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**PLANNING APPLICATION FOR RESIDENTIAL
REDEVELOPMENT OF LAND
SOUTH OF BURDELL ROAD
YAPTON
WEST SUSSEX
BN18 0HR**

PLANNING STATEMENT

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1.0 INTRODUCTION:

- 1.1. We are instructed by Brookworth Homes Limited to prepare a planning statement in support of an application for residential development of land situated on the southern side of Burndell Road, Yapton, West Sussex BN18 0HR. The application is an Outline application for development which proposes the erection of 45 dwellings on the site. Means of access is to be considered at the Outline stage with all other matters reserved for subsequent approval. The application is a revised submission following the refusal of application F/9/14/PL.
- 1.2. The planning statement has been prepared following a detailed assessment of the characteristics of the site and the surrounding area. It has also been prepared following discussions with relevant Officers at Arun District Council and West Sussex County Council as well as lengthy consultation with Ford Parish Council.
- 1.3. The scheme has been assessed in the context of national planning policy as set out in the National Planning Policy Framework – March 2012 and also Planning Practice Guidance – March 2014. The Planning Statement also incorporates a full review of relevant policies in the Development Plan which comprises the Arun Local Plan 2003. Regard has been had to the emerging Arun Local Plan. The statement also takes account of recent appeal decisions concerning other residential development sites in the local area.
- 1.4. The Planning Statement has taken into consideration the application plans and accompanying Design & Access Statement that have been prepared by OSP Architecture as well as all other accompanying information relating to the details of the proposed development. Consideration has been given to the assessments and reports undertaken by other Consultants regarding the site, in particular, highway and transport matters, trees, landscape and ecology, flood risk drawings and infrastructure matters.

2.0 THE APPLICATION SITE AND SURROUNDING AREA:

- 2.1 The application site is located on the southern side of Burndell Road approximately 500 m to the south east of Yapton Village Centre. The site is in a sustainable and accessible location with immediate access to public transport passing along Burndell Road and within easy walking distance of local shops and facilities in the Village Centre.
- 2.2 The site comprises a strip of land approximately 20 m in width with a frontage onto Burndell Road, which then opens out into a more substantial largely rectangular area of land located to the rear of existing frontage development onto Burndell Road. The overall site area amounts to 2.4 hectares.
- 2.3 The site presently comprises an area of grassland. The site is flat and has no landscape or other topographical constraints. There are no trees within the centre section of the site although there are some trees and hedgerows around the boundaries of the site.
- 2.4 The site is bounded along its eastern, southern and western boundaries by existing drainage ditches which are set at a significantly lower level than the grassland.
- 2.5 The northern section of the site is bordered by existing residential development fronting onto Burndell Road. This development comprises mainly detached bungalows with relatively lengthy rear gardens extending in a southerly direction to the site boundary.

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- 2.6 To the west is a further rectangular area of grassland. Immediately to the north of the adjacent grassland is an area of land to the south of dwellings in Burndell Road and recently completed houses in Fellows Gardens. This land has the benefit of planning permission for residential development comprising 34 dwellings and is currently being constructed.
- 2.7 On the eastern side of the site are the grounds of a sizeable detached property which is set some distance away from the boundary of the site.
- 2.8 Burndell Road in the vicinity of the site is relatively straight with a footway along its northern side. However, the road curves slightly to the east of the site frontage. To the west of the site frontage is a lay by adjacent to a grass embankment in front of the existing bungalows. Bus stops are located on both sides of Burndell Road a short distance to the west of the site frontage.
- 2.9 Yapton is a substantial, largely residential settlement which extends predominantly to the west of the site although some development exists to the north and north east. The Village Centre, which comprises local shops, recreation ground and community facilities is located along Main Road, a short distance to the west.
- 2.10 The application site is located outside of, but immediately abutting, the settlement boundary of Yapton.
- 2.11 On the northern side of Burndell Road is a substantial new development of 173 dwellings that is currently in the course of construction and which is accessed via Goodhew Close. This development would effectively consolidate two existing areas of housing on the northern side of the Village. The development was allowed on appeal in 2011 on the basis of the Council's inability to demonstrate a five year housing land supply.
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- 2.12 The character of the area is largely established by low density detached housing and detached bungalows. Some higher density infill development, such as at Fellows Gardens has taken place. However, development is predominately low scale, domestic in form and spacious in terms of the relationship of built development to landscape and open space.

3.0 RELEVANT PLANNING HISTORY AND PRE-APPLICATION DISCUSSIONS:

- 3.1 Prior to the refusal of application F/9/14/PL there was no relevant planning history associated with the application site.
- 3.2 Before the submission of the previous planning application for the site, the applicant entered into pre-application consultation with the Council in order that the initial proposals could be discussed and any initial issues or concerns identified. That exercise has influenced the layout of the application scheme.
- 3.3 A pre-application meeting was held at the Council's offices and written advice was provided dated 04 November 2013, based on the initial development proposal for the site. That scheme showed a perimeter access road with a central footpath giving access to the dwellings within the core of the site. The scheme showed a spacious layout with existing boundary trees and hedgerows to be retained, along with the provision of well proportioned areas for new landscaping, play areas and public amenity spaces. The development proposed a density of approximately 20 dwellings per hectare.
- 3.4 Given the nature of this scheme, it is important to note the Council's advice firstly in respect of housing land supply in the District and secondly its confirmation that the application site is in a sustainable location, within reach of essential facilities and the close proximity of public transport.
- 3.5 The Council advised that the open space shown to be located in the site's south western corner would be poorly related to the development and would not benefit from good levels of natural surveillance and this has been addressed in the application proposal, discussed below.

- 3.6 The pre-application scheme showed the proposed development being segregated from that which has now been approved at Fellows Gardens. However, the Council recommended that the proposed development should better relate to that scheme, linking to the public open space which has been approved to the south east corner of that development.
- 3.7 On technical matters, the Council further recommended that thought be given to pedestrian access to the site given the lack of footpaths to the southern side of Burndell Road. The Council further advised that there are local drainage concerns and that a suitable solution to this problem would be to propose connection to Ford Waste Water Treatment Works, to the east of the site and which has capacity.
- 3.8 As regards the provision of affordable housing, the Council requires a 30% contribution within the development, with a mix of rented and shared ownership properties being provided. It was recommended that the rented properties should be 2 or 3 bedroom properties and that the affordable homes should be dispersed across the site in clusters of 3-4 dwellings.
- 3.9 Further comments were provided by the Council regarding the provision of open space, biodiversity and landscaping. All recommendations have been considered during the preparation of the proposal for the land.
- 3.10 The advice concluded that in the absence of an adequate supply of housing land in the District, more planning permissions are needed to increase supply. The advice confirmed that the absence of an adequate supply of housing land should strongly support the proposed development of this site.

3.11 Following this advice, an application was prepared and submitted to Arun District Council on 9th April 2014. In the light of the pre-application advice, it was the reasonable expectation of the applicant that planning permission would be granted. However, following submission of the application the Council maintained that there had been an improvement in its housing land supply position and that it was able to demonstrate that it had a five year supply.

3.12 Accordingly, the application was refused on grounds relating to;

- **Development in the countryside outside of the settlement contrary to Policies GEN2 and GEN3 of the Local Plan.**
- **Inadequate assessment of landscape impacts contrary to GEN7 of the Local Plan.**
- **Harm to highway safety from the alignment of the access road.**
- **Failure to assess the impact on local level crossings.**

3.13 Since the refusal of planning permission, West Sussex County Council as Highway Authority has now withdrawn its objection in respect of the alignment of the access road. Network Rail has also withdrawn its objection in relation to the nearby level crossings.

3.14 Following refusal of the application the Council advised that the allocation of this site should be pursued through the Ford Neighbourhood Plan.

Neighbourhood Plan Discussions

- 3.15 Ford Parish Council raised no objections to the initial application on the basis that the site had been identified as a proposed draft allocation in the Ford Neighbourhood Plan. Discussions have continued with the Parish Council regarding the draft Neighbourhood Plan and as a result of two community consultation events in October 2014 and March 2015, a sizeable majority of those consulted have voted in support of inclusion of the site in the draft Neighbourhood Plan.

4.0 THE APPLICATION PROPOSAL:

- 4.1 The development proposed in this application is in outline form, with means of access to be considered at this stage, with all other matters reserved for future approval.
- 4.2 As indicated on the pre-application scheme drawings, access to the site would lead from the southern side of Burndell Road, running between the dwellings at 1 Northwood Cottages and Kyrie. The access road would be 5.5 m in width, allowing sufficient space for vehicles to pass. To both sides of the access would be substantial areas of new planting, indicated as comprising new trees and hedgerows, which will provide a suitable landscaped buffer to both neighbouring dwellings.
- 4.3 As indicated on the pre-application scheme drawings, a peripheral access route would be provided around the site, with all houses being located towards the centre, being well separated from the site's boundaries. The proposed layout shows the dwellings being split into two clusters, one to the east and the other to the west of the site, separated by a landscaped public amenity space to the centre of the site.
- 4.4 In total, 45 dwellings would be provided within the development largely, comprising of houses and bungalows. In total, 30% of the development (13 dwellings) would be affordable housing. The development would achieve a density of 19 dwellings per hectare.
- 4.5 In terms of parking provision, 102 spaces would be provided, either as forecourt/driveway parking spaces, garages, or parking courts.

- 4.6 The area to the south west corner of the site is shown to be laid out as a landscaped feature open space with a pond and seating. Due to previous concerns about the surveillance of this area, the proposed house at plot 35 would be positioned immediately to the north and would overlook this space. To the north west of the site, provision is made for a footpath access to the communal amenity space approved in the neighbouring development. A children's play area is proposed in the south eastern part of the site. A footpath would lead around the site providing a circular amenity space around the perimeter of the development..
- 4.7 New tree and hedge planting within and around the perimeter of the site would complement the existing boundary trees and hedgerows which would be retained as part of the development.
- 4.8 The relationship of the proposed development to neighbouring houses has carefully been considered as part of the evolving design of the layout. The closest properties to the development are to the north, comprising the bungalows between Kyrie and Cornfields and the houses at 1-2 Northwood Cottages, all of which back onto the application site. They would be separated by 28 m from the application site boundary and by 50 m to the closest dwelling within the development. Adequate privacy and amenity would be secured through the provision of suitable boundary treatment and the retention of the existing trees and hedgerows along the site's northern boundary.
- 4.9 The pre-application advice clearly set out that the proposed development of the site should be laid out so as not to preclude the development of the land to the west. Along the site's western boundary, between plots 40 and 41, a potential access point into the adjoining land is shown.

5.0 RECENT APPEAL DECISIONS

- 5.1 On the 23rd February 2015, an appeal was allowed for residential development on **Land West of Westergate Street and East of Hook Lane, Westergate**. A Statement of Common Ground in relation to the appeal concluded that the Council could not demonstrate a five year housing land supply. It was also agreed that Policies GEN2 and GEN3 of the Local Plan, which were relied upon by the Council in its reasons for refusal, are inconsistent with the Framework and out of date.
- 5.2 The Inspector concluded that because the Council does not have a five year supply of housing land as required by paragraph 47 of the Framework, the provisions of paragraph 49 of the Framework were consequently engaged.
- 5.3 The Inspector further concluded that the appeal site was in a sustainable location, was largely contained by existing residential development, had a slight landscape value and a consequent medium/high capacity to accommodate development.
- 5.4 Also on the 23rd February 2015, an appeal was allowed for residential development on land at **Nyton Road and Northfields Lane, Westergate**. The Inspector in this appeal similarly concluded that Policies GEN2 and GEN 3 of the Local Plan are out of date. She also found that the Council was not in a position to demonstrate a five year housing land supply. She was also of the view that there was a persistent record of under delivery of housing in Arun and that, in relation to any housing target, a 20% buffer should apply.

- 5.5 In relation to the emerging Arun Local Plan, the Inspector concluded that the housing strategy within the Local Plan has yet to be tested and that it is evident that there are significant unresolved objections in relation to the proposed housing strategy. There is no certainty that in its present form the housing strategy will be found sound.
- 5.6 The Inspector was of the view that the site was in a sustainable location being immediately adjacent to the settlement boundary of Westergate. Whilst the proposal would result in the encroachment of built development into the countryside, it would not result in material harm to the character and appearance of the area. She concluded that the factors weighing in support of the appeal were sufficient to outweigh the intrinsic harm arising from the loss of countryside.

6.0 PLANNING POLICY

National Planning Policy Framework 2012

- 6.1 The main purpose of the NPPF is to help achieve sustainable development through a plan-led system. The core principle of the framework is that, if development is sustainable, it should go ahead without delay. As paragraph 14 explains, at the heart of the NPPF is a **presumption in favour of sustainable development** which should be seen as a golden thread running through both plan making and decision taking.
- 6.2 For decision taking this means approving development proposals that accord with the Development Plan without delay. 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.

Core Planning Principles

- 6.3 Paragraph 17 sets out the 12 core land use planning principles which should underpin both plan making and decision taking. The relevant principles that apply to the application proposal are that planning should;
- **Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth;**

- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

Promoting Sustainable Transport

- 6.4 Paragraph 30 states that local authorities should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable transport solutions.
- 6.5 The Framework goes on to say at paragraph 35 that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people, and that developments should be located and designed where practical to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities. It further states that safe and secure layouts should be created which minimise the potential for conflict between different highway users.

Delivering a Wide Choice of High Quality Homes

- 6.6 Paragraph 49 explains 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.
- 6.7 In order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, paragraph 50 explains that Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. In addition, authorities should identify the size, type, tenure and range of housing that is required in particular locations reflecting local demand.
- 6.8 Paragraph 52 advises that the supply of new homes is sometimes best achieved through planning for larger scale development, including the expansion of existing towns.

Requiring Good Design

- 6.9 Paragraph 57 specifies the importance for local authorities to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

6.10 Paragraph 58 states that local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;

Decision Talking

6.11 Paragraphs 186 and 187 confirm that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development, and they should look for solutions rather than problems. Decision-takers at every level should seek to approve applications for sustainable development where possible and local authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

THE DEVELOPMENT PLAN

Arun District Local Plan 2003

- 6.12 Policy GEN2 defines built up area boundaries and requires development to occur within the built up areas of the District.
- 6.13 Policy GEN3 relates to development within the countryside and sets out the circumstances in which development within the countryside will be permitted.
- 6.14 Policy GEN7 relates to the form of new development and sets out a list of general criteria which proposals for the development of land should meet. In addition to a requirement for developments to achieve a high standard of design and layout, these criteria include:
- Developments should make an efficient use of land, with residential development proposed at a density of at least 30dw/ha;
 - Proposals must demonstrate that they respond well to the site and surrounding area;
 - Developments should be sustainable and should minimise dependence on the use of private cars;
 - Developments should not have an adverse impact on neighbouring amenity;
 - Proposals should allow for the safe movement of pedestrians and vehicles, with priority given to pedestrians; and
 - Developments should incorporate adequate amounts of car parking and amenity space.

- 6.15 Policy GEN8 seeks to ensure that there is adequate infrastructure to support new development either through capacity within existing facilities or through provision of new infrastructure as part of the development proposal.

OTHER MATERIAL CONSIDERATIONS

Emerging Draft Arun Local Plan

- 6.16 The draft Arun District Local Plan was submitted for examination on the 30th January 2015. Hearing sessions in relation to the Examination are scheduled to start in June 2015.
- 6.17 However, the Inspector has already raised a number of preliminary questions regarding the Local Plan, in particular, in relation to the Council's five year housing land supply position and the Statement of Common Ground in relation to the two previously referred to appeal decisions. The Inspector has invited views on the consequences of this stance for the soundness of the Plan.
- 6.18 The draft issues and options identified by the Inspector also raise a raft of questions concerning the soundness of the Council's housing strategy. In the circumstances, the policies of the emerging Arun Local Plan can only be given limited weight.

7.0 PLANNING ASSESSMENT

- 7.1 In refusing the previous application for residential development on this site, the Council relied on Policies GEN2 and GEN3 of the District Local Plan. These policies were relied on because, in the Council's view, it had a five year housing land supply and thus the policies were not inconsistent with the Framework nor out of date.
- 7.2 It seems clear that, in the light of the Nyton Road and Hook Lane appeal decisions, this is not now a position that can be sustained on the evidence. After a detailed review of all of the available data both previous Inspectors concluded that the Council does not currently have a five year housing land supply because, whilst there is no real dispute concerning the housing pipeline/trajectory, the housing target on which the Council has based its assessment represents a serious shortfall to the objectively assessed housing need for the District.
- 7.3 The Inspector in the Nyton Road decision concluded that Policy GEN2 is out of date on its own terms and conflicts with the Framework's determination to meet development needs and significantly boost the supply of housing. In relation to Policy GEN3, she also concluded that whilst the policy could be said to be consistent with the Framework in so far as it seeks to protect the countryside, as paragraph 109 of the Framework states that decisions should be based upon qualitative and informed judgements rather than a blanket designation regardless of landscape merits, the policy is also not in conformity with the Framework.
- 7.4 Paragraph 14 of the Framework states that where the policies are out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

- 7.5 In relation to the previous application, the Council accepted that the site is in a sustainable location with access to public transport and a range of facilities. It was also accepted that the site was well related to the settlement of Yapton, which it directly adjoins. The only adverse impact identified by the Council was a potential landscape impact which would give rise to a conflict with Policy GEN7 of the District Local Plan.
- 7.6 A full landscape impact assessment has now been undertaken which concludes that the development would have a negligible landscape character impact.
- 7.7 In relation to other matters, the proposed development is not materially different to the previous scheme which was considered to be acceptable in terms of design, layout, impact on neighbouring properties and all other relevant planning considerations. The scheme has been amended in certain respects to accommodate views expressed by Ford Parish Council and by local people during the Neighbourhood Plan Consultation exercises. The most noticeable alteration has been the inclusion of a number of smaller bungalows within the development designed both to be included as a part of the affordable provision and also to meet what has been expressed as a local need.
- 7.8 Previous objections in relation to highway matters and the impact on local level crossings have now been withdrawn.
- 7.9 In relation to the overall planning balance, therefore, there are no adverse impacts arising out of the application proposal that would significantly and demonstrably outweigh the benefits of providing new housing in a sustainable and accessible location.



7.10 Accordingly, the presumption in favour of development applies in this case and planning permission should be granted.

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