



Darryl Howells Planning Consultancy Limited

Unit 6, The Axiom Centre
Dorchester Road
Lytchett Minster
Dorset
BH16 6FE



PLANNING POLICY STATEMENT(v2)

**Land At Rear Of Cedar End Eastergate Lane,
Eastergate, PO20 3SJ**

**Sever land and erect a detached bungalow with new
vehicular access**

June 2022



RTPI

Chartered Town Planners

INTRODUCTION

- 1.1 This planning policy statement has been prepared to support the applicant's planning application to sever land and erect a detached bungalow with new vehicular access on land rear of Cedar End, Eastergate Lane, Eastergate, PO20 3SJ.
- 1.2 The purpose of this policy statement confirms which are the relevant planning policies contained within the Development Plan.
- 1.3 This statement will explain how the proposal accords with the relevant criteria of adopted planning policies, and therefore should lead the planning officer to make a favourable recommendation of the planning application.
- 1.4 The author of this planning statement is a chartered town planner and member of the Royal Town Planning Institute. I have over 25 years post qualification experience, 17 of those years working as a senior planning officer and team leader in the former Borough of Poole's planning department. Since 2016 I have worked in the private sector aiding my clients secure planning permissions for various housing projects in this area.

SITE CHARACTERISTICS AND CONTEXT

- 2.1 The site is located in the countryside, lying to the east of Chichester. The currently property is positioned on the north of Easter Gate Lane and is occupied by detached bungalow. The plot has considerable length, being circa 133m deep.



Application Site and Context (Source Google Earth)

- 2.2 The frontage of the site consists of a dense hedge row screen that obscures the site from the public domain.
- 2.3 Whilst being positioned in the countryside, the area has considerable built form around it, including detached housing, and commercial buildings.
- 2.4 There are several trees positioned around the perimeter of the site.
- 2.5 For planning purposes, the site is wholly in flood zone 1.

NATIONAL PLANNING POLICY FRAMEWORK

- 3.1 The starting point for any planning application in England should be consideration of its acceptability in terms of the NPPF, the latest amendment to which has been published in July 2021.
- 3.2 The current NPPF clearly states that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11).
- 3.3 There is no single definition of ‘sustainable development’, however in planning terms (paragraph 8) the NPPF identifies three overriding objectives which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

- 3.4 As part of the presumption in favour of sustainable development the NPPF actively encourages new residential development in sustainable locations (paragraph 105) offering a genuine choice of transport modes to help reduce congestion and emissions and improve air quality and public health. There is a particular emphasis on the effective and efficient use of land by reusing land that has been previously developed (paragraphs 119 and 120), especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 3.5 Paragraph 60 reminds all parties in the planning process that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 62 makes it clear that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

- 3.6 To promote development of a good mix of sites LPA's should support the development of small and medium sized windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes (paragraph 69).
- 3.7 Paragraph 74 of the NPPF requires that LPA's should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. Paragraph 11 of the NPPF indicates that where local planning authorities are unable to identify a minimum 5 years housing land supply, there will be a presumption in favour of allowing planning applications for sustainable residential development.
- 3.8 Significantly, paragraph 76 now advises that to maintain the supply of housing, LPA's should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the LPA's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.
- 3.9 Paragraph 124 advises that planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) *the identified need for different types of housing, and the availability of land suitable for accommodating it;*
 - b) *local market conditions and viability;*
 - c) *the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
 - d) *the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
 - e) *the importance of securing well-designed, attractive and healthy places.*
- 3.10 Section 12 is key to the consideration of this planning application and relates to 'Achieving well-designed places'. Paragraph 126 highlights the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations is essential for achieving this.
- 3.11 Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect government guidance on design, local design policies, guidance and SPD's. Conversely, **significant weight** should be given to development which does take these into account, and/or developments of outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design generally in an area, provided they fit in with the form and layout of the surroundings.

THE PROPOSAL'S COMPLIANCE WITH PLANNING POLICIES

- 5.1 Planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise¹. The NPPF must be taken into account as a material consideration in planning decisions. The NPPF is therefore also a material planning consideration of **significant weight** that should be applied when determining planning applications.
- 5.2 This application proposes the erection of a detached family sized dwelling on a rearward part of the site, positioned behind existing and amongst other built form either side of the application site.
- 5.3 The proposed residential use is entirely compatible with the prevailing residential character of this area. The positioning of an additional dwelling will be consistent with the prevailing pattern of development without evidence of material harm.
- 5.4 This proposal will make a valuable contribution to this identified housing need for family housing to help ensure a balanced and mixed community, in accordance with paragraphs 60 and 62 of the NPPF.
- 5.5 A fundamental material consideration with this application is that the NPPF highlights the need to significantly boost the supply of housing. Chapter 11 stresses promoting an effective use of land and that planning policies and decisions should give substantial weight to making efficient use of the site. Paragraph 69 states that the development of small and medium-sized sites make an important contribution to meeting the housing requirement of an area and LPA's should support the development of windfall sites in appropriate locations. Clearly the government seeks to ensure optimum, efficient and effective the use of such land, as confirmed in paragraph 119 -124, particularly where there is an identified housing need.
- 5.6 According to paragraph 11 of the NPPF, planning decisions should benefit from "a presumption in favour of sustainable development" which *"for decision-taking this means:*
- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), 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 (7); 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".*

¹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

- 5.7 Footnote (8) of the NPPF confirms *“This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years”*.
- 5.8 According to the Council’s published Authority Monitoring Report (1st April 2022 – 31st March 2021), the Council only has **2.4 year land** supply.
- 5.9 As a consequence, the presumption in favour of sustainable development as laid out in paragraph 11 of the NPPF is now engaged, meaning that the Council’s policies relating to housing delivery are out of date. The consequence being there is now ‘presumption in favour’ or in other words a tilted balance towards allowing housing in sustainable locations, such as this site unless there are protected areas or assets of particular importance, which in this case there are not.
- 5.10 In the 2021 Housing Delivery Test, published in January 2022, Arun District Council have only achieved 65% of the number of homes built against the amount of homes actually needed over the defined three-year period (2017-2020). As this has dropped below the government’s 75% threshold the presumption in favour of sustainable development therefore applies for all housing proposals in the area.
- 5.11 In light of the above the tilted balance needs to be applied in accordance with footnote 7 of paragraph 11 of the NPPF, and there is a very strong presumption in favour for this current planning application to be granted planning permission as it will deliver additional housing in a sustainable location that will make a positive contribution to the areas identified housing needs. In view of the clear need for new housing that is established in both national and local planning policy the site clearly lends itself to redevelopment to make a more efficient use of the land available and deliver a new home.
- 5.12 Whilst the application site is outside the settlement boundary and in principle objectionable, the lack of housing supply is a significant material planning consideration. Another material planning consideration is that of the appeal decision for 32 Hill Lane, Barnham and Poachers (BN/24/20/PL) where an Inspector allowed an appeal for a dwelling in a countryside location deeming it to be inappropriate, however not identifying any material harm to the character and appearance of the semi-rural area.
- 5.13 Reading the decision, the key issue however was the Council’s lack of housing delivery performance and therefore the engaged ‘presumption in favour of sustainable development’ advising:

“The Council has acknowledged that it cannot currently demonstrate a deliverable 5 year supply of housing land. The 2020 HDT results published in January 2021 confirm this position. The proposal therefore must be considered in the context of the provisions of Paragraph 11(d) of the Framework”.

5.14 At paragraph 27, the Inspector opined that:

“The provision of a new dwelling as an addition to the areas housing stock would amount to a small scale social benefit and contribute to meeting the Council’s shortfall in housing supply. Paragraph 59 of the Framework sets out the Government’s objective of significantly boosting the supply of homes and Paragraph 68 acknowledges the contribution that small and medium sized sites can make to meeting the housing requirement of an area. Although the development would only have a small impact on overall supply, the provision of an additional dwelling would accord with these provisions of the Framework...”.

5.15 And in paragraphs 29 & 30:

“Although all of these benefits would be small in scale, cumulatively they weigh moderately in favour of the development

Given the small scale and limited extent of the harm that would be caused by the proposal, I cannot conclude that the adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. Therefore, the presumption in favour of sustainable development set out in Paragraph 11 of the Framework applies which points towards the grant of planning permission”.

5.16 And the Inspector’s conclusion being

“Within this overall context, having regard to the Council’s current position with regard to housing land supply and housing delivery and the requirement of the Framework to increase the supply of housing, the resulting provision of an additional dwelling, together with the other benefits I have identified, are considerations of sufficient weight that would justify granting planning permission for the proposal, despite it not complying with Policies SD SP2 and C SP1. In reaching this conclusion I have had regard to all the other matters raised in the evidence before me, including the objections raised by the Barnham and Eastergate Parish Council”.

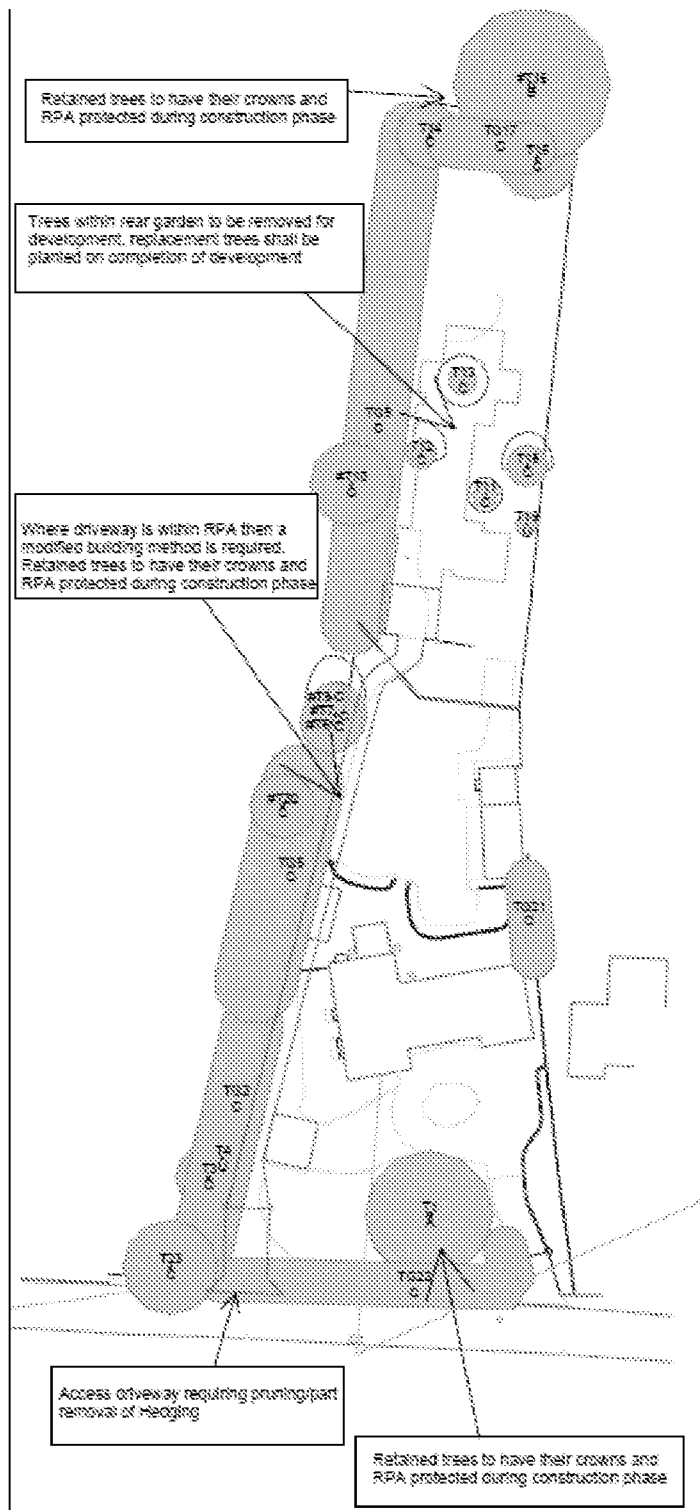
5.17 The design of the proposed bungalow would wholly accord with the prevailing pattern and form of development, thereby complying with design policies. The bungalow shall have a low pitch form, and therefore will not be readily visible from the street scene or neighbouring amenities.

5.18 According to the Arun District Council’s adopted Design Guide, Section P relates to infill development and states development should respect the established pattern of building height, scale, plot width; offer sufficient access to new dwellings; respond positively to the character, appearance and layout of surrounding buildings. This is further reinforced by Section J that requires new development to use attractive detailing and high quality materials and that traditional materials to reflect the local vernacular of the area.



Proposed front and side elevations

- 5.19 The proposal is considered to comply with this, with the design and size comparable to that of the surrounding properties and will be absorbed by the prevailing pattern of development without harm. The materials reflect those of the surrounding area.
- 5.20 Being single storey there will be no harm to neighbouring residential amenities, nor will the bungalow obscure natural light or cause harmful overshadowing.
- 5.21 Sufficient external amenity space will be provided to the intended occupiers, and the scheme complies with the Council's parking standards and vehicular access requirements.
- 5.22 The site is flood zone 1 so no risk of flooding will occur on or off site.
- 5.23 Foul sewerage connection shall be linked to the existing network.
- 5.24 The scheme is supported by ecological report which has concluded no harm, however can offer enhancements to biodiversity habitation. The site falls in the Singleton and Cockington Tunnels, Special Areas of Conservation (SAC), consultation zone, which is identified for supporting maternity colonies of Barbastelle bats.
- 5.25 The application is supported by an arboricultural method statement that demonstrates that the construction of the dwelling and the vehicular access can be accommodated and mitigated, subject to a method statement controlled by condition.



Initial response to tree constraints

- 5.26 The proposed development will incorporate renewable and low carbon energy supply systems, designed to adapt to impacts arising from climate change. Such measures include solar pv cells, greywater recovery etc. The final specification is yet to be agreed so can be conditioned on any subsequently approval decision notice.

CONCLUSION

- 6.1 The NPPF confirms that sustainable development should be afforded the presumption in favour of development. This proposal meets the 3 roles of sustainable development by reason of:
- providing an additional home to meet an identified local housing need which is not being catered for (social role);
 - investment of the site, job creation during construction and the support of facilities and services within the local centres by new residents (economical role);
 - the delivery of an energy efficient and sustainable building (environmental role).
- 6.2 It is considered that the submitted scheme creates a carefully balanced and attractive proposal which will respect the pattern and layout of development in the vicinity and preserves and enhances the character and appearance of the area. Residential amenity of existing occupants of adjacent properties will be preserved and the amenity of future occupants will be high. Parking and access are considered appropriate to the site and location.
- 6.3 It has been demonstrated in this statement that the proposed development complies with all other relevant adopted planning policies, and therefore I would request that planning permission is approved.