

reside.

**Land West of Fontwell Avenue  
Planning Statement  
November 2021**



Report Presented by:

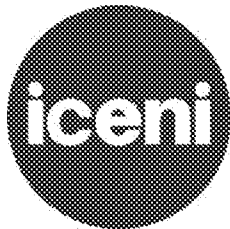
Iceni Projects

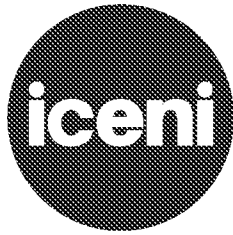
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NOVEMBER  
2021

# Planning Statement

Land west of Fontwell Avenue, Fontwell, Eastergate.

Iceni Projects Limited on behalf of  
Reside Developments Limited

November 2021

ICENI PROJECTS LIMITED  
ON BEHALF OF RESIDE  
DEVELOPMENTS LIMITED

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**Planning Statement**  
**LAND WEST OF FONTWELL AVENUE, FONTWELL,**  
**EASTERGATE.**



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## 1. INTRODUCTION

1.1 This Planning Statement has been prepared in support of outline planning application by Reside Developments Limited ("the Applicant"), for a residential development on land west of Fontwell Avenue, Fontwell, Eastergate, West Sussex, PO20 3RX ("the site").

1.2 The description of development is as follows:

*"Outline planning application for the erection of up to 8 No. dwellings with all matters reserved except access".*

1.3 This Planning Statement sets out the relevant planning background to the proposal, presents the application scheme and demonstrates how the planning considerations associated with the development have been addressed and how they comply with the planning policy at local and national level.

1.4 Arun District Council cannot currently demonstrate a five-year housing land supply and therefore in line with national planning policy, the presumption in favour of sustainable development applies. The proposals will provide much needed housing in the District. The Government's objective is to significantly boost the supply of housing to meet the housing needs of different groups in the community.

1.5 This Planning Statement should be read in conjunction with the Architectural Plans and associated Design & Access Statement prepared by Clague Architects, together with all other consultant documents which comprise the planning application.

1.6 The Planning Statement is structured as follows:

- Section 2 of this Statement sets out the relevant background to the application site;
- Section 3 explains the application proposal;
- Section 4 details relevant planning policies at national and local level against which the application should be determined;
- Section 5 assesses the relevant matters in the consideration of the planning application; and
- Section 6 details the planning balance and provides the conclusions.

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## 2. RELEVANT BACKGROUND

### Site and Surrounding Area

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- 2.1 The site is located to the west of Fontwell Avenue (A29) and north of the driveway to Northfield Farmhouse; 500m south Fontwell, 1.2km north of Eastergate and 1.5km north of Westergate.
- 2.2 The 0.38 hectare site comprises a horse menage and associated outbuildings. The site has vehicle access through the approved development to the north (planning application ref: BN/50/20/PL) also referred to as Land West of Fontwell Avenue. Fontwell Avenue (A29) borders the site to the east.
- 2.3 The site does not lie within either a nationally or locally protected landscape, designated for its special scenic qualities. There are no ecological designations within the immediate local landscape. The site is located within Flood Zone 1, which is an area with the lowest probability of flooding. Mature and semi-mature trees line the east, south and west site boundaries.
- 2.4 The site is within an accessible location and is within walking distance of local amenities and facilities. As detailed in the Transport Statement prepared by Paul Basham Associates which accompanies this planning application, numerous facilities are accessible within a 20-minute walk or 10-minute cycle such as a post office, medical centre, nursery and secondary school. The site benefits from regular bus services and rail services from Barnham Station, allowing for both local travel and travel further afield.
- 2.5 The surrounding area is semi-rural in character with low density development. There are clusters of residential development to the north-east of the site and to the south along Fontwell Avenue. Fontwell Racecourse is located to the north. Northfields and Folly Foot Farm are located to the south and south-east respectively. Northfields and Fontwell Farm is located to the west. The land to the east of Fontwell Avenue is undeveloped.

### Planning History

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- 2.6 The Site has no recent planning or development history of relevance to this application. There was one approved application in 2015 relating to the demolition of timber barn for proposed 1 No residential annexe.
- 2.7 The land immediately to the north of the site received permission for 42 dwellings in December 2020 (planning application ref: BN/50/20/PL). Further to this the land immediately west of this permitted scheme to the north know as Land at Bayards is currently subject to a planning application for up to 69 units (planning application ref: AL/113/21/OUT).

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## **Public Consultation**

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- 2.8 The Applicant has consulted with Barnham and Eastergate Parish Council informing them of the proposals and inviting comments on the development, and their views on the wider parish needs. The Parish is in the process of preparing an updated Neighbourhood Plan which is discussed in further detail in Section 4 of this Statement.
- 2.9 To inform neighbouring residents and businesses about the proposals and invite them to provide feedback on the outline application, a consultation letter was delivered to 38 residential properties and businesses neighbouring the site. At the time of drafting, no responses have been received. A copy of the letter and further details of the consultation can be found in the Statement of Community Engagement Report submitted as part of the planning application.

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### 3. PROPOSED DEVELOPMENT

- 3.1 This outline planning application seeks permission for the erection of up to 8 dwellings (Use Class C3), with all matters reserved except for access (referred to as the “proposed development”).

#### **Residential Development**

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- 3.2 The proposed development includes 8 residential dwellings. It is expected that this will include a mix of unit sizes however, the precise mix will be determined through a future Reserved Matters Application.
- 3.3 In terms of density, the provision of 8 dwellings on this 0.38-hectare site results in 21 dwellings per hectare. The dwellings are proposed to be two storeys in height and with private rear gardens.
- 3.4 Given the proposed 8 units does not constitute major development affordable dwellings are not required to be provided on the site, as set out policy AH SP2 of the Arun Local Plan 2011-2031 (July 2018).

#### **Access**

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- 3.5 The main vehicular access would from the north through the development approved development (ref: BN/50/20/PL), this site gains its main access off Fontwell Avenue. The development site would be served via a 6m wide road.
- 3.6 It is proposed that the internal roads would act as a shared surface arrangement, which would connect onto an existing area of shared surface in the consented development. Site pedestrians would also benefit from footways and pedestrian crossing points provided within the consented scheme to the north which provide access onto Fontwell Avenue.
- 3.7 Pedestrians of the proposed development would also benefit from the formal pedestrian crossing (dropped kerbs, tactile paving and pedestrian refuge island) being delivered as part of the consented scheme’s access works. This ensures that users of the proposed development have safe access onto Fontwell Avenue and the wider pedestrian network.

#### **Parking**

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- 3.8 Car parking on site will be provided in accordance with the standards set out in Arun District Council’s Parking Standards. Parking numbers will be confirmed at the Reserved Matters stage. The indicative layout indicates that parking can be provided broadly in accordance with the standards. Electric

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Vehicle charging will also be provided in accordance with Arun District Council's parking standards and confirmed at the appropriate Reserved Matters stage.

### **Design and Layout**

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- 3.9 The proposed development responds to the local context both internally with its organic layout, and externally through the careful positioning of dwellings to line up with prominent viewpoints.
- 3.10 The dwellings are located along Fontwell Avenue in an informal manner to create a semi-rural character. A clear visual gap is created between units fronting onto the eastern boundary, whilst houses are carefully placed around certain viewpoints to turn corners with architectural features such as bay windows which address aspects of the road layout.

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## 4. POLICY CONTEXT

4.1 The Local Planning Authority is required to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise. The relevant Development Plan in this instance comprises of the West Sussex Joint Minerals Local Plan (2018), the West Sussex Waste Local Plan (2014), the Arun Local Plan 2011-2031 (2018), Barnham and Eastergate Neighbourhood Plan (2014) and the Draft Barnham and Eastergate Neighbourhood Plan 2.

4.2 Other material considerations include:

- National Planning Policy Framework (2021).
- National Planning Practice Guidance.
- National Design Guide (2019).
- Arun's Supplementary Planning Documents including:
  - Arun Parking Standards (2020); and
  - Arun District Public Open Space, Playing Pitches and Built Facilities (2020).

4.3 The proposed development will be considered against all of the relevant policies of the Development Plan, this section highlights the most pertinent strategic policies to the subject application but is not intended to be an exhaustive list. Further policies will be referenced in the consideration of the material planning considerations in the subsequent sections.

### **Arun Local Plan**

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4.4 The Arun Local Plan (ALP) which guides development in Arun was adopted in 2018 and covers the period 2011-2031.

4.5 Policy SD SP1 'Sustainable Development' highlights the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF and will work pro-actively with applicants to jointly find solutions which mean that proposals can be approved wherever possible and to secure development that will contribute to the social, economic and environmental conditions.

4.6 Eastergate is identified as one of the Villages in the District that will develop their role as a well-connected large village serving Inland Arun; providing an enhanced range of shops, employment, housing, community facilities and local services over the local plan period.

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- 4.7 Policy C SP1 'Countryside' sets out the criteria relating to the types of development permitted outside the Built-Up Area Boundaries in the countryside. The Council will take into account cumulative impact of development in the consideration of planning applications.
- 4.8 Policy H SP1 'The Housing Requirement' sets out that at least 20,000 new homes will be accommodated in the District between 2011 and 2031. This will be achieved through a number of strategic housing allocations and additional non-strategic allocations will be made across the District through Neighbourhood Plans. The policy undertakes that on adoption of the Local Plan the Council will assess progress on Neighbourhood Plans and immediately commence the production of a Non-Strategic Site Allocations DPD for those areas of the District which will not be covered by, or committed to the preparation of, an up-to date Neighbourhood Plan.
- 4.9 In terms of housing mix, Policy H DM1 seeks a mix of dwelling types and sizes. The tenure mix for development schemes shall be negotiated on a case-by-case basis.
- 4.10 In terms of design, Policy D SP1 states that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. Policy D DM1 provides the aspects of form and design quality that the Council when consider planning applications.
- 4.11 Policy ECC SP1 'Adapting to climate change' requires development to be located and appropriately designed to adapt to the impacts of climate change. In terms of energy and climate change mitigation, (Policy ECC SP2) all new residential development will be expected to be energy efficient and to demonstrate how they will achieve energy efficiency measures that reflect the current standards applicable at the time of submission.
- 4.12 Policy T SP1 'Transport and Development' will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. Policy T DM1 'Sustainable Travel and Public Rights of Way' outlines that new development must ensure ease of movement, prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport and community transport services where a need has been identified. 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.

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### **Barnham and Eastergate Neighbourhood Plan**

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The Barnham and Eastergate Neighbourhood Plan (BENDP) was made in 2014, however, it was based on the saved policies of the Arun District Local Plan 2003 and the draft policies of the

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publication version of the emerging Arun Local Plan at that time. The Parish Council is in the process of reviewing the Neighbourhood Plan to align with the district-wide Local Plan, it currently at Examination stage and is known as Barnham and Eastergate Neighbourhood Plan (BENDP 2). Given its advanced stage in the review process the proposals will also be assessed against the policies within this draft Plan although as discussed below full weight cannot be attributed to the draft Plan at this stage as it has not been formally made. The policies of the made Neighbourhood Plan are still relevant insofar as they support the delivery of the strategic policies of the Arun Local Plan and align with the National Planning Policy Framework.

- 4.13 It is worth noting that a Call for Housing Sites was undertaken in 2019 to identify sites within the Parish to meet the housing requirement allocated within the Arun Local Plan. A Site Assessment Report prepared by Process Matters on behalf of the Barnham and Eastergate Neighbourhood Plan Team has been published, which considers part of the application Site (Land west of Fontwell Avenue (Northfields Cottage)) to be “suitable for further consideration”. The site was considered as part of the wider Land west of Fontwell Avenue (ref: NEWEG2) site which now benefits from planning permission for 42 units, hence combined these two planning applications would provide a total of 50 dwellings.
- 4.14 In terms of opportunities in respect of the application site the Report states that *“The extension of the parish northwards to the line of the new A29 makes the use of this site for housing viable however the density would need careful consideration due to the low density surrounding it”*. As discussed further in this Planning Statement and the Design and Access Statement, the density at 21 dph and the character of the proposed scheme has been designed to reflect and compliment the established character of the local area and aligns with the permitted scheme to the north.
- 4.15 The identified constraints highlighted in the Site Assessment Report in respect of the site are that it lies outside the built-up area (BUAB) and known surface water flooding on east of site. The application is accompanied by a detailed drainage proposal, along with a flood risk assessment. The Report acknowledges that the Parish is under pressure to allocate land to meet its housing allocation and there are no suitable sites undeveloped within the BUAB. The Report concludes that *“As the northern extension to the BUAB as a result of the realigned A29 will take development further north towards Fontwell these sites could provide a sustainable location for development”*. Although the site is outside the BUAB as identified in the Barnham and Eastergate Neighbourhood Plan given the permitted development to the north this development would act as an extension to this 42-unit development.

#### **West Sussex Joint Minerals Plan**

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- 4.16 The West Sussex Joint Minerals Local Plan was adopted in 2018 and covers the period to 2033. It provides a basis for making consistent land-use planning decisions. The Joint Minerals Local Plan

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identifies areas for safeguarding minerals at Appendix E. The site is designated as part of a wider Sharp Sand and Gravel Minerals Safeguarding Area including a 250-metre buffer, however, proposals for less than 10 dwellings are exempt from the requirements set out in Policy M9 of the Plan. It was also confirmed the site is located outside of the Waste Infrastructure Consultation Area. Therefore, a Minerals Assessment has not been prepared in support of this planning application, although sufficient information was provided to support the two planning applications to the north of the site.

### **National Planning Policy Framework**

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- 4.17 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The NPPF is a material planning consideration in planning decisions.

#### *Achieving Sustainable Development*

- 4.18 Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states the planning system has three overarching objectives to achieving sustainable development, an economic objective, a social objective and an environmental objective.
- 4.19 Paragraph 9 states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

#### *The Presumption in Favour of Sustainable Development*

- 4.20 At the heart of the framework is a presumption in favour of sustainable development. Based on Paragraph 11 of the NPPF, for decision making this means approving development proposals that accord with an up-to-date development plan without delay or where the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 4.21 Footnote 7 clarifies that policies are considered to be out of date for applications involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer), or where the Housing Delivery Test indicates

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that the delivery of housing was less than 75% of the housing requirement over the previous three years.

4.22 The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

4.23 Paragraph 14 states: *In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:*

*a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;*

*b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;*

*c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and*

*d) the local planning authority's housing delivery was at least 45% of that required<sup>9</sup> over the previous three years.*

4.24 Paragraph 30 outlines that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently. This is relevant in this case whereby the policies in the Barnham and Eastergate Neighbourhood Plan have been subsequently superseded by the Arun Local Plan.

#### *Determining Applications*

4.25 Paragraph 48 gives regard to the weight to be given to the relevant policies with emerging plans according to:

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*a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

*b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*

*c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

#### **Delivering A Sufficient Supply of Homes**

- 4.26 To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay (paragraph 60).

#### **Achieving Well-Designed Places**

- 4.27 Paragraph 130 outlines that planning decisions should ensure that developments will function well, and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; sympathetic to local character and history, including the surrounding built environment and landscape setting; and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live.
- 4.28 Paragraph 134 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

#### **National Planning Practice Guidance**

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- 4.29 The Planning Practice Guidance (PPG) provides the relevant guidance to support policies set out in the NPPF.
- 4.30 In terms of housing supply and delivery, the PPG indicates that an authority will need to be able to demonstrate a 5-year housing land supply when dealing with applications. If an authority cannot demonstrate a 5-year housing land supply, including any appropriate buffer, the presumption in

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favour of sustainable development will apply<sup>1</sup>. The PPG also considers the weight can be attached to an emerging neighbourhood plan when determining planning applications. This guidance refers to Paragraph 48 of the NPPF, the emerging BENDP 2 cannot be attributed full weight giving consideration to its progress in the Neighbourhood Plan adoption process.

- 4.31 A section of the guidance provides advice on the key points to take into account on design. The tools for assessing and improving design quality to ensure design quality are identified and include the National Design Guide and local design guides and codes.

### **National Design Guide**

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- 4.32 The National Design Guide was published in October 2019 and sets out the characteristics of well-designed places and demonstrates what good design means in practice. It is based on national planning policy and guidance and forms part of the Government's collection of planning practice guidance and is a material consideration.
- 4.33 Good design is considered to involve careful attention to the components of places including the context for places and buildings, hard and soft landscape, technical infrastructure and social infrastructure.
- 4.34 A well-designed place comes through making the right choices about layout, form and scale of buildings, appearance, materials and detailing. The Guide identifies ten characteristics which work together to create physical character; help to nurture and sustain a sense of community and work positively to address environmental issues affecting climate. The characteristics are context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and lifespan.

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<sup>1</sup> Paragraph: 008 Reference ID: 68-008-20190722

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## 5. MATERIAL PLANNING CONSIDERATIONS

- 5.1 This section outlines the key planning case for the development of the site, including details of the proposed development's compliance with national and local policy.

### **Principle of Development and 5YHLS**

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- 5.2 Policy H SP1 of the Local Plan identifies the housing requirement for the plan period 2011-2031 as at least 20,000 new homes to be met through a number of strategic housing allocations, and non-strategic allocations to be made through Neighbourhood Plans or a Non-Strategic Sites Allocations DPD. The figure attributed to non-strategic sites is at least 1,250 new homes. However, as set out in the Council's Local Development Scheme (2020) progression of the DPD has been halted and is no longer being prepared. Hence, it can be concluded the Council are making limited progress toward achieving a 5-year housing land supply and windfall sites such as this one will be required to meet housing requirements.
- 5.3 The application site lies outside of the defined Built-up Area Boundary of Eastergate as identified on the ALP Policies Map and therefore falls within countryside. Policy SD SP2 of the ALP indicates that development should be focused within the Built-up Area Boundaries. Policy C SP1 of the ALP states that development in the countryside will only be permitted where it relates to certain criteria. The proposed development does not meet any of these criteria and is therefore inconsistent with the provisions of the ALP in this regard. The draft BENDP 2 maintains this approach to development and considers the site outside of the BUAB. An independent Examiner has reviewed the plan and it can therefore be given weight when considering planning applications. Hence the technical matters below have also been assessed against the draft BENDP 2.
- 5.4 Notwithstanding, the Council cannot currently demonstrate a 5-year housing land supply (discussed in further detail below) and as a result, all development policies that relate to housing in the ALP are considered to be out-of-date for the purposes of decision making and the presumption in favour of sustainable development applies. The policies in the BENDP 2014 that relate to housing are also out-of-date, as they do not meet the requirements of paragraph 14 of the NPPF, insofar as the neighbourhood plan became part of the development plan more than two years ago and the neighbourhood plan does not contain allocations to meet the housing requirement identified by the ALP 2018. Further to this, although the draft BENDP 2 is at an advanced stage it is not yet made, as a result, paragraph 11d of the NPPF applies for decision making.
- 5.5 Policy SD SP1 of the ALP states that the Council will take a positive approach that reflects the presumption in favour of sustainable development. It will work to secure development that will contribute to social, economic and environmental conditions. This site is in a sustainable location,

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particularly given its proximity to the permitted scheme to the north, hence the site could contribute to the creation of a sustainable, mixed community.

#### *Housing Land Supply*

- 5.6 Arun District Council acknowledges that it cannot demonstrate a five-year housing land supply. The Authority Monitoring Report (December 2020) identified supply to be 3.3 years and the Housing Delivery Test – 2020 measurement highlighted the Council has underdelivered on their housing target over the three previous years (61%). Following the publication of the Housing Delivery Test – 2019 measurement, which showed that Arun had not fully delivered on their housing requirement an Action Plan was implemented in 2019. The Action Plan makes a series of recommendations in order to boost housing delivery including applying a presumption in favour of sustainable development until such time as the 5-year housing land supply is re-established. Given the continued under delivery in the monitoring years 2019 and 2020 the presumption in favour of sustainable development still currently applies.
- 5.7 Moreover, the housing land supply position was considered as part of a recent planning appeal. The appeal decision<sup>2</sup> (dated 13 July 2021), found that the supply position is approximately **2.7 years**.
- 5.8 Taking these factors into account, the proposed development for up to 8 residential dwellings would make a contribution to meeting the housing requirement and improve the mix of sites in the District. Furthermore, the site does not have any barriers to delivery and as such can be built-out quickly to meet housing needs in the short term. This is particularly relevant given the Council is no longer progressing the Non-Strategic Site Allocation DPD and is therefore reliant on windfall developments to contribute towards their housing requirements.
- 5.9 It is clear that the presumption in favour of sustainable development applies in the determination of this application and paragraph 11d(i) of the NPPF is engaged. This means that permission should be granted unless “*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole*”. The following sections consider the potential impacts of the proposed development and other technical matters.

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<sup>2</sup> APP/C3810/W/21/3269025

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## Technical Matters

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### Character, Design and Landscaping

- 5.10 Policy D SP1 and Policy D DM1 of the ALP sets out the main considerations in terms of form and design quality expected from new developments. There are a number of policies in the BENDP and Draft BENDP 2 also relating to character and design including Policies H4 concerning the integration of new housing into surroundings; Policy H5 relating outdoor space; Policy ES5 Quality of Design and Contribution to Local Character. The Design and Access Statement prepared by Clague Architects that forms part of the planning application provides detail on the design considerations.
- 5.11 The proposal for the scheme is landscape led, with key views to the western boundary maintained and housing set back from the eastern boundary. The proposal builds on the character of the recently approved site to the north following a similar pattern of development and the building lines on the site do not follow the geometry of the roads creating an informal semi - rural character. The western edge of the site is maintained as a linear green space. Further to this, the architectural approach is in keeping with West Sussex vernacular to create a sense of place based on the surrounding context in Fontwell and Eastergate.
- 5.12 The principles advocated by the National Design Guide and the emerging Arun District Design Guide SPD have also informed the design process.
- 5.13 In relation to proposed materials the scheme will use a simplified palette of materials to create a unified character to the development. The main material will be brick, mostly traditional stock red brick, and white weatherboard. Certain buildings will be painted brick with complementary toned window frames. The building form is traditional with high quality simple brick detailing picked up in plinths, coursing details and banding adjacent to windows and front doors. Detailing is pared back at eaves and windows frames have traditional profiles. Roof materials will be red/brown tiles and grey reconstituted slate.
- 5.14 The key principles underlying the design proposals in terms of landscape are as follows:
- A structured and simple unifying planting palette is proposed across the residential street scene. The planting palette will contain a mixture of shrubs, both native and non-native, together with evergreen shrubs to produce a low maintenance landscape.
  - The western boundary will form a transitional edge, there maintaining and enhancing the existing ecological corridors. The boundary will primarily comprise the existing vegetation, supplemented with a mixture of native tree, shrub species and native wildflower planting.

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- Native tree and shrub planting will be provided on the eastern boundary along Fontwell Avenue therefore enhancing the existing vegetation. A wildflower margin is proposed between the Fontwell Avenue and residential edge, providing habitat opportunities.
  - In terms of materials a selection of complementary tones will be used to differentiate roads, parking courts, drives and pathways, changes in materials will encourage traffic calming.
  - The architectural approach is in keeping with West Sussex vernacular to create a sense of place based on the surrounding context in Fontwell and Eastergate.

5.15 In terms of density, ALP policy outlines that the density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. The policy does not provide density metrics however, the proposed development provides 21 dwellings per hectare. A design-led approach to density has been taken, to ensure the proposed development is in keeping and is sympathetic to the site and its surroundings which is semi-rural and is considered to be appropriate. It should be noted the proposed density of 21 dwellings per hectare is below the approved development to the north (27 dwellings per hectare).

5.16 As set out in the design principles above, it is considered that the proposed development meets the policy requirements and adequately addressed design guidance and will deliver a high-quality development that respects local character.

#### Trees

5.17 Policy ENV DM4 'Protection of trees' requires land and tree surveys, a tree constraints plan and an arboriculture impact assessment to be provided where there are existing trees on or adjacent to a development site. Policy ES10 of the BENDP and draft BENDP 2 also relates to the protection of trees and hedgerows.

5.18 Lizard Landscape Design and Ecology were commissioned to produce arboriculture documentation for the proposed development, which accompanies this planning application. The Arboriculture Impact Assessment and Method Statement report provides an assessment of the direct and indirect effects of the proposed design, and where necessary recommends mitigation. The Arboriculture Impact Assessment is accompanied by a tree constraints plan and a tree retention protection plan.

5.19 The proposals have been designed to eliminate negative impacts upon trees as far as possible. The buildings have been sited to avoid root protection areas and allow trees room to grow further. No tree removal is required for the proposals with a small section of ornamental hedgerow being removed. The proposals include a landscape scheme which provides new tree planting on the site. As such the proposals will result in an increase in arboricultural amenity at the site. On this basis, it is considered that the proposed development complies with Policy ENV DM4.

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### Transport

- 5.20 Policy T SP1 seeks to ensure that development provides safe access onto the highway network; contributes to highway improvements and promotes sustainable transport.

### Site Access

- 5.21 A Transport Assessment prepared by Paul Basham Associates has been submitted as part of the planning application in response to Policy T SP1(e) of the ALP. All 8 of the proposed units would be accessed through the extent of the internal road of the permitted development to the north (ref: BN/50/20/PL). It is proposed that the turning head by Plot 17 of the permitted scheme is extended into the site. The access road into the application site would measure c.5.5m wide. In line with Manual for Streets (MfS) guidance this is of sufficient width to allow two cars to pass. It should also be noted that the extension of the road.
- 5.22 BENDP and the draft BENDP 2 Policy GA2 'Footpath and cycle path network' supports proposals that improve and extend the existing footpath network, allowing greater access to new housing, the village centres and green spaces. As part of the permitted scheme to the north a 2m wide footway will be provided on the southern side of the access. This footway can be utilised by the residents of this proposed scheme to the south, the footway would connect pedestrians to a formal crossing point which would be facilitated by a pedestrian refuge island, dropped kerbs and tactile paving. The provision of this crossing point ensures that pedestrians can safely cross Fontwell Avenue when accessing local amenities within Fontwell, Westergate and Eastergate.

### Public Transport

- 5.23 The ALP outlines that the Council will support transport and development which is designed to reduce the need to travel by car by identifying opportunities to improve access to public transport services and passenger transport services (Policy T SP1(a)). Barnham Railway Station is located approximately 2.6km from the site. The nearest bus stops to the site are located on Fontwell Avenue, travelling in an east and west direction. The bus stops (Level Mere Lane stops) are located approximately 170m to the northeast of the site access and are within a short walk of the site. There is also a bus stop located approximately 700m (10-minute walk) to the southwest of the site that is serviced on a more frequent basis. This confirms that public transport is a genuine transport option.

### Parking Provision

- 5.24 Policy GA4 of the BENDP and Draft BENDP 2 and Policy T SP1 of the Local Plan indicates that developments should incorporate appropriate levels of parking in line with West Sussex County Council guidance on parking provision. However, Arun District Council provides parking standards for residential dwellings in the 'Parking Standards Supplementary Planning Document' (January

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2020). The site is located in Parking Behaviour Zone 2. As set out in the Transport Assessment, Car parking on site will be provided in accordance with the standards set out in Arun District Council's Parking Standards. Parking numbers will be confirmed at the Reserved Matters stage. The indicative layout indicates that car and cycle parking can be provided broadly in accordance with the standards, including electric vehicle parking. The level of parking provided is therefore considered to be acceptable on this basis.

### Ecology

- 5.25 Given the extensive ecology work undertaken for the approved planning application to the north and 'Bayards, Level Mare Lane' (ref: AL/113/21/OUT) which is currently being considered by the Council, it is deemed sufficient ecology work has been undertaken to assess the ecological value of the site.
- 5.26 Lizard Landscape Design and Ecology were commissioned to undertake a Preliminary Ecological Appraisal and subsequent Protected Species Surveys of the northern permitted site. The results of these surveys were then used to inform an Ecological Impact Assessment, which has also been submitted to accompany this planning application.
- 5.27 A preliminary ecological appraisal (PEA) was undertaken in September 2018, to appraise the existing ecological resource within the land and the surrounding area. Following the walkover, reptile and badger surveys were recommended and undertaken during the 2019 survey season.
- 5.28 The assessment concluded the development site is formed of common, widespread habitats of low ecological value. Floral diversity in general was very low, with the bulk of the site dominated by heavily grazed improved grassland.
- 5.29 No protected species were recorded utilising the site, with appropriate mitigation also applied to this scheme, compensation and enhancement the report concludes there will be no significant effects upon any habitats or protected species within or adjacent to the site.

### Historic Environment

- 5.30 Policy HER DM6 of the Arun Local Plan relates to Sites of Archaeological Interest. The policy requires applicants to arrange for a desk based archaeological assessment of the proposed development site to be undertaken by a suitably qualified person.
- 5.31 A Heritage Desk Based Assessment has been undertaken by RPS in support of the planning application. The assessment confirms the proposed development will have no impact on the setting or significance on any surrounding designated or non-designated built heritage assets.
- 5.32 It was concluded no designated or known non-designated archaeological assets have been recorded on the site. Based on the available evidence the site has a low to moderate archaeological potential

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for settlement evidence dating to the late prehistoric and Roman periods. The proposed development therefore has the potential to impact archaeological remains of a likely local significance, hence all further archaeological mitigation measures could follow planning consent secured by an appropriately worded planning condition.

#### *Residential Amenity*

- 5.33 Policy D DM1 of the ALP indicates that development should have minimal impact to users and occupiers of nearby property and land. The proposed development is well set away from the windows of the nearest dwellings on the permitted scheme to the north and Northfields Cottages to the south-east. It is therefore not considered that the proposal will result in any harmful overlooking of neighbouring properties. The landscaping strategy also provides significant screening.

#### *Noise*

- 5.34 The planning application is accompanied by a road Noise Assessment prepared by Hepworth Acoustics. Recommendations of appropriate noise mitigation measures have been made in order to achieve appropriate acoustic criteria in line with relevant British Standard guidelines, to secure good acoustic conditions for future residences.
- 5.35 To ensure that the development accords with Policy QE DM1 the following measures will be incorporated:
- Double glazing will be employed on all dwelling facades, as well as measures to minimise air permeability. This will aid in mitigating noise break-in from the surroundings to the habitable spaces of the proposed residences; and
  - To adequately protect garden areas of proposed plots closest to the A29, purpose-built acoustic barriers are recommended. In many areas, where gardens are not fully exposed to the A29 (i.e. some protection will be provided by the development building), then 1.8m high barriers will be adequate.

#### *Surface Water Flooding and Foul Water Drainage*

- 5.36 Policy W DM2 requires the submission of a 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. BENDP Policy ES1 and Policy ES1b in the draft BENDP 2 sets out that new development should aim to reduce the overall level of flood risk in the area.
- 5.37 An FRA has been undertaken which confirms that the site is in Flood Zone 1, which is classified as an area with a low probability of flooding. The conclusions of the FRA indicates that there is no increase in flood risk, either on site or downstream as a result of the proposed development and no flood reduction measures are required based on the assumptions applied. It has been identified that

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the site lies wholly with Flood Zone 1 and has a very low risk of flooding. The proposed drainage system has been designed for the 1:100year storm event with an additional 40% allowance for climate change.

- 5.38 The site has also been assessed for all sources of flood risk such as rivers, groundwater, canals, reservoirs, surface water (pluvial flooding) and sewer, and it is concluded that the site is not a risk of any means of flooding.
- 5.39 Infiltration testing and groundwater monitoring are currently being undertaken by Soils Ltd on the site with results due imminently. The results from these assessments will be used to inform the Drainage Strategy, however existing ground investigation has been undertaken on the site as part of the surrounding planning applications, therefore the submitted Drainage Strategy is based up this existing data and will be superseded once the results of the infiltration testing and groundwater monitoring are updated.
- 5.40 The proposed drainage strategy will comprise surface water via infiltration with a combination of soakaways and permeable pavements, piped networks for foul water with the strategy via gravity and through the adjacent site and the new foul sewers will be connected to the existing network via an agreement with Southern Water under Section 106 of the Water Industry Act 199.
- 5.41 Consequently, it is considered that the proposed development complies with Policy W DM in terms of flood risk.

#### *Climate Change*

- 5.42 Policy ECC SP1 of the ALP relates to adapting to climate change. A Sustainability Statement has been prepared by Iceni Projects. Section 5 of this document describes the measures that have been taken to adapt to the effects of climate change including measures to conserve water internally and externally, measures to reduce the risk of flooding and mitigate overheating.
- 5.43 Policy ECC SP2 of the ALP requires all new residential and commercial development (including conversions, extensions and changes of use) will be expected to be energy efficient and to demonstrate how they will achieve energy efficiency measures that reflect the current standards applicable at the time of submission, use design and layout to promote energy efficiency; and incorporate decentralised, renewable and low carbon energy supply systems. The application is supported by a Sustainability Statement which has also been prepared by Iceni Projects. The proposed development will comply with this policy through the employment of air source heat pump technology to provide space and water heating for the dwellings to achieve a carbon dioxide emissions savings, passive ventilation is also proposed. However, technology changes and improves regularly, so it is proposed that a suitably worded condition is added to the permission to agree and confirm the precise technology to be used.

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- 5.44 As a result, it has been demonstrated that the proposed development complies with the ALP.

### **Sustainable Development**

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- 5.45 The proposed development has the potential to deliver against the three overarching objectives of the planning system in the pursuit of achieving sustainable development identified in Paragraph 8 of the NPPF.

- 5.46 These headline benefits are summarised under each objective below.

#### *Economic Objective*

- 5.47 The NPPF defines economically sustainable development as that which contributes toward building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time.
- 5.48 An increase of housing within the locality will reduce barriers of access to housing for the workforce and allow labour flexibility and a better balance between housing and employment in the District.
- 5.49 The delivery of the scheme will help to support direct employment during the course of construction. Further spin-off jobs in the supply chain will also be generated along with economic output which will help to support the Arun economy more widely.
- 5.50 The delivery of new housing will also have some direct economic benefits to the Council including New Homes Bonus payment and Council Tax which is payable in perpetuity and helps to fund essential services locally.
- 5.51 Once the scheme is complete and occupied, it will generate resident expenditure which will help to support the vitality and viability of local shops and services in Eastergate, Westergate, Barnham and Arun more widely.

#### *Social Objective*

- 5.52 The NPPF defines socially sustainable development as that which supports strong, vibrant, and healthy communities by providing the supply of housing required to meet the needs of present and future generations. This is to be done through creating a high-quality built environment which supports the community's health, social, and cultural well-being.
- 5.53 The proposed development will provide a mix of dwelling sizes to meet local housing needs. The delivery of new homes on this site would assist in meeting the Government's objective of supplying homes in highly sustainable locations to create healthy communities.

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- 5.54 The creation of a healthy community secures significant health and recreation benefits for residents as well as providing opportunities and spaces for informal meetings and community participation, which helps to generate a sense of place and community.

*Environmental Objective*

- 5.55 The NPPF defines environmentally sustainable development as that which contributes to protecting and enhancing our natural, built, and historic environment.
- 5.56 As previous identified, particular attention has been paid to the design to retain all existing trees on the site. The Arboricultural Survey and Constraints Report prepared and submitted in support of this application have identified particular notable environmental factors necessary for protection. The findings of the survey has been incorporated into the design of the proposals and the scheme can therefore be considered to protect and enhance the natural environment.
- 5.57 The Landscape Strategy seeks to enhance the landscape features on the site through boundary planning primary comprising the existing vegetation, supplemented with a mixture of native tree, shrub species and native wildflower planting.
- 5.58 Other environmental design parameters have been incorporated into the proposal such as the inclusion of electric vehicle charging points, cycle parking and well-connected footpaths all of which promote lower usage of finite resources and more sustainable energy.
- 5.59 The site is well located in regard to public transport, retail and employment services and facilities. A number of facilities are accessible within a 20-minute walk or 10-minute cycle such as a post office, medical centre, nursery and secondary school. The site also benefits from regular bus services and rail services from Barnham Station, allowing for both local travel and travel further afield. As a result, it is highly likely that future residents will utilise sustainable modes of travel thus culminating in a reduced reliance on the car.

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## 6. PLANNING BALANCE AND CONCLUSIONS

- 6.1 This outline application seeks permission for up to 8 residential dwellings on land at west of Fontwell Avenue, Eastergate.
- 6.2 Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. However, in this instance there is a serious housing delivery shortfall which is accepted by the Council. The Council's latest published position indicates a supply position of just 3.3 years, and, an appeal decision from earlier this year indicates a supply position of 2.7 years. Given the substantial shortfall in housing land supply, the tilted balance outlined in paragraph 11 of the Framework applies. The policies which are most important for determining the application are therefore out-of-date. It is acknowledged that the emerging BENDP 2 is at an advanced stage of preparation but as it has not yet been made, it cannot be afforded full weight in decision making. On this basis, it is necessary to consider whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.
- 6.3 A comprehensive assessment of the proposed development against the development plan policies has been undertaken, it is apparent that there are no technical constraints or barriers that would prevent the development from coming forward.
- 6.4 The development has been carefully designed to appropriately respond to character of the site and context of the surrounding area, particularly the permitted scheme to the north allowing the proposal to seamlessly integrate with the emerging surrounding dwellings. This site to the north is also allocated for residential development in the draft BENDP 2, this proposal would constitute an extension to the this permitted scheme. In this context this location for development has therefore been deemed sustainable given the permitted scheme to the north, these factors highlight the appropriate nature of these sites for residential development.
- 6.5 The scheme is sustainably located close to existing local services and can utilise the amenities included as part of the approved application to the north. Therefore, the benefits of the proposed development, in particular the delivery of housing in an authority whether there is a severe shortfall which is unlikely to be addressed in the short term, attracts substantial weight in favour of the proposal.
- 6.6 The proposed development is therefore on balance considered to be acceptable in the context of the development plan and other material planning considerations and the planning application should be approved without delay.