

REPORT UPDATE

Application No: BN/27/09/

Reason for the Update / Changes

Reason for Update/Changes:

Additional Consultations

Barnham Parish Council - Support the application proposals. Reluctant support is stated but they consider it vital that the full background to this is understood.

Gypsy & Traveller proposals are overwhelmingly the least popular option for the site and first preference would be retention of horticultural use. Barnham feel particularly vulnerable due to the lack of an LDF with at least five other sites being discussed, which could add up to between 500 - 650 dwellings. Cumulatively, these could devastate the community and have significant impacts on overstrained infrastructure (particularly sewage capacity)

Yapton Road is a very busy road with no capacity for widening and has inadequate footways.

A moderate expansion of the village may have a rejuvenating effect, particularly with smaller and more affordable homes. Site is within the heart of the Parish, not the fringes. There is already significant housing outside of the built up area on Yapton Road.

Development is a sustainable well designed low density scheme. Request a roundabout on Yapton Road junction. 95 homes represent a 20% increase of housing in the Parish which we believe is the maximum that can be absorbed.

Environmental Health - No further observations to make.

Parks & Greenspaces - Object on the basis of information submitted - in particular the lack of Root Protection Zones on a scaled plan - and the resulting uncertainty of the retention of those trees. Areas of open space are adequate.

Environment Agency - Object. Proposed connection to foul sewage system would pose unacceptable risk of pollution to water quality.

- Believe there may be a solution to the surface water drainage and have withdrawn their objection on the basis of surface water and flood risk.
- Original FRA and Ecology Reports did not identify drainage ditches on site and Ecological report needs to be updated to reflect these.
- Fundamental concerns about the capacity of the foul sewage system in this area and the history of pollution.
- Southern Water comments do not take into account capacity at treatment works or infiltration problems due to heavy rain.
- Development involves connection to main foul sewage system which would pose unacceptable risk of pollution to water quality within Lidsey Rife.
- Proposals would be contrary to GEN9 of the Arun Local Plan.
- Was a serious pollution incident in 2009, which resulted in untreated sewage entering Barnham rife and existing line between Barnham Rife and Lidsey Waste Water Treatment Works cannot cope with flows.
- There are no immediate plans (by Southern Water) to increase capacity of this line. Further upgrades to the Treatment Plant may be necessary in addition to improvements to the

sewerage network.

- There is no certainty that anything will be done in the lifetime of the planning permission.
- Barnham & Lidsey Rife's are failing waterbodies under European legislation (to set quality standards).
- A further 95 houses to this network will make further pollution incidents likely and further degradation of water quality.
- Indicative suggestions of private sewage treatment plant not worked up in any detail and could result in significant increase to surface water drainage scheme - this additional assessment of capacity needs to be considered within the FRA.
- Private sewage proposals do not perform as well as public ones. About 40% fail, which results in a greater risk of pollution.
- EA policy is a presumption against package treatment plants in areas of mains drainage.
- It is not reasonable to assume that a condition would be able to be discharged.
- Best long term solution would be to upgrade sewage and treatment works before adding new development.

Officer Comment on Parish Council comments:

It is worth clarifying that the site may in the heart of the Parish but this is not the same as the built up area of the settlement of Barnham and the report has acknowledged the existence of dwellings on Yapton Road to the east of the application site.

WSCC as highway authority have raised no objections to the proposed access arrangements, which do not include a roundabout junction.

There are two further proposals for housing development in Barnham on an adjoining site and a site east of Goodacres that are current planning applications. In the absence of a Core Strategy, it is very likely that there will be further sites as formal applications in the very near future. Whilst their comments state that this support extends as far as this scheme only, each of these proposals will have to be determined on its merits. However, similar issues will apply in all instances and site issues will require consideration.

Officer Comment:

Noted. Responses to these issues are already included in the original report or in more detail below.

Additional Representations:

18 further letters of objection (2 of which are from agents for surrounding sites in Barnham)

- Concern over sewers and health implications
- Pressure on additional school places and problems of access to those schools
- Further traffic congestion and volumes
- Insufficient bus and train services
- Every road in Barnham is experiencing further development with resultant urban sprawl
- Site should be retained in it's current use
- Area is already over-developed

- More dwellings would radically change the nature of the settlement
- Development falls well outside the built up area boundary which provides vital space between Barnham and Yapton
- Development will completely change the semi rural setting
- Destruction of green space. Would start creeping development of green land between Barnham and Yapton
- Infrastructure incapable of dealing with more development
- Acknowledge that Arun DC can not demonstrate a 5 year land supply. However, the application is unsustainable, divorced from the built up area, paying no regard to the impact of the development upon local infrastructure and employment provision
- Future residents will out commute to seek jobs with majority of residents being car borne
- Scale of development will appear totally alien in the landscape and significantly impact on local environment
- Site is not suitable as a housing site when considered against paragraph 69 of PPS3
- There is no presumption for unsustainable housing development, unrelated to infrastructure and social needs, in Barnham
- Being unsustainable, there is discord with the Spatial Strategy
- There are fundamental technical issues which still remain unresolved
- There are other proposed developments in the Barnham area that are due to come forward on a more comprehensive basis
- Applicants should conduct 12 months worth of ground water monitoring in order to inform groundwater storage and SUDS
- Site is divorced from settlement and less favourable to other sites that will come forward in the LDF
- Application is piecemeal and incongruous extension to built up area
- Further ecological surveys are required before determination.

Officers Comment:

The comments of the Parks & Greenspaces Department are noted and your Officers share the concerns that the quality of information that the applicant has chosen to submit is significantly lacking in detail and quality to allow full and proper consideration. The comments made are based on the revised application submission. The applicant was asked to provide amended and accurate information specific to this issue and declined to do so.

Your Officers agree that the application in its current form, fails to provide the justification required to demonstrate that 'up to 95 dwellings' can be satisfactorily accommodated on the site. However, and very much on balance, Officers are satisfied that a layout for residential development could be proposed through a reserved matters application that would allow these trees to be satisfactorily retained but that this is unlikely to be for 95 dwellings. As such, the proposed Informative provides guidance to future applicants to consider this issue more thoroughly in any reserved matters submission.

The comments of the EA relate to concerns over Foul Sewage and the proposals resulting in increased use of infrastructure that is already over-capacity and causing discharge of polluted water to a water course.

On this matter, the agent has commented as follows;

- ADC has consulted Southern Water as the relevant statutory Sewage undertaker and consultee as the applicant had indicated that Foul Water disposal would be via a connection to the Public Sewer. Southern Water has responded by saying that a connection is possible to serve the proposed development without detriment to the existing network.
- Such matters are not related to the development proposed and the consideration as to whether not capacity exists in the foul sewer network are matters for Southern Water to determine and fall outside the remit of the Environment Agency as a statutory consultee.
- Any developer would seek to connect to the Public Sewer and utilise standard requisition procedures via Southern Water and they would be legally obliged to provide/facilitate that connection and carry out any upgrade in capacity necessary. The timescale/financial contribution towards that provision would be a matter for discussion/agreement between the developer and Southern Water at that time.
- Should these works prove unviable or technically unachievable the standard condition would prevent development taking place until an alternative scheme had been submitted and approved.
- There are a number of solutions possible/achievable and no evidence to support the view that foul water could not be drained/discharged satisfactorily so the matter can be reasonably controlled by condition.

In order to decide whether this issue can be addressed through the submission and approval of details as part of a planning condition or whether it is a robust reason for refusal with justification, it is necessary to consider whether the matter is one which can be resolved or not.

The use of a condition that would require the submission and agreement of such details may be difficult to comply with or it may not be viable to comply with, but such conditions would still be considered valid and in accordance with the tests in Circular 11/95. Any condition of this nature would require such details to be submitted to and agreed prior to the commencement of any development and may potentially require works on land outside of the applicants' ownership. Such conditions are commonly referred to as 'Grampian' conditions and they should only not be imposed if there are no prospects at all of the action in question being performed within the time-limit imposed by the permission.

The Planning Inspectorate has issued guidance (16/2010) in respect of the use of such conditions. It states, when considering Grampian-style planning conditions the House of Lords has ruled that the mere fact that such a condition had no reasonable prospect of fulfilment did not necessarily make it invalid. Such conditions may therefore be imposed unless there is no prospect at all of the action to which the condition refers being performed within the duration of the permission.

The applicants have stated that the suggested condition 4 in the report is acceptable and such a condition should only not be imposed if there is evidence that there is no prospect of it being acceptably complied with. Southern Water have stated that they consider this condition to be appropriate and the applicants have suggested (in the event that connection to public sewers is not possible) that there is a possibility of installing an on-site privately owned package treatment plant to overcome this issue.

However, the Environment Agency have are maintaining their objection for the reasons set out above and do not consider that there is a situation where a condition could be discharged. Because of the timing of this objection and the timescales involved, it is considered reasonable for all parties to properly consider the comments of the Environment Agency and give the applicants an opportunity to see to discuss these to try and find an acceptable solution. However, it should be noted that this may be unlikely.

It is therefore recommended that consideration of the application be deferred to consider/resolve this matter only. The application expires on 14 April 2010 and therefore delegated authority is sought, in consultation with the Chair and Vice Chair, to reach a decision on this matter by 12 April 2010. If the matter is not satisfactorily resolved, the application will be refused on the grounds set out by the EA. If the matter is resolved, amended conditions 4 and 5 below (and additional Informatives) will be included within an approval.

Supplementary Conclusions:

4. Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the local planning authority in consultation with Southern Water and the Environment Agency. The development shall be carried out in accordance with approved details and the occupation of the development shall not begin until those works have been completed in accordance with the local planning authority's approval and have been certified in writing as complete by or on behalf of the local planning authority.

Reason: To ensure satisfactory disposal of water and sewage and reduce the risk of flooding in accordance with policies GEN7 and GEN11 of the Arun District Local Plan.

Following the correspondence with the Environment Agency, it is also suggested that Condition 5 be amended to read;

5. An updated ecological report is required in order to include consideration of the on-site ditches, and further surveys for Reptiles and Badgers. These shall be carried out and submitted to the local planning authority prior to any reserved matters application being submitted in relation to this site. If Reptiles or Badgers are found to be present, a mitigation strategy shall be submitted for approval to the local planning authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

Reason: This condition is necessary to ensure that Reptiles and Badgers and their habitat is protected both within and adjacent to the development site. Without this condition, it is possible that avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in Planning Policy Statement 9 and Planning Policy Statement 1.

Additional Informatives

Should any adjoining sites obtain planning permission for residential development within the

timescales of the application, any layout submitted at reserved matters stage shall make provision for pedestrian and vehicular links to these sites to ensure that a comprehensive scheme is achieved.

The applicant should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service the development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel 01962 858688), or www.southerwater.co.uk.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

BN/27/09/

PLANNING APPLICATION REPORT

REF NO: BN/27/09/

LOCATION: Angels & Hyde Nurseries
Yapton Road
Barnham

PROPOSAL: Outline application for demolition of all existing structures and redevelopment with up to 95 dwellings (including up to 38 affordable homes) together with associated open space, landscaping and access improvements (This is a Departure from the Development Plan)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As originally submitted, the application was in outline for residential development of up to 100 dwellings at a net density between 30-31 dph. The means of access to the site is not reserved but all other matters are (layout, scale, appearance and landscaping). The application was amended to be for a maximum of 95 units at a density of 33 dph and a specific maximum number of dwellings has been applied for within the description. It therefore needs to be determined if the site is capable of acceptably accommodating this maximum number of dwellings in order to be approved.

The proposed vehicular access onto Yapton Road includes a pedestrian crossing point with central refuge. There are

also pedestrian/cycle routes through the site into neighbouring open space.

The proposals are for a maximum scale of two storeys and comprise 40% affordable housing provision.

The scheme includes provision for renewable energy provision of at least 10%.

0.75 hectares of landscape open space is provided within the indicative layout. It is proposed that these areas be managed in the future by a management company funded by future residents.

SITE AREA	3.5 hectares
RESIDENTIAL DEVELOPMENT DENSITY	33 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	There are significant trees within the site; principally two mature oak trees, one pine and a group of poplar trees. There are also smaller specimens within the site, some of which are considered worthy of retention as part of future landscaping scheme.
BOUNDARY TREATMENT	There are mature hedgerows and trees on the western, southern and eastern boundaries.
SITE CHARACTERISTICS	The application site comprises two former horticultural nurseries and extends to 3.5 hectares. It is occupied by two two-storey residential properties, glass houses, polytunnels, sheds and other nursery related buildings. There are areas of hardstanding within the site and two existing access points onto Yapton Road. There are mature trees within the site and on the site boundary (with the exception of the boundary to Yapton Road which is fairly open). Boundary landscaping on these three boundaries is relatively dense. There are a number of trees and hedges within the site that run north-south on the plot divisions. Adjoining site to the west is an area of land allocated as open space in the Arun Local Plan (2003). This has permission (BN/3/09) for a replacement village hall behind its existing siting and eight dwellings on the site frontage. The area of land to the rear is public open space. To the east of site is The Lillies Caravan Park. This comprises 20 touring pitches for caravans, which include

some holiday lodges. There is a current planning application on this site for outline residential development of up to 36 dwellings that has recently been submitted (BN/6/10).

South of the application site are other nursery sites and on the opposite side of Yapton Road are four detached properties. These extend across approximately half of the application sites frontage.

CHARACTER OF LOCALITY

Application site currently comprises a horticultural site in the countryside but close to the village of Barnham. The area around the application site comprises many similar uses and there are also a number of residential dwellings to the north and east of the application site.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Barnham Parish Council

Parish Council representation:

Other representations:

11 letters of objection on the grounds of:

- Adding traffic to already poor road
- Existing dangerous situation for pedestrians and vehicles exacerbated
- Extra homes would place strain on existing drains
- Existing physical infrastructure problems will be made worse, particularly drains and sewers
- Lack of consultation as tenant of one of the properties on the site
- Land not identified for development in the Local Development Plan
- Would destroy horticultural land and rural character
- Pedestrian safety compromised
- Schools are over subscribed
- Very high water table and saturated during the winter
- No work available locally
- Doctors and dental surgeries full
- Increased localised flooding
- Adverse impact on wildlife
- Development outside of the built up area boundaries will see further development and infilling of agricultural land
- No local employment prospects appear to have been considered
- Development of this scale unsustainable for the area
- Concern that density will increase following planning permission

1 letter of support:

- Well designed and will significantly enhance the village
- Much needed smaller housing
- Physical and social infrastructure will need to be significantly improved to support new residents
- Development will bring greater benefits than proposal for travellers who would contribute little to the local community.

Comments on Representations received:

Comment on Parish Council representation:

Comment on other representations:

Noted. Responses to these issues are dealt with in the 'Conclusions' section of the report.

CONSULTATIONS

WSCC Local Development Divis.
Southern Water Planning
Environment Agency
Portsmouth Water PLC
Sussex Police-Community Safety
Parks and Landscapes
Engineers (Fluvial Flooding)
Engineering Services Manager
Planning and Housing Strategy
Environmental Health

Consultations responses received:

Southern Water - There is inadequate capacity in the local network to provide foul sewage disposal. Proposed development will increase flows to the public sewage system and existing properties/land may be subject to greater risk of flooding as a result. Therefore, additional off site sewers or improvements will be required to provide sufficient capacity and recommend informative for formal agreement being required with Southern Water and condition to secure acceptable details.

There is no public surface water sewer to serve the development and alternative means of draining surface water are required. Recommend condition to secure acceptable details.

Southern Water have confirmed that, if these conditions are attached, there would be no negative impacts on existing levels of service in the area and that the development should not resolve existing problems.

Environment Agency - Submitted Flood Risk Assessment is not considered to be sufficient and therefore object and recommend refusal. Submitted FRA does not provide suitable basis for assessment as ground water risk not quantified, lack of surface water sewers, what function the ditch serves and the fact that proposals do not comprise SUDS.

South Downs Society - Development would have impact on views from the Downs. Development should be considered along with the Core Strategy and request the application be refused and re-considered once the strategy is agreed.

Housing Strategy & Enabling Manager - Would seek 30% of the affordable homes to be 4 bed+. Application appears to be consistent with main recommendations of the SHMA. Affordable homes should adhere to Lifetime Homes principles.

Parks & Landscape - Arboricultural Survey incomplete as eastern section of the site has not been surveyed, trees that are on site have failed to be included in the Survey and some species are incorrectly identified. Tree Constraint Plan attached to survey is not to scale and can not be relied upon.

Clarification of the trees to be retained, including protective fencing, should be made at outline stage and showing this on an un-scaled plan is inadequate.

Further ecological survey work is required as a condition to any permission. A construction phase management plan should form part of a condition of any permission.

Requirement for open space and play space to be provided. Appropriate for off site sum to be provided for play facilities located in adjoining open space with smaller play facility located on the site. If SUDS are proposed within open space this information should be provided as part of the outline application.

Engineers - Foul proposals acceptable in principle but available sewers may not be adequate. There are no public surface water sewers and an alternative method of disposal is required. Records show a land drainage water course within the site and EA should be consulted if any works are proposed to this. Recommend a SUDS maintenance condition.

Environmental Health - Recommendations in site investigation study are satisfactory. Request standard conditions ENV3, 5 and 6. Noise surveys indicate that a narrow strip of land on Yapton Road may not be appropriate or require mitigation. No objection to the outline proposal but further noise survey will be required at the detailed stage to measure noise sensitive facades.

West Sussex County Council Local Development Division - No objection subject to S106 Agreement to secure education, libraries and fire & rescue. No objection on ecological matters subject to habitat enhancement conditions. Archaeological trial trenching to record archaeological features required.

Site is accessible and sustainable, parking provision is in accordance with standards and cycle parking should be provided. Accept findings of Transport Assessment. Scale of development is such that site access would operate within capacity and not cause disruption to flows on Yapton Road with no significant impact on the wider network.

Provision of full Residential Travel Plan required.

CPRE West Sussex - Objection. Site is not brownfield land and lies outside of the built up area of Barnham. The site is within the countryside and within the scope of saved policies GEN2 and GEN3. Arun Spatial Strategy still in preparation and refusal on the grounds of prematurity could be exceptionally justified as the proposals will have cumulative effects a DPD should consider.

Primary Care Trust - No comment

Comments on Consultation responses:

It should be noted that the above comments are comments made on the original submission. At

the time of writing this report, amended information has been submitted (10 March 2010) and has been re-consulted upon. Additional or amended consultation comments will be reported in the update report to Committee.

POLICY CONTEXT

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPCC6	Sustainable Communities and Character of the Environment
	SEPH1	Regional Housing Provision 2006-2026
	SEPH2	Managing the Delivery of the Regional Housing Provision
	SEPH3	Affordable Housing
	SEPNRM5	Conservation and Improvement of Biodiversity
	SEPNRM11	Development Design for Energy Efficiency & Renewable Energy
	SEPBE4	The Role of Small Rural Towns (Market Towns)
	SEPSCT1	Core Strategy
	SEPSCT5	Housing Distribution
	SEPSCT6	Affordable Housing
	SEPSCT3	Management of Existing Employment Sites and Premises
Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage
	GEN20	Provision of Public Open Space within New Development
	DEV3	Horticulture
	DEV17	Affordable Housing

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS7	Sustainable development in rural areas
PPS9	Biodiversity & Geological Conservation
PPS25	Development and Flood Risk

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual amenity.

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 not considered to comply with all relevant Development Plan policies in that it would be located outside of the defined built up areas of the settlement and have an adverse impact on the visual amenities of the locality. However, it is accepted that the proposals would generally accord with the policies within the South East Plan at a regional scale.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE & PLANNING POLICY

The development plan for the determination of planning applications is the Arun Local Plan (2003) and the South East (SE) Plan (2009).

There has been a vast amount of representation made by the applicant (through this application and in a recent appeal) that policies within the Local Plan should now be afforded limited weight as they are in conflict with the SE Plan and have been superseded. However, recent appeal decisions have confirmed that the Local Plan remains an important part of the development plan, not superseded by the SE Plan with no identified conflict between the two documents.

The application site lies outside of the defined built up area of Barnham. It is not adjoined by built up development and has agriculture/horticulture, tourism and open space uses adjoining it. There are sporadic residential dwellings on the opposite side of Yapton Road but not across the whole of the site frontage. Residential development on the application site would be contrary to Policies GEN2 and GEN3 of the Local Plan. These policies would restrict development outside of built up areas to;

- the operational needs of agriculture, forestry or minerals
- informal recreation
- diversification of the rural economy
- essential road schemes, or
- specific uses in accordance with sections 2 and 3 of the Local Plan.

The site is not within a Strategic Gap and the principle of new residential development on suitable greenfield sites has long been acknowledged by the Council as being required to meet housing requirements.

The SE Plan is part of the development plan and was adopted in 2009. As a more recent document, the SE Plan should take precedent where there are policy conflicts (and this has happened in respect of housing numbers in Arun). The applicant considers that Policies GEN2 and GEN3 conflict with the ethos and approach of the SE Plan (as a whole) but this point has not been accepted by an Inspector in a very recent appeal decision. However, as part of the development plan, policies within the SE Plan are required to be considered in determining applications.

The most locally specific policy in the SE Plan is SCT1. This relates to the Sussex Coast region and states that local authorities should promote regeneration and economic growth of the Sussex

Coast that will provide for sustainable urban extensions in Arun. The supporting text states that this relates to making the most of existing infrastructure in towns and promoting sustainable urban extensions with supporting infrastructure in the areas specified to meet housing requirements. At present, this could apply to large areas of the District adjoining existing towns that have been considered through the LDF process to date.

More generally, the SE Plan seeks;

- The prime focus of development to be within or adjacent to urban areas consistent with the principles of sustainable development and with priority given to previously developed land (SP3),
- To acknowledge a need to plan for some new development outside of the existing large settlements to support rural communities and not restrain housing growth in rural areas.
- Sustainable and distinctive communities to be created that respect the character and distinctiveness of settlements (CC6),
- To deliver housing taking into account previously developed sites, non-residential sites to secure mixed use residential or residential development, intensification, sufficient quantity and mix of housing and long term sustainability of rural communities (H2),
- To secure at least 10% of energy from renewable sources on developments of more than 10 (NRM11),
- To provide enhancements to the built environment including higher density and mixed use schemes (BE1), and
- To identify defined local needs in rural communities for small scale affordable housing, business and service development (BE5).

The overall strategy of the SE Plan is one that seeks to focus new development on the major urban areas whilst recognising that new development outside of these areas can also support rural communities and services.

These policies could be seen as supporting the principle of a significant amount of development proposals in locations in or adjoining existing settlements in the District and this is to be expected of a regional document because of the scale it applies to. It is for the local planning documents to determine how best to deliver this regional strategy. These will set out the broad locations or strategic site allocations to deliver the District housing requirements as set out in the SE Plan. However, because of the lack of progress in bringing forward these local planning documents, there is not considered to be any justification in delaying a decision on the proposals.

It is noteworthy that this application before you is for a site of 3.5 hectares. If areas of land immediately adjoining the application site (one of which is a current application and one is considered within the SHLAA) were considered together, it would result in over 200 dwellings on approximately 7.75 hectares of land. If land to the south of the application site was also included, it would amount to over 20 hectares. Your Officers have expressed concern to the applicant that the application represents an incremental form of development in the way it has been proposed and their view is that these other sites are not material to this application. However, they do acknowledge that another potential scheme on a 8-9ha site in Barnham would have District wide implications and decisions regarding such major development should be made via the emerging LDF.

It is also noted that the applicant has significant amounts of land in the Barnham area. Policy CC9 of the SE Plan states that public landowners should take account of the objectives and policies of the Plan as a primary consideration in the use and disposal of their land.

In terms of the development plan, there is no doubt that the application proposals are contrary to policies within the Local Plan. Furthermore, there are no site specific policies within the SE Plan that relate to the application site. However, the general strategy at the SE Plan level would generally support development adjacent to existing sustainable settlements. Therefore, other material considerations need to be considered to determine whether the principle of the proposed development is acceptable.

One of the stated visions of the forthcoming Core Strategy (within the Options for Growth document) is (15) that Barnham (and other villages) develop their role as well connected larger villages forming the main focus for new housing and employment to be provided in the inland area. There is also a stated requirement to identify between 5,000 - 6,000 dwellings on greenfield sites and one Option consulted upon is significant expansion of the inland settlements to accommodate this with Barnham being the focus in the west of the District.

Gypsy & Traveller Issues

On 21st December 2009, the Council concluded that the application site should be promoted as a site to accommodate Gypsy & Traveller pitches. This was following an assessment to identify need within the District and publication of a Site Study in October 2008. This study included the application site for a travelling showpeople's site for only 1-3 plots and was consulted upon between Feb - Apr 2009.

As outlined in the December 2009 Cabinet Report, the Council will be consulting on the proposed sites for Gypsy & Traveller provision and a future DPD will be produced that will incorporate this consultation. The application submitted is one for residential uses only and this has to be determined on its merits.

Having said that, your Officers did seek the applicants view on the inclusion of pitches within the application proposals. This approach is supported by 'Designing Gypsy and Traveller Sites - Good Practice Guide' which also supports the principle of including such provision within the affordable housing element of a scheme. The applicants have declined to consider such provision as they consider it not to be a suitable location, it would decrease viability and reduce the scheme's attractiveness for disposal to the market (reasons given at a recent public meeting).

Because the preparation of a DPD is not advanced and no consultation has taken place on the suitability of the site for Gypsy & Traveller provision, it is not considered that an objection to the application on the grounds that Gypsy & Traveller pitches are not proposed is justified. The applicants refusal to consider such provision is disappointing as a compromise could potentially be reached.

PPS3 & PPS7

PPS3, Paragraph 71 states, 'where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69.'

It is accepted that the Council is unable to demonstrate a 5 year supply of housing land. This

therefore places a presumption in favour of the application proposals but does not automatically mean that an approval should be forthcoming.

The Council has recently published an Annual Monitoring Report that covers the period up to 31 March 2009. This accepts that recent housing completions are below that required by the SE Plan and concludes that there is a shortfall of 6% on the requirement for a 5 year housing land supply. This has recently been tested at appeal where an alternative method of assessing housing supply was presented by an appellant that attempted to demonstrate that there was up to 30% shortfall. Whilst not specifically stating what the Inspector concluded (in that appeal) the shortfall to be, the Inspector stated that she preferred the appellants assessment. It is therefore reasonable to conclude that the current shortfall in housing supply is greater than 6% and could be up to 30%.

The provision of 40% affordable housing is also to be given significant weight in the consideration of the application. Up to 38 units of affordable housing would represent a significant proportion of the housing need in Barnham; there are currently 105 applications for housing in the Barnham Parish (7 within Band A and B).

Paragraph 69 of PPS3 states;

In general, in deciding planning applications, LPA's should have regard to:

- Achieving high quality housing.
- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.
- The suitability of a site for housing, including its environmental sustainability.
- Using land effectively and efficiently.
- Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues.

The application site is a greenfield site outside of the built up area of the settlement. It is located in an area where there are sporadic residential dwellings, open space and countryside uses, typical of areas adjoining urban areas. The application site is considered to be in a sustainable location and any consideration of whether the site is suitable for housing (in accordance with PPS3) would relate to its impact on environmental matters and if the proposals accord with wider policy objectives.

There can be no doubt that the application proposals will change the character of the area. This part of Yapton Road will change from an area of open land with sporadic buildings to a built up area of land more closely associated with the urban area to the west and not the rural character to the south and east (which it currently relates to).

The wider policy objectives for the District are being considered by the Council and these proposals are submitted in advance of them.

PPS 7 defines its key principles, which include;

(vi) All development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness.

The application proposals are not within an existing town/village and would not protect the

countryside. However, the proposals are of a scale appropriate to the urban area of Barnham and the principle of new development in or adjoining the settlement is accepted as inevitable in the longer term.

Uses

The application proposes residential uses on the site. No other uses are proposed. This site is likely to be one of a number of sites that will be promoted in the short term and cumulatively these sites would add up to a significant number of dwellings. Without associated infrastructure in terms of employment and community uses (for example) for these sites, each is likely to come forward in a piecemeal way and there will be no such uses that would promote sustainable forms of development.

The applicant noted in their response to the 'Options for Growth' consultation that the Core Strategy should consider 'the need to ensure new development is accompanied by necessary and timely infrastructure to build sustainable communities'.

However, whilst this appears to be logical and good practice, the only policy within the development plan that would formally support employment provision on the application site is SE Plan policy SCT4. This states that new employment should be included as appropriate within allocated sustainable urban extensions in Arun. General policy statements would support mixed use development as a means of delivering sustainable development.

Your Officers are very concerned about this site (and other similar sites cumulatively) failing to make provision for such uses but consider that there is not sufficient evidence to justify a refusal on these grounds at this time. Whilst this application site may not be in a location or of a scale that would support employment provision on-site, there may be potential for seeking such provision off site in the same way as affordable housing might be secured but there is no framework at present to support this.

On this issue, the applicants state that they do not consider it appropriate to make such provision as part of the development proposed in preference to maximising the ability of the site to provide housing (particularly affordable housing).

In conclusion on matters of principle, the application proposals are contrary to the policies in the Local Plan. The SE Plan would generally support the proposals and the Council has a stated vision for future development in the inland area to be focused in Barnham (and Angmering). There is a shortfall in housing supply within the District; potentially up to 30%.

Because of recent policy in the SE Plan, the stated aim of the Council for future development in Barnham and the shortfall in housing supply it is considered that, on matters of principle, the judgement is finely balanced but balanced in favour of supporting the proposals.

CHARACTER

The application site lies outside of the defined built up area of Barnham. The application site is a greenfield and is not adjoined by built up development and has agriculture/horticulture, tourism and open space uses adjoining it. There are sporadic residential dwellings on the opposite side of Yapton Road but not across the whole of the site frontage. It is adjoined to the west by an area of

open space that adjoins the built up area and the site is close to the centre of the settlement.

The site is in a rural location and has a rural character. However, there is not a clearly defined separation between the urban and rural edge of the settlement; there are numerous ad hoc residential dwellings to the east of the defined built up area. There is also permission for terrace of 8 dwellings on the frontage and replacement of village hall on the site immediately to the west of the application site. This site is also outside of the built up area boundary of the settlement but is a previously developed area of land.

There are a number of existing mature trees on the site. These are located both within the site and on the boundaries. Your Officers have visited the site and inspected the trees on the site and have recommended the imposition of a Tree Preservation Order (TPO/BN/1/10) on a group of five trees at the front of the site and three individual trees within the site. This TPO is waiting to be confirmed following publication. Boundary landscaping can be retained through a detailed design and there is no objection to the loss of other trees within the site (with the exception of four smaller specimens that could be translocated within any landscaping scheme to allow them to reach maturity).

The applicants Design & Access statement makes no reference to any perceived impact of the proposals on the character of the site and the area (one of the five tests set out in para 69 of PPS3), or existing site features; choosing only to state that the site is an efficient use of land, will deliver affordable housing, that is deliverable and discussing the proposed indicative layouts.

There can be no doubt that the application proposals will change the character of the area. This part of Yapton Road will change from an area of open land with sporadic buildings to a built up area of land more closely associated with the urban area to the west and not the rural character to the east (which it currently relates to). However, this would be true of most development proposals in locations such as this where future development is envisaged and it is considered that the important trees can be retained with the resultant change in character being minimized.

TECHNICAL ISSUES

Drainage & Flood Risk

Southern Water have confirmed that there is inadequate capacity in the local network to provide foul sewage disposal and additional off site sewers or improvements will be required to provide sufficient capacity. They also note that there is no public surface water sewer to serve the development and alternative means of draining surface water are required.

However, Southern Water have confirmed that, if conditions are attached, there would be no negative impacts on existing levels of service in the area and that the development should not resolve existing problems.

The application site is within Flood Zone 1. This zone comprises land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year and all uses of land are appropriate (in principle) in this zone.

The Environment Agency originally commented that the submitted Flood Risk Assessment was not sufficient and therefore objected and recommend refusal. This was on the basis that the

submitted FRA does not provide a suitable basis for assessment as ground water risk is not quantified, a lack of surface water sewers, unclear what function the ditch serves and the fact that proposals do not comprise SUDS.

A supplementary Foul & Surface Water Drainage Strategy was submitted on 10 March 2010. For surface water, this recommends the extensive use of permeable pavements, cleaning out of on-site ditches with regrading and extension in advance of development (and retention within the proposed layout). For foul water, it recommends the diversion and new connection to two foul sewers. The comments received in respect of this submission will be provided within an update report for Committee.

Highways

In summary, the application submission concludes that there would be a negligible difference in the post development performance of junctions and all would remain within capacity.

There are two existing vehicular access points to the site and it is proposed to enhance one of these to create a single access point onto Yapton Road. This would include a pedestrian crossing point with central refuge. There are also pedestrian/cycle routes through the site into neighbouring open space.

WSCC note that the site is accessible and sustainable, parking provision is in accordance with standards and cycle parking should be provided. They accept the findings of Transport Assessment and the scale of development is such that site access would operate within capacity and not cause disruption to flows on Yapton Road with no significant impact on the wider network.

There is therefore no objection to the proposed access arrangements which are not to be reserved.

Trees

Following comments made by Parks & Greenspaces, the applicant has amended the indicative layout, which has resulted in a reduction in the maximum number of units to 95.

The applicants have not amended or updated the submitted Tree Survey following the consultation responses but have shown the trees that are now covered by TPO/BN/1/10 and existing boundary landscaping to be retained within an indicative layout. However, it is not known what the specific root protection areas are on this plan as it is not possible to ascertain the location of the trunks of these trees from the information submitted. This problem goes back to the originally submitted Tree Survey having omissions, being inaccurate and difficult to use but the applicant considers that it has been demonstrated that these trees can be retained.

Your Officers consider that a residential layout similar to that shown on the indicative layout could ensure that these trees can suitably be retained. However, the indicative layout does not provide this level of comfort and there is therefore some concerns about whether a maximum of 95 dwellings can be achieved. There are concerns that the indicative layout does not provide for adequate root protection areas for these trees and that their longevity would be compromised by the indicative layout - whilst this is indicative, it does seek to demonstrate that up to 95 units could be accommodated on the site.

Whilst this is an avoidable situation and it is regrettable details have not been provided to address this point, it is considered that an Informative attached to any permission can be included to express this view and that any reserved matters submission will need to consider this issue more thoroughly.

Ecology

The submitted ecological report acknowledges that the site provides a suitable habitat for reptiles and badgers and further surveys are therefore required. It also acknowledges that the existing hedgerows on the site provide excellent hibernation for reptiles. These hedgerows are to be retained within the indicative layout and are located on boundaries of the site.

Policy NRM5 of the SE Plan states that a net loss in biodiversity shall be avoided and LPA's should actively pursue opportunities to achieve net gains. The applicant states that habitat management and installation of bat and bird boxes on mature trees will be implemented.

The Environment Agency and WSCC consider that there is no objection in principle on ecological matters. Because of the amendments to the drainage strategy, the EA now have a specific interest in the wetland habitat that exists and is proposed to be retained. At the time of writing this report, they are carrying out a site inspection and their comments will be reported in an update.

Density

As originally submitted, the proposals comprised up to two and a half storey development at a density of 31 dph to demonstrate up to 100 dwellings. The amended details show up to 95 dwellings on the site on a smaller developable area and the density has been amended to 33 dph. It is considered that this remains on the lower end of an acceptable scale as it reflects the rural character of the area but a final layout may be a slightly lower density because of the tree issues mentioned above.

Renewable Energy

The agent has stated that the intention is to use energy from decentralised sources. In order to accord with SE Plan policy NRM11, a minimum of 10% of energy use should be secured in this way and a condition could be attached to secure this is provided.

PLANNING OBLIGATION MATTERS

The applicant has confirmed that the proposals are accompanied by heads of terms for a planning obligation. This would include provision of affordable housing at a ratio of 40% (38 units out of the maximum of 95), a contributions towards provision of local equipped play areas on the adjoining site to the west and contributions based on standard formulas for education, fire and library.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made

not later than the expiration of 2 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (d) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before expiration of 1 year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 Construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to, and approved by, the local planning authority in consultation with Southern Water. These details shall include full details on the clearing out, regrading and extension of existing ditches on the east, west and southern boundaries as well as the central ditch. They shall also include details of the extent and location of permeable pavements to be incorporated.

Before these details are submitted an assessment shall be carried out for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority.

Proposals must contain a surface water management plan, or a SUDS design statement detailing the SUDS management train processes. The scheme shall also include details of how the scheme will be maintained and managed after completion. No dwelling hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with these details.

Reason: To ensure satisfactory disposal of water and reduce the risk of flooding in accordance with policies GEN7 and GEN9 of the Arun District Local Plan.

- 4 Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the local planning authority in consultation with Southern Water and the Environment Agency.

Reason: To ensure satisfactory disposal of water and sewage and reduce the risk of flooding in accordance with policies GEN7 and GEN11 of the Arun District Local Plan.

- 5 A Reptile Survey and a Badger Survey shall be carried out and submitted to the local planning authority prior to any reserved matters application being submitted in relation to this site. If Reptiles or Badgers are found to be present, a mitigation strategy shall be submitted for approval to the local planning authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

Reason: This condition is necessary to ensure that Reptiles and Badgers and their habitat is protected both within and adjacent to the development site. Without this condition, it is possible that avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in Planning Policy Statement 9 and Planning Policy Statement 1.

- 6
- (a) Prior to the commencement of development or other operations being undertaken on site a scheme for the protection of the retained trees produced in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations), which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.
 - (b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.
 - (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
 - (d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

- 7
- The landscape details referred to in Condition 1 shall include details of all existing trees and hedgerows on the land indicating which are to be retained and which removed. Development shall be carried out in accordance with the approved details. No hedge or tree shall be felled, uprooted or otherwise removed before, during or after the construction period except where removal is indicated on a plan approved by the local planning authority.

Reason: In the interest of amenity and the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 8
- The landscape details referred to in Condition1 shall include full details of the position, design, materials, height and type of boundary treatment to be provided. The boundary treatment shall be provided to each dwelling before the dwelling is occupied or in accordance with the approved phasing plan. Development shall be carried out in accordance with the approved details.

Reason: In the interest of amenity and the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 9 The landscape details referred to in Condition 1 shall include a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas other than privately owned domestic gardens. The landscape management plan shall be implemented in accordance with the approved details.

Reason: In the interest of amenity and the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 10 No development shall take place 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 District Local Plan Policy GEN7 and PPS16 Archaeology & Planning.

- 11 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 of Planning Policy Statement: Planning and Climate Change (December 2007). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the local planning authority [as a part of the reserved matters submissions required by condition 1]. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: In order to seek to achieve high levels of energy efficiency in accordance with policy NRM11 of the South East Plan and PPS22.

- 12 The dwellings shall achieve Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason: In order to achieve a sustainable development in accordance with PPS1 and policies CC1 and CC4 of the South East Plan.

- 13 Prior to the commencement of development, full details of ecological enhancement measures shall be submitted to, and approved in writing by the local planning authority. These details shall also include details of an ecological management plan for the construction phase of the development. The approved details shall thereafter be implemented prior to the first occupation.

Reason: To ensure there is no net loss or damage to nature conservation and opportunities to enhance are taken in accordance with PPS9 and policy NRM5 of the South East Plan.

- 14 Before any of the development is occupied, a residential travel plan to reduce dependency on the private car, which shall include clear and unambiguous objectives and modal split targets, together with a time-bound programme of implementation, monitoring and regular review and improvement, shall be submitted to and approved in writing by the local planning authority and thereafter operated.

Reason: In the interests of securing sustainable forms of development in accordance with policy CC1 in the South East Plan

- 15 Prior to the commencement of development, a noise survey shall be submitted that will inform detailed plans and determine necessary mitigation measures to noise sensitive facades and amenity areas.

Reason: Information to date confirms that parts of the application site are likely to be considered 'noise sensitive' and a full survey is required to inform the final layout of the site in accordance with policies GEN7 and GEN32 of the Arun District Local Plan.

- 16 The reserved matters shall include provision of a local area of play and amenity areas within the site. The layout details submitted in compliance with Condition 1 shall define the boundaries of such areas, their proposed use, the items of equipment, means of enclosure and all other structures to be installed. Development shall be carried out in accordance with the approved details and shall be provided in accordance with the agreed phasing details.

Reason: In the interests of securing a development with the required infrastructure provided and in accordance with policy GEN20 of the Arun District Local Plan and policy CC7 of the South East Plan.

- 17 No development hereby approved shall be commenced until the proposed site access and pedestrian refuge onto Yapton Road has been provided in accordance with the approved drawing number 2009/1067/001.

Reason: To provide vehicular and pedestrian access to the dwellings, in the interests of road safety, in accordance with policy CC7 of the South East Plan.

- 18 No development shall take place until a scheme for the provision and management of a buffer zone alongside the ditches within the site has been submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

- plans showing the extent and layout of the buffer zone
- details of the planting scheme (for example, native species)
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
- details of any footpaths, fencing, lighting etc.

Reason: In the interest of biodiversity and the functioning of the on-site surface water strategy.

- 19 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
all previous uses
potential contaminants associated with those uses
a conceptual model of the site indicating sources, pathways and receptors
potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan 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.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Local Plan policies GEN7 and GEN31.

- 20 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Plan policies GEN7 and GEN31.

- 21 Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the 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. It shall also include any plan (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 plan, and for the reporting of this to the local planning authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun District Local Plan policies GEN7 and GEN31.

- 22 This permission relates to the following approved plans;

2009/1067/001

07.2209/02
07.2009/01

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 23 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission was granted because, although the proposed development does not comply with all of the policies in the Development Plan Listed below in that the application site is outside of the built up area and will have impacts on the character of the area, there are material considerations which indicate that it can be granted. These material considerations are the need to increase housing supply in the District.

RELEVANT POLICIES

LOCAL PLAN: DEV17

SOUTH EAST PLAN: H2, H3. SCT6

NATIONAL POLICIES: PPS3

This paragraph is to comply with Article 22 General Development Procedure Order 1995

- 24 INFORMATIVE: The submitted indicative layout does not provide the level of evidence required for the proposal for 'up to 95 dwellings'. There is concern about whether a maximum of 95 dwellings can be achieved. The indicative layout does not appear to provide for adequate root protection areas for retained trees and their longevity would be compromised by the submitted indicative layout.