

Recommendation Report for Outline Consent

REF NO:	BN/65/19/OUT
LOCATION:	Bexstone House Barnham Road Eastergate PO20 3RT
PROPOSAL:	Outline application with some matters reserved for the demolition of existing dwelling & erection of 10 No. new dwellings, widening & reprofiling of site access, provision of a right turn lane with improved visibility splays, retention of significant landscaped highway buffer, parking for 30 No. cars including garages & visitor parking & potential future highway access to adjacent housing land (resubmission following EG/49/18/OUT).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This outline planning application is for the erection of 10 dwellings within the curtilage of Bexstone House, in Barnham. Bexstone House, a 3 bedroom detached house, would be demolished as part of the proposed development. The outline application is a re-submission following the withdrawal of outline planning application EG/49/18/OUT, for the same quantum of housing. The applicant is applying for access to the site as part of this outline planning application. Details regarding the appearance, scale, layout and landscaping of the proposed residential development would be submitted for consideration as part of a reserved matters application.
SITE AREA	0.65 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	18 dwellings per hectare.
TOPOGRAPHY	Predominantly flat
TREES	A Tree Preservation Order (TPO) is in place to protect a tree on the site frontage with Barnham Road to the north. There is a tree screen comprising of Silver Birch and Leylandii along the western boundary, with a further tree belt along the southern boundary.
BOUNDARY TREATMENT	The site is bounded by trees and hedgerows.
SITE CHARACTERISTICS	The site is a long rectangular plot, which is occupied by a large detached house and its detached garage, together with outbuildings including derelict agricultural buildings. The northern part of the site is occupied by the front garden and the southern part comprises the rear garden of the property. The proposed access would utilise the existing access to Bexstone House, taken directly off Barnham Road.
CHARACTER OF LOCALITY	The site is located on the western side of Barnham, to the

south of Barnham Road (the B2233), between the villages of Eastergate and Barnham. The site is located within the parish of Eastergate, but it is situated approximately 500 metres north west of Barnham. The site is located within the gap between the two settlements of Barnham and Eastergate. The surrounding area is characterised by large detached houses set back from the road, occupying narrow plots with long garden areas located to the rear. The surrounding land uses include residential areas, horse paddocks, commercial development (including Fordingbridge Industrial Park) and nurseries (i.e. Springfield Nursery and Fleurie Nursery).

RELEVANT SITE HISTORY

EG/49/18/OUT	Outline application with some matters reserved for the demolition of 1 No. dwelling & erection of 10 No. new dwellings, widening of existing access to provide improved visibility splays, maintaining front boundary buffer of approximately 5m in depth, car parking for 30 cars (including garages and visitor parking) & landscaping.	Withdrawn 25-10-18
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An outline planning application (EG/49/18/OUT) was withdrawn prior to being refused by the Local Planning Authority for reasons relating to the lack of comprehensive planning and insufficient infrastructure obligations.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Barnham & Eastergate Parish Council

Barnham & Eastergate Parish Council

Object.

The site is located within the BEW strategic allocation. No planning permissions should be considered for sites within the BEW strategic allocation until a Masterplan for the area has been formally approved. The application site is located within the proposed Green Corridor.

Walberton Parish Council objects as the site is not an allocation in the Barnham and Eastergate Neighbourhood Plan. The site sits within the proposed Green Corridor. The proposed development would create further coalescence between the two villages, contrary to Policy H SP2 of the Local Plan.

Nine letters of representation have been received from local residents objecting to the proposed development on the following grounds:

- The proposal should be refused until detailed plans of the BEW allocation are submitted and agreed.
- New development should not be allowed until the precise route of the re-aligned A29 is known.
- A "green gap" is required, not simply a single carriageway road, to ensure the villages do not merge.
- The site boundary would need to be adequately fenced to ensure privacy and security.
- Noise, dust, pollution and nuisance must be minimised during demolition and construction.

- The proposal needs to incorporate the shared services between Bexstone House and Kinnersley.
- Kinnersley has right of access to Barnham Road over Bexstone House's driveway.
- The application form is incorrect as access has not been applied for on the application form.
- The proposed road layout needs to be revised to enable access by oil tankers to Kinnersley.
- The right hand filter lane would cause vehicles to idle and accelerate into the turning causing disturbance.
- The proposed pedestrian and cycle crossing on Barnham Road would restrict access to the driveway to the house opposite as it is to be positioned in the middle of the dropped kerb of the house opposite.
- Pedestrians and cyclists would congregate on the driveway while waiting to cross the road.
- The proposed pedestrian and cycle crossing would significantly increase the risk of accident.
- The root protection areas of trees along the boundary with Kinnersley should be respected.
- The proposal needs to minimise the impact on wildlife including bats, hedgehogs, newts and birds.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and issues addressed in the Conclusions section below.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
Southern Water Planning
Ecology Advisor
Archaeology Advisor
WSCC Strategic Planning
Environmental Health
Sussex Police-Community Safety
NHS Coastal West Sussex CCG
Surface Water Drainage Team
Highways England
Parks and Landscapes
Planning and Housing Strategy
Arboriculturist
WSCC Strategic Planning
Conservation Officer

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND:

No objection.

LOCAL HIGHWAY AUTHORITY:

Object.

Insufficient information has been submitted to satisfy the Local Highway Authority that the proposal is acceptable in terms of access and road layout, and would not give rise to increased hazards to highway users. The provision of a right hand turn ghost lane for the provision of 10 dwellings would not be required on Barnham Road. Concerns are raised given the application is identifying the potential to serve

a wider allocation. At present, there is no guarantee that additional development would be served via the proposed access and if a right hand turn ghost island is required. Junction modelling should be provided and be based on the potential trip generation of this site and any other sites to be served off this access. The internal road network includes a 90 degree bend which would compromise vehicle tracking. A vehicle tracking plan shows a refuse vehicle crossing the centre line when accessing and egressing the site access.

ENVIRONMENT AGENCY:

No objection.

ADC ENVIRONMENTAL HEALTH:

No objection.

Conditions are requested controlling the hours of works for construction and demolition activities; the submission of a Construction Management Plan, the details of the external lighting to be installed; the submission of a scheme regarding internal noise levels within the proposed houses; the provision of a condition regarding any visible contaminated or odorous materials not previously identified, which is found to be present at the site; and the submission of a scheme for the provision of charging points for electric vehicles.

ADC HOUSING:

No consultation response submitted.

SOUTHERN WATER:

No objection.

No details have been submitted regarding means of disposal of foul drainage from the site. Southern Water requires a formal application to be made for a connection to the foul sewer. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site. Due to surface water inundation issues in the Lidsey Catchment, the applicant should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.

LEAD LOCAL FLOOD AUTHORITY:

No objection.

The proposed site is at low risk from surface water flooding although the Barnham Road adjacent to the site is at higher risk. The site is shown to be at high risk from groundwater flooding based on current mapping. No drainage strategy of Flood Risk Assessment has been submitted with the outline planning application. Winter groundwater monitoring should be carried out to assess the best way for infiltration to be incorporated into the surface water drainage designs.

ADC DRAINAGE ENGINEERS:

No objection.

There is little space within the proposed layout for surface water drainage. Surface water drainage must be considered at the earliest opportunity. Open features should be provided where possible due to the wider benefits they provide, such as amenity and ecological. Surface water drainage must be considered with the natural topography of the site. Land raising or pumping are not sustainable solutions and are not supported. The hierarchy for sustainable drainage must be followed with infiltration fully investigated. Conditions are requested regarding surface water drainage.

NATURAL ENGLAND:

No consultation response submitted.

ADC ECOLOGICAL ADVISOR:

No objection.

The bat mitigation measures set out in the bat survey report (May 2018) which was submitted as part of the previous withdrawn application (EG/49/18/OUT) would be suitable; and a condition should be imposed to ensure this takes place. The lighting scheme for the site would need to take into consideration the presence of bats in the local area. The precautionary approach to Great Crested Newts and reptiles set out in the Preliminary Ecological Appraisal (paragraphs 4.19-4.25, May 2018) is acceptable and this should be conditioned. Any works to the trees or vegetation clearance on the site should only be undertaken outside the bird breeding season. The on-site ecological enhancements should be conditioned.

ADC ARCHAEOLOGICAL ADVISOR:

No objection.

The site's archaeological potential is unknown because of the lack of any archaeological intervention on or in the immediate vicinity of the site. The location of the site on part of the coastal plain has always been favourable to settlement. A condition is requesting requiring the excavation of trial trenches prior to the commencement of development, followed by suitable preservation of its significance through further investigation, recording and dissemination of the results.

ADC CONSERVATION OFFICER:

The application site is located in close proximity to the following listed buildings: St Georges Church C of E (Grade II*), Manor Farmhouse (Grade II), the granary out-buildings at Manor Farm (Grade II), the barn and cart shed at Manor Farm to the south west of the farmhouse (Grade II); and the Eastergate (Church Lane) Conservation Area. At present, no information has been submitted relating to a heritage statement which assesses the significance of these (or other heritage assets) in accordance with the National Planning Policy Framework (NPPF). In particular paragraph 189 of the NPPF says: "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance." As a consequence, it is not possible to properly assess this application without a heritage statement assessing the significance of the assets, or the potential impact of the development upon them.

ADC ARBORICULTURAL OFFICER:

Object.

No Arboricultural Report inclusive of Tree Survey Schedule, Root Protection Area Schedule and Constraints Plan have been submitted with the application. The arboricultural information provided so far, fails to adequately inform the application process and does not accord with the requirements of BS5837:2012. There is a considerable number of trees and hedgerow about the perimeter of the site, which provide valuable habitat and screening. Their future growth and influence over any adjacent residential property should be a major consideration in designing a site layout especially in respect of shading and ongoing maintenance requirements. There are significant on and off-site trees which could be adversely affected by the proposed development.

ADC GREENSPACE:

No objection.

The proposed development of 10 dwellings should provide 702m² of useable public open space, in accordance with the Fields in Trust guidelines. The proposed amount of open space is limited in which to enable a robust planting scheme to be implemented. The development should include a local area of play (LAP). Landscape details including a detailed planting plan should be submitted at the reserved matters stage, which maximises the biodiversity of the site. A large number of trees are proposed to be removed, which should be protected and retained.

WSSC INFRASTRUCTURE:

WSSC is requesting developer contributions towards:

- Education: No spare primary / secondary / further secondary schools in catchment areas have spare capacity to accommodate the children generated. Formula based contribution into S106 Agreement so that the education contribution may be calculated at a later date. The contributions generated by this proposal shall be spent on a new early years facility serving BEW; a new primary school serving BEW; phase 1 of the new secondary school serving Arun; and additional equipment at St Phillip Howard Catholic High School Sixth Form.
- Library: A contribution generated by this proposal shall go towards a new Tier 7 facility serving BEW.
- Fire and Rescue: Formula based contribution into S106 Agreement so that the fire service contribution may be calculated at a later date. The Fire and Rescue Service Contribution should be used towards the supply and installation of additional fire safety equipment/smoke alarms to vulnerable person's homes in West Sussex Fire Rescue Services Southern Area serving Barnham and Eastergate.

COASTAL WEST SUSSEX CLINICAL COMMISSIONING GROUP (CCG):

Object.

A developer contribution is requested of £11,357, which would overcome this objection. The contribution would be used most likely towards the replacement Croft Surgery and the integrated services site, which would serve the catchment population of this proposed development.

SUSSEX POLICE:

No objection.

The proposed development should be constructed to Secured by Design standards. Sussex Police have no additional comments to make at this stage regarding the proposed amendments to the access road into the development.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and issues addressed in the Conclusions section below.

POLICY CONTEXT

Designation applicable to site:

Within the Strategic Allocation site Barnham/Eastergate/Westergate (BEW - SD5) in the Local Plan for 2,300 homes within the plan period, with a total of up to 3,000 dwellings in total.

Within the Built-Up Area Boundary (BUAB) in the Local Plan.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

AHSP2	AH SP2 Affordable Housing
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment

GISP1	GI SP1 Green Infrastructure and Development
HDM1	H DM1 Housing mix
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment
HERDM3	HER DM3 Conservation Areas
HSP1	HSP1 Housing allocation the housing requirement
HSP2	H SP2 Strategic Site Allocations
HSP2C	H SP2c Inland Arun
INFSP1	INF SP1 Infrastructure provision and implementation
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

[Barnham & Eastergate Neighbourhood Plan 2014](#)
[POLICY CLW2](#)

Support for new medical facilities

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES1

Applications for new development must meet the local drainage requirements

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES10

Trees and hedgerows

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES3

The Local Gap/Green Infrastructure Corridor

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES4

Protection of open views

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES5

Quality of design

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES6

Contribution to local character

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES7

Development affecting heritage assets

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES8

Buildings should be designed to reflect the three-dimensional qualities of traditional buildings

Barnham & Eastergate Neighbourhood Plan 2014
POLICY GA2

Footpath and cycle path network

Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA4	Parking and new development
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H4	Integration of new housing into surroundings
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H5	Outdoor space
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H6	Attention to detail

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

POLICY COMMENTARY

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

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

The Neighbourhood Development Plan:

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

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton; Ford.

Barnham and Eastergate Neighbourhood Plan (2014-2029) was made in July 2014. Relevant Neighbourhood Plan (NP) policies have been taken into account and are addressed in the Conclusions section of this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is located in a strategic allocation within the built-up area boundary in compliance with the Development Plan.

However, the proposal does not comply with the Development Plan due to the lack of comprehensive planning; the provision of sufficient infrastructure provision to serve the BEW strategic allocation; and

adequate information has not been submitted to ensure the proposal is acceptable in terms of access and road layout and would not therefore give rise to increased hazards to highway users.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The development plan for Arun District currently comprises the Arun District Local Plan (2011-2031), which was adopted by the Full Council on 18th July 2018 and the Barnham and Eastergate Neighbourhood Plan (NP: 2014-2029).

The starting point for determining this outline planning permission is Policy H SP1, Policy H SP2 and Policy H SP2c of the Local Plan and Policy ES3 of the Barnham and Eastergate NP.

Policy H SP1 of the Local Plan sets out the overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. This Policy allocates 2,300 units to be provided in the Barnham / Eastergate / Westergate (BEW) strategic allocation (SD5). The application site constitutes part of the BEW strategic allocation in Policy H SP1; and the 10 houses proposed in this outline planning application would contribute towards the overall total of 2,300 units (within the Plan period and 3,000 units in total (i.e. 2,300 plus 700 units).

Policy H SP2 of the Local Plan says that "Development proposals within the Strategic Site Allocations must be comprehensively planned and should have regard to a masterplan endorsed by the Council for the respective areas which incorporates high quality imaginative design giving a sense of place and a permeable layout".

Policy H SP2c of the Local Plan focusses on "Inland Arun" and includes the Barnham, Eastergate and Westergate (BEW) Strategic Allocation (SD5) for at least 2,300 dwellings over the lifetime of the Local Plan, and up to 3,000 dwellings in total. Policy H SP2c(a) says that development proposals must "preserve the separate identities and avoid any further physical coalescence of the three villages of Barnham, Eastergate and Westergate through the delivery of green infrastructure. Eastergate and Barnham should be protected from a continuous urban form / coalescence along the north and south aspects of the B2233."

Policy H SP2c sets out specific criteria that planning applications within this specific allocation will be required to meet. The proposed development of 10 new homes on the site of Bexstone House (i.e. a net increase of 9 dwellings), which would constitute one of the sites that comprise the BEW Strategic Allocation in the Arun Local Plan, should play its part in the comprehensive development of the allocation by integrating appropriately with surrounding communities through an appropriate design. Policy H SP2c requires the proposed allocation to provide key infrastructure including a new local centre, new retail, commercial and community facilities, a new Tier 7 library facility and healthcare facilities to serve the BEW strategic allocation and Fontwell. New transport requirements include a re-aligned A29 route with a bridge over the railway to the east of the current Woodgate crossing combined with improved access to Barnham railway station, bus services and cycle links. The requirements also include a new two-form entry primary school, a one-form entry primary school and nursery places, in addition, 2 new sports pitches with changing facilities and new employment provision. No information has been submitted with the outline planning application detailing any consideration of the incorporation of an area of Gypsy and Traveller Accommodation or self-build / custom build dwellings. Consequently, the proposal does not

comply with Policy H SP2(p) and (q) of the Arun Local Plan.

Policy ES3 of the Barnham and Eastergate NP says: "new development within the Local Gap / Green Infrastructure Corridor, other than the replacement or minor extension of an existing building, will not generally be supported." The Green Infrastructure Corridor or Local Gap was defined in the previous Arun Local Plan, and provided a green buffer between Barnham and Eastergate and contributed to the character and identity of the villages; giving a sense of separate space to each village (paragraph 5.2.1 of the Barnham and Eastergate NP). The test in Section 38(5) of the Planning and Compulsory Purchase Act, 2004: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document". As the Arun Local Plan was adopted by the Council on 18th July 2018, the policy in the Local Plan is to be considered in favour of those in the Neighbourhood Plan. As a statement of fact, the proposed development is contrary to the Barnham and Eastergate NP, but the Local Plan Local Gap / Green Infrastructure Corridor has been revised and the application site is now included in the BEW strategic allocation and the proposed residential development is therefore considered to be acceptable subject to the satisfactory resolution of the matters listed below.

The application site falls within the BEW Strategic Allocation (SD5) so it is acceptable in principle, subject to understanding how this might work as part of the overall allocation, hence the need for a masterplan; and whether this land might be needed to help avoid coalescence. The LPA has identified the possibility of creating a mini masterplan to aid early delivery of part of the strategic allocation, on land bounded by Barnham Road to the north and Footpath 321 to the south. However, for the LPA to agree any schemes within this mini masterplan area, the LPA needs to be satisfied that the site fits within an "agreed" mini-masterplan which has to be consistent with the larger masterplan under development and address the policy requirements. There are a number of outstanding issues in the mini-masterplan - which are covered in more detail below - including the scale and location of the 'gap' between Barnham and Eastergate, the location and extent of the Green Corridors, and the access arrangements within the mini-masterplan area and the surrounding area. Until the LPA can agree these matters it cannot agree that the scheme is policy compliant.

FIVE YEAR HOUSING LAND SUPPLY

The Arun Local Plan 2011-2031 was adopted on 18th July 2018, therefore the application should be determined on the basis of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the NPPF and the Local Development Plan, which is made up of the Arun Local Plan 2011-2031 and the Barnham and Eastergate NP and there are no or insufficient material considerations to justify a departure from the Development Plan. The LPA's Annual Monitoring Report, 2018, says that the Five Year Housing Land Supply (HLS) is 4.7 years and the submitted Design and Access Statement says that the District has a 60% shortfall in achieving a 5 year housing land supply provision. Consequently, the LPA accepts that it does not have a 5 year HLS and paragraph 11 of the NPPF is applicable.

The test in paragraph 11(d) needs to be applied "where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i) the application of policies in this Framework that 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.

It is considered that Paragraph 11(d)(ii) applies for the reasons set out in this report.

TECHNICAL ISSUES

HOUSING MIX

Policy H3 of the Barnham and Eastergate NP says "the type of housing to be provided in any residential development should reflect the location of the site:

- where development is on a site within 400 metres walking distance from a village centre, at least 50% of the housing units to be provided should have one or two bedrooms;
- in other cases, no more than 25% of the housing units to be provided should have one or two bedrooms."

The application is outline and no indicative housing mix has been provided.

AFFORDABLE HOUSING

Policy AH SP2 of the Local Plan requires all developments over 11 residential units to have a minimum of 30% affordable housing on site.

This outline planning application is for the provision of 10 new dwellings, following the demolition of the existing detached house on the site. Consequently, the proposed development would result in the net increase in 9 new dwellings on the site. However, as the site is located within the BEW strategic allocation, the proposed site plan (Drawing No. 010819/SL-30 B) includes three affordable houses at Units 5, 6 and 7.

The proposed provision of 3 affordable houses on the site, within the BEW strategic allocation considered to be acceptable and it complies with Policy AH SP2 of the Local Plan.

ILLUSTRATIVE LAYOUT AND DESIGN

Policy H SP2 of the Local Plan requires proposals on strategic sites to provide high quality development with a sense of place and permeable layout within a masterplan. Whilst the detailed layout for the site is a reserved matter, it needs to be demonstrated at outline stage that an acceptable scheme can be delivered on the site with the proposed number of units.

Policy H4 of the Barnham and Eastergate NP says: "proposals for residential development should be designed so that the new housing integrates into its surroundings and is well connected to the village."

The Proposed Site Layout Plan (Drawing No. 010819/SL-30 B) which was submitted with the outline planning application shows a linear residential layout running north/south from Barnham Road, with a mixture of houses. The layout shows two storey housing.

The layout plan comprises residential development in a linear configuration running from Barnham Road to the north of the site all the way down to the southern boundary of the application site. The houses predominantly front onto the internal estate road. There is a dog leg in the internal estate road; with a proposed vehicular access onto Barnham Road, with a right hand turn ghost lane.

The residential layout of the development turns its back on the parcel of developable land to the west (i.e. Kinnersley) and to the east (The Boweries - EG/22/19/OUT). The submitted layout plan excludes any east / west connections to the adjacent parcels of land; and omits any opportunities for the residential layout on the application site to connect up with the adjoining parcels of land to the east and west and therefore does not incorporate a permeable layout.

Due to the linear layout of the residential development proposed on the site, together with the lack of east / west links and connections with the adjoining parcels of land to the east and west which would have provided a far more permeable layout, it is considered that the proposal for 10 dwellings on this site prejudices the delivery of a comprehensively planned settlement. The application fails to demonstrate that the delivery of development of this scale in this location would not prejudice the comprehensively development of the allocation as a whole.

The submitted layout plan (Drawing No. 010819/SL-30 B - Proposed Site Plan) fails to identify the surface water drainage features for the site. The layout of the site should identify adequate on-site surface water drainage, including ponds and swales, which would act as landscape (green and blue space) features around which the houses should be laid-out and orientated.

Barnham Road Mini Masterplan

Policy H SP2 of the Local Plan says that "development proposals within the Strategic Site Allocations must be comprehensively planned and should have regard to a masterplan endorsed by the Council for the respective areas which incorporates high quality imaginative design giving a sense of place and a permeable layout." Policy H SP2c of the Local Plan says "development proposals must preserve the separate identities and avoid any further physical coalescence of the three villages of Barnham, Eastergate and Westergate through the delivery of green infrastructure. Eastergate and Barnham should be protected from a continuous urban form / coalescence along the north and south aspects of the B2233." Policy OSR DM1(2a) of the Local Plan says: "housing will be required to contribute towards open space provision in accordance with guidance set out in the current Open Space Study. In some parts of the district open space provision is identified as being sufficient in terms of quantity. Therefore, provision of new open space is not deemed necessary but what is needed is to seek contributions for quality improvements and/or new off-site provision in order to address any future demand."

Policy ES3 of the Barnham and Eastergate NP says: "new development within the Local Gap/Green Infrastructure Corridor, other than the replacement or minor extension of an existing building, will not generally be supported."

The Local Planning Authority (LPA) is fully committed to working with the applicant and the adjoining landowners and their agents in the preparation of a Barnham Road mini masterplan for the Land South of Barnham Road up to Public Footpath 321, following which planning applications should be submitted that accord with the approved masterplan (i.e. approved by the LPA) in terms of an acceptable site layout, in accordance with Policy H SP2 of the Local Plan.

The Council has not received any submission which allows it to consider how the mini masterplan has been formed from a careful consideration of the constraints, opportunities and other issues in accordance with the National Design Guide.

In terms of the submitted draft version of the Barnham Road mini masterplan (Drawing No. No.00605B_SK_028 Rev. C and Drawing No.00605B_SK_028 Rev. F), the masterplan has not been submitted as part of the current outline planning application for the Boweries. However, the mini masterplan fails to satisfactorily justify the location and scale of the proposed local gap / green infrastructure corridor. As a consequence, the LPA has not been able to satisfy itself that the mini masterplan would adequately prevent the visual coalescence of Barnham and Eastergate.

The proposal to create a vehicular access onto the new A29 (Item 2 on the submitted plan) has not been justified as the LPA is attempting to reduce the number of estate roads that exit onto the new A29.

The provision of three estate roads leading out directly onto Barnham Road to the north requires to be given further thought and assessment in terms of highway safety. It is considered that the number of roads leading directly onto Barnham Road should be reduced. The proposed internal estate through-road (Item 8 on the submitted plan), which would cross the route of the shared footway / cycleway on Footpath 321 should be for temporary use only. The LPA does not accept a permanent internal estate road (Item 8 on the submitted plan) crossing the shared footway / cycleway which would form the southern boundary to this parcel of development at BEW, as a permanent road would obstruct the free flow of pedestrians and cyclists using the Green Corridor and the strategic cycleway. There is a desire

for a 'north-south' green corridor connecting Barnham Road and onwards to the northern site (illustrated by Item 4 on the submitted plan). The proposed location of the Green Corridor including a proposed footpath (Item 4) running north / south from Barnham Road to Footpath 321 is considered to be acceptable in principle. The expectation is that any Green Corridor running south from the Barnham Road should extend as far as the east/west green corridor that is shown on the mini masterplan at Item 10. This east/west corridor separates the majority of the remainder of the allocation from Barnham and Eastergate.

The width of the Green Corridor (Item 10 on the submitted plan) on either side of the shared footway / strategic cycleway on Footpath 321 is considered to be acceptable in principle. It is important to ensure that the housing on this parcel of land is linked by footway / cycleway to the railway station and the retail and commercial services in Barnham, together with pedestrian and cyclist links to the High School and Sixth Form.

The provision of 10 dwellings at Bexstone House would trigger the need for an on-site Local Area of Play (LAP). However, the applicant has not identified an area for the provision of a LAP on the site. The provision of LAPs needs to be considered in terms of the mini masterplan. The green infrastructure for the area of land covered by the mini masterplan needs to be planned comprehensively, and not in a piecemeal way. It is considered that the location of the green corridors on the mini masterplan need to be considered alongside the Church Commissioners (via their agents, Lichfields) work on Green Infrastructure provision within the BEW strategic allocation.

The mini masterplan completely excludes the provision of surface water drainage features including attenuation basins and swales, which should form a fundamental part of the layout of the application site and the whole area covered by the mini masterplan. The provision and location of surface water features (Blue infrastructure) and their inter-relationship with the Green Corridors should provide the development framework for the mini masterplan. The mini masterplan currently fails to identify the inter-related Green and Blue infrastructure framework, which would ensure the comprehensive planning of the mini masterplan area.

Therefore, it is considered that the applicant has failed to provide adequate information to demonstrate whether or not the proposed 10 dwellings on this site would undermine the delivery of a comprehensively planned settlement and consequently whether the proposal would provide a high quality development with a sense of place and permeable layout, which includes the location of the Green Corridors running through the mini masterplan area, the size of the gap between Eastergate and Barnham, located on the easternmost parcel of land in the mini masterplan area, and the surface water drainage features including attenuation basins and swales. Consequently, it is considered that the proposed layout is contrary to Policy H SP2, Policy OSR DM1(2a) and Policy W DM2 of the Local Plan, Policy H4, Policy ES1 and Policy ES3 of the Barnham and Eastergate NP.

LANDSCAPING

Policy D DM1 of the Local Plan states that: "When considering any application for development the Council will have regard to the following aspects: make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features; demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area." (Policy D DM1(1) and D DM1(2))

Details regarding the landscaping of the proposed development would be submitted for consideration as part of a reserved matters application; at which point the proposed development would be assessed against Policy D DM1 of the Local Plan, in terms of landscaping.

TREES

Policy ENV DM4 of the Local Plan requires developers to provide land and tree surveys (ENV DM4 (d)), a tree constraints plan (e) and an Arboricultural Impact Assessment (AIA) to include a tree protection plan and Arboricultural Method Statement (ENV DM4 (f)), which will ensure that development is planned to take a comprehensive view of tree issues at an early stage in the design process and that development works do not have a negative impact on existing trees.

Policy ES10 of the Barnham and Eastergate NP seeks to retain ancient trees or hedgerows of good arboricultural and amenity value.

The application was accompanied by a Tree Survey Plan without a supporting Arboricultural Report inclusive of a Tree Survey Schedule, Root Protection Area Schedule and Constraints Plan.

Consequently, there is insufficient supporting arboricultural information submitted with the application, so failing to meet the requirement of BS5837:2012. If this residential development were to proceed, there would not be sufficient information to guarantee such trees would be adequately respected and protected. As such, the proposal is contrary to Policy ENV DM4 of the Local Plan and Policy ES10 of the Barnham and Eastergate NP.

TRAFFIC AND ACCESS

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

The proposed development of 10 houses within the curtilage of Bexstone House is outline with all matters reserved except for access. The applicant has submitted an amended layout plan (Drawing No. 010819/SL-30 B) which includes a widened access to Bexstone House, with 6.0 metre radii kerbs onto Barnham Road, and visibility splays of 2.4 metres by 55 metres westwards and 56.8 metres eastwards. The proposed access details include the provision of a 1.8 metre wide footway on the eastern side of the access road, connecting to the eastern pedestrian refuge and from there to the existing footway on the north side of Barnham Road.

The proposed works include the provision of a right turn lane on Barnham Road (the B2223), with 3.0 metre wide through lanes and a 3.0 metre wide right turn lane. There would be a pedestrian refuge at each end of the right turn lane, each with a width of 2.0 metres, retaining lane widths on each side that would vary from 3.0 metres to 3.2 metres. It is considered that the provision of a right turn ghost lane for the provision of 10 houses would not be required. At this moment in time, there is no guarantee that additional development would be served via the proposed access and if a right hand turn ghost island is required. Junction modelling should be submitted with scenarios based on the potential trip generation of any sites to be served off the proposed access, in accordance with an approved mini masterplan.

The submitted vehicle tracking plan shows a refuse vehicle crossing the centre line when accessing and egressing the site, given the site is identifying the potential to serve a wider allocation then there are concerns for highway safety. The proposed 90 degree bend in the internal estate road raises concerns regarding vehicle tracking and highway safety.

It is considered that adequate information has not been submitted to satisfy the LPA that the proposed development is acceptable in terms of access and road layout and would not therefore give rise to increased hazards to highway users, contrary to Policy T SP1 of the Local Plan and paragraph 108(b) of the NPPF.

Parking Provision

Policy GA4 of the Barnham and Eastergate NP says: "development proposals will be supported only if they include the maximum level of off-street parking consistent with the current standards under the Local Plan."

Parking would be dealt with at Reserved Matters stage, but from the indicative layout plan, the quantum of car parking spaces, the applicant proposes a total of 30 parking spaces including the provision of 5 double garages. When comparing this to the WSCC parking demand calculator in the Parking Standards would give a significant under-supply of parking within the site and concerns would therefore be raised. The level of parking spaces should be identified on a plan. Information is also required to be submitted on the provision of cycle parking.

Consequently, the proposed level of car parking proposed on the indicative layout plan would be contrary to Policy T SP1(d) of the Local Plan and Policy GA4 of the Barnham and Eastergate NP.

Public Transport

Policy T DM1(a) of the Local Plan says: "proposals for all new development must be located within easy access of established public transport services."

Policy GA1 of the NP says "new developments should integrate with the current green infrastructure network and provide access to public and community transport, to connect with the social, community and retail facilities of the villages".

Opportunities to travel by public transport are limited. There is a regular bus service accessed from Barnham Road (the B2233) providing links to Barnham and the railway station and Yapton as well as to Bognor. The railway station is approximately 0.6km from the site which provides for onward travel to local employment centres as well as London, Brighton and Southampton.

The site is located within walking distance (approximately 200 metres) from the nearest bus stop, and 500 metres from Barnham, which includes a primary school, local supermarket with a post office and restaurants. The bus stops provide connections to Bognor Regis railway station and Barnham railway station, and to Yapton, and the retail foodstores on Shripney Road at Bersted. The proposed development is well served by bus stops in proximity to the site but the frequency of services is limited. Bus route 85 and 85A provide an hourly service between Eastergate and Barnham and Littlehampton.

The proposed development is in accordance with Policy T DM1 of the Local Plan and Policy GA1 of the Barnham and Eastergate NP, in terms of access to public transport.

Footways and Cycleway Provision

Policy T SP1 of the Local Plan says: "The Council will support transport and development which gives priority to pedestrian and cycle movements".

Policy T DM1 of the Local Plan says: "New development must ensure ease of movement, prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport. 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". "Proposals for all new development must be located within easy access of established public transport services, existing pedestrian and cycle networks, the committed and aspirational cycle networks and the green infrastructure network which links the development with key destinations including places of work, education, leisure and town centres" (Policy T DM1(a)).

Policy GA2 of the Barnham and Eastergate NP says: "support will be given to proposals that improve and extend the existing footpath and cycle path network, allowing greater access to new housing, the village centres, green spaces and the open countryside."

The site is located within walking distance to bus stops which provide onward connections 7 times a day to Bognor Regis, Barnham Railway station and Yapton.

The mini masterplan area is important to the delivery of the strategic cycleway serving this part of the BEW strategic development and ensuring that the cycleway links up with the wider network within BEW and with the existing cycle network serving Barnham, Eastergate and Westergate. The cycleways within the mini masterplan area should ensure that crossing points over Barnham Road are safe and connect up with the proposed cycleways on the parcel of land that Barratts will be developing north of Barnham Road.

The proposed layout plan (Drawing No. 010819/SL-30 B) identifies a shared pedestrian and cycle path running from Barnham Road and along the eastern edge of the site, adjacent to the Boweries.

It is considered that the proposed access would provide a safe layout for cyclists and pedestrians in accordance with Policy T SP1 and Policy T DM1 of the Local Plan and Policy GA2 of the Barnham and Eastergate NP.

BIODIVERSITY

Policy ENV DM5 of the Local Plan says "development schemes shall seek to achieve a net gain in biodiversity and protect existing habitats on the site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats".

The outline planning application was accompanied by a Preliminary Ecological Appraisal which concluded that bat mitigation measures should be conditioned; and a precautionary approach is required towards Great Crested Newts and reptiles, which should be conditioned. The Appraisal concluded that the site is not constrained by dormice, water voles or badgers. A number of on-site enhancements have been recommended including tree replacement at a ratio of 2:1; the provision of wildflower meadow planting; the planting of native tree and hedgerow species; bat and bird boxes should be installed; grassland areas should be managed to benefit reptiles; log piles should be provided on-site; and gaps need to be provided at the bottom of the fences to allow movement of small mammals. All of these ecological enhancements are considered to be acceptable and would need to be conditioned.

Consequently, it is considered that, subject to ecological conditions including the provision of on-site enhancements, the proposed development complies with Policy ENV DM5, Policy H SP2(c) and Policy H SP2(d) of the Local Plan and the NPPF.

HERITAGE ASSETS

Policy HER SP1 of the Local Plan states that designated heritage assets including listed buildings, structures and their settings; and Conservation Areas will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. Policy HER DM3(f) of the Local Plan says: "in order to preserve the character or appearance of the Conservation Area, planning permission will normally be granted for proposals within or affecting the setting of a Conservation Area, provided that it does not harm important views into, out of or within the Conservation Area".

Policy ES7 of the Barnham and Eastergate NP says "development affecting listed buildings or their settings, conservation areas and their settings, or the Areas of Special Character designated in the Local

Plan should be designed so as to preserve and enhance them, so as to reinforce the quality and character of the villages."

In considering whether to grant planning permission with respect to any buildings or other land in a Conservation Area, the Council shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area (Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990).

The proposed development needs to assess any impacts on the Church Lane and Eastergate Conservation Area within 1.0km of the site which need to be considered. There are listed buildings located within Church Lane and Eastergate Conservation Area which need to be considered.

No heritage statement has been submitted with the outline planning application which assesses the significance of these (or other heritage assets) in accordance with the National Planning Policy Framework (NPPF). Consequently, it is not possible to properly assess this application without a heritage statement assessing the significance of the assets, or the potential impact of the development upon them.

As such, the proposed development is contrary to Policy HER SP1 and Policy HER DM3(f) of the Local Plan, Policy ES7 of the Barnham and Eastergate NP and the National Planning Policy Framework.

LIGHT POLLUTION

Policy QE DM2 of the Local Plan emphasises the need to consider the impact of light on neighbouring uses and wider landscape, particularly with regard the South Downs International Dark Sky Reserve designation (a), light levels should be the minimum required for security and working purposes (b), and minimise potential glare and spillage (c); and the degree to which outdoor lighting can be powered by on-site renewable sources (d).

Policy H6 of the Barnham and Eastergate NP says: "the design of new housing should give full consideration to lighting." Lighting schemes should prevent light spillage and glare and face inwards away from open landscapes (paragraph 9.3.4 of the Barnham and Eastergate NP).

The application site is in a semi-rural area of the district, east of Eastergate and west of Barnham. It is considered that a lighting condition be imposed requiring the submission of details of luminaires that are more suitable to semi-rural areas on the fringes of built-up areas. This is reinforced by the ADC's Ecological Advisor's request that the lighting scheme for the site will need to take into consideration the presence of bats in the local area through the use of directional light sources and shielding.

The imposition of a condition ensuring that the external lighting scheme meets the limits the environmental zone E2 (as set out in the Institute of Lighting Professionals Guidance for Reduction of Obtrusive Light) is proposed. The guidance sets out limits for the main sources of light pollution (sky glow, glare and spill) and would ensure that the lighting is appropriate to the wider landscape setting and minimises the impact of the development on the Dark Sky Reserve designation within the SDNP.

Consequently, subject to the imposition of a condition, it is considered that the proposed development complies with Policy QE DM2(a), (b), (c) and (d) inclusive of the Local Plan and Policy H6 of the Barnham and Eastergate NP.

NOISE POLLUTION

Policy QE DM1 of the Local Plan emphasises that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses.

Environmental Health has requested a condition controlling the hours of work for construction and demolition activities, a condition requiring the submission of a Construction Management Plan, and the submission of a scheme regarding internal noise levels within the proposed houses. The provision of noise mitigation conditions is considered to be reasonable and necessary.

Consequently, it is considered, subject to the imposition of conditions regarding noise emissions and operating hours, that the proposed development complies with Policy QE DM1 of the Local Plan.

RESIDENTIAL AMENITY

Policy D DM1(3) of the Local Plan says "have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance".

Policy H5 of the Barnham and Eastergate NP regarding outdoor space says: "proposals for new housing development should include good quality outdoor amenity space - either private gardens or a shared amenity area."

All of the proposed rear gardens set out on the submitted layout plan (Drawing No. 010819/SL-30 B - Proposed Site Plan) would measure at least 10 metres long, which is considered to be acceptable. The proposed layout plan only comprises houses; and there are no apartments proposed. As no apartments are proposed, there is no need for shared amenity areas to be provided as part of this residential development.

Consequently, it is considered that the proposed residential development complies with Policy D DM1(3) of the Local Plan in terms of impact upon neighbouring residential amenity and Policy H5 of the Barnham and Eastergate NP.

SURFACE WATER DRAINAGE

The NPPF requires that development does not give rise to an unacceptable risk of flooding detrimental to human health or property. Policy W DM2 of the Local Plan 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.

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

The application site is located in Flood Zone 1 and is therefore at a low risk of flooding.

The surface water drainage for the application site needs to be considered as part of the mini masterplan area to ensure that all of the sites within the masterplan area can be drained effectively, and to ensure that the proposed development complies with Policy W DM2 of the Local Plan and Policy ES1 of the Barnham and Eastergate NP.

FOUL WATER DRAINAGE

Policy W DM1 of the Local Plan deals with foul water drainage: development which will materially increase foul water discharges will be refused unless the LPA is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development.

The proposed development would connect to the existing public main sewer drainage system in

Barnham Road; and no new connection to the public main is necessary.

Subject to a condition requiring the submission of a foul drainage scheme, the proposal accords with Policy W DM1 of the Local Plan.

CLIMATE CHANGE

Policy ECC SP1 of the Local Plan says: "The Council will support development which is located and appropriately designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding; water stress; health impacts as a result of extreme temperatures and a decline in the quality of habitats and richness in biodiversity". Policy ECC SP2 of the Local Plan says: "All major developments must produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless it can be demonstrated that this is unviable".

The proposed east / west orientation of 8 of the 10 houses on the indicative layout plan (Drawing No. 010819/SL-30 B - Proposed Site Plan) submitted with the outline planning application would ensure maximum solar gain and would therefore comply with Policy ECC SP1 of the Local Plan. The proposed residential development could comply with Policy ECC SP2 through the imposition of a condition requiring 10% on-site generation from renewable or low carbon energy generation, plus the fabric first approach.

SUPPORTING INFRASTRUCTURE

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

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

As the application site is located within the BEW strategic allocation then it needs to demonstrate how the infrastructure requirements above will be delivered. The Section 106 Agreement for this scheme needs to mitigate the impact of the proposal but in order to meet the policies, the scheme needs to contribute towards the new self-contained settlement which provides its own infrastructure. As the site is a small proportion of the wider BEW strategic allocation, it would not be delivering any infrastructure on site that the wider site would then not need to deliver (thereby off-setting future costs for the remainder of the site).

The Local Plan policy requires the BEW strategic allocation to deliver a new healthcare facility to serve the BEW strategic allocation and Fontwell. The NHS (Sussex Coastal Clinical Commissioning Group) has responded setting out a developer contribution of £11,357, which would be used towards the replacement Croft Surgery and the integrated services site. The proposed development is considered to be in accordance with Policy CLW2 of the Barnham and Eastergate NP which says: "proposals for new medical facilities will be supported"; and is considered to be CIL compliant.

WSCC have confirmed that the present primary and secondary schools within the catchment areas of the proposal would not have spare capacity and would be unable to accommodate the children from the development. Accordingly developer contributions are required. The contributions comprise £11,456 towards a new early years facility serving BEW; £72,174 towards a new primary school serving BEW; a formula based contribution towards phase 1 of the new secondary school serving Arun - The secondary education contribution sought by the County Council would be based on the estimated additional secondary aged pupil population that would be generated by the proposed development and the cost of providing a 10FE secondary school for Arun plus land costs. This equates to a cost of £33,538 per secondary aged pupil generated as result of the development. A formula based contribution would be spent on additional equipment at St Phillip Howard Catholic High School Sixth Form. These are all considered to be CIL compliant.

Fire and rescue contributions have been sought by WSCC (formula based) due to the need to improve service provision in the Southern division as a result of the development. This is proposed to be used towards the supply and installation of additional fire safety equipment / smoke alarms to vulnerable persons homes in West Sussex Fire Rescue Services Southern Area serving Barnham and Eastergate. This is considered to be CIL compliant.

A pro-rata contribution is requested towards a new Tier 7 facility serving BEW, based on the provision of 10 dwellings; which is considered to be CIL compliant.

The open space and affordable housing requirement is set out in the relevant section above.

There is no policy requirement for the provision of affordable housing on the site as the proposed development would result in a net increase of 9 houses on the site; however, the applicant is proposing to provide three affordable houses as part of the development.

The site forms part of the BEW strategic allocation and, as such, should provide a proportional contribution. As such, the Local Highway Authority is seeking a financial contribution of £9,043 per dwelling towards the strategic infrastructure required to deliver development in-and-around the BEW Strategic Location, specifically the re-alignment of the A29. The applicant has not signalled whether they are willing to contribute to the re-alignment of the A29.

Sussex Police have confirmed that they are not seeking any contributions from this proposed development at Bexstone House.

No developer contributions have been proposed or provided for community facilities, even though the site is located within the BEW strategic allocation.

Consequently, it is considered that the applicant has failed to demonstrate that the obligations proposed would ensure that the infrastructure needed to support the development would be sufficient to meet the needs of occupiers and users of the development and the existing community, contrary to Policies H SP2, H SP2c and INF SP1 of the Arun Local Plan and the National Planning Policy Framework.

SUMMARY

It is considered that whilst the proposed development would deliver much needed housing, insufficient information has been submitted to demonstrate that the proposed development would contribute to the delivery of a comprehensively planned settlement and consequently whether the proposal would provide a high quality development with a sense of place and permeable layout to adjacent sites, which could accommodate adequate on site Green and Blue Infrastructure, including the provision of a cycleway/footway, with on-site play provision including a LEAP/LAP, together with surface water

drainage such as attenuation basins and swales. In addition, adequate information has not been submitted to satisfy the Local Planning Authority in consultation with the Highway Authority that the proposal is acceptable in terms of access and road layout, and would not therefore give rise to increased hazards to highway users. Additionally, it is not possible to properly assess this application without a heritage statement assessing the significance of the heritage assets, or the potential impact of the development upon them. In addition, insufficient supporting arboricultural information has been submitted with the application to guarantee the substantial number of trees on the site would be adequately respected and protected. Consequently, it is considered that the proposed development is contrary to Policy D DM1, Policy H SP2, H SP2c, Policy OSR DM1(2a), Policy T SP1, Policy HER SP1, Policy HER DM3(f), Policy ENV DM4 and Policy W DM2 of the Local Plan, Policy H4, Policy ES1, Policy ES3, ES7, ES10 and Policy GA2 of the Barnham and Eastergate Neighbourhood Plan and paragraphs 108 (b) and 189 of the National Planning Policy Framework.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

RECOMMENDATION

REFUSE

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

infrastructure needed to support the development would be sufficient to meet the needs of occupiers and users of the development and the existing community, contrary to Policies H SP2, H SP2c and INF SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 3 Adequate information has not been submitted to satisfy the Local Planning Authority in consultation with the Highway Authority that the proposal is acceptable in terms of access and road layout, and would not therefore give rise to increased hazards to highway users, contrary to Policy T SP1 of the Arun Local Plan and paragraph 108 (b) of the National Planning Policy Framework.
- 4 Insufficient information has been submitted relating to a heritage statement which assesses the significance of the heritage assets in close proximity to the site including (but not limited to) the following listed buildings St Georges Church C of E (Grade II*), Manor Farmhouse (Grade II), the granary out-buildings at Manor Farm (Grade II), the barn and cart shed at Manor Farm to the south west of the farmhouse (Grade II); and the Eastergate (Church Lane) Conservation Area, (or other heritage assets), in accordance with paragraph 189 of the National Planning Policy Framework. As a consequence, it is not possible to properly assess this application without a heritage statement assessing the significance of the assets, or the potential impact of the development upon them. As such, the proposed development is contrary to Policy HER SP1 and Policy HER DM3(f) of the Local Plan, Policy ES7 of the Barnham and Eastergate NP and the National Planning Policy Framework.
- 5 Insufficient supporting arboricultural information has been submitted with the application to guarantee the substantial number of trees on the site would be adequately respected and protected. As such, the proposal fails to meet the requirement of BS5837:2012, and is contrary to Policy ENV DM4 of the Local Plan and Policy ES10 of the Barnham and Eastergate NP.
- 6 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.
- 7 INFORMATIVE: If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.