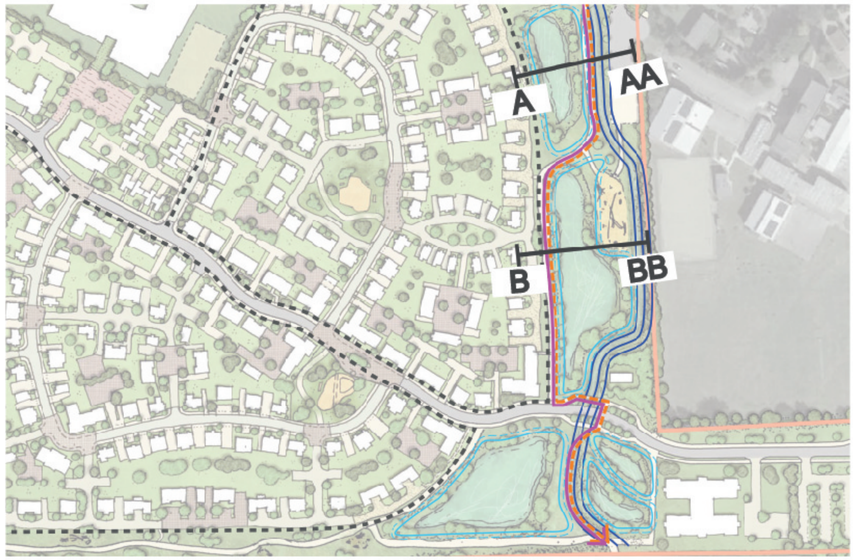
We hear the reassurance that conversations are taking place to address A29 funding but it cannot be ignored that until a solution is in place the existing proposed housing developments will place too high a burden on the existing community and the creaking infrastructure that supports it.

Whilst there remains vocal opposition to BEW Strategic Stie from some residents BEPC recognise that BEW has been allocated in the made Local Plan with an agreed masterplan. BEPC's major concerns are now focussed on delivery and phasing of the scheme. BEPC want to see a 5-year housing land supply and a return to Neighbourhood Plan led housing in Arun and BEW represents an important component of this.

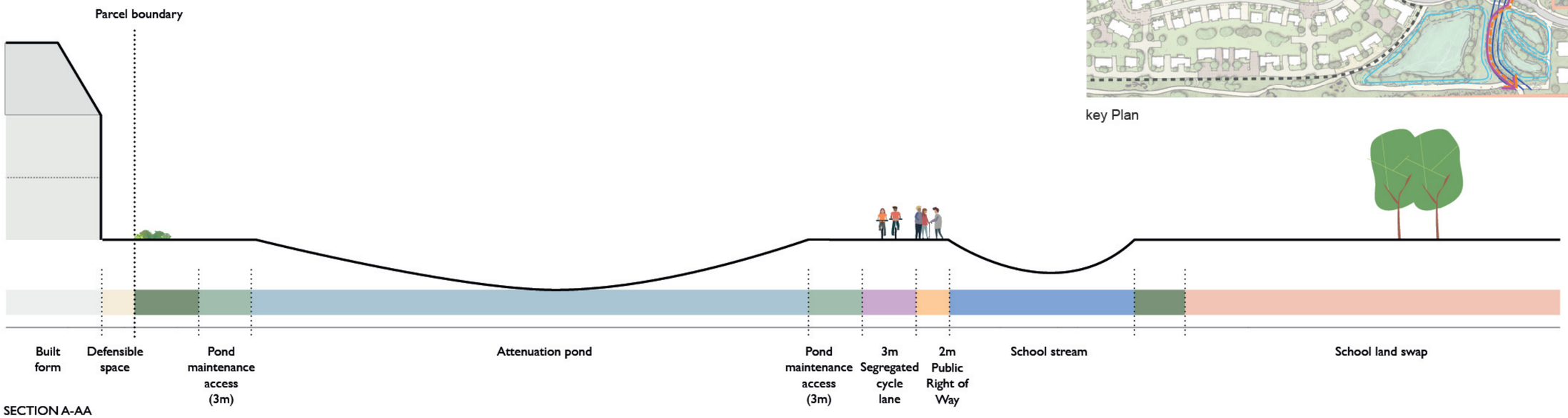
On other infrastructure matters there remains poor evidence on plans for education provision, drainage, sewerage and electricity network capacity. The lack of engagement of these organisation is a matter of deep concern and increases the risk that we will approve major housing schemes in the villages (Aldingbourne, Barnham, Eastergate and Walberton) without the necessary infrastructure to support these schemes. BEPC does not accept the practicalities of infrastructure funding being developer led through S106 as infrastructure comes many years after housing when this strategy is adopted.

Annex 5: **FP323 realignment drawings**

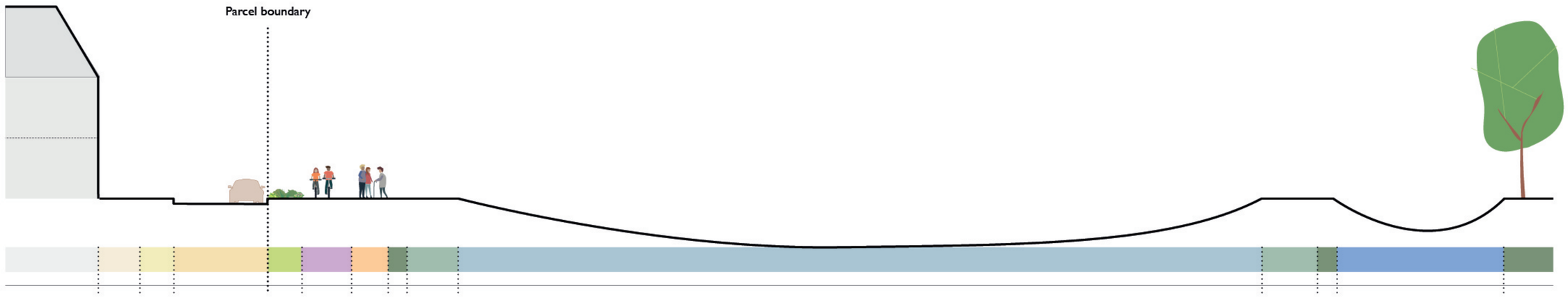
A
AA
B
BB
Existing PRoW
Proposed PRoW (realigned route) (2m)
Proposed dedicated cycleway (3m)
Parcel boundary
Attenuation basin (top of bank)
Attenuation basin maintenance access
School stream
Barnham, Eastergate & Westergate
PRoW and Cycle Routes
for C.C. Projects, Ashmarden Ltd
and Hanbury (PM) Ltd
Drawing No. 00605B_SK_070
Scale @ A1 1:1000 Rev D1
jtp



key Plan



SECTION A-AA



SECTION B-BB

Barnham, Eastergate & Westergate PRoW and Cycle Route Sections for C.C. Projects, Ashmarden Ltd and Hanbury (PM) Ltd

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Drawing No. 00605B_SK_071
Scale @ A3 NTS Rev D2

jtp

ARUN DISTRICT COUNCIL BN/11/22/OUT