

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: EG/6/18/RES

LOCATION: Eastergate Fruit Farm
Barnham Road
Eastergate
PO20 3RP

PROPOSAL: Approval of reserved matters following outline consent EG/71/14/OUT for the erection of 60 No. dwellings with new vehicular access, open space & ancillary works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks approval of those matters reserved for further consideration at the time of granting outline planning permission (EG/71/14/OUT) for 60 dwellings, vehicle access, open space and other ancillary works.

Details of the new access were agreed at Outline stage. The reserved matters pursuant to the Outline Permission are layout, scale, appearance and landscaping.

The assessment of the application relates to whether the details relating to these matters are in compliance with the relevant development plan policies and any other material considerations as set out in the report below. The principle of the development of the site for 60 dwellings has been established and does not form part of the consideration of this application.

Reserved matters are defined in article 2 of the Town and Country Planning (Development Management Procedure)(England) Order 2015 as comprising:

Appearance - the aspects of the building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

Landscaping - the treatment of land other than buildings for the purpose of enhancing or protecting the amenities of the site in which it is situated and includes; a. screening by fences, walls or other means; b. planting of shrubs, trees, hedges or grass; c. the formation of banks, terraces or other earthworks; d. the laying out of provision of gardens, courts, squares, water features, sculpture and public art; e. the provision of

other amenity features.

Layout - the way in which buildings , routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

Scale - the height, width and length of each building within the development in relation to its surroundings.

In addition to the reserved matters, a number of pre-commencement conditions were imposed on the outline permission which will need to be the subject of a separate discharge of conditions application.

The reserved matters application comprises the following documents:

Location Plan : 17-1103-001 (For info)
Development Constraints and Opportunities : 17-1103-004 (For Info)

Planning Layout Sheet 1 : 17-1103-005-B (Layout)
Planning Layout Sheet 2 : 17-1103-006-B (Layout)
Planning Layout (Colour) : 17-1103-007-B (Layout)
Massing and Active Frontage Sheet : 17-1103-010-B (Layout and Scale)
Massing and Active Frontage Sheet : 17-1103-011-B (Layout and Scale)
Refuse Strategy Sheet 1 : 17-1103-012-B (Layout)
Refuse Strategy Sheet 2 : 17-1103-013-B (Layout)
Parking Strategy Sheet 1 : 17-1103-014-B (Layout)
Parking Strategy Sheet 2 : 17-1103-015-B (Layout)

Floor Plans and Elevations: (All Scale and Appearance)

Plots 1 and 2 : 17-1103-020-A
Plot 3 : 17-1103-021
Plot 4 : 17-1103-022
Plot 5 : 17-1103-023
Plot 6 : 17-1103-024
Plot 7 : 17-1103-025
Plots 8 and 9 : 17-1103-026
Plots 10 and 11 : 17-1103-027-A
Plot 12 : 17-1103-028
Plot 13 : 17-1103-029
Plot 14 : 17-1103-030
Plot 15 : 17-1103-031
Plot 16 : 17-1103-032-A
Plots 17, 18 and 19 : 17-1103-033
Plots 20, 21 and 22 : 17-1103-034-A
Plots 23 and 24 : 17-1103-035-A
Plots 25, 26 and 27 : 17-1103-036-A

Plots 28, 29, 30 and 31 : 17-1103-037
 Plots 32, 33 and 34 : 17-1103-038-A
 Plots 35 and 36 : 17-1103-039
 Plot 37 : 17-1103-040
 Plot 38 : 17-1103-041
 Plots 39, 40 and 41 : 17-1103-042
 Plots 42 and 43 : 17-1103-043
 Plots 44 and 45 : 17-1103-044
 Plot 46 : 17-1103-045
 Plots 47 and 48 : 17-1103-046
 Plots 49 and 50 : 17-1103-047
 Plot 51 : 17-1103-048
 Plot 52 : 17-1103-049
 Plot 53 : 17-1103-050
 Plot 54 : 17-1103-051
 Plot 55 : 17-1103-052
 Plot 56 : 17-1103-053
 Plot 57 : 17-1103-054
 Plot 58 : 17-1103-055
 Plot 59 : 17-1103-056
 Plot 60 : 17-1103-057
 Garages : 17-1103-070
 Sub-station and outbuildings : 17-1103-071
 Walls and Fences: 17-1103-072

Site Sections : 17-1103075 (Layout, Scale and Appearance)

Soft Landscape Proposals: Sheets 1-6 : LIN21632-11-B
 (Landscaping)
 Hard Surfaces Plan Sheets 1-6 : LIN21632-12-B
 (Landscaping, Layout and Appearance)
 Play Area Proposals : LIN21632-20-B

Amended plans (all revision B) were received for the site layout and parking strategy which relate to the 'layout' reserved matter. These were submitted following comments raised by the Highway Authority.

Additional plans have been received showing those trees to be retained and those to be removed pursuant to condition 18 of the outline consent which requires these details to be provided as part of the Landscaping Reserved Matter.

SITE AREA

The site area is 6.4hectares.

RESIDENTIAL DEVELOPMENT DENSITY

The residential density is 9.4 d.p.h. However, taking into account the policy requirements for the provision of on-site open space, children's play space and allotments together with the need to provide tree protection areas around important trees the net residential density is between 25 and 30 d.p.h.

TOPOGRAPHY

The site predominantly flat with no significant changes in levels observed. However, given the size of the site, the extent

of clearance required and the need to achieve a SuDS scheme within the development some rationalisation of site levels may be required.

A condition needs to be added to the reserved matters decision requiring finished levels to be agreed.

TREES

A total of 143 individual trees and a further 41 groups of trees were identified in the original survey of the site.

The arboriculture report and survey accompanying the original outline application highlighted the overgrown nature of the site and lack of recent management resulting in a number of individual trees being in poor condition and groups of smaller trees being inaccessible. Two tree were identified as already dead or dying and a further 14 which required removal on sound arboriculture grounds.

There is only one category A tree identified, an Oak located close to the western boundary. This tree is now the subject of a Tree Preservation Order made by the Council on 11 May 2017 and confirmed under reference TPO/EG/1/17. The tree is shown to be retained on the submitted plans.

None of the other trees on the site are protected by a preservation order.

18 trees, a mix of Oak, Poplar, Silver Birch and Cherry are placed in category B however the majority of the trees fall within categories C and D where the group value exceeds the individual health or amenity value of the tree.

It is noted that the original survey, including tree protection zones has not been updated despite this being based on the original illustrative layout and not the updated housing layout for the reserved matters application.

Plans showing the existing trees and hedgerows to be removed have been submitted with the application.

BOUNDARY TREATMENT

The frontage boundary to the road is enclosed by a mature mixed hedgrow which provides a substantial screen when viewed from Barnham Road.

The southern part of the western boundary backs onto the new housing development of Collins Close and is demarked by a 2m high fence. The rear gardens of houses on the eastern side of the A29 (Fontwell Avenue) further north along the western boundary are enclosed by a mix of fences an hedgerow planting.

Given the site area and access to it, the majority of other boundary's were relatively indistinct at the site visit as the

SITE CHARACTERISTICS

land forms a continuation of tree belt/hedgerows, over grown understorey, paddocks and pasture which adjoins open, cultivated fields to the north and east.

The application site comprises some 6.4hectares (15.8acres) of grassland, paddocks and former commercial orchards.

Part of the site was a former commercial orchard with a range of fruit trees and mature/semi-mature deciduous trees dispersed across much of the site. Large areas are overgrown with the vestiges of semi-derilict former buildings associated with its former agri-commercial use appararent in some locations close to the centre of the site.

The site has an irregular shape with a rectangular projection to the east of the proposed housing which had been safeguarded at outline stage for an on-site treatment plant but which is no longer proposed.

CHARACTER OF LOCALITY

Topographically, there are no significant changes in levels.

The site is located approxomaitely 400m to the east of the village centre on the north side of Barnham Road. It is outside the built up area as identified in the adopted local plan but is identified for housing for up to 60 dwellings in the Neighbourhood Plan.

The immediate area has a loose knit but continuous ribbon form of development between Eastergate to the west and Barnham to the south east with the 130m long site frontage being the only gap of any significance between the two settlements. The dwellings on the south side of Barnham Road, opposite the site, are a mixture of bungalow's and modest two storey dwellings whilst further along the road are examples of more recent, higher density, estate type housing within the existing built up area of Eastergate.

The site is located in immediate proximity to the doctors surgery and community hall . Barnham Road, from which the site is accessed has the benefit of a local bus service and within reasonable walking/cycle distance of Barnham rail station 1.5 miles to the south east.

RELEVANT SITE HISTORY

EG/99/17/PL

Variation of condition 12 imposed under EG/71/14/OUT to allow for submission of required updated survey reports prior to commencement of development rather than at reserved matter stage.

EG/101/16/DOC	Application for approval of matters reserved by condition imposed under EG/71/14/OUT relating to condition No. 15 - Details of means of foul water disposal	DOC Refused 22-03-17
EG/71/14/OUT	Outline application for the erection of 60 residential dwellings with new vehicular access, open space & other ancillary works	App Cond with S106 03-02-15

The application site has an extant outline planning consent for the erection of 60 dwellings (Ref.EG/71/14/OUT) approved following the completion of a Section 106 agreement dated 3 February 2015.

All matters other than access were reserved.

Historically, an application to change the use of the disused and redundant agricultural use for light industrial purposes was refused in 22 November 1989.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

2 letters of representation have been received raising 5 separate issues.

- i. Need: Do not understand the need for 60 homes in an area where there are not the facilities or infrastructure (to serve it).
- ii. Traffic: Barnham Road is already hard pushed to deal with the traffic it currently gets, and being only one lane each side, a delivery is enough to cause a tailback of traffic. In the evenings the traffic coming off the Fontwell Avenue and Barnham Roads often backs up on both due to traffic through Westergate and down to Bognor.
- iii. Concerns about water pressure.
- iv. Concerns about drainage.
- v. Concerns about the character of the village.

COMMENTS ON REPRESENTATIONS RECEIVED:

1. Need. Since the consideration of the original outline planning application in 2014, at which time the Council could demonstrate a 5.34year housing supply, there has been an almost doubling of the objectively assessed need (OAN) for the Arun District. This now stands at 919 dwellings per annum. More recent housing supply figures for the Arun District suggest only 2.07year supply, significantly below the required 5 year supply. There is currently a clear and pressing need to deliver housing within the District on appropriate sites.

Documentation submitted with the original outline planning application, including the Transport Assessment, identified a range of services within reasonable walking and cycling distance of the site

including access to education, retail and health in Barnham to the east which is linked directly by a continuous, lit and segregated footway. Whilst pedestrian links to west are limited, off site highway improvements have been secured through the s106 agreement on the outline permission to deliver a signalised crossing point.

It is therefore considered that there is a clear proven need for housing, that the site is both accessible and sustainable in location with good access to appropriate facilities and services.

2. Traffic. The access has been designed to meet the capacity and highway safety requirements required to serve a 60 unit scheme within a 30m.p.h zone.

Off-site capacity analysis of the surrounding road network was undertaken at the time of the outline planning application. The reports undertaken demonstrated that traffic movements associated with the development would have a minimal impact on the capacity at nearby junctions and that the increased trip rates would not have an unacceptable impact on the operation or safety of the local road network.

3. Water Pressure/Supply. Southern Water were a statutory consultee on the outline application and are the providers of water supplies to the local area. Whilst Southern Water highlighted the need for new and improved foul drainage infrastructure to serve the development, no concerns regarding water pressure or supply were raised.

4. Drainage. The principles of the foul and surface water drainage strategy were submitted and agreed as part of the outline application. The layout includes landscaped areas within the site capable of receiving and holding surface water in time of a 1 in 100 year flood event with sufficient capacity and regulated flow rates to ensure no net increase in surface water run-off. A ground analysis has demonstrated that this form of SuDS system is viable here and is subject to detailed submission to satisfy planning conditions imposed on the outline permission.

5. Character of Village. The site sits beyond the existing village boundary as defined by the 2003 Local Plan but is specifically allocated within the made Barnham and Eastergate Neighbourhood Development Plan 2014-29 for up to 60 houses. The introduction of houses in this essentially rural location will unavoidably alter the character of the area both visually and in terms of increased activity, including noise, traffic and lighting. The retention of the frontage hedgerow and a significant number of trees within the site will help mitigate this impact. The development is relatively low density and grouped in two distinct character characters separated by generous areas of public open space, mature hedgerows and what will ultimately be a central area of allotments. At two storey in height, and with a mix of detached, semi-detached and very short terraces of no more than three dwellings this scheme is considered to be a sensitive village expansion with spaces and views between groups of houses of the countryside beyond. Whilst, the character of the village will alter, the over-riding housing need, allocation in the local plan, extant outline permission for 60 units and the appropriateness of the scale, appearance, additional landscaping and layout of the proposals will enable it to integrate into the locality successfully in such a manner that the benefits of the development significantly outweigh the impact.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)
Arboriculturist

Parks and Landscapes
Highways England
WSCC Strategic Planning
Environment Agency
Environmental Health
Planning and Housing Strategy
Sussex Police-Community Safety
Archaeology Advisor
NHS Coastal West Sussex CCG
Sussex Police-Community Safety
Ecology Advisor
Economic Regeneration
Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Highways England - No objection. Satisfied that the proposals will not materially affect the safety, reliability and/or operation of the strategic road network.

County Highways. The access arrangements are acceptable and as originally approved. Raised a number of issues with the layout of the internal access roads which have been addressed in the amended plans.

Ecology. Given the time which has elapsed between the original outline permission and the submission of the reserved matters the ecological surveys need updating. The survey work should include the areas of former orchard, bats, dormice, reptiles and amphibians and badgers together with an updated walkover report. Would also expect to see a CEMP, EEP and accompanying management plan and a lighting plan to accompany the reserved matters application.

Trees. Concern that the submitted details do not include tree protection measures, in particular for the only Category 'A' tree on the site which is in very close proximity to plot 57. A plan showing the trees and hedges to be retained/lost is also required as the layout is different to that which was submitted as part of the illustrative accompanying the Outline application.

Environmental Health. No comments to make.

Southern Water. No comments to make.

Archaeology. A site investigation is required prior to ground intrusive works being undertaken.

Ecology. Concern that the survey data for the site accompanying the original outline application is out of date and this needs to be updated before any development begins.

Housing. No objection. The 18 affordable units satisfies the 30% policy criteria. The dwelling houses meet the size/floor area requirements. This is a welcome scheme given there are currently 1400 households on the housing needs register.

Police/Crime. Recognise improvements to the layout have been made to the layout, in particular the

parking arrangement's for the allotments.

Archaeology. An on site investigation is required before development commences.

Urban Design. This is a very low density scheme and the layout suggests areas of the site may be the subject of additional housing applications in the future. The prominent location of the flatted block is unfortunate. Overall a good scheme but a number of suggestions on specific plots raised.

COMMENTS ON CONSULTATION RESPONSES:

County Highways. The revised layout and parking strategy plans have addressed the issues raised.

Ecology. A variation of condition (s73) application was submitted and approved changing the trigger for providing updated ecological surveys, enhancement strategy and management plan to pre-commencement rather than to be submitted with the reserved matters application. The ecological integrity of the site is not put at threat as the requirement's of the condition need to be satisfied before any work can begin on the site.

Trees. Condition 6 on the outline planning permission requires details of the tree protection measures to be agreed prior to the commencement of development. A condition of approving the landscaping element of the reserved matters would need to be details of those trees and hedgerows to be retained to be shown on a plan linked to condition 6 which has a requirement for tree protection to be agreed.

Archaeology. Condition 16 on the outline permission requires a further archaeological investigation to be undertaken prior to development commencing. This will need to be discharged separately from the reserved matters application.

Urban Design. 60 units is in accordance with the site allocation in the made neighbourhood plan and the outline permission. Any future application for additional housing, particularly on the land to the east which is no longer to be used for a treatment works; or the central open space area which is no longer identified at risk from flooding, would have to be dealt with on its own merits. This application has been worked up in close consultation with the local community, has the support of the Parish and provides much needed housing in a sustainable location without having any of the negative impacts associated with volume housebuilding on edge of village sites. There are always opportunities to improve design and layout further, but given the current position with the local plan, housing supply, housing need and the clear advice in paragraph 14 of the NPPF, this scheme is considered fully compliant with the made neighbourhood plan allocation.

POLICY CONTEXT

The site sits beyond the village boundary and within the Countryside for the purposes of the Arun District Local Plan 2003. However, the site is allocated for up to 60 dwellings in the made Barnham and Eastergate Neighbourhood Development Plan 2014-29 (May 2014). This allocation is carried over into the emerging Arun District Local Plan 2011-2031 (Publication Version) October 2014.

Arun Local Plan Policy GEN7 (ii) requires that new developments respond positively to the identified characteristics of a particular site to create developments which respect local characteristics. Furthermore, GEN7 (iv) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property.

The 'made' Banham and Eastergate Neighbourhood Development Plan policies H3 (housing mix), H4 (integration of new housing into surroundings), H5 (outdoor space), H6 (attention to detail), H7

(sustainable drainage), ES4 (protection of open views), ES5 (quality of design), ES6 (contribution to local character), ES8 (traditional design character) are all relevant as is policy GA4 (parking) and policy CLW4 (allotments).

The Housing policies (H) are directly applicable to this site. H3, H4, H5 and H6 are relevant to the discharge of the layout, scale and appearance reserved matters whilst Policy H7 will be relevant to the discharge of the drainage condition imposed on the outline application.

Policies ES5, ES6, ES8 and CLW4 (allotments) are also relevant to the discharge of the layout, scale and appearance reserved matters. The ES policies require that new housing should be of a high quality design that reflects the local character and reinforces local distinctiveness. Policy CLW4 identifies a local shortage and demand for allotments and requires the housing development to make provision for publicly available allotments within the H1 housing site.

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

DEV17	Affordable Housing
GEN12	Parking in New Development
GEN15	Cycling and Walking
GEN20	Provision of Public Open Space within New Development
GEN23	The Water Environment
GEN28	Trees and Woodlands
GEN29	Nature and Conservation Across the District
GEN32	Noise Pollution
GEN33	Light Pollution
GEN5	Provision of New Residential Development
GEN7	The Form of New Development
GEN8	Development and the Provision of Infrastructure
GEN9	Foul and Surface Water Drainage

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D DM2	Internal Space Standards
D DM3	External Space Standards
D SP1	Design
ECC DM1	Renewable Energy
ECC SP1	Adapting to Climate Change
ECC SP2	Energy and climate change mitigation
ENV DM3	Non Designated Sites
ENV DM4	Protection of Trees
ENV SP1	Natural Environment
H DM1	Housing Mix
H DM2	Independent Living & Care Homes
AH SP2	Affordable Housing
HWB SP1	Health & Wellbeing

INF SP1 Infrastructure provision and implementation
 OSR DM1 Open Space, Sport & Recreation
 OSR SP1 Allotments
 QE SP1 Quality of the Environment
 SD SP1 Sustainable Development
 T DM1 Sustainable Travel and Public Rights of Way
 W DM1 Water Supply & Quality
 W DM3 Sustainable Urban Drainage Systems
 WM DM1 Waste Management
 W SP1 Water

[Barnham & Eastergate Neighbourhood Plan 2014](#)
[POLICY CLW4](#)

Provision of allotments

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 ES11

Energy efficiency of new development

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 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 H1

Specific site allocation

Barnham & Eastergate Neighbourhood Plan 2014
 POLICY H3

Housing mix

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

Barnham & Eastergate Neighbourhood Plan 2014
 POLICY H7

Drainage for new housing

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

Relevant planning policy is set out in the adopted National Planning Policy Framework (NPPF) (March 2012), the adopted Arun District Local Plan 2003 and the 'made' 2014 Barnham and Eastergate Neighbourhood Plan. The policies in the emerging plan can be afforded some weight given that it is at a relatively advanced stage following an Examination in Public and the issuing of the post-examination modifications.

Paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the Development Plan unless material considerations dictate otherwise. The NPPF has not changed the statutory status of the Development Plan as the starting point for decision making.

The NPPF sets out a clear principle that there is a presumption in favour of sustainable development and states (at paragraph 14) that where a development accords with the development plan it should be approved without delay.

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 considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

The Development Plan

For the purposes of this application the Development Plan consists of the Arun District Local Plan 2003 and the made Barnham and Eastergate Neighbourhood Development Plan 2014-29 (May 2014). Weight can also be given to the emerging Arun District Local Plan 2011-2031 (Publication Version) October 2014.

The National Planning Policy Framework (NPPF)

The NPPF was introduced by the Government in 2012. It states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 14 of the NPPF sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay.

Paragraph 7 identifies that three dimensions of sustainability are to be sought with development proposals. Each should be given equal weight. These are; economic (supporting the economy and

ensuring land availability); social (providing housing, creating a high quality environment with accessible local services) and; environmental (contributing to, protecting and enhancing the natural, built and historic environment).

Where the development plan is absent, silent or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits. This is known as the principle of 'tilted balance' (paragraph 14). Local Plan policies that do not accord with the NPPF are now deemed to be 'out-of-date'.

Paragraph 17 sets out the core principles guiding development, including the importance of the use of neighbourhood plans to provide a practical framework for decision making at a local level. Such plans are identified as the vehicle for securing high quality design and good standards of amenity within developments and for directing that development to appropriate, sustainable locations which bring benefits to the wider community including health and social benefits.

Paragraphs 35 and 69 deal with the requirement for safe, secure and accessible for all layouts whilst paragraph 50 highlights the importance of create a mix of unit types and sizes to create mixed and well balanced communities.

Paragraph 185 focuses on the relationship between Local and Neighbourhood Plans and highlights that once 'made' the policies in an up-to-date Neighbourhood Plan carry significant weight and 'take precedence' over the 'non-strategic' policies in the Local Plan.

Policy Background

Given the Council is presently unable to demonstrate a 5 year housing supply, the housing policies set out within the The Arun District Local Plan 2003 are out of date and can be afforded very limited weight.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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

At the present time the emerging plan can be afforded limited weight.

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. Whilst an NDP is under preparation it will afford little

weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

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. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

The Barnham & Eastergate plan was made in 2014 and the policies of the plan have been accorded full weight for the purposes of determining this application.

Policy H1 - specific site allocation. This policy allocates the site for 60 dwellings. The application site area is the same as that shown on Map G (site allocation) within the plan document.

Policy H3 sets a requirement for 50% of new houses within 400m of the village centre to be 1 and 2 bedroom units and 25% for sites more than 400m from the centre. In this instance, the 25% requirement applies and is achieved. 23 of the 60 units are 1 or 2 bed units equating to just under 40%.

Policy H5 requires the provision of good quality open space within the development. The layout includes a substantial area of open space within the centre of the site which comprises grassed areas for informal recreation and an equipped children's play area. The provision of this extent of open space will benefit residents of the whole community not just the residents of the new houses.

Policy CLW4 supports and encourages the provision of accessible allotments to make up for the identified need and shortfall within the village and surrounding area. The scheme provides a secure 0.36 hectare area to the north of the main area of open space with car parking to serve it.

OTHER MATERIAL CONSIDERATIONS

Public Participation

The applicant worked closely with the Barnham and Eastergate Parish Council during the period of preparation of its made Neighbourhood Plan. In recognition of the need to provide housing within the Neighbourhood Plan are the supported the s allocation of this site for 60 dwellings and raised no objection to the outline planning application.

Further joint working with the Parish has been undertaken in the preparation of the Reserved Matters application and no objection has been received from the Parish Council to the proposals.

Flood Risk

At the time of the outline application the central area of the site which comprises the public open space

was identified on the Environment Agency's predicted flood maps as falling within Flood Zones 2 and 3.

Since that time, more detailed analysis has been undertaken by the Agency and the site is now confirmed not to be within a flood zone.

Planning Obligation

The outline planning permission EG/71/14/OUT was approved with s106 Planning Obligation dated 3 February 2015. The Obligation requires the following are provided at Reserved Matters stage:

- a. An area of approximately 0.36 hectares laid out as community allotments with associated parking.
- b. An affordable housing mix comprising 4x1 bed, 8x 2bed and 2x3 bed affordable rented units; 2x2 bed and 2x3 bed shared ownership units. The affordable units are not to be set within clusters of greater than 10 units and the visual quality and appearance of the units should not be visually distinguishable from the open market housing.
- c. An area of open space which must include a local equipped area of play (LEAP).

The details submitted with the reserved matters are considered to satisfy these qualitative and quantitative requirements.

CONCLUSIONS

PRINCIPLE

Banham and Eastergate Neighbourhood Development Plan policy H1 (specific site allocation) allocates the site for the provision of housing.

Map G - Proposals Map - Eastergate Housing Site on page 47 of the Banham and Eastergate Neighbourhood Development Plan clearly identifies the boundary of the 'housing site' which is consistent with the site plan submitted with the original outline application and this reserved matters application.

This is the only 'identified' housing site in the Plan area.

Policy H1 therefore refers only and specifically to this site area and states, 'permission will be granted for at least 60 new homes...on land identified on the Proposals Map, provided that the development meets the requirements of the policies set out in this Plan and the Arun District Local Plan.

The principle of development has already been established by virtue of the outline planning permission, reference EG/71/14/OUT which also approved the access to the development. It is therefore only necessary to consider the outstanding details - those of layout, appearance, landscaping and scale.

LAYOUT

The layout has changed in detail but remains similar to the principles set out in the illustrative plans which accompanied the outline planning application.

The new access remains as approved in its central position along the site frontage with two distinct residential character areas being created on the west and east side of the site separated by a substantial area of open space which dominates the central portion of the site and comprises 0.36 hectares of

secure allotments, 400sq m of equipped children's play space and a significant area of open space/informal recreation space within the centre of the site.

The western area comprises 15 units (4 affordable) in linear form, aligned north to south which runs parallel to and has a similar spatial pattern to the houses fronting the A29 to the west of the site.

Other than the four affordable units, which are arranged in a small grouping of two semi-detached pairs in the south-west corner of the site, all the houses along the western access road are two storey detached family houses with generous west facing plots of typically 15-20m depth, off road parking and garages. Visually, they are not discernible from the open market housing which is a requirement of the s106 agreement.

The 11 open market houses on the form a street fronting onto the central area of open space in a south to north alignment which runs parallel to the backs of houses fronting the A29 to the west of the site.

The eastern grouping of houses comprises 45 dwellings with a wider mix of terrace, semi-detached and detached houses and a small block comprising four flats.

This area is effectively split into two distinct character areas by a west to east street forming a northern and southern enclave within the eastern area.

The northern area has a higher density and comprises mainly short terraces of three dwellings and the flatted block. Within this area there are 29 units of which 14 are affordable.

The southern enclave comprises a slightly larger site area but is developed at a lower density. It has a more informal layout of 16 mainly detached and semi-detached houses all of which are private open market properties.

Each grouping of houses follows the qualitative principles enshrined within the development plan policies. There is a hierarchy and a pattern of streets all of which have active frontages and distinct character areas with surveillance of public areas. Each house has a good sized, useable rear garden commensurate with its footprint and number of bedrooms. Every house has good outlook and an aspect that received direct sunlight.

Roofs, where possible, have been orientated to take advantage of solar gain and suitable for the fitting of solar panels.

Each house has direct access to its own parking spaces either in the form of garages or hardstanding within the curtilage and the requisite amount of refuse and cycle storage facilities.

Within the individual streets, defining the distinct character areas, the home-zone type principles of shared surfaces, street furniture and pinch points designed to lower traffic speeds and prioritise pedestrian movements are utilised.

The large areas of open space in the central, northern and eastern portions of the site allows for long, open views between groups of houses, space for additional landscape buffers and the avoidance of the uniform blandness and abrupt transition between long lines of new housing and open countryside which has become an unfortunate but sometimes unavoidable by-product of delivering large numbers of new housing to meet housing need. This layout will deliver a much more organic and natural extension to the village and an appropriate transition between the edges of town and country.

Throughout the development, and within the individual character areas described, there are a sufficient mix of dwelling types, sizes and designs to create visual interest but maintains a consistency in pattern, alignment and detailing to create a cohesive development with its own sense of place without being too distinct from the remainder of the village.

The layout complies with the need to ensure that 30% (18) of the dwellings are affordable as required by the development plan policies. The 18 units comprise 4x1 bed, 8x2bed and 2x3 bed affordable rented and 2x2 bed and 2x3 bed shared equity which complies with the s106 requirements attached to the Outline permission.

The 42 open market units also comprise an appropriate, policy compliant mix of 11x2bed, 12x3 bed and 19x4 bed units. There are no more than 10 affordable units within any one street frontage as required by the s106, although there are a higher number within the northern enclave of the eastern grouping than anywhere else on the site.

A total of 153 parking spaces are provided for the residents at an average of 2.55 spaces per unit. In addition to these, 20 visitors spaces and 24 secure spaces for the allotments are shown on the site layout plans. This is in accordance with the Councils adopted parking standards.

SCALE

All the houses are two storey in height which is typical of the majority of the housing stock within the village. All building footprints are less than 50% of the plots they sit within and the majority less than 40%.

The scale of the buildings proposed, in context with the location and in relationship to existing housing within the village, is considered to be appropriate and will not appear unduly dominant, prominent or cramped when viewed from within the development or from longer views from the surrounding road, nearby houses or adjoin countryside.

The limited height, simplicity of roof profiles and lack of dormer windows helps limit the visual impact of the proposal's.

APPEARANCE

The design of the houses is relatively simple but well proportioned and responds to the design features traditionally found in the local area and on more recent housing.

Detailing is relatively limited, mainly to string courses and headers, above and below windows with limited use of projecting eills. The design of the houses specifically avoids over fussiness and 'bolt-ons'.

Hipped roofs and gables within simple roof forms with continuous eaves and ridges top the buildings off in a quiet, unassuming way with traditional materials including slate and clay tiles proposed. Porches and roof projections at ground floor level are horizontal and slim in profile giving a clean, contemporary appearance without the heavy massing and complicated roof junctions associated with volume housebuilding of previous decades.

The use of projecting bay windows on some of the detached houses adds visual interest, and the additional glazing areas, again on limited plots, gives a modern but proportionately attractive element of

added interest.

Chimneys are not used, which might have added some interest to the houses if used sparingly and on houses of appropriate scale but these would not be functional and could therefore be considered as additions to be avoided.

Materials are subject of a condition on the outline application requirement separate discharge, but the plans indicate a limited palette of render and brickwork with brick pavements being used on parking areas and private areas of the internal access road network.

Windows are shown to be flush with the elevations which is less successful visually than having a reveal and deep cill detail. But in itself does detract from the overall simple design qualities of the development.

LANDSCAPING

There are no Arun Local Plan policies relating specifically to landscaping. however, Banham and Eastergate Neighbourhood Development Plan policy ES10 (Trees and Hedgerows) is relevant.

Paragraph 58 of the NPPF is also relevant and states that: "Planning policies and decisions should aim to ensure that developments are visually attractive as a result of good architecture and appropriate landscaping.

The application is accompanied by plans indicating both proposed tree and soft landscape planting together with plans indicating those trees and hedgerows to be removed.

The plans show that a significant number of the individual trees, hedges and groups of trees are to be removed. Whilst the removal of such a significant amount of existing vegetation will alter the character and appearance of the site it is not in itself contrary to the Neighbourhood Plan policy.

The policy stipulates that the loss of ancient trees or trees and hedgerows of good arboricultural and amenity value will not be supported. However, the original tree and hedgerow survey for the site identified that the vast majority of the trees did not have a high or good arboricultural value.

The only protected tree on the site is shown to be retained and protected during development. Additional tree and soft landscaping is proposed throughout the development which will enhance the living environment for future occupiers, . If managed in accordance with the principles established in the outline permission it will create an appropriate mix of street and garden species giving shade taking into account climate change.

The larger structural trees will add to creating a sense of place of a low density housing scheme dominated by open space within a scattered canopy of mature trees which will have wider landscape value.

CONCLUSION

Overall, the development will in time become a sensitive and attractive extension to the village, at an appropriate and sustainable density. It creates 60 much needed new homes whilst providing an enhancement of facilities to serve the local community including new allotment's, children's play space and significant additional informal recreational space without having an adverse impact on the character of the area, the amenities of local residents or the local highway network .

The details submitted in relation to the reserved matters pursuant to Outline Planning Permission EG/71/14/OUT, namely: layout, scale, appearance and landscaping are acceptable.

HUMAN RIGHTS ACT

FOR APPROVAL

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) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval 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.

SECTION 106 DETAILS

There is no requirement for a s106 agreement with the Reserved Matters application. A s106 agreement was entered into as part of the Outline permission.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan : 17-1103-001 (For info)

Development Constraints and Opportunities : 17-1103-004 (For Info)

Planning Layout Sheet 1 : 17-1103-005-B (Layout)

Planning Layout Sheet 2 : 17-1103-006-B (Layout)

Planning Layout (Colour) : 17-1103-007-B (Layout)

Massing and Active Frontage Sheet : 17-1103-010-B (Layout and Scale)

Massing and Active Frontage Sheet : 17-1103-011-B (Layout and Scale)

Refuse Strategy Sheet 1 : 17-1103-012-B (Layout)
Refuse Strategy Sheet 2 : 17-1103-013-B (Layout)
Parking Strategy Sheet 1 : 17-1103-014-B (Layout)
Parking Strategy Sheet 2 : 17-1103-015-B (Layout)

Floor Plans and Elevations: (All Scale and Appearance)

Plots 1 and 2 : 17-1103-020-A
Plot 3 : 17-1103-021
Plot 4 : 17-1103-022
Plot 5 : 17-1103-023
Plot 6 : 17-1103-024
Plot 7 : 17-1103-025
Plots 8 and 9 : 17-1103-026
Plots 10 and 11 : 17-1103-027-A
Plot 12 : 17-1103-028
Plot 13 : 17-1103-029
Plot 14 : 17-1103-030
Plot 15 : 17-1103-031
Plot 16 : 17-1103-032-A
Plots 17, 18 and 19 : 17-1103-033
Plots 20, 21 and 22 : 17-1103-034-A
Plots 23 and 24 : 17-1103-035-A
Plots 25, 26 and 27 : 17-1103-036-A
Plots 28, 29, 30 and 31 : 17-1103-037
Plots 32, 33 and 34 : 17-1103-038-A
Plots 35 and 36 : 17-1103-039
Plot 37 : 17-1103-040
Plot 38 : 17-1103-041
Plots 39, 40 and 41 : 17-1103-042
Plots 42 and 43 : 17-1103-043
Plots 44 and 45 : 17-1103-044
Plot 46 : 17-1103-045
Plots 47 and 48 : 17-1103-046
Plots 49 and 50 : 17-1103-047
Plot 51 : 17-1103-048
Plot 52 : 17-1103-049
Plot 53 : 17-1103-050
Plot 54 : 17-1103-051
Plot 55 : 17-1103-052
Plot 56 : 17-1103-053
Plot 57 : 17-1103-054
Plot 58 : 17-1103-055
Plot 59 : 17-1103-056
Plot 60 : 17-1103-057
Garages : 17-1103-070
Sub-station and outbuildings : 17-1103-071
Walls and Fences: 17-1103-072

Site Sections : 17-1103075 (Layout, Scale and Appearance)

Trees and Hedgerows to be retained and removed Sheet 1 : 17-1103-016 (Landscaping)
Trees and Hedgerows to be retained and removed Sheet 2 : 17-1103-017 (Landscaping)

Soft Landscape Proposals: Sheets 1-6 : LIN21632-11-B (Landscaping)

Hard Surfaces Plan Sheets 1-6 : LIN21632-12-B (Landscaping, Layout and Appearance)

Play Area Proposals : LIN21632-20-B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the Development Plan including policies GEN5, GEN 7, GEN8, GEN9 GEN12, GEN15, GEN20, GEN23, GEN28, GEN29 GEN32, GEN33 and DEV17 of the Arun District Local Plan.; Policies H DM1, AH SP2, D DM1, D DM2, ECC SP1, ECC SP2, HWB SP1, OSR DM1, OSR SP1, T SP1, T DM1, ENV SP1, ENV DM3, ENV DM4, ENV 5, W SP1, W DM1, W DM3 and WM DM1 of the Emerging 2011-2031 Arun Local Plan (with Proposed Modifications January 2018) ; Policies ES1, ES5, ES6,ES8, ES10, ES11, GA2, GA4, CLW4, H1, H3, H4, H5, H6 and H7 of the 'made' Barnham and Eastergate Neighbourhood Plan 2014;

- 2 Prior to the commencement of any dwelling the development hereby approved, a detailed level survey of the site showing the existing and proposed finished ground levels and the slab levels of the buildings and landscaped areas subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no dormer windows or other alterations to the roof which alter the shape, form or add to the volume of the dwelling houses shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 4 INFORMATIVE: This permission conveys consent under planning legislation only and contravention with other legislation e.g. protection of wildlife etc. should be considered.

This applies in particular to any clearance works taking place on the site prior to the requirements of condition 12 (ecology) on the outline planning permission being discharged.

- 5 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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.