

Recommendation Report for Planning Permission

REF NO: BN/135/20/PL

LOCATION: Boweries
Barnham Road
Eastergate
PO20 3RT

PROPOSAL: Construction of 30 no. dwellings, new access, public open space, landscaping and associated works (submission following EG/22/19/OUT). This site is a Strategic Site in SP2 (Zero Rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Construction of 30 dwellings, new access, public open space, landscaping and associated works (re-submission following EG/22/19/OUT).
SITE AREA	1.49 hectares
RESIDENTIAL DEVELOPMENT DENSITY	20 dph
TOPOGRAPHY	Predominantly flat.
TREES	A Tree Preservation Order (TPO) has been made to protect a Holm Oak (T40), a Scots Pine (T43) and a Silver Birch (T45) along the site frontage with Barnham Road to the north. There are a number of large and prominent trees along the southern boundary of the site (TL01, TG02 and T03) which are of significance for the wider area.
BOUNDARY TREATMENT	The site is bounded by trees and hedgerows.
SITE CHARACTERISTICS	The site is a long rectangular plot. The northern and southern parts of the site are currently occupied by paddocks used for the grazing of horses. The existing house and several barns and outbuildings are located on the eastern boundary of the site. The proposed access would utilise the existing access to the Boweries, taken directly off Barnham Road.
CHARACTER OF LOCALITY	The site is to the south of Barnham Road (the B2233) between Barnham and Eastergate. The site is located in the parish of Eastergate, but is situated approximately 500m north west of Barnham. The site is located in the gap between the two settlements of Barnham and Eastergate. The surrounding area is characterised by large detached houses set back from the road, occupying narrow plots with long garden areas located to the rear. The surrounding land uses include residential areas, commercial development (including Fordingbridge Industrial Park) and nurseries (i.e. Fleurie Nursery). Public Footpath No. 321 runs east / west,

beyond the southern boundary of the site.

RELEVANT SITE HISTORY

EG/87/79	Outline Application For Residential Development	Refused 08-11-79
EG/22/19/OUT	Outline application with some matters reserved for the erection of 28 No. dwellings, access, landscaping & associated works (re-submission following EG/42/18/OUT).	Refused 29-11-19 Appeal: Dismissed 18-12-20
EG/42/18/OUT	Outline application with all matters reserved for the erection of 28 No. dwellings, access, landscaping & associated works.	Withdrawn 25-10-18

EG/22/19/OUT comprised a comparable scheme to that proposed within this application. It was refused under delegated powers by notice on 29 November 2019 for the following reasons:

"Insufficient information has been submitted to demonstrate that the proposed development of this scale could be satisfactorily accommodated in a manner which would not undermine the delivery of a comprehensively planned settlement of high quality with a strong sense of place, having regard to such matters as green and blue infrastructure, the prevention of coalescence of Barnham and Eastergate, the A29 re-alignment, non-car modes of transport, open space, play provision and landscape, other infrastructure provision and a high quality legible and permeable layout, contrary to Policy D DM1, Policy H SP2, H SP2c, Policy OSR DM1(2a) and Policy W DM2 of the Local Plan, Policy H4, Policy ES1, Policy ES3 and Policy GA2 of the Barnham and Eastergate Neighbourhood Plan."

A S78 appeal was submitted to the Planning Inspectorate which was concluded on 18 December 2020. The Inspector found that:

"Applying the policies of the Framework as a whole, the adverse impacts arising from the failure to achieve high quality design by incorporating surface water drainage into the mini-masterplan would significantly and demonstrably outweigh any benefits of delivering new homes more quickly than might otherwise have been the case had the appellant waited for the masterplan exercise to conclude. Such benefits are not likely to be significant in any event and consequently I find that the proposal would not benefit from the presumption in favour of sustainable development."

This decision was issued on 18 December 2020 and the submission date of this application pre-dates the issuing of the appeal decision. However, the passing of time has led a number of material differences in both the scope of the application and the context. These differences comprise:

- Masterplan Framework process has now been broadly concluded (save for details on phasing/delivery)
- Application comprises a FULL application and not outline
- Application is supported by a full Surface Water and Drainage Impact Assessment including groundwater monitoring and infiltration testing

- Council's HLS has increased from 2.9 years to 3.3 years when reviewing the tilted balance
- Further work has been undertaken on the apportionment of infrastructure across the site
- Applicant and LPA have agreed Heads of Terms for the purposes of a S106 Agreement

REPRESENTATIONS

2 letters of objection have been received throughout the public consultation period detailing the following matters:

- Capacity of foul sewerage network
- Sustainable and active travel

COMMENTS ON REPRESENTATIONS RECEIVED:

Southern Water confirmed they have adequate capacity to accommodate this development in their existing network.

The application facilitates a cycle link along its western boundary which forms part of wider cycle connections throughout the District. This matter is addressed in further detail below. Wider connections around the BEW site and beyond will be secured through appropriate S106 infrastructure packages and detailed planning applications which relate to those relevant parcels.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC AFFORDABLE HOUSING

- Affordable Housing Policy requires a tenure split of 75% rented and 25% intermediate housing.
- No objection to tenure mix as specified in the Planning Statement and as set out in full consultation response.
- Masterplan locates affordable housing in one cluster. This should be distributed more evenly across the site in accordance with Policy AH SP2.
- To ensure affordability of rented accommodation rent should be set no higher than 90% of Local Housing Allowance (LHA) levels.
- 50% of the rented units should be set at rent levels of no higher than 65% of open market value.

ADC DRAINAGE

- The applicant's Engineer provided levels for the south of the site extending into the watercourse which now show it will be possible for a gravity connection to be made to the watercourse. I would like to remove my holding objection. If you are minded to approve the application apply the requested conditions on consultation of 19/01/2021 (shown on portal as 20/01/2021). All comments from that consultation still stand.

ADV ENVIRONMENTAL HEALTH

- No objection subject to conditions relating to contamination, air quality, EV charging, sound insulation, floor noise, road noise, pumping station noise, ground/air source heat pump noise, electricity substation noise, occupancy before development, Construction Management Plan, construction hours and external lighting.

ADC ENVIRONMENT OFFICER

- No objection subject to conditions set out in consultation response.

ADC DRAINAGE ENGINEERS

- Adequate surface water drainage strategy capable of being achieved
- No objection subject to conditions securing detailed surface and foul water drainage strategy

ADC LEISURE & GREENSPACE

- No objection subject to comments set out in full consultation response.
- Detail provided in the Detailed Site Layout sheets 1 PL 106-Rev B & sheet 2 PL-107 Rev B indicate that approximately 4,335 sqm of POS will be made available in this section of the development, which is in excess of the minimum standard as set out in our SPD Jan 2020 and good to see - This tranche of the allocation would not trigger the need for onsite LEAP play provision, but contribution and access to this in adjacent parcels will be required
- Discussion with the LPA will be required to ensure that the maintenance and public accessibility needs will be met and financial contributions towards maintenance would need to be concluded were they to become the responsibility of the LPA.

HIGHWAYS ENGLAND

- No objection provided Arun District Council collects an appropriate proportional contribution of £15,467.40 (calculated on 30 x £515.58) from this particular site towards further mitigation of the A27 junctions in Arun.

WSCC HIGHWAYS

- No objection subject to securing mitigation through S106 payments and use of appropriate conditions

WSCC LOCAL LEAD FLOOD AUTHORITY

- Current surface water mapping shows the proposed site is at low risk from surface water flooding. Higher risks exist to the north of the site on Barnham Road. Any existing surface water flow paths across the site should be maintained and mitigation measures proposed for areas at high risk.
- Area is shown to be at high risk from groundwater flooding based on current mapping, based on modelled data only. The LPA should consult with the EA if this is considered a risk.
- The FRA/drainage Strategy included with this outline application proposes that permeable paving and soakaways would be used to control the surface water runoff from the site.
- As per EG/22/19/OUT, winter groundwater monitoring will need to be carried out in conjunction with the ADC Drainage Engineer to assess how and where infiltration can be incorporated into the surface water drainage designs.
- All works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles.
- The maintenance and management of the SuDS system should be set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.
- Schedule 3 of the Flood and Water Management Act 2010 has not yet been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.

ADC ARCHAEOLOGY

- Application not accompanied by any archaeological investigation on or in the vicinity of the site. Therefore, its archaeological potential is unknown.
- The site is likely to have general potential from its location on a part of the coastal plain that has always been favourable to settlement - and from the fact that a large enough site in such an area is bound to contain something of interest.
- Best way to test this would be through the excavation of a series of trial trenches ahead of development in order to identify anything of interest followed by suitable preservation of its significance through further investigation, recording and dissemination of the results. This could be achieved through conditions in

an appropriate version of ARC1.

ADC ECOLOGY

- Following submission of the Ecological Impact Assessment (2019) and Ecological Update (Nov 2020) we are satisfied that no further survey work for bats will be required
- Lighting scheme 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
- Following submission of Ecological Impact Assessment (2019) and Ecological Update (Nov 2020), we are happy that the mitigation proposed for reptiles and amphibians would be suitable. A condition should be used to ensure this takes place.
- 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 01 March - 01 October. If works are required in this time an ecologist will need to check the site before any works take place (within 24 hours of any work)
- There are a number of enhancements which have been included within the Ecological Impact Assessment (2019) which we would like to see onsite (these are set out in full in the consultation response)

WSCC WATER AND ACCESS

- Suggested inclusion of fire hydrant condition

WSCC MINERALS AND WASTE PLANNING

- As the application site is for the development of land within the curtilage of an existing development, the MWPA would consider the proposal to meet the exemption criteria for consultation as per 2.4 of the Minerals and Waste Safeguarding Guidance.

SUSSEX CONSTABULARY

- No objection subject to recommendations set out in consultation response relating to Secured by Design provisions.

SOUTHERN WATER

- No objection subject to recommendations set out in consultation response.

NATURAL ENGLAND

- No objection subject to a satisfactory Appropriate Assessment being undertaken.

COMMENTS ON CONSULTATION RESPONSES:

These matters are addressed in the following assessment. Matters raised by Environmental Health and WSCC Fire hydrants do not all meet the tests for conditions as set out in the NPPF and legislation. Notwithstanding this, these matters are covered under separate legislation and through the Building Control process and are therefore not duplicated in this planning process.

POLICY CONTEXT

Designation applicable to site:

- Within the Strategic Allocation site Barnham/Eastergate/Westergate (BEW - SD5)
- Within the Built Up Area Boundary (BUAB)
- Flood Zone 1
- Minerals Sharp Sand Safeguarding Area

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

AHSP2	AH SP2 Affordable Housing
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
GISP1	GI SP1 Green Infrastructure and Development
HDM1	H DM1 Housing mix
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HSP1	HSP1 Housing allocation the housing requirement
HSP2	H SP2 Strategic Site Allocations
HSP2C	H SP2c Inland Arun
INFSP1	INF SP1 Infrastructure provision and implementation
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

Barnham & Eastergate Neighbourhood Plan 2014 Support for new medical facilities

POLICY CLW2

Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES1	Applications for new development must meet the local drainage requirements
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES10	Trees and hedgerows
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES3	The Local Gap/Green Infrastructure Corridor
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES4	Protection of open views
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES5	Quality of design

Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES6	Contribution to local character
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES7	Development affecting heritage assets
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES8	Buildings should be designed to reflect the three-dimensional qualities of traditional buildings
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA2	Footpath and cycle path network
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA4	Parking and new development
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H4	Integration of new housing into surroundings
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H5	Outdoor space
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H6	Attention to detail

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan:

Where applicable, Neighbourhood Development Plans (more commonly known as a Neighbourhood Plan or NDP), once made by Arun District Council will form part of the statutory Development Plan for the relevant designated neighbourhood area. The policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan.

The Barnham and Eastergate Neighbourhood Plan (2014-2029) was made in July 2014. Relevant NP policies have been taken into account and area addressed in the below report.

The revised Barnham and Eastergate Neighbourhood Plan (2019-2031) has reached Regulation 14 stage. However, this has not been scrutinised formally by an appointed Examiner. It is afforded limited weight at this stage.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is located in a Strategic Allocation within the built-up area boundary in accordance with the Development Plan. The Council has an endorsed Framework Masterplan which the submitted development accords with. The development makes provision for the necessary infrastructure and therefore comprises a comprehensively plan led development.

OTHER MATERIAL CONSIDERATIONS

Arun District Council's Annual Monitoring Reports (December 2020) indicates that it is able to demonstrate a 5 year Housing Land Supply of 3.3 years. On this basis the titled balance under Paragraph 11(d)(ii) of the National Planning Policy Framework is triggered.

However, as set out in the following sections of this assessment, it is considered that there are no other material considerations to warrant a decision other than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

1. PRINCIPLE

The site falls in the allocated SD5 (Barnham, Eastergate and Westergate) Strategic Development Site. On 28 November 2020 a Framework Masterplan was endorsed by the Development Control Committee Members; subject to the submission of a phasing and infrastructure delivery plan.

The intent behind the delivery of the BEW site was for land south of Barnham Road to come forward in the earlier phases of the delivery. This is reflected in the progress made in respect of the mini-masterplan which has been undertaken with the support of Arun District Council.

On the basis of this allocation, and following from the endorsement of the Framework Masterplan, the principle of residential development is considered to be acceptable.

Both Policies H SP2 and H SP2c of the Arun Local Plan set out criteria against which development should accord with. Notwithstanding the acceptance of the principle of development, to deliver a truly Masterplanned site, conformity with this criteria should be met.

2. LAYOUT & DESIGN

Policy H SP2 (ALP) makes clear that sites should be comprehensively planned and should have regard to a Masterplan endorsed by the Council. The Council have now endorsed the Framework Masterplan for the BEW Strategic Site which sets out the design and placemaking principles for the delivery of development.

The criteria contained in Policy H SP2c requires the design of development and landscaping to ensure that there is continuity between the existing landscape setting and villages and preserve the separate identities and avoid any further coalescence of the three villages through the delivery of green infrastructure.

Policy D SP1 (Design) requires all development proposals 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 (Aspects of Form and Design Quality) sets out a 15 point criteria against which development proposals should accord.

Policy H4 (NDP) requires new residential development to be of a high quality design and to integrate into its surroundings and be well connected to the village. Policy H6 (NDP) requires the design of new housing to give full consideration to bin stores, recycling facilities, cycle stores, meter boxes, lighting, gutters and pipes etc.

The layout of this part of the BEW development has been progressed on the basis of what has locally become known as the "mini-masterplan". Whilst not having received formal adoption, there is a general understanding between the developers and the Local Planning Authority that development should come forward on this basis. The development accords with such expectations. These expectations are consistent with the endorsed Framework Masterplan.

The layout features a single road running from Barnham Road in the north, connecting to an internal E-W link to the south. Housing in this site falls to the western portion of the site. The layout of the properties mirrors that which was assessed within the Appeal (as detailed in the Planning History section). In this instance, the Inspector considered the design of the scheme had much to be commended for. This layout replicates this and the Local Planning Authority considers this to be acceptable.

The layout facilitates a green cycle link along its western boundary which will serve the wider "mini-masterplan" area of BEW. The early delivery and securing of this key link, which will connect to the wider masterplanned area is a positive addition which attracts generous weight. Its provision fully accords with the endorsed Framework Masterplan.

The northern frontage of the development is set back from Barnham Road with retention of the existing landscaping running parallel with Barnham Road. This feature and set back will prevent the coalescence of sites. The set back is consistent with the expectations for adjacent parcels of land as they are progressed.

The southern frontage which will look into green cycle link within the wider Framework Masterplanned area is also consistent with the endorsed Framework Masterplan.

The development will achieve a density of 20 dwellings per hectare which is considered accordant with both this mini-masterplan area and also the wider character of Barnham and Eastergate.

The dwellings comprise mainly 2 storey units with some 2.5 storey punctuations to provide interest in the street scenes and variety in character. Such an approach is considered entirely appropriate owing to the site context of Barnham and Eastergate.

The properties are orientated on the site to provide outward looking dwellings. This is integral to the design and functionality of the green link along the western boundary of the site; where dwellings along the western boundary of the site provide natural surveillance of this link. This will assist the usability and functionality of this link.

The outward looking nature of the properties ensures dead spaces are reduced. Such an approach is considered wholly appropriate and is consistent with the layouts being supported in this Masterplan

Framework and wider adopted ADC Design Guide.

The materials and finishing of the units appear to take reference from the best examples of properties in the nearby area, as evidenced in the submitted Design and Access Statement. Namely, the predominant materials palette will comprise red brick, flint work with quoin detailing and tile hung cladding. Such an appearance will act as a subtle and sympathetic addition to the vernacular of Barnham and Eastergate. Details of these materials and finishing can be secured through the discharge of condition process.

On the basis of the above, the development results in a comprehensively planned development (in terms of placemaking principles) and accords with Policies D SP1, D DM1, H SP2 and H SP2c of the Arun Local Plan and Policies H4 and H6 of the Barnham and Eastergate Neighbourhood Development Plan.

3. OPEN SPACE PROVISION

Policy OSR DM1(2) (ALP) requires housing to contribute towards open space provision in accordance with the guidance set out in the current Open Space Study. Policy OSR DM1 requires playing pitch provision in accordance with the guidance set out in the Playing Pitch Strategy. Policy OSR DM1 requires indoor sport and leisure facilities to be provided through financial contributions in accordance with the guidance set out in the Indoor Sport and Leisure Facilities Strategy.

Policy H5 (NDP) requires proposals for new housing development to include good quality outdoor amenity space - either in private garden or shared amenity space.

The submitted development provides for the following typologies of open space:

Frontage Public Open Space - 930 sqm
 Cycle Path Open Space (surrounding) - 1629 sqm + 820 sqm
 Incidental Open Space - 113 sqm + 88 sqm
 Southern Public Open Space - 1044 sqm

Arun District Council guidance is clear in respect of what can and cannot comprise open space. Having reviewed the site plan the Incidental Open Space is indicated as running along the eastern boundary of the site. Officers give limited weight to this contribution given its usability. Further, whilst it is acknowledged that there is some visual amenity value associated with the surrounding space around the cycle path, its usability is also somewhat questionable.

Notwithstanding Officer's position on the usability of this space, the site is well connected to open space to the south which is considered to be primary open space within the BEW development. Furthermore, access by foot is both ready and accessible and of an acceptable travel time.

Whilst Officers consider the space surrounding the cycle path to not be of any particular use, earlier iterations of this western area did show open space. However, the provision of the cycle path has derived from Officer request within informal discussions; and the NPPF is clear on the weight to be given to effective engagement between applicants and Officers.

Provision of open space is one of many factors which has to be considered in the round of planning applications. In this instance, the minimal deficit of public open space is substantially outweighed by the accessibility of primary open spaces within the BEW development, the ability to provide a coherent layout within the "mini-masterplan" area and using an allocated site efficiently and effectively.

Typically the Local Planning Authority would require any reliance upon off-site open space (in the wider BEW site) to be secured by way of financial contributions with the adjacent landowner. Given the applicant's provision of the green cycle link, the District Council are content no further contributions

would be necessary in respect of open space.

On the basis of the above the development accords with Policy OSR DM1 of the Arun Local Plan and Policy H5 of the Barnham and Eastergate Neighbourhood Development Plan.

4. HOUSING MIX & AFFORDABLE HOUSING PROVISION

Policy H DM1 (ALP) makes clear that the Council will seek a mix of dwelling types and sizes to include affordable housing units, that adhere to the latest Homes and Communities Agency design guidance. Policy H DM1 requires developments of 11 units or more to provide a balanced mix of market and affordable dwelling sizes, including family sized accommodation. The mix of accommodation should be based on the most up to date SHMA recommendations.

Policy H3 (NDP) requires the type of housing to be provided in any residential development to reflect the location of the site. Policy H3 requires that where development is on a site within 400m walking distance from a village centre, at least 50% of the housing units to be provided should have one or two bedrooms. In other cases, no more than 25% of the housing units provided should have one or two bedrooms. However, the NDP is dated 2013/14 with the Local Plan dated 2018. In accordance with the guidance contained within the NPPF/G greater weight is given to the latter Local Plan.

The GL Hearn Updated Housing Needs Evidence Arun District Council (Final Report) September 2016 (SHMA) sets out the requirements and mix of housing throughout the Local Plan period. Table 29 makes clear that policies should support the following broad mixes:

- 1 bedroom - 5-10%
- 2 bedroom - 40-45%
- 3 bedroom - 35-40%
- 4 bedroom - 10-15%

By way of comparison, the proposed dwelling mix comprises:

- 1/2 bedroom flats - 6.7%
- 2 bedroom houses - 23.3%
- 3 bedroom houses - 63.3%
- 4 bedroom houses - 6.7%

Whilst the SHMA is not definitive in its nature, it is clear that sites should support the majority of units coming forward as 2 and 3 bedroom units, with the remainder of the units comprising 1 and 4 bedroom properties. The spread of the proposed housing mix accords with the SHMA recommendations.

The development will provide for a policy compliant affordable housing provision with 30% of the units comprising affordable homes. The District Council's Housing and Enabling Officer has raised no objection to the tenure mix as specified in the Planning Statement, subject to affordable housing being dispersed throughout the site. This can be secured through the provision of a S106 affordable housing plan as part of the requirements detailed in the Agreement.

Policy H DM1 of the Arun Local Plan makes clear that over the plan period a proportion of the housing provided should be of a type that meet the needs of older people as identified in the most recent SHMA. Such a provision is mirrored in the Arun District Council Design Guide SPD. A condition will therefore be imposed requiring the provision of a proportion of dwellings to be provided to M4(2) and M4(3) standards. The provision of such units are able to be agreed and secured through condition.

ACCESSIBLE AND ADAPTABLE HOUSING

The Arun District Council Design Guide was formally adopted as an SPD on 25 January 2021 and comprises a material consideration in the determination of planning applications. Section J.08 of the SPD makes clear that homes must be provide sufficient internal space to meet occupant's requirements now and in the future. Arun District Council produced guidance on accommodation for older people and people with disabilities to be used in conjunction with the SPD. The requirements within the SPD accord with paragraph 61 of the NPPF which requires plan-making to reflect the housing needs of different groups.

Adopted ADC Design Guide SPD makes clear that applicants are encouraged to exceed minimum standards wherever possible in order to meet occupants' changing requirements, from family homes to those downsizing or adapting their homes. The SPD makes clear that any such requirements should be informed by the Council's evidence on future needs of the growing older population with a likelihood of increased disability and health-related problems and the local context of general housing need to be met.

Features to meet these requirements may be provided by meeting optional requirements M4(2) Accessible and Adaptable Dwellings or M4(3) Wheelchair User Dwellings of the Buildings Regulations. The Checklist set out on Page 98 of the SPD requires development to demonstrate developments provide adequate numbers of new homes as 'accessible and adaptable dwellings' M4(2) compliant and as 'wheelchair user dwellings' M4(3) compliant.

On the basis of the above, a condition will be imposed to require the applicants to submit an Accessible and Adaptable Homes Plan identifying which dwellings in the scheme will be provided to either M4(2) or M4(3) Building Regulations standards, prior to the commencement of development.

SELF-BUILD AND CUSTOM BUILD HOMES

Policy H DM1 (ALP) requires the Council to encourage the development of self-build homes on appropriately sized serviced sites or on appropriately sized sites that are capable of being serviced. Such sites can be provided either as part of a development scheme or on an individual basis. Policy H SP2(p) (ALP) requires development to consider inclusion of an area of the sites for Self-Build and Custom Build.

In this instance, the layout of the development has been set through a comprehensive consultation as part of the mini-masterplan process. The purpose of the mini-masterplan area is to ensure that development achieves principles of place-making that does not materially impact the character of the surrounding area. The result of seeking to achieve a continual architectural style that is compatible with the immediate nearby area, reduces the compatability of potential self-build and/or custom build homes.

The Local Planning Authority acknowledges that the southern line of units could represent an appropriate location for self-build/custom build homes. However, owing to the nature of self-build units requiring owners of plots to be responsible for the construction process which could take an indefinite period of time, and a process which would rely on construction traffic for multiple plots all using the internal access road from Barnham Road, means that provision in this southern area would not be practicable without the potential for significant harm arising on neighbouring amenity.

In this instance, the site comprises a small-medium sized site which the NPPF makes clear can be built out relatively quickly. The applicant submitted the application in full meaning that a small-scale developer could acquire the site subsequent to this planning process and build the scheme out quickly. In summary, therefore, the Local Planning Authority gives substantial weight to the provision of a small-scale housing development which can be delivered quickly. In the context of the harm that derives from the absence of self-build and/or custom build homes on this specific site, this is outweighed by the benefits of the potential expedient housing delivery in this sustainable location.

The housing mix would accord with Policy H DM1 of the Arun Local Plan and H3 of the Barnham and Eastergate Neighbourhood Development Plan. Based on the latter date of the Local Plan, greater weight is given to the policies therein.

5. HIGHWAYS/TRANSPORT, PARKING AND ACCESS

Policy H SP2 requires development proposals in the Strategic Site Allocation to be comprehensively planned and should have regard to the Masterplan endorsed by the Council. Policy H SP2c(h)(i) (ALP) sets out the transport requirements which all parcels of the BEW allocation should contribute towards.

Policy T SP1 (ALP) requires development to be incorporated into the District's green infrastructure network and give priority to pedestrian and cycle movements. Policy T SP1 requires development to be supported by an effective and deliverable Transport Assessment which demonstrates that the transport effects of the development on the local and strategic road network can be satisfactorily mitigated and a Travel Plan, which is effective and deliverable. Policy T DM1 (ALP) requires access to alternative modes of transport including public transport services, the public right of way and cycle networks must be available and accessible to all members of the community.

Policy GA4 (NDP) makes clear development proposals will be supported only if they include the maximum level of off-street parking consistent with the current standards under the Local Plan. Policy GA2 (NDP) gives support to proposals that improve and extend the existing footpath and cycle path network, allowing greater access to new housing, village centres, green spaces and the open countryside.

The consultation response from WSCC Highways (LHA) concludes that the visibility splays (submitted through amended plans following updated 85th percentile speed surveys) are considered appropriate.

A Stage 1 Road Safety Audit (RSA) was undertaken on the basis of both the original and updated highways, parking and transport plans. The RSA identified a number of matters requiring resolving. The submitted transport/highways plans are confirmed by the LHA to respond to the recommendations set out within the RSAs.

The site is anticipated to generate 18 AM peak two-way trips and 16 PM peak two-way trips. The wider strategic development of BEW (which this application site comprises a smaller parcel of) has been extensively modelled and a package of mitigation has been developed. The site provides both the on-site mitigation requirements identified through the applicant's transport work and wider off-site contributions towards highways mitigation in terms of Strategic Wide infrastructure and Strategic Highways Network.

It is noted in correspondence between the Local Highways Authority and the applicant that a number of matters were considered outstanding. This related to wider off-site cycle linkages for pedestrians to cross Barnham Road to link up to the South Downs. This comprises a strategic aim in the delivery of the Local Plan and the applicant has provided this. The applicant has provided plans for off-site highways connections for cycles which have been informally agreed with WSCC. This will be secured and delivered through a separate S278 agreement, required by this planning consent.

The LHA considered the removal of the eastern most pavement running alongside the new internal road. The applicant has agreed to fund delivery of this footway by WSCC when adjacent development comes forward and its necessity is required. The LPA considers this is acceptable, does not result in any adverse safety issues and will achieve a truly masterplan led approach.

The application makes provision for a green cycleway connection along its western boundary running approximately 24 metres in length. This cycleway connection forms one parcel of the wider cycle

connections throughout the BEW development and wider part of the District. Such a provision promotes sustainable and active travel and provides for wider connections throughout the District through non-motorised forms of travel.

The LHA raised concern regarding the level of detail provided in relation to the green cycle way connection spanning along the western extent of the site. More definitive details can be secured and agreed more latterly in the development process, by way of condition. The delay of this detail will seek to ensure such detail will be agreed when the LPA knows the specification of the green cycle link that runs parallel with the PROW, south of the application site (on the adjacent land). Such an approach is considered preferable.

Parking provision accords with standards set out in the Arun District Council Parking Standards Supplementary Planning Document (January 2020), with the appropriate allowances made owing to alternative sustainable methods of travel. The Council will impose a condition requiring the provision of Electric Vehicle Charing Points in the development in accordance with Appendix 1 of the above SPD.

The applicant has not submitted a Draft Travel Plan that could be introduced to promote sustainable modes of transport and positively adapt user behaviour. These measures could be formally agreed as part of a Travel Plan condition. Such a condition will be triggered prior to occupation of the residential units given any harm will derive at the point of occupation. Financial contributions towards the monitoring of the Travel Plan are included within the obligations in the corresponding S106 Agreement.

Taking these above factors into account, the development would provide for the transport and access requirements serving itself and the wider Strategic Allocation requirement and therefore accords with Policies H SP2, H SP2c, T SP1 and T DM1 of the Arun Local Plan and Policies GA2 and GA4 of the Barnham and Eastergate Neighbourhood Development Plan.

7. TREES & LANDSCAPING

Policy ENV DM4 (ALP) requires development proposals to demonstrate that trees protected by a Tree Preservation Order or contributing to local amenity will not be damaged or destroyed; subject to the detailed criteria.

Policy ES10 (NDP) makes clear that development that damages or results in the loss of ancient trees, trees or hedgerows of arboricultural and amenity value will not be supported.

The submitted development retains protected trees on site and would, in most cases, make a feature out of them. Subject to protection measures as detailed in the suggested conditions, no impacts upon trees would result.

The development seeks to achieve a number of landscaping enhancements throughout the site which are detailed within the Design and Access Statement. In principle, such enhancements would help soften the development of this site and reiterate the verdant, vegetated, parkland character to this site.

Such principles associated with the proposed landscaping would play a key role in enhancing the overall ecology and biodiversity value of the site.

A condition will be imposed requiring submission of full landscaping details to be submitted as part of the subsequent discharge of condition process.

On the basis of the above, the development would safeguard the trees subject to TPOs and those contributing to local amenity in accordance with Policy ENV DM4 of the Arun Local Plan and Policy ES10 of the Barnham and Eastergate Neighbourhood Development Plan.

8. BIODIVERSITY & ECOLOGY

Policy ENV DM5 (ALP) requires development schemes, in the first instance, to achieve a net gain in biodiversity and protect existing habitats on the site.

A Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment of the site was undertaken on 22 February 2018, to appraise the existing ecological resource within the land and the surrounding area. Subsequent bat emergence/re-entry survey of the property and reptile survey of the surrounding land was undertaken during the summer of 2019. A further updated walkover survey was conducted on 21 September 2020 to assess whether the conditions on-site had altered.

The walkover survey found the site was unchanged; the dwelling has not deteriorated with no new opportunities for bats to colonise. The walkover found all other buildings were still considered to offer 'negligible' bat roost potential with no trees offering bat roost potential proposed for removal in updated proposals.

The walkover found reptile habitats to the margins are largely unchanged, with the same opportunities for reptiles during summer and hibernation present and the same requirement for translocation as previously. The walkover survey confirms that no further phase 2 update survey work is required.

APPROPRIATE ASSESSMENT: OPERATIONAL IMPACTS AND MITIGATION

The 2018 Ecological Survey noted 11 species of bat have been recorded within 2km of the site. It concluded the hedges, trees and scrub which run continuously along the southern boundary are a potential commuting and foraging feature for bats, in particular due to the presence of a ditch and its connectivity to other treelines. The Report concluded the treelines and hedge to the western boundary may form foraging and commuting habitats for bats.

On the basis that the likelihood of foraging bats frequenting the boundary planting is high, the Survey makes a series of recommendations to enhance the site's value for foraging bats and to minimise indirect impacts from lighting associated with the new development, including:

- Trees and hedges are proposed for retention and only where necessary are tree lines being removed
- Trees will be removed in sections with each section inspected by the tree surgeon prior to removal
- Any removal of treelines should be compensated through the planting of a new treeline to the boundary
- Inclusion of a 5m buffer strip around hedgerows (5m minimum) and during construction fencing should be used to ensure this area is undisturbed
- Any gaps to be filled in using native hedge species to improve connectivity
- Lighting scheme for the site to take into consideration the presence of bats in the local area
- Lighting scheme should minimise potential impacts to bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding

Whilst it is noted much of the hedgerow planting is present along the west boundary of the site, where the greenway/cycle link is proposed, this cycle link will provide an opportunity for replacement habitats to be provided. At present, this hedgerow is neither well maintained nor kept in any neat order. The green cycle link provides an opportunity to enhance the habitats; with the intent of providing enhanced foraging for bats. Any lighting scheme for this area can be specifically designed to ensure it does not result in adverse impacts on bat foraging potential, whilst also providing a safe route for users.

A separate formal Appropriate Assessment has been undertaken by Arun District Council and submitted for verification to Natural England which seeks to confirm the above approach is acceptable.

Subject to the above recommendations, and careful consideration of any future landscaping and planting

scheme, the development will ensure adequate protection is given to foraging bats and flightlines deriving from the Singleton and Cocking Tunnels SAC.

APPROPRIATE ASSESSMENT: CONSTRUCTUON IMPACTS AND MITIGATION

Notwithstanding the above operational mitigation, harm to foraging bats could result from the construction phases of development. To provide adequate mitigation throughout these phases of development, the conditions and recommendations as set out in the Council's Ecology Advisor's Recommendation will be secured via condition and strictly adhered to throughout the undertaking of development. These measures are set out in full on the application file.

Subject to conditions set out by the Council's Ecology Officer, the habitats required for foraging bats would not be disturbed throughout the construction phases of the development and, subject to the detailed buffers, would allow for the flight path for foraging bats. The development would not result in harm to the Singleton and Cocking Tunnels SAC. Therefore, the development would provide for biodiversity gains in accordance with Policy ENV DM5 of the Arun Local Plan.

On this basis, the mitigation measures and ecological enhancements detailed in the originally submitted Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment apply equally and can be secured via condition.

A separate formal Appropriate Assessment has been undertaken by Arun District Council and submitted for verification to Natural England which seeks to confirm the above approach is acceptable.

Subject to the imposition of conditions which include requiring undertaking the recommended improvements within the submitted Ecology Report, the development would provide for biodiversity gains in accordance with Policy ENV DM5 of the Arun Local Plan.

9. SUSTAINABILITY AND CLIMATE CHANGE

Policy ECC SP2 (ALP) requires all new residential development to be energy efficient and to demonstrate how they will:

- a. Achieve energy efficiency measures that reflect the current standards applicable at the time of submission;
- b. Use design and layout to promote energy efficiency; and
- c. Incorporate decentralised, renewable and low carbon energy supply systems, for example small scale renewable energy systems such as solar panels.

Policy ECC SP2 requires for all major developments for 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless it can be demonstrated this is unviable.

Policy ES11 (NDP) requires all new housing development to have a minimum energy efficiency standard equivalent to Level 3 of the Code for Sustainable Homes. New development should also include high quality, thermally efficient building materials, double glazing (at a minimum) and cavity walls and loft insulation.

The applicant has not provided any such details but they can be secured by imposition of condition. Subject to conditions securing the above, the development accords with Policy ECC SP2 of the Arun Local Plan and Policy ES11 of the Barnham and Eastergate Neighbourhood Development Plan.

10. HERITAGE & ARCHAEOLOGY

There are no statutory or locally listed buildings within the vicinity of the application site who's significance would be affected by the proposed development.

Policy HER DM6 (ALP) requires sites where there is potential to include heritage assets with archaeological interest, to grant permission only where it can be demonstrated that development will not be harmful to the archaeological interest of these sites. In such instances, Policy HER DM6 requires applicants to arrange for a desk based archaeological assessment of the proposed development site undertaken by a suitably qualified person.

Policy HER DM6 makes clear that where the Local Planning Authority has reason to believe, either from the archaeological assessment as above, or from other evidence sources that significant archaeological remains may exist, further assessment in the form of a field evaluation will be required to be carried out before the planning application is determined.

The consultation response received from the County Council's Archaeologist has made clear that because of any archaeological intervention on or in the vicinity of this site its specific archaeological potential is unknown. However, the general potential it has comes from its location on a part of the coastal plain that has always been favourable to settlement - and from the fact that a large enough site in such an area is bound to contain something of interest.

The advice received concludes the best way to test this would be through the excavation of a series of trial trenches ahead of development in order to identify anything of interest, followed by suitable preservation of its significance through further investigation, recording and dissemination of the results.

Subject to the imposition of a condition the development would safeguard any possible archaeological remains in accordance with Policy HER DM6 of the Arun Local Plan.

11. RESIDENTIAL AMENITY

Policy QESP1 and D DM1 of the Arun Local Plan requires development to not have a significantly negative impact upon residential amenity. Further, Policy D DM1 requires development to have a minimal impact to users and occupiers of nearby property and land.

The site layout plan shows back to back distances of dwellings being in broad accordance with the Arun District Council Design Guide SPD. Further, save for the Bexstone House development to the west, the remainder of the area comprises undeveloped, open agricultural land. Therefore, no neighbouring properties would be implicated by this development.

Bexstone House, located to the west, would have a green buffer between it and the development site. Further, sufficient space exists within the boundaries of the property to provide mitigation in the form of screening; should this be required at the adjacent landowner's preference. Notwithstanding this ability, the presence of the green link and its associated planting would provide adequate screening.

Bexstone House comprises part of the BEW allocation and there is a strong likelihood this parcel could come forward for development; with it being included in the mini-masterplan area.

On this basis, it is considered that throughout the operational phases of the development, no adverse impacts would result on the residential amenities of either the proposed occupants of the development, or existing occupants of Bexstone House.

Environmental Health recommended the inclusion of conditions for the construction phases of the development which could be secured through the provision of a Construction Management Statement. This could be further mitigated through restrictions on construction hours of the development to prevent any adverse impacts arising.

On the basis of the above, and having regard to the conditions set out, the proposed layout would not result in impacts upon residential amenity and would therefore accord with Policies QE SP1 and D DM1 of the Arun Local Plan.

12. SURFACE WATER DRAINAGE

The NPPF requires that development does not give rise to an unacceptable risk of flooding that is detrimental to human health or property. Policy W DM2 (ALP) requires the submission of site specific Flood Risk Assessment (FRA) which demonstrates that the development will be safe without increasing flood risk elsewhere and reduce flood risk overall; consider flood flow routing and utilise temporary storage areas.

Policy ES1 (NDP) requires development should aim to reduce the overall level of flood risk in the area. Development will not be supported without clear evidence provided of there being no flood risk (either to the development site or to other land) arising from the carrying out and use of the development.

The applicant submitted a Flood Risk Assessment and Drainage Strategy which was complemented by a full set of groundwater monitoring and infiltration testing. This testing demonstrated infiltration at shallow depths will be viable at the north of the site and that surface water will have to be attenuated and discharged to the watercourse at the south of the site.

The Council's Drainage Engineers confirmed they would have no objection to soakaways (incorrectly referred to as 'infiltration basins') in rear gardens; however, their preference would be that each property should have an individual soakaway rather than a large shared one between property boundaries. This is to prevent issues regarding management and access. Such matters of detailed/technical design can be addressed via subsequent discharge of condition process.

The comments received from the Council's Drainage Engineers confirm that the likely drainage solution, based on the groundwater and infiltration evidence, will be a hybrid scheme which utilises both infiltration and restricted discharge to a watercourse.

On this basis, the Local Planning Authority is satisfied that sufficient evidence has been provided to demonstrate that the applicant will be able to find a solution that will enable them to discharge the drainage conditions recommended by the Council's Drainage Engineers.

On the basis of the above, and subject to the conditions in the recommendation, the development would not result in impacts deriving from surface water and accords with Policy W DM2 of the Arun Local Plan and Policy ES1 of the Barnham and Eastergate Neighbourhood Development Plan.

13. FOUL WATER DRAINAGE

Policy W DM1 (ALP) makes clear development which will materially increase foul water discharges will be refused unless the LPA is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development.

The development would connect to the sewer in Barnham Road. The nearby Waste Water Treatment Works are nearing capacity which is being commensurately used up as development comes forward. To ensure that no occupations take place until the site can be adequately serviced in terms of foul water sewerage, the imposition of a condition provides adequate safeguards to prevent such impacts from arising.

Southern Water confirm they have capacity in their network for the quantum of development at this time; however, this capacity will vary dependent upon the time of occupation. This matter is covered separately under sewerage arrangements.

Subject to conditions requiring the submission of a detailed foul drainage scheme at the reserved matters stage, the development accords with Policy W DM1 of the Arun Local Plan.

14. MINERALS AND RESOURCES

The application site falls in an identified Sharp Sand and Gravel Mineral Safeguarding Area as identified by WSCC mapping. The WSCC Joint Minerals and Waste Plan sets out the strategy for minerals supply in West Sussex until 2033 and comprises part of the Development Plan for decision taking.

WSCC 's response concluded that as the site is for the development of land in the curtilage of an existing development where the MWPA would consider the proposal to meet the exemption criteria for consultation as per 2.4 of the Minerals and Waste Safeguarding Guidance.

WSCC note that the submitted Minerals Resource Assessment opines that Mineral Sterilisation will not occur as a result of the limited site area and its semi-rural location. While Mineral Sterilisation will inevitably occur at the site as a result of the development (and is arguably already sterilised by way of an existing property on the land), the Minerals and Waste Planning Authority agree the extraction of these minerals would not likely be environmentally feasible or economically practicable given the presence of adjoining neighbours and the narrow plot of the site, which would result in a very limited extraction area once buffer zones etc are taken into account.

On the basis of the above, the Minerals and Waste Planning Authority raised no objection on the basis of the absence of future Minerals Extraction. On this basis the LPA raise no objections.

15. INFRASTRUCTURE DELIVERY

Development is only acceptable with the provision of, or contributions to, the necessary infrastructure which mitigates the impacts of the proposed residential development. Policy H SP2c of the Local Plan sets out the infrastructure requirements for the BEW strategic allocation, which include:

- A well connected local centre, with connections to the train station at Barnham;
- New retail, commercial and community facilities;
- New Tier 7 library;
- Healthcare facilities to serve the BEW strategic allocation and Fontwell;
- Transport requirements including a new A29 route through the allocation, an east-west route north of the railway linking the existing and new A29 route, Westergate cycle link scheme, regular bus services, access to Barnham Station;
- A new two-form entry primary school, a new one-form (expandable to two-form) entry primary school and nursery places;
- Incorporate two new sports pitches and changing facilities; and
- New employment provision.

A comprehensive package of mitigation measures has been agreed between the applicant and LPA which are set out in full in subsequent sections of this assessment. This package will ensure the demands created by the development will be mitigated sufficiently through the identified projects. Such an approach accords with that detailed in Policy H SP2c of the Arun Local Plan.

16. SUMMARY

This assessment has found that the development is in accordance with the development plan in regard to the principle of development, layout/design, open space provision, housing mix/affordable housing, highways/transport, parking and access, trees/landscaping, biodiversity/ecology, sustainability/climate change, heritage/archaeology, residential amenity, surface/foul water drainage and infrastructure delivery.

This assessment has not found any other material considerations that would warrant the development to be considered other than in accordance with the Development Plan.

Subject to the provision of the S106 agreement to secure the infrastructure delivery required to mitigate the development's impacts and the set of conditions set out in the decision notice, planning permission can be approved.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

SECTION 106 DETAILS

The applicant has entered into a Section 106 Agreement to secure the relevant mitigation detailed in this report. The financial contributions towards the following projects identified in the Council's Apportionment Study and Infrastructure Delivery Plan are detailed as follows:

- A29 Re-Alignment (£161,000)
- A27/A29 Fontwell East Roundabout (£4,130)
- A27/B2233 (£2,100)
- A259 Corridor Improvement (£1,120)
- A259 Oystercatcher Junction Improvement (£4,200)
- Barnham Village Centre Contribution (£3,500)

- 3G Pitch Contribution (£4,230)
- 3G Pitch Land Contribution (£1,281)
- Playing Pitch Contribution (£34,314)
- Playing Pitch Land Contribution (£2,562)
- Sports Hub: Ancillary Facilities Contribution (£15,008)
- Sports Hub: Community Centre Contribution (£30,000)

- Sports Hub: Sports Hall Contribution (£11,879)
- Swimming Pool Contribution (£12,196.41)
- Fire & Rescue Contribution (formula based)
- Police Services Contribution (£4,699.58)
- Healthcare Contribution (£34,602.93)
- Library Contribution (£697)
- Nursery Contribution (£43,255)
- Nursery Land Contribution (£686)
- Primary School Contribution (£209,303)
- Primary School Land Contribution (£9,338)
- Secondary School Contribution (formula based)
- SEND Contribution (£16,744)
- SEND Land Contribution (£1,036)
- Sixth Form Contribution (formula based)

The site (dwelling yield of 30 units) comprises 0.7% of the overall BEW dwelling yield of 4,300 units as endorsed by the Framework Masterplan. Given that individual landowners are not part of a wider collaboration agreement or consortium and are seeking to come forward at different times, the above apportionment has been used to fairly and equally distribute the strategic wide costs out. The above contributions have been deemed to be Regulation 122 compliant in respect of meeting the legal tests.

CIL DETAILS

This application falls within a Strategic Site Allocation and is therefore no CIL Liable. This approach was deemed appropriate at Local Plan adoption stage to allow for developer contributions towards infrastructure.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

PL-102 - Location Plan
 PL-106 Rev B - Detail Site Layout Sheet 1
 PL-107 Rev B - Detail Site Layout Sheet 2
 PL-108 Rev A - Block Plan
 PL-109 Rev A - Materials Plan
 PL-110 Rev A - House Type AB
 PL-111 Rev A - House Type AC
 PL-112 Rev A - House Type DD
 PL-113 Rev A - House Type HF
 PL-114 Rev A - House Type EK
 PL-115 Rev A - House Type GG
 PL-116 Rev A - House Type II

PL-119 Rev A - House Type L
 PL-120 Rev A - House Type M
 PL-121 Rev A - House Type N
 PL-122 - Garage and Carports Plans and Elevations

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D SP1 of the Arun Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes and (if requested by the LPA) samples of such materials and finishes to be used for external walls and roofs of the dwellings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policies D SP1 and D DM1 of the Arun Local Plan.

- 4 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled "Realigned Access" and numbered Figure 1.3 Revision D.

Reason: To secure satisfactory standards of access for the proposed development in accordance with policies T SP1 and T DM1 of the Arun Local Plan.

- 5 No part of the development shall be first occupied until the vehicle turning spaces have been constructed within the site in accordance with the approved site plan. This space shall thereafter be retained at all times for their designated use.

Reason: In the interests of road safety and in accordance with policies T SP1 and T DM1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until such time as the existing vehicular access onto Barnham Road has been physically closed in accordance with the plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety and in accordance with policies T SP1 and T DM1 of the Arun Local Plan.

- 7 No part of the development shall be first occupied until such time as the cycle access serving the development has been constructed in accordance with the details shown on the drawing titled "Proposed Development - Phase 1 and Phase 2 Cycleway Tie-In and Signage" numbered MBSK210326/01.

Reason: To provide alternative travel options to the use of the car in accordance with policies T SP1 and T DM1 of the Arun Local Plan.

- 8 No dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the users of the development in accordance with Policy T SP1 and T DM1 of the Arun Local Plan.

- 9 No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. Once provided the charging shall thereafter be retained at all times

thereafter for their designated purpose.

Reason: To provide EVC charging points to support the use of the electric vehicles in accordance with the national sustainable transport policies in accordance with T SP1 and T DM1 of the Arun Local Plan.

- 10 No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwelling has been provided in accordance with plans and details approved by the Local Planning Authority under condition 2 of this permission. Once provided the cycle parking shall thereafter be retained at all times thereafter for their designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with policies T SP1 and T DM1 of the Arun Local Plan.

- 11 Details for the storage of waste on the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Once approved the waste storage shall be maintained as such at all times thereafter.

Reason: To protect the amenities of nearby residents in accordance with Arun Local Plan policy WM DM1.

- 12 Landscaping (hard and soft) shall be carried out in accordance with the details to be submitted to, and agreed in writing, with the Local Planning Authority, prior to the commencement of development.

All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan. This is required to be a pre-commencement condition to ensure the planting can be agreed with the materials palette of the buildings.

- 13 No trees/or bushes/growing/and to be retained/on the site shall be damaged, uprooted, felled, topped or lopped without the prior written consent of the Local Planning Authority until 2 years after completion of the development hereby permitted. Any trees removed without such consent or being severely damaged or becoming seriously diseased or dying before the end of that period shall be replaced with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity and for the environment of the development in accordance with policies D DM1 and ENV DM4 of the Arun Local Plan.

- 14 No development shall commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun Local Plan Policy HER DM6. This is required to be a pre-commencement condition to ensure no irreversible harm to any archaeological significance is incurred throughout the undertaking of this

development.

- 15 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance) and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure the development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan.

- 16 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme 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 Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 17 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-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, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 18 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the development/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.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) (England) Order 2015,(or any order revoking or re-enacting that Order) the dwellings hereby permitted shall not be extended (in relation to Classes A - D) in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with policy D DM1 of the Arun Local Plan.

- 20 Construction work shall not commence unless and until an impact assessment of the noise from the development on occupants of existing nearby residential properties and future occupants of the new residential properties has been completed and submitted in writing to the Local Planning Authority. The impact assessment shall include noise from deliveries and operation of the development and shall include a noise mitigation scheme. The assessment shall have regard to the principles of BS 4142:2014 and achieve a difference between the measured 'rating' level and the measured 'background' level of at least BdB(A). A test to demonstrate compliance with the noise mitigation scheme shall then be undertaken by a competent acoustician/consultant before the use commenced.

Reason: To protect the amenity of local residents in accordance with Policies QE SP1 and QE DM1 of the Arun Local Plan. This planning condition is required to be pre-commencement to ensure an assessment of noise impacts from development and measures to mitigate impacts are secured prior to works commencing.

- 21 No construction/demolition activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no activities on Sunday or Bank Holidays.

In addition to these hours of working the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specific in this condition.

Reason: To protect the amenity of local residents in accordance with Policies QE SP1 and QE DM1 of the Arun Local Plan.

- 22 Prior to commencement of the development hereby approved (or such other date or stage in the 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 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 '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.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Arun Local Plan. This condition is required to be pre-commencement to ensure any contamination on site is appropriately remedied prior to works commencing.

23 No development shall commence 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,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- 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),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy TSP1 of the Arun Local Plan.

24 Prior to the installation and use of lighting, 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 Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011). 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.

Prior to installation of the lighting scheme the predicted illuminance levels shall be tested by a competent person to ensure that the illuminance levels agreed in the scheme are achieved. Should these levels be unable to be 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 and protected species in accordance with Policies QE SP1, QE DM2 and ENV DM5 of the Arun Local Plan.

- 25 No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport and in accordance with policies T SP1 and T DM1 of the Arun Local Plan.

- 26 Upon the first occupation, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

Reason: To encourage and promote sustainable transport in accordance with policy T SP1 and T DM1 of the Arun Local Plan.

- 27 The development shall be undertaken in accordance with the mitigation measures set out in the Lizard Landscape Design and Ecology Preliminary Ecological Appraisal Survey and Preliminary Protected Species and Bat Roost Assessment Survey dated 28 March 2018 and maintained in perpetuity, where required, at all times thereafter.

Reason: To protect local wildlife and protected species, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 28 Any works to the trees or vegetation clearance on the site shall be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time a suitably qualified ecologist shall survey the site for the presence of birds prior to any works taking place (within 24 hours of any work).

Reason: To protect local wildlife and protected species, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 29 Prior to the commencement of development an annotated site plan (showing siting, scale and nature of proposed biodiversity enhancement measures) shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with these approved details and the biodiversity enhancements set out in the agreed details.

Reason: To ensure the proposals would result in a Net Biodiversity Gain, in accordance with the Environmental Bill and policy ENV DM5 of the Arun Local Plan.

- 30 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework) unless it can be demonstrated that a fabric-first approach would achieve an equivalent saving.

Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in

writing by the Local Planning Authority prior to the commencement of development. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan. This is required to be a pre-commencement condition because the approved measures may need to be built into the fabric of the buildings.

- 31 Prior to the occupation of any part of the development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wider network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

- 32 Prior to commencement of development the applicant shall prepare and submit for approval an Employment and Skills Plan. Following approval of the Employment and Skills Plan the development will implement and promote the objectives of the approved plan.

Reason: In accordance with Policy SKILLS SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as it relates to the construction phase of development and to ensure measures are in place so that local crafts people and apprentices are employed on the development.

- 33 Prior to the commencement of development the applicant shall prepare and submit a Accessible Dwellings Plan detailing which dwellings on the site shall be provided to M4(2) and M4(3) standards. Following agreement in writing with the Local Planning Authority, the identified dwellings agreed shall be provided and retained as such at all times thereafter in perpetuity.

Reason: To promote a housing mix that accords with the demographic requirements of the District, as indicated in the Council's Strategic Housing Market Assessment and indicate within the Arun Local Plan and Arun District Council Design Guide SPD.

- 34 INFORMATIVE: This permission conveys consent under planning legislation only and contravention with other legislation e.g. protection of wildlife etc. should be considered.

- 35 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in

accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 36 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to the matters detailed in the corresponding Officer's Report.
- 37 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact the Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- 38 INFORMATIVE: The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant is requested to contact the Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

Temporary directional signs to housing developments (Major apps only 10 units +)

The applicant is advised that they must apply and obtain approval from West Sussex County Council as Highway Authority for all temporary directional signs to housing developments that are to be located on the highway. Further details of the process and how to apply are available here: <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/temporarydevelopment-signs/#overview>