

PLANNING, DESIGN & ACCESS STATEMENT

Outline planning application for the erection of 28 no.
dwellings, access, landscaping and associated works

On:

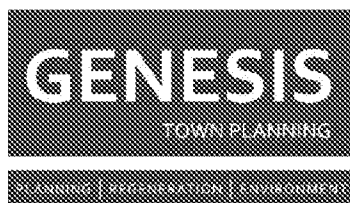
Land at The Boweries
Barnham Road
Eastergate
PO20 3RT

On behalf of:

Domusea Developments Ltd

June 2018

Ref: PW/17085



CONTENTS

1.0	INTRODUCTION	1
2.0	THE SITE	2
3.0	RELEVANT PLANNING POLICIES	3
4.0	CONSIDERATIONS FOR THE DEVELOPMENT PROPOSAL	9
5.0	CONCLUSION AND RECOMMENDATION	13

1.0 INTRODUCTION

- 1.1 This Planning, Design & Access Statement has been prepared on behalf of Domusea Developments Ltd. It accompanies an outline planning application for the erection of twenty-eight no. dwellings, access roads, landscaping and associated works at The Boweries, Barnham Road, Eastergate.
- 1.2 The matter for which approval is being sought is access with layout, scale, appearance and landscaping all reserved for subsequent approval.
- 1.3 The application site currently comprises grazing land for horses with an existing residential dwelling outside the built up area of Eastergate. There are several other barn outbuildings in the eastern corner and access is provided from the south side of Barnham Road. Ordinarily residential curtilage is not previously developed land but following the High Court judgement (Dartford Borough Council v The Secretary of State for Communities and Local Government & Ors [2017] EWCA Civ 141 (14 March 2017) residential curtilage located outside a built up area is defined as previously developed land. The application site is therefore in part previously developed.
- 1.4 The application proposal has been prepared in light of a pre application enquiry submitted to Arun District in 2017 (copy attached as **Annex 1**) and pays regard to the 'made' Barnham & Eastergate Neighbourhood Plan and Local Plan policy in terms of general design and layout considerations.
- 1.5 Plans and information submitted in support of the application comprise the following:
- Location Plan: 1815 -100 PO1 – Curtis Leeves
 - Proposed Layout Plan: 1815 – 101 PO1 – Curtis Leeves
 - Strategic Landscape Masterplan LLD1257-LPL-FIG-002 Rev 00 – Lizard Landscape
 - Tree Schedule – Lizard Landscape
 - Tree Constraints Plan LLD1387-ARB-DWG-001 Rev 00 – Lizard Landscape
 - Landscape & Visual Impact Appraisal – Lizard Landscape
 - Biodiversity Appraisal & Bat Assessment
 - Planning, Design & Access Statement – Genesis Town Planning
 - Flood Risk & Drainage Assessment - Escher Silverman
 - Highways Technical Note – Mayer Brown

2.0 THE SITE

- 2.1 The application site is located on the south side of Barnham Road within the parish of Barnham and Eastergate and the Neighbourhood Plan designated area. It is identified in **figure 1** below with the blue pin. It is located close to the existing settlement policy boundary of Eastergate in an urban location amongst older and newer estate and frontage housing along Barnham Road. Land on the north side of Barnham Road to the rear of ribbon development comprises an allocated and consented site for 60 dwellings in the Barnham & Eastergate Neighbourhood Plan.
- 2.2 The site enjoys a sustainable location close to a doctor's surgery and community hall with recreation and sports facilities, primary, secondary and academy education and employment sites all available in the nearby vicinity. There are bus services along Barnham Road and a main line railway station all available in the nearby area.

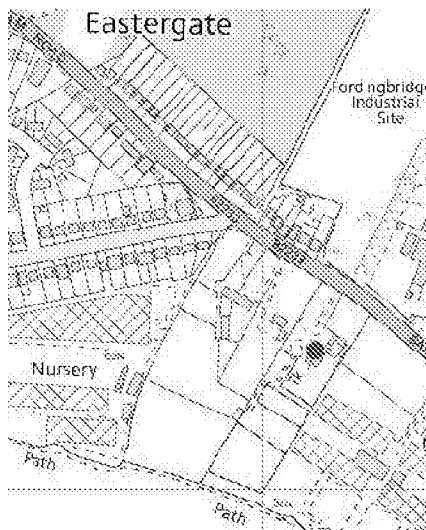


Fig 1 – Site Location

- 2.3 The land is within flood zone 1 (least liable to flood). For planning policy purposes it is within designated open countryside in the adopted 2003 Arun Local Plan and the Barnham & Eastergate Neighbourhood Plan. It also forms part of a new strategic allocation for Barnham/Eastergate/Westergate in the emerging Arun Local Plan with Modifications (January 2018) proposed by Policy HSP2c for up to 3000 new dwellings. We deal with the policy issues for the application more fully in the next section.

3.0 RELEVANT PLANNING POLICIES

- 3.1 Relevant planning policy is set out in the adopted National Planning Policy Framework (March 2012), the adopted Arun District Local Plan 2003 and emerging Arun Local Plan (Arun Local Plan 2011-2031 with Modifications January 2018). The Barnham & Eastergate Neighbourhood Development Plan was “Made” by Arun District Council in 2014 and forms part of the Development Plan. The Arun Annual Monitoring Report (AMR) is relevant for the purposes of clarifying the Council’s Housing Land Supply. All are referred to below.

National Policy

- 3.2 The National Planning Policy Framework (NPPF) was introduced in March 2012. A draft replacement consolidating amendments from various ministerial statements was published for consultation early in 2018 but as it is at such an early stage of preparation little if any weight can be attached to the emerging draft as a planning consideration for this application.
- 3.3 Paragraph 14 of the adopted NPPF sets out a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - 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; or
 - specific policies in this framework indicate development should be restricted
- 3.4 The NPPF states that the planning system should operate to encourage and not act as an impediment to sustainable growth and to significantly boost the supply of housing. Paragraph 47 requires planning authorities to identify a five year supply of deliverable sites for housing.
- 3.5 Paragraph 49 confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
- 3.6 Paragraph 59 of the Framework states that “Local Planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall

scale, density, massing, height, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.”

- 3.7 Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation or originality through unsubstantiated requirements to conform to certain development forms or styles. It is however proper to promote or reinforce local distinctiveness (Paragraph 60).

Ministerial Statement

- 3.8 As mentioned in paragraph 3.2 above, aspects of the NPPF policy have been added to in subsequent Ministerial Statements and are material considerations in the determination of planning applications.
- 3.9 The Ministerial Statement dated 12 December 2016 dealing with Neighbourhood Plans and five year supply is relevant to this application. In summary the Statement confirms that policies for the supply of housing in a Neighbourhood Plan will not be deemed to be ‘out of date’ where **all** of the following circumstances arise at the time a decision on an application is made:
- The Ministerial Statement is less than 2 years old or a Neighbourhood Plan has been part of the development plan for 2 years or less;
 - The Neighbourhood Plan allocates sites for housing and
 - A planning authority can demonstrate a 3 year supply of deliverable housing sites.
- 3.10 We deal with the implications of this for the application more fully in the Policy Conclusions Section but at this stage would point out that all of the above tests are **not** met and the Barnham and Eastergate Neighbourhood Plan policies for the supply of housing are therefore out of date.

Adopted 2003 Arun Local Plan

- 3.11 The adopted Arun District Council Local Plan 2003 covers the period 1996-2011. The built up area boundaries have been drawn to meet housing need until 2011 and the housing supply policies are therefore time expired and also out of date. The application site is shown outside the built up area boundary of Eastergate in policy GEN2. It is within countryside in Policy GEN3 and an Area 11 Local Gap between Eastergate and Barnham.
- 3.12 Policy GEN7 (The Form of New Development) operates to promote high quality design and layout to ensure new development makes a positive contribution to the quality of the

environment. The policy lists 8 criteria that development must comply with. Development will be permitted provided it:

1. makes efficient use of land or buildings and, in the case of new residential development, achieves net densities of at least 30 dwellings per hectare;
 2. demonstrates that it responds positively to the identified characteristics and resources of the site and the area to create attractive places and spaces with the needs of people in mind and respects and enhances local distinctiveness;
 3. promotes sustainable development, including the effective use and conservation of energy and reducing the need to travel, particularly by private car;
 4. does not have an unacceptable adverse impact on adjoining occupiers, land, uses or property and, where relevant, facilitates the development of adjoining sites;
 5. takes account of any unacceptable adverse impacts that may arise from adjoining land uses or property;
 6. retains significant open or wooded areas which, in their own right, make a material contribution to the local environment;
 7. allows for the safe movement of pedestrians and vehicles, giving priority to pedestrians; and
 8. provides for vehicle parking in accordance with Policy GEN12 and Appendix 2 and open space in accordance with Policy GEN20.
- 3.13 In all cases, the District Council will expect a high standard of design and layout and all applicants will be encouraged to improve the visual amenities of the particular locality in scale, external appearance, hard and soft landscaping and materials.
- 3.14 GEN12 deals with Parking in New Development but has since been replaced by a County Council Parking standard.
- 3.15 Policy DEV17 has been updated by the Interim Affordable Housing Policy 2010 which requires 30% affordable housing provision for 15 dwellings or more. This application for 28 dwellings therefore requires 8.4 affordable dwellings with 8 affordable units provided on site and the 0.4 balance provided as a commuted sum for off-site provision.

2018 Arun Local Plan with Modifications

- 3.16 The Arun Local Plan with post Examination Proposed Modifications (2011-2031) was published for public consultation in January 2018. Given its advanced stage of preparation weight can be given to its draft policies. Of significance to this application is Policy HSP2c which allocates land at Barnham/Eastergate/Westergate for at least 2,300 dwellings over the

plan period with a further 300 post 2031. The allocated area is coloured yellow in the plan below. There is no policy requirement for a single comprehensive development and there is no adopted masterplan for the area. The application site at the Boweries is within the allocated area.

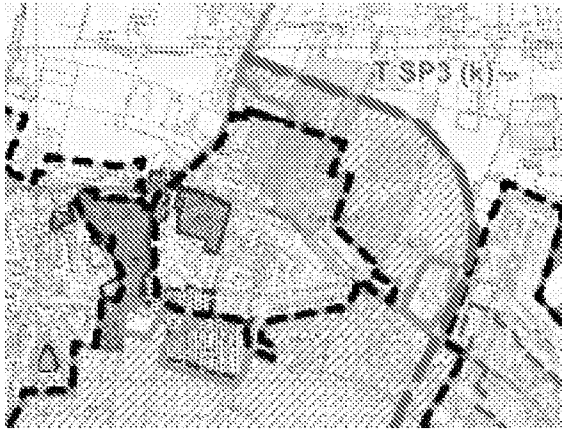


Figure 2 - Local Plan Proposals Map Extract

- 3.17 Policy AHSP2 sets a threshold of 30% affordable housing for 11 units or more. This doesn't alter the level of affordable provision for this application in terms of the adopted Interim Policy. Policy DSP1 deals with design. It states all development proposals must make efficient use of land and reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness and usability, health and wellbeing and climate change mitigation); and the influence these objectives have on the form of the development.
- 3.18 Policy DDM1 is a complimentary policy addressing aspects of form and design quality. It covers 15 items comprising character, appearance, impact, innovation, adaptability, crime prevention, trees and woodland, solar gain, public realm, layout (movement & legibility), public art, density, scale and aspects of form and design quality. Policies ECCSP1 and ECCSP2 cover energy efficient design in new buildings. These are all matters that will be dealt with at reserved matters stage.
- 3.19 Policy OSR DM1 requires open space to be in accordance with the council's open space study. Policies ENVSP1, ENVDM3 and ENVDM5 all encourage the preservation and enhancement of biodiversity and ENV DM4 supports development where TPO trees or others contributing to local amenity are protected. Biodiversity interest and the Tree Constraints are dealt with in the supporting statements submitted in support of the application. Policies TSP1 (d) and TDM1 (c) require developments to incorporate appropriate levels of car parking and cycle parking in line with the West Sussex County Council guidance respectively. The open space is shown on the

layout plan and the car parking requirements are explained in the Transport Statement of Escher Silverman.

Arun Annual Monitoring Report (AMR) January 2018

- 3.20 Arun District's latest Annual Monitoring Report (AMR) is dated January 2018. It provides a snapshot on progress on Neighbourhood Plans and the Council's 5 year land supply. It confirms that the Barnham & Eastergate Parish Neighbourhood was 'Made' on 16th July 2014. It has therefore been part of the Development Plan for more than 2 years.
- 3.21 With regards to 5 year housing land supply it confirms that including a 20% buffer the Council is only able to show a **2.08** year housing land supply.

Barnham & Eastergate Parish Neighbourhood Plan

- 3.22 The Neighbourhood Plan covers the period 2014-2029. As explained above it was 'Made' in July 2014 and is more than 2 years old. It allocates land for 60 dwellings on the north side of Barnham Road close to the Boweries application site. It does not allocate the application site itself for any development.

Conclusions on Policy

- 3.23 The application proposal is not in compliance with adopted Local Plan policy which shows it as designated countryside outside the built up area boundary. However this boundary is out of date as it was drawn to meet housing need only until 2011. The replacement Local Plan with Modifications is not yet adopted but is at an advanced stage of preparation. It allocates the application site within a new designated development area for strategic scale development of up to 3000 dwellings. Some weight can be attached to this as a material consideration.
- 3.24 At the local Parish level, the planning application is in conflict with the made Barnham & Eastergate Neighbourhood Plan. However as confirmed by the December 2016 Ministerial Statement, the Plan will not be up to date if any of the following compliance tests are not met:
- The Ministerial Statement is less than 2 years old or the Neighbourhood Plan has been part of the development plan for 2 years or less;
 - The Neighbourhood Plan allocates sites for housing and
 - A planning authority can demonstrate a 3 year supply of deliverable housing sites.
- 3.25 The Neighbourhood Plan is more than 2 years old but the first test is still met as the Ministerial Statement is less than 2 years old. The second test is met as the Neighbourhood Plan does

allocate housing sites. However the third test is not met as Arun District can only show a 2.08 year housing land supply. So the Barnham & Eastergate Neighbourhood Plan is out of date for the purposes of the NPPF.

- 3.26 In accordance with Paragraph 14 of the NPPF the presumption in favour of sustainable development is therefore engaged for this application. It states that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless 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 or there are other specific policies that indicate development should be restricted.
- 3.27 As we show in the next section there are no adverse impacts which would outweigh the benefits of granting planning permission. The application site is located in an urban context and is not constrained by flood risk, biodiversity or heritage considerations. It is part previously developed land, sustainable and is located within a proposed development location which the Council has identified for up to 3000 dwellings. Whilst it is a modest development of 28 dwellings on a standalone site it is capable of being integrated with adjoining land. It will contribute to the District Council's pressing 5 year land supply shortfall of only **2.08** years.
- 3.28 The redevelopment causes no harm to surrounding residential amenity and there are no highway safety reasons for withholding planning permission. Parking and space standards are met by the proposed layout. The proposed foul and surface water drainage arrangements are satisfactory and meet the Local Plan requirements for the site.

4.0 CONSIDERATIONS FOR THE DEVELOPMENT PROPOSAL

Contextual Assessment and Evaluation

- 4.1 The site is described in the Council's pre application response at **Annex 1** comprising a long rectangular plot used for grazing horses. It includes an existing dwelling and outbuildings and is part previously developed land. It is 1.49ha and some 500m north west of Barnham. The surrounding character is defined by large detached properties set back from Barnham Road occupying narrow plots with long garden areas to the rear.
- 4.2 It is on the south side of Barnham Road and Public footpath No. 321 runs outside the south edge of the site with agricultural land beyond. The whole is part of the strategic allocation for Barnham/Eastergate/Westergate (BEW) of up to 3000 dwellings. It is shown in figure 3 below edged red:

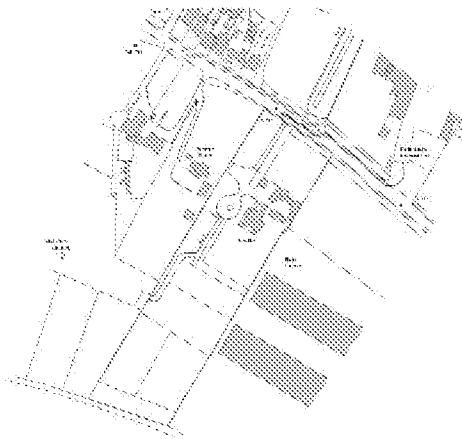


Fig 3 - Application site outlined in red

- 4.3 It enjoys a sustainable location within walking distance of the services and facilities at Barnham and Eastergate. Bus routes 85 and 85A provide an hourly service between Eastergate and Barnham and Littlehampton. The croft surgery and Community Hall are both close by in Barnham Road. Academy, secondary and primary schools are all nearby too.
- 4.4 The Council's pre application response states that as the site is within the boundary of the strategic allocation any development proposal has to be acceptable both as a 'standalone' proposal and as an early phase of the wider allocation. It states that it also has to fit with the latest masterplan for the strategic allocation in terms of layout, access roads and drainage strategy and pay its fair share of infrastructure costs.
- 4.5 At this outline stage, the proposal is presented as a standalone development with an illustrative layout but is capable of integrating with any master planned layout for adjoining land. The

Council is already considering an application on this basis (LA Ref AL/15/17/PL) for 350 dwellings on land east of Westergate within the western part of the BEW allocation as shown below. There is no planning or 'prematurity' reason why this approach should not apply to the Boweries especially given the small scale nature of the proposal for only 28 dwellings.



Fig 4 - Application AL/15/17 site coloured brown

Design Principles and Appearance

- 4.6 Appearance has been reserved for subsequent approval and can be dealt with in the usual way at Reserved Matters Stage. The proposed dwellings will however accord with design policies in the adopted and emerging Arun Local Plan (Policy DSP1 and DDM1), and the 'made' Barnham & Eastergate Neighbourhood Plan.

Layout

- 4.7 The proposed Site Layout Plan of Curtis Leeves is submitted for illustrative purposes but has been informed by comments at pre application stage which was critical of properties facing side fences with garden fences facing the main street. In the application layout the dwellings now face inward arranged around a central spine road accessed from the south side of Barnham Road. A Locally Equipped Area of Play (LEAP) is shown with frontage housing facing onto it to ensure adequate supervision. Separation distances between the proposed dwellings and their orientation prevent overlooking or overshadowing of each other. The internal road network allows for potential connection points to the adjoining land but this depends on the evolution of the detailed Master Plan. The layout preserves the existing residential amenity of Baxtone House located to the west.

Scale

- 4.8 The proposal is for 28 dwellings, comprising 15 no. 3 bed and 13 no. 4 bed units. All units are 2 storeys. The smallest 3 bed units of 92m² and 101m² have parking bays and no

garage. The garden sizes are all at least 10m length and are a similar width to the associated dwelling which was specified in the External Space Standard Policy DDM3 before it was deleted in the Local Plan with Modifications (January 2018).

Amount and Use

- 4.9 The proposed development of 28 dwellings on a site area of 1.49ha is equivalent to 18.8dph. In accordance with adopted Interim Policy and emerging Local Plan Policy the development requires 30% affordable housing which is equivalent to 8.4 dwellings. This is met with 8 no. 3 bed units on site and the 0.4 balance of provision will be provided as a commuted sum for off-site provision. The affordable will be provided in the standard tenure mix of intermediate and affordable rented at a percentage split to be agreed with the local planning authority.
- 4.10 Whilst there are no 2 bed units which were an identified need in the pre application response of the Council, the smallest 3 bed units shown in the layout are 92m². This is only 13m² larger than the prescribed national space standard of 79m² for a 2 storey 2 bed unit. The other 3 bed units comprise 2 no. at 101m² and 4 no. at 124m² with a garage. There are 10 no. 4 bed units at 136m² and 3 no. at 155m² both with a garage.
- 4.11 The amount of development is considered to be appropriate in terms of layout and would make more efficient use of this part previously developed site for residential use in line with the Council's guidance on density and development management issues generally.

Access

- 4.12 The development is accessed from Barnham Road with a 2.4m x 43m visibility splay. As explained in the Transport Note of Mayer Brown all landscaping within the splay will be kept at 600mm so as not to obstruct sight lines.
- 4.13 The proposed vehicular access through the site will be by means of an access road provided to a width of 4.8 metres with footways on both sides provided to a width of 1.5 metres. Furthermore, all dwellings will be within 45 metres of the internal access road, which runs through the development, and therefore access for fire appliances to individual properties would not be required. The swept path analysis shows the site can be accessed by refuse vehicles with bin storage within the curtilage of each dwelling.
- 4.14 The car parking standard of the highway authority is expressed as a maximum and for each dwelling up to 3 bedrooms 2 car spaces and 1 space for visitors are suggested where possible. For each dwelling with 4 or more bedrooms the maximum of 3 garages or car spaces and 1 space for visitors is suggested. The 28 private houses comprising 15 no. 3 bed and 13 no. 4

bed units has a parking provision of 34 spaces including 10 garage spaces which is within the maximum.

- 4.15 Over a daily period, the proposed residential use will generate a combined total of 86 two-way total person movements and up to 16 vehicle trips during both peak hours, equivalent to less than 1 movement every 4 minutes. Overall the impact on the operation of the surrounding highway and transport networks would be negligible.
- 4.16 Given the scale of development proposed it is considered that it would not generate sufficient levels of additional traffic in order to overburden the highway network. The existing access arrangement will be utilised and improved allowing for easy access and egress to and from the site. It is therefore reasonable to conclude that the development will not cause material harm to the adjacent highway.

Landscaping

- 4.17 The site benefits from well landscaped boundaries with mature trees and planting. The landscape Master Plan shows this and proposed reinforcement planting along the east boundary. The proposals have been fully informed by a tree survey including a tree constraints and protection plan to ensure the proposed development would not adversely affect existing high quality landscaping that positively contribute to the amenity of the area. A number of low quality trees are proposed to be removed in order to facilitate the development. The landscaping proposals will in any event be controlled at reserved matters stage in the usual way.

Infrastructure & Services

- 4.18 The site is within flood zone 1 which is least liable to flood. The site will connect to the existing foul water sewer in Barnham Road. Proposed surface water drainage will use a combination of soakaways and permeable paving. This proposal will utilise the preferred option for surface water drainage from a new development as defined by the Environment Agency in their Sustainable Urban Drainage System (SUDS) hierarchy of sustainability. Any infrastructure costs contribution arising from the development will be paid in accordance with the Council's Infrastructure Delivery Plan (IDP) for the strategic development allocation.

5.0 CONCLUSION AND RECOMMENDATION

- 5.1 The application is for twenty eight new dwellings including 8 affordable units on a part previously developed and part green field site at The Boweries, Barnham Road Eastergate.
- 5.2 The land forms part of a new strategic allocation for Barnham/Eastergate/Westergate in the emerging Arun Local Plan with Modifications (January 2018) proposed by Policy HSP2c for up to 3000 new dwellings. The proposed dwellings would make a positive contribution to the village scape whilst maintaining the character of the area.
- 5.3 Whilst the site is not allocated in the 'made' Neighbourhood Plan this is more than 2 years old and as Arun District can only show a 2.08 year housing land supply, policy in the Neighbourhood Plan is out of date for the purposes of the NPPF.
- 5.4 In accordance with Paragraph 14 of the NPPF the presumption in favour of sustainable development is therefore engaged for this application. It states that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless 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 or there are other specific policies that indicate development should be restricted.
- 5.5 As this statement has shown, there are no adverse impacts which would outweigh the benefits of granting planning permission. The application site is located in an urban context and is not constrained by flood risk, biodiversity or heritage considerations. It is part previously developed land, enjoys a sustainable location and is within a proposed development location which the Council has identified for up to 3000 dwellings. It is acceptable both a standalone site and as an early phase of the wider allocation.
- 5.6 Given the small scale nature of the proposal there is no prematurity reason why the site should not come forward immediately. It will contribute to the District Council's pressing 5 year land supply shortfall of only **2.08** years.
- 5.7 The redevelopment causes no harm to surrounding residential amenity and there are no highway safety reasons for withholding planning permission. Parking and space standards are met by the proposed layout. The proposed foul and surface water drainage arrangements are satisfactory and meet the Local Plan requirements for the site.

Recommendation

- 5.8 In the absence of any other policy conflict or harm we therefore request that the application is granted planning permission at the earliest opportunity.