

Planning Statement

**Outline Planning Application (with All Matters Except Access Reserved)
for the Construction of up to 20 Residential Units**

Land at Westholme Nursery, Toddington Lane, Littlehampton, BN17 7PP

Prepared for

Mr A Hussain

Prepared by

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Date

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Version

FINAL

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1. INTRODUCTION

- 1.1. This Statement is submitted on behalf of Mr A Hussain in support of an outline planning application for the erection of up to 20 dwellings, with all matters reserved except access, on the sites known as Westholme Nursery, Knightscroft and Anggerik, located on land to the north of Toddington Lane, Wick, Littlehampton.
- 1.2. The application follows the refusal of outline planning application ref. LU/83/25/OUT, which was submitted to the Local Planning Authority (LPA) in 2025 and sought permission for the erection of 31 dwellings on the site. That proposal was also submitted in outline form, with all matters except access reserved for future consideration. Application LU/83/25/OUT was refused under delegated powers on 10th September 2025 for the following reasons.
- 1. The site lies partially in Flood Zone 3 and Climate Change Flood Zones for 2070-2125, and whilst an FRA has been submitted, the applicant has not provided sufficient information to adequately assess the flood risk to the site both now and in the future. The development fails to undertake the sequential test, nor identify that there are alternative sites appropriate for the development in areas at lower risk of flooding. The proposals are therefore contrary to Arun Local Plan Policies W SP1 and W DM2 of the Arun Local Plan and the NPPF.*
 - 2. Insufficient evidence has been submitted to demonstrate that the development is deliverable and ensures the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development, without increasing flood risk elsewhere. This is in conflict with Arun Local Plan policy W DM3 and the NPPF.*
 - 3. The proposed development would present an overdevelopment of the site, and result in an unacceptable density to the detriment of the character and appearance of the area, in conflict with Arun Local Plan policies D SP1 and D DM1, the Arun Design Guide and the NPPF.*
 - 4. In the absence of a signed Section 106 agreement, the development will not provide the contribution required to mitigate the additional cost of transporting secondary school pupils to the nearest school and is thereby contrary to ALP policy INF SP1 and the NPPF.*
 - 5. In the absence of a signed Section 106 agreement, the development fails to make any affordable housing provision contrary to the aims and objectives of the NPPF and policy AH SP2 of the Arun Local Plan.*
- 1.3. The current submission seeks to address each of the above reasons for refusal. As before, the application is submitted in outline form, with all matters reserved except access. Determination is therefore sought only in respect of the means of access, which is proposed from Toddington Lane. Notwithstanding this, the application is supported by a suite of indicative plans and technical documents that illustrate the proposed residential development and demonstrate how the scheme can be sensitively integrated within its surroundings while addressing key planning considerations.

- 1.4. The application site is located within the built-up area of Toddington, near Wick, and lies within a committed strategic housing allocation where numerous residential developments have already been constructed. Residential development has also taken place immediately adjacent to the former Westholme Nursery site.
- 1.5. The site was historically occupied by glasshouses associated with Westholme Nursery; however, this use ceased approximately 18 years ago. Outline planning permission was previously granted under ref. LU/94/17/OUT for the residential redevelopment of the site comprising 10 dwellings and associated works. While this permission has since expired, it remains a material consideration insofar as it confirms that the principle of residential development on the site is acceptable.
- 1.6. This Statement should be read alongside the following plans, drawings and supporting documents submitted as part of the application:
 - Block & Site Location Plan - drawing no. TA1626 01 Rev B;
 - Proposed Site Plan - drawing no. TA1625 02 Rev B
 - Proposed Site Plan - drawing no. TA1626 10 Rev B;
 - Proposed Elevations - drawing no. TA1626 11 Rev A;
 - Proposed Elevations - drawing no. TA1626 12 Rev A;
 - Proposed Elevations - drawing no. TA1626 13 Rev A;
 - Proposed Elevations - drawing no. TA1626 14 Rev A;
 - Proposed Floor Plans - drawing no. TA1626 15;
 - Proposed Floor Plans - drawing no. TA1626 16;
 - Proposed Floor Plans - drawing no. TA1057 17 Rev A;
 - Proposed Floor Plans- drawing no. TA1057 18;
 - Design & Access Statement, by dowsettmayhew Planning Partnership dated May 2026;
 - Desk-based Assessment and Heritage Statement by Chris Butler Archaeological Services Ltd dated June 2025;
 - Updated Preliminary Ecological Appraisal and Ecology Assessment by The Ecology Partnership, dated May 2026;
 - Biodiversity Net Gain Assessment by The Ecology Partnership, dated May 2026
 - Statutory Biodiversity Metric completed by The Ecology Partnership, dated May 2026;
 - Transport Statement by GTA Civil & Transport, dated 30th April 2026; and
 - Flood Risk Assessment and Drainage Strategy by CTP Consulting Engineers, dated July 2026.
- 1.7. This Statement describes the site and its surroundings, reviews the relevant planning history, including approved residential developments on neighbouring land, and assesses the proposals against relevant planning policy. The scheme is evaluated in the context of the Development Plan and other material considerations, including the National Planning Policy Framework.

2. SITE AND SURROUNDINGS

- 2.1. The application site is located in the northern part of Littlehampton, within the settlement of Wick, and lies to the north of the A259. The site extends to approximately 0.71 hectares and is broadly rectangular in shape. The topography is predominantly flat throughout.
- 2.2. Historically, the site was operated as a horticultural nursery associated with Westholme Nursery and was occupied by glasshouses. These structures have long since been removed, and the land is now largely cleared, comprising grassland and areas of scrub. No trees of significance are present within the site, and none would be affected by the proposed development.
- 2.3. Towards the southern end of the site, adjacent to Toddington Lane, is the dwelling known as *Knightscroft*, which remains in residential occupation and benefits from its own separate vehicular access. A derelict single-storey building formerly associated with the nursery use is also present.
- 2.4. The site is bounded by a variety of boundary treatments. Along the western and northern boundaries, there is predominantly close-boarded timber fencing approximately 1.8 - 2.0 metres in height, with a hedgerow also present along part of the western boundary. The eastern boundary is defined by a mix of Heras fencing and timber fencing. Along Toddington Lane, forward of Knightscroft, the boundary comprises post-and-rail fencing.
- 2.5. Residential development adjoins the site to both the north and west, forming part of the wider committed Strategic Housing Site. Immediately to the east lies the Five Stones Business Units, comprising a mixed commercial and light industrial use, with three two-storey terraced dwellings located immediately east of Knightscroft, constructed circa 2017. To the south of Knightscroft lies a wide grass verge, beyond which runs Toddington Lane.
- 2.6. The character of the immediate locality is predominantly residential, although there are some commercial and industrial uses nearby, most notably to the east of the site. The wider area is characterised by established and recently completed housing development.
- 2.7. An existing vehicular access serving the former Westholme Nursery is positioned on the western side of the southern boundary, connecting to Toddington Lane.
- 2.8. There are no Public Rights of Way crossing or immediately adjoining the site. The nearest Public Right of Way is Footpath 3096, which lies a short distance to the east and runs in a north-easterly direction towards the village of Poling.

3. RELEVANT PLANNING HISTORY

3.1. Westholme Nursery:

LU/94/17/OUT - Outline application with all matters reserved for residential redevelopment comprising of 10 no. dwellings and associated works. **Approved 20 July 2017.**

LU/83/25/OUT - Outline planning application (with all matters except access reserved) for the construction of 31 No. residential units. **Refused 10th September 2025.**

3.2. **Knightscroft:**

LU/131/16/PL - 3 no. terraced chalet bungalows with car parking. **Approved 10 August 2016.**

3.3. **North Littlehampton Strategic Development Site - Outline:**

LU/47/11 - Outline application with some matters reserved for mixed use development comprising: demolition of existing buildings and structures, up to 1,260 residential dwellings (out of a potential 1,460 Dwelling Masterplan), up to 13,000 sqm of B1 employment floorspace (including 3,000 sqm Enterprise Centre), up to 3,500 sqm of Class A local facilities, a 100 bed hotel, 60 bed care home, a new 2 Form Entry Primary School, Community Centre, youth and leisure facilities, combined heat & power plant, extension to existing Household Recycling Centre, landscaping, replacement and additional allotments, multi-functional green infrastructure including sports pitches (& associated changing facilities), informal open space, children's play areas, primary vehicular access from a new access from the A259 bridging over the railway line, with additional access from Mill Lane & Toddington Lane. **Approved 23 January 2013.**

LU/182/15/PL - Variation of Conditions 4, 6, 7, 8, 39 & 42 imposed under planning reference LU/47/11 relating to list of plans, Illustrative Masterplan, CHP plant building, Design Statement, bus stops and traffic improvements. **Approved 03 October 2018.**

3.4. **North Littlehampton Strategic Development Site - Reserved Matters:**

LU/114/15/RES - Approval of Reserved Matters following outline permission LU/47/11 for layout, appearance and landscaping of access roads. **Approved 08 July 2016.**

LU/117/15/RES - Approval of reserved matters following outline consent LU/47/11 for construction of 117 dwellings together with associated internal road network, car parking & landscaping on parcels B3 & B5 following demolition of existing glasshouses & buildings. **Approved 21 April 2016.** This reserved matters approval is for the Bovis development parcel immediately to the west of the site.

LU/121/17/RES - Approval of reserved matters following outline consent LU/47/11 for construction of 126 no. dwellings together with internal road network, car parking and landscaping. **Approved 20 December 2017.** This reserved matters approval is for the Persimmon development parcel immediately to the north of the site.

4. RELEVANT PLANNING POLICY

4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

4.2. The Development Plan currently comprises:

- Arun Local Plan 2011 - 2031 (adopted July 2018); and

- Littlehampton Neighbourhood Plan 2014-2029 (made 5th November 2014).
- 4.3. Material considerations include the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG), adopted Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance (SPGs). It also includes the Arun Interim Housing Statement (IHS).
 - 4.4. The LPA are also currently working on a new Local Plan to replace the current Local Plan adopted in 2018. The LPA agreed to resume the Local Plan update in July 2023, after works being paused in both 2021 and 2022.
 - 4.5. In March 2024, the LPA ran a Regulation 18 Issues and Options consultation referred to as the “Direction of Travel Document”. The purpose was to gather public views on various planning issues and potential development strategies within the District. The consultation ran from 25th March to the 13th May 2024.
 - 4.6. In April 2026 an update on the emerging Local Plan was published on the Council’s website, indicating that work is continuing to prepare key evidence documents that will provide the “building blocks” upon which the new Local Plan will be prepared. In light of on-going local government reorganisation, once the geography for the new unitary authority is known, consideration will be given to the preparation of a single Local Plan to cover the larger area.

National Planning Policy Framework

- 4.7. The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It notes that this can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 4.8. Paragraph 7 sets out that the purpose of the the planning system is to contribute to the achievement of sustainable development, including the provision of homes. It is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 4.9. Paragraph 8 sets out that achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways.
- 4.10. Paragraph 10 states that so sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.
- 4.11. Paragraph 11 states that “*plans and decisions should apply a presumption in favour of sustainable development.. for decision taking this means:*
 - *approving development proposals that accord with an up-to-date development plan without delay; or*
 - *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."*

4.12. Paragraph 48 sets out that *"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing."*

4.13. Chapter 5 of the NPPF confirms the Government's objective of significantly boosting the supply of homes. Paragraph 73 acknowledges the important contribution that small and medium sized sites can make to meeting the housing requirement of an area, noting that they are often built-out relatively quickly.

4.14. Chapter 8 relates to promoting healthy and safe communities. Paragraph 96 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and
- enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

4.15. Chapter 9 requires LPAs to promote sustainable transport, with significant development focused on locations which are, or can be made, sustainable through limiting the need to travel and offering a genuine choice of transport modes.

4.16. Paragraph 115 states that *"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- *sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*

- *safe and suitable access to the site can be achieved for all users;*
- *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach”*

- 4.17. Paragraph 116 states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.”*
- 4.18. Chapter 11 relates to making an effective use of land. Paragraph 124 sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.19. Chapter 12 relates to achieving well-designed places. Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
- 4.20. Chapter 14 relates to meeting the challenge of climate change, flooding and coastal change. Paragraph 170 states that *“inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”*

Arun Local Plan (2018)

- 4.21. The Plan Period for the Arun Local Plan (ALP) is 2011-2031. It was adopted in July 2018. The most relevant Policies to this proposal include:
- 4.22. **SD SP1: Sustainable Development** - Reiterates the NPPF's presumption in favour of sustainable development set out in the NPPF, and the requirement for LPAs to work positively and proactively with developers.
- 4.23. **SD SP1a: Strategic Approach** - Sets out the overall strategy for sustainable growth to 2031, which focuses on Littlehampton and Bognor Regis as the main centres for growth. It sets out the aim to provide for the housing needs of the community by delivering 20,000 homes of an appropriate scale and tenure. The broad location for development is set out in **SD SP2: Built-Up Area Boundary**,

which confirms that development within the Built-up Area Boundaries will be permitted, subject to consideration of other relevant Policies. The site lies within the Built-up Area of Littlehampton.

- 4.24. **LAN DM1: Protection of landscape character** - Seeks to ensure that development throughout the plan area respects the characteristics and natural features of the relevant landscape character areas and seeks, wherever possible, to reinforce or repair the character of those areas.
- 4.25. **HOR DM1: Horticulture** - Acknowledges that horticulture is a key employment sector in the District and only allows for the redevelopment of under-used, redundant or derelict glasshouses, polytunnels or packing houses where the redundancy to the horticultural and agricultural industry is proven by the applicant to the satisfaction of the Council. It sets out a preference for redevelopments for countryside-based enterprises that support the rural economy.
- 4.26. **H SP1: The Housing Requirement** - Sets out that the District will deliver at least 20,000 new homes in the period 2011 to 2031. Although the North Littlehampton site is not included in the Strategic Housing Site Allocations, the application site is included in the 'Commitments (Large Sites)' intended to deliver a total of 3,090 in accordance with Table 12.2 of the Plan. Map 4 (July 2018) accompanying the Local Plan shows the extent of 'Committed Strategic Housing Allocations'. The site lies within one of these, known as North Littlehampton.
- 4.27. **H DM1: Housing Mix** - Seeks a mix of dwelling types and sizes, to include affordable units and family sized accommodation. It also confirms that the Council will require a balanced mix of market and affordable units on sites of 11 units or more. The Policy does not specify a tenure mix, but requires new developments to have regard to the latest Strategic Housing Market Assessment recommendations.
- 4.28. **AH SP2: Affordable Housing** - Requires all developments of 11 or more dwellings to provide a minimum of 30% of the dwellings as affordable units on site. It acknowledges that this may not be viable, and allows for flexibility to provide this off site or by way of a commuted sum in exceptional circumstances where supported by robust evidence. It sets out the target tenure mix of affordable units of 75% rented and 25% intermediate housing. The affordable mix should focus on 1 and 2 bedroom units, with a limited provision of 3 and 4+ bedroom units. It requires all planning applications that include residential development, either in whole or in part, to include an Affordable Housing Statement.
- 4.29. **D SP1: Design** - Sets out the core design principles for new development in the District, to ensure that they are based on a thorough site analysis and context appraisal, make efficient use of land and reflect the characteristics of the site and locality in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. **D DM1: Aspects of Form and Quality** follows on from these core design principles, providing detailed guidance on design quality.
- 4.30. **D DM2: Internal Space Standards** - Requires new development to meet the Nationally Described Space Standards.
- 4.31. **ECC SP1: Adapting to Climate Change** - States the Council will support development which is located and appropriately designed to adapt to impacts arising from climate change, such as increased probability of flooding. This Policy has links/overlap with **WDM2: Flood Risk**, **WDM3:**

Sustainable Urban Drainage Systems and ECC SP2: Energy and Climate Change Mitigation. ECC SP2 requires new developments to incorporate energy efficiency measures that reflect current standards and use design and layout to promote energy efficiency. It requires all Major developments (i.e. 10 or more dwellings) to produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site.

- 4.32. **T SP1: Transport and Development** - Seeks to deliver growth that reduces congestion, tackles climate change and promotes healthy lifestyles by ensuring that development provides safe access on to the highway network, contributing to highway improvements and promoting sustainable transport, including the cycle, pedestrian and bridleway network. It places a focus on development which is designed to reduce the need to travel by car and gives priority to pedestrian and cycle movements. This policy has close links with **T DM1: Sustainable Travel and Public Rights of Way**, which requires development to prioritise safe pedestrian and cycle access to the green infrastructure network and access to public transport. It requires development to be located within easy access of established public transport services and existing pedestrian and cycle networks.
- 4.33. **ENV SP1: Natural Environment** - States that the Council will encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment.
- 4.34. **ENV DM4: Protection of Trees** - States that development will be permitted where it can be demonstrated that trees contributing to local amenity will not be damaged or destroyed, and encourages replanting of trees which are lost through development. It requires development on sites where there are existing trees to provide Land and Tree Surveys, a Tree Constraints Plan and an Arboricultural Impact Statement with Tree Protection Plan and Arboricultural Method Statement.
- 4.35. **ENV DM5: Development and Biodiversity** - Reflects the NPPF requirement for development to achieve a net gain in biodiversity. It requires protection of existing habitats on site, and sets out a list of biodiversity enhancements which should be incorporated into new development, such as bat and bird boxes and creation of new habitats.
- 4.36. **W SP1: Water** - Encourages water efficiency measures to be incorporated into new developments and for surface water to be used as a design feature.
- 4.37. **WM DM1: Waste Management** - Requires developments anticipated to cost over £300,000 to identify the volume and type of materials to be demolished and/or excavated as part of the development and identify opportunities for the re-use and recovery of materials on site to minimise off-site disposal of waste. It also requires new residential developments to be designed to ensure that kerbside collection of waste is possible.
- 4.38. **QE SP1: Quality of the Environment** - Requires new development to contribute positively to the quality of the environment and ensure that it does not have a significantly negative impact on residential amenity or the natural environment.
- 4.39. **QE DM2: Light Pollution** - Requires applications involving outdoor lighting to be accompanied by a lighting scheme demonstrating that there will be no adverse impact on neighbouring uses and the wider landscape, being the minimum required for security and minimising glare and light spillage, as

well as demonstrating the degree to which outdoor lighting can be powered by on-site renewable sources.

- 4.40. **INF SP1: Infrastructure Provision and Implementation** - Sets out that the LPA will support development proposals which provide or contribute towards the infrastructure and services needed to support development to meet the needs of occupiers and users of the development and the existing community. It requires financial contributions towards off-site provision to support new development where necessary.

Littlehampton Neighbourhood Plan

- 4.41. The Littlehampton Neighbourhood Plan (LNP) post-dates the 2003 Core Strategy. It sets out the Vision for Littlehampton as:

“To fundamentally improve the economic, environmental, and social wellbeing of individuals and communities in the town, particularly those in the most deprived areas. To enhance, improve and protect existing community infrastructure and propose new where appropriate, that will deliver excellent local and accessible facilities to all of the Littlehampton population.”

- 4.42. The LNP contains Policies and proposals intended to assist in achieving the vision. The most relevant Policies to the current proposal include:
- 4.43. **Policy 1** of the LNP reiterates the NPPF's presumption in favour of sustainable development and confirms that permission will be granted for developments which accord with the Policies of the LNP, as well as that the Town Council will take a positive approach to the consideration of development proposals.
- 4.44. **Policy 2** of the LNP states: *“The Neighbourhood Plan concentrates future housing, economic and community-related development within the built-up area boundary of Littlehampton and especially within the Fitzalan Corridor connecting the strategic housing allocations at North Littlehampton (Toddingdon - north of the railway) and at Courtwick Park with the Littlehampton Academy, the Town Centre, the Community Hub and ‘The Green’.”*
- 4.45. **Policy 3** of the LNP relates to Housing Supply and sets a target of at least 200 new dwellings in the period 2014-2029 to be delivered on a mix of allocated sites and windfall sites. As per Policy 2, this Policy seeks to concentrate allocations within the Fitzalan corridor area, in recognition that this area has good access to local services and facilities, and also that the strategic development permitted and planned in the area has delivered infrastructure improvements, such as highways and education to support new development. The Policy seeks to focus smaller housing units for the elderly and for young people closest to the local centres, seeking at least half of the dwellings to have 2 bedrooms or fewer where the site lies within 400m of a designated local centre, and 25% of the units to have 2 bedrooms or fewer on sites that are further than 400m from a local centre.
- 4.46. **Policy 22** of the LNP states that proposals of housing will be supported where they can clearly demonstrate that the scheme layout and building plot configurations are able to properly accommodate the forecast requirement for off-street and on-street car parking.

5. FIVE YEAR HOUSING LAND SUPPLY POSITION

- 5.1. ADC's latest Housing Land Supply figures are contained within the Authority Monitoring Report (AMR) published in November 2025. This AMR covers the period from 1 April 2024 - 31 March 2025.
- 5.2. Based on the new Standard Method the table on page 15 confirms the District have a housing land supply of 3.23 years. This is calculated from a total need of 8,856 dwellings from 2025/26 - 2030/31 and a total anticipated supply of 5,725.
- 5.3. As such, this confirms the LPA are failing to meet their requirements and are failing to facilitate the delivery of sufficient homes to meet the district's needs. Accordingly the tilted balance applied by paragraph 11(d) of the NPPF is applicable to the consideration of this application.

Housing Delivery Test

- 5.4. The results of the HDT for 2018, 2019, 2020, 2021, 2022 and 2023 for the LPA, are as follows:
 - 91% November 2018;
 - 68% November 2019;
 - 2019-20: homes required - 1,025; homes delivered - 515 - 61% November 2020 (Published 19 Jan 2021);
 - 2020-21: homes required - 746; homes delivered - 697 - 65% November 2021 (Published 14 Jan 2022);
 - 2021-22: homes required - 1,310; homes delivered - 662 - 61% November 2022 (Published 19 December 2023); and
 - 2022-23: homes required - 1,310; homes delivered 977 - 70% (published 12 December 2024)
- 5.5. Whilst described as an annual measurement of housing delivery in the area of relevant plan making authorities, the 2023 Test results are the last published figures available.
- 5.6. The above figures confirm that the LPA has underdelivered some 994 new homes in the past three published years and only met 70% of their required target.
- 5.7. Similarly to the 5 year housing land supply position, the latest available HDT figures confirm the presumption in favour of sustainable development outlined in the NPPF applies.

6. PROPOSAL

- 6.1. The application is submitted in outline form with all matters, except access, reserved for subsequent determination. It proposes the demolition of existing buildings on site and the erection of up to 20 dwellings.

- 6.2. Whilst matters of scale, layout, landscaping and appearance are reserved for subsequent determination, the application is supported by a number of proposed indicative drawings, including the Proposed Site Plan (Drawing No. TA 1626 / 10 Rev. B), which details how a proposal of 20 units, access road, car parking spaces, amenity space and landscaping could be delivered on the site, positioning all of the dwellings towards the front of the site outside existing and future flood zones.
- 6.3. The frontage building, to be sited over the footprint of Knightscroft, is shown to contain six flats. The building is shown to be two storeys with rooms in the roof space served by dormer windows. The building immediately to the rear of this, facing west onto the access road is shown to comprise four flats. This building is shown to be a two storey building with two flats on each floor.
- 6.4. Beyond this, are the remaining 14 dwellings. These are shown split across a mix of terraces and semi-detached dwellings. The terraced dwellings are shown to be two storey, with second floors within the roof spaces.
- 6.5. As shown the proposed development would have the following unit mix:

Category	1-Bedroom Units	2-Bedroom Units	3-Bedroom Units	4-Bedroom Units	Total
Affordable Housing	6	4	0	0	10
Market Housing	0	0	6	4	10

- 6.6. The proposed outline scheme includes the provision of private outdoor amenity space for the 10 dwellings, and communal outdoor amenity space for the 10 apartment units.
- 6.7. A total of 49 car parking spaces are shown to be provided within the site, which includes adequate provision for visitor car parking, and disabled car parking spaces.

7. PLANNING ASSESSMENT

Principle Of Development

- 7.1. Officers have previously accepted that the application site lies within the Built-Up Area as defined by the adopted Local Plan. The principle of development is therefore firmly established and fully compliant with Policy SD SP2, which directs development to within Built-Up Areas and supports proposals there, subject to consideration against other relevant policies.
- 7.2. Policy 2 of the Littlehampton Neighbourhood Plan (LNP) sets out a clear spatial strategy for the town. Recognising the significant environmental constraints presented by landscape and flood risk designations within the surrounding strategic gaps, the LNP focuses growth within the existing built up area. At the core of the LNP's Spatial Strategy is the Fitzalan Corridor, identified as a major thoroughfare that connects the town's strategic development areas with its northern, western and eastern hinterland, as well as the seafront to the south. The application site lies squarely within this spatial framework.

- 7.3. While there are no currently extant planning permissions on the site, its development for residential use is well-established in principle. Historic consent has previously been granted for 10 dwellings, and the site is surrounded by strategic residential development. Although excluded from outline application LU/47/11, which approved up to 1,260 dwellings along with employment floorspace and local facilities, the site was nevertheless identified within that application as having potential for future residential development. It is also shown as part of a “Committed Strategic Housing Allocation” on the July 2018 Proposals Map, reinforcing its recognised role in delivering housing. (see Figure 1).

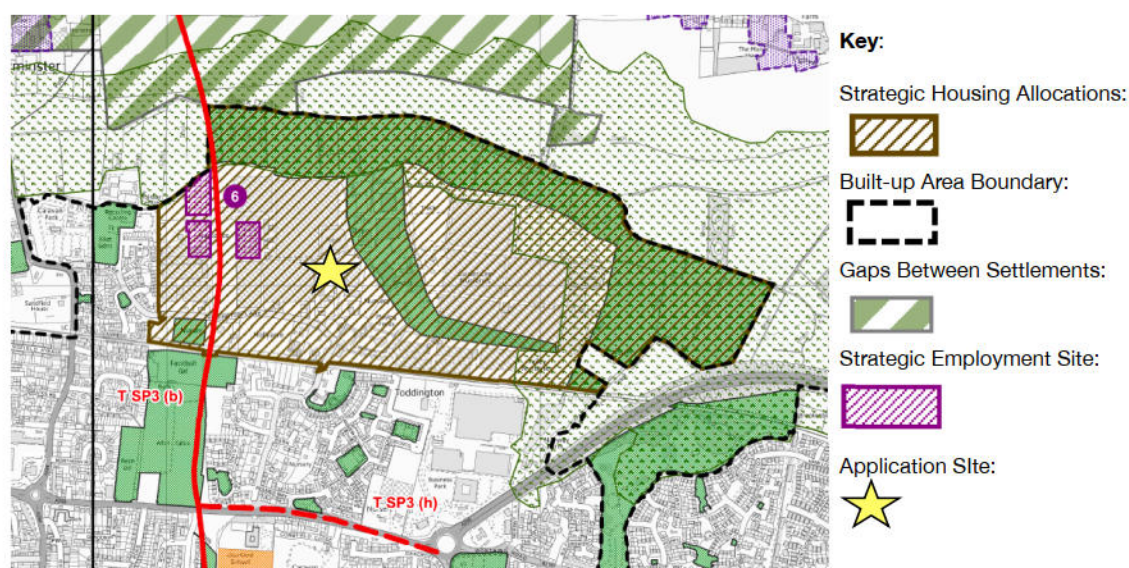


Figure 1 - Extract from Littlehampton & Surrounding Area Policy Map 4 - July 2018

- 7.4. Clearly the principle of the development of this site for residential purposes is entirely in accordance with the spatial strategy of the Development Plan. The proposal represents precisely the type of sustainable windfall development envisaged by the LNP to make an effective contribution to Littlehampton's housing supply.
- 7.5. The Council currently remain unable to demonstrate a five year supply of housing land, and there is no clear prospect of improvement in the short term given the slow progress of the emerging Local Plan. In this context, the delivery of new housing on this site should be afforded significant weight. This is further reinforced by national policy, which strongly supports the effective use of under-utilised land (paragraph 125 of the NPPF).
- 7.6. The overall planning balance is considered in more detail below.

Mix Of Units

- 7.7. ALP Policy H DM1 seeks a balanced mix of housing types and sizes in new developments, including the provision of family housing, based on the most up to date Strategic Housing Market Assessment (SHMA) recommendations. The latest information in relation to preferred housing mix for the District is set out in the “Updated Housing Need Evidence” document produced by GL

Hearn, dated September 2016. For market housing, this sets out the following suggested housing mix:

- 1 bedroom - 5-10%
- 2 bedroom - 40-45%
- 3 bedroom - 35 - 40%
- 4+ bedroom - 10- 15%

7.8. This evidence is somewhat out dated now, and whilst a more recent Housing Need Review (dated May 2023) has been produced in support of the Local Plan Update, this does not provide any guidance in relation to housing mix.

7.9. The proposed indicative mix of dwellings shown on the submitted plans provides for the following mix in the size of proposed units:

- 1 & 2 bedroom units - 50%
- 3 & 4 bedroom units - 50%

7.10. Whilst not for consideration at this stage, the illustrative site layout demonstrates how the site could be developed to provide a balanced mix of dwelling sizes overall.

Affordable Housing Statement

7.11. Policy AH SP2 sets out the requirement for all developments to provide 30% affordable units on all sites of 11 residential units or more and to supply written confirmation of the proposed approach to affordable housing.

7.12. The proposed scheme seeks to meet the requirements of Policy AH SP2 by delivering 30% of the dwellings as affordable units. This equates to 6 of the units.

7.13. The proposed tenure of the affordable homes is indicatively proposed as follows:

- First Homes - 25% of the affordable provision (2 units - rounded up)
- Rent - 67% of the affordable provision (4 units - rounded down)
- Intermediate - 8% of the affordable provision (0 units - rounded down)

7.14. The above tenure mix is in-line with the Council's Interim Affordable Housing Policy Statement. The applicant is however open to further discussion with the Council's Housing Delivery and Planning Teams during the determination of this application to refine and agree the affordable housing offer associated with this proposal.

- 7.15. Drawing no. TA1626/10 Rev B indicatively shows the location of the proposed affordable homes. As can be seen it is proposed that the one and two bedroom units will form the affordable housing offer towards the front of the site. This keeps the units grouped together for good management.
- 7.16. The Council's most recently published Housing Needs Evidence indicates that there is a need for a greater proportion of smaller (1-2 bedroom) affordable homes. The proposals seek to deliver these much needed homes in accordance with the requirements of Policy AH SP2 of the Local Plan.

Layout, Character And Density

- 7.17. Policies D SP1 and D DM1 of the Arun Local Plan seek to ensure that development makes efficient use of land whilst responding positively to site-specific characteristics and delivering a high-quality sense of place, consistent with the principles of the NPPF. The applicant fully supports these objectives and has carefully reviewed the officer's previous assessment in refining the current proposals.
- 7.18. In response to the concerns raised regarding the previously submitted scheme of 31 dwellings, the proposal has been fundamentally reconsidered. The current submission now seeks up to 20 dwellings, allowing significantly greater flexibility to achieve a layout that is more reflective of the site's context and capable of delivering a high-quality residential environment.
- 7.19. Whilst this remains an outline application, indicative layout plans, street scenes and supporting material have once again been prepared to assist in demonstrating how the site could be developed in a compliant and deliverable manner. These are not intended to fix the final form of development, but rather to provide clear reassurance that an appropriate scheme can be achieved at Reserved Matters stage.
- 7.20. A key issue previously identified was density. The earlier scheme resulted in a density of approximately 44 dph, which was considered excessive in this context. The revised proposals reduce this to approximately 28 dph, representing a substantial decrease in density. This density now sits comfortably within the ranges set out within the Arun Design Guide when applied flexibly to a mixed typology scheme. As recognised within the ADG, density should not be applied rigidly, but assessed in light of context, layout, form and design quality. The indicative mix of flats, terraced and semi-detached dwellings supports this more balanced and policy-compliant density.
- 7.21. The officer's previous concerns regarding the comparison with the neighbouring Bovis development are noted. However, it remains relevant that the immediately adjoining development establishes a strong and prevailing local character, comprising a mix of built forms delivered at a relatively higher density. Whilst it forms part of a wider strategic allocation with a lower overall density, it is the immediate townscape context that is the most relevant to the application site in design terms. The revised scheme responds to this context in a measured way, whilst still making best use of the land and integrating appropriately with its surroundings.
- 7.22. The reduction in unit numbers has allowed the indicative layout to respond positively to earlier concerns regarding perceptions of enclosure and overdevelopment. The revised scheme demonstrates a more open and legible layout, with improved spacing between buildings. This approach ensures that the development would not appear cramped or overbearing.

- 7.23. Significant improvements have also been made in relation to landscape provision and visual amenity. The indicative proposals show:
- Increased provision of soft landscaping, including street planting and green edges;
 - The inclusion of front gardens and defensible space, helping to soften the interface between public and private realms;
 - Reduced dominance of hardstanding and parking through a more balanced distribution across the site;
 - A substantial area of land retained to the rear as amenity and potential public open space, providing both visual relief and functional recreational space.
- 7.24. These elements directly address the officer's concerns regarding the limited greenery and the dominance of parking in the previous scheme. The revised approach demonstrates that, at the reduced density, there is clear scope to deliver a greener, more attractive and better-balanced development.
- 7.25. The proposed scale of development, comprising predominantly two to two-and-a-half storey buildings, reflects the established character of the surrounding area and avoids excessive massing. The indicative plans further demonstrate that appropriate private amenity space and acceptable relationships between neighbouring properties can be readily achieved.
- 7.26. Overall, the revised scheme clearly demonstrates that a development of up to 20 dwellings can:
- Make efficient use of the site without overdevelopment;
 - Deliver a high-quality design response appropriate to its context;
 - Provide a well-balanced mix of built form and landscape;
 - Create an attractive and functional residential environment.
- 7.27. As such, the concerns previously raised in relation to density, layout, landscape provision and overall design quality have been positively and comprehensively addressed. The proposals are considered to align with Policies D SP1 and D DM1, the Arun Design Guide, and the design objectives of the NPPE.

Residential Amenity

- 7.28. Policy D DM1 of the Arun Local Plan seeks to ensure that development results in minimal impact on the amenity of users and occupiers of nearby property and land, while Policy QE SP1 requires development to contribute positively to environmental quality and avoid any significant adverse impacts on residential amenity.
- 7.29. It is acknowledged that the Arun Design Guide provides guidance on interface distances to safeguard residential amenity, however layout is a matter to be determined at Reserved Matters stage. As such, detailed assessment of matters such as overlooking, privacy and specific

separation distances is not required at this outline stage. Nevertheless, careful consideration has been given to whether the site is capable of accommodating development in a way that would ultimately comply with these standards.

- 7.30. In this regard, the relationship with the Bovis development (LU/117/15/RES) to the west demonstrates that a high standard of amenity can be maintained. The presence of a north-south road, together with the verge provides a substantial buffer between the application site and the nearest dwellings. This degree of separation ensures that there is no realistic prospect of harmful overlooking, loss of privacy, or overbearing impact arising from the development.
- 7.31. With respect to Plot 23, which has the closest relationship with the site, its orientation at 90 degrees to the application site, combined with the limited and secondary nature of its side-facing windows, significantly reduces any potential for adverse amenity impacts. This relationship is therefore considered to be acceptable and capable of being sensitively addressed through detailed design.
- 7.32. In their consideration of the previous application the Council indicated that elements of the illustrative layout may give rise to concern if taken forward unaltered. It is important to re-emphasise that drawing no. TA1626/10 Rev B is purely indicative and has been prepared to demonstrate capacity rather than prescribe a fixed form of development. The layout clearly shows that up to 20 dwellings can be accommodated on the site, while still allowing sufficient scope to achieve appropriate separation distances, orientation, and boundary treatments in accordance with the Arun Design Guide.
- 7.33. Accordingly, the submitted material demonstrates that there is no inherent constraint preventing the site from being developed in a manner that safeguards residential amenity and accords with Policies D DM1 and QE SP1. Any detailed matters relating to layout, separation distances and design will be appropriately refined and resolved at the Reserved Matters stage, where full compliance with the Council's design guidance can be secured.

Traffic, Road Safety And Parking

- 7.34. Policy T SP1 of the Arun Local Plan supports development that provides appropriate levels of parking in line with adopted standards and promotes sustainable transport choices. Policy T DM1 further requires development to be well located in relation to non-car modes of travel. The proposals have been carefully developed with these objectives in mind.
- 7.35. The proposed access comprises the upgrade of the existing driveway to a bellmouth junction with visibility splays of 2.4m by 43m in both directions. These arrangements were previously reviewed in detail by West Sussex County Council (WSCC) Highways Authority, who raised no objections and confirmed that visibility in excess of these standards can be achieved within the publicly adopted highway. Additional clarification regarding dropped kerbs and tactile paving was also provided, with WSCC confirming their acceptance of the previous scheme on highway safety grounds.
- 7.36. The development will also deliver enhancements to pedestrian connectivity. New footways within the site, together with a 2-metre-wide footway link along Toddington Lane and a formal crossing point, will provide safe and convenient access to the surrounding area and existing pedestrian

routes. This demonstrates clear compliance with Policy T DM1 by placing future residents within easy reach of non-car transport options.

- 7.37. The Highway Authority has previously accepted that a development of 31 dwellings, generating approximately 14 AM peak and 11 PM peak vehicle trips (as derived from TRICS data), would not result in a severe impact on the operational capacity of the local road network and would not require further junction modelling. This position remains an important material consideration.
- 7.38. The current proposal involves a reduced scale of development, resulting in a corresponding reduction in traffic generation. As such, the development will have a negligible impact on highway capacity and will operate comfortably within the tolerance of the existing network. The proposals are therefore fully acceptable in terms of highway amenity.
- 7.39. Detail of parking provision is a matter to be finalised at Reserved Matters stage, where the detailed layout will be established. However, the current submission has considered whether the site is capable of accommodating policy-compliant parking in principle.
- 7.40. The concerns raised in respect of the previous application related specifically to a 31-dwelling scheme, which the Council identified as resulting in a shortfall against the requirements of the Arun Parking Standards SPD, as well as substandard space dimensions. The current proposals represent a materially reduced quantum of development. This reduction directly addresses the Council's concerns regarding overdevelopment and capacity.
- 7.41. The illustrative material accompanying this submission demonstrates that, at the reduced density now proposed, the site can comfortably accommodate the required number of parking spaces in full accordance with the Arun Parking Standards SPD. Furthermore, the layout allows scope to ensure that parking bays can be designed to meet the correct dimensional standards set out in the Arun Design Guide, including provision for accessible and wheelchair-standard spaces where required.
- 7.42. This confirms that the site is not inherently constrained and can deliver a compliant and well-designed parking solution. Any detailed matters relating to exact parking numbers, space dimensions, accessible provision and layout configuration will be resolved at Reserved Matters stage, where full adherence to adopted standards will be secured.
- 7.43. Provision for cycle parking can also be incorporated within the development, for example through secure storage in rear garden sheds, in line with policy expectations.
- 7.44. The proposals demonstrate that safe and suitable access can be achieved, that the impact on the local highway network will be minimal, and that the site is capable of accommodating an appropriate level of parking in accordance with adopted standards. The concerns previously identified relate to a larger scheme and do not apply to the reduced scale of development now proposed.
- 7.45. Accordingly, the development fully accords with Policies T SP1 and T DM1 of the Arun Local Plan, and there are no highway or transport-related reasons to withhold support.

Biodiversity And Ecology

- 7.46. The application site has been subject of an updated preliminary ecological appraisal to establish the presence or otherwise of any protected species.
- 7.47. The PEA confirms there to be no protected species present on the site. Furthermore the site does not fall within or adjacent to any statutory or non-statutory sites. Due to the distance from the closest nearby statutory sites, no direct negative impacts will occur as a result of any development at the application site.
- 7.48. Construction safeguards have been recommended to avoid any impacts from water, dust, noise and light and with these in place the proposed development will have no direct or indirect impact on any priority habitats.
- 7.49. Whilst the proposals will result in a -41.97% biodiversity net loss on habitats units, the applicant proposes to off-set the loss off-site by purchasing biodiversity units. The purchase of 1.29 units off-site will secure an 10% gain of biodiversity units, which will satisfy the statutory requirement introduced by Environment Act 2021.
- 7.50. With the addition of a sensitive lighting scheme to minimise disturbance to foraging and commuting bats; measures to minimise risks to communing and foraging badgers during construction works; and precautionary measuring to protect any birds using the trees and scrub on site for breeding, there will be no harm to ecology or biodiversity as a result of the development of this site and the proposals accord with policy ENV DM5 of the Local Plan.

Heritage

- 7.51. There are six listed buildings within 1km of the application site, the nearest being Toddington Farmhouse) and Dovecote at Toddington Farm. Both are both Grade II listed and are located some 90 metres to the south east of the application site. Submitted with the application is a Desk-based Assessment and Heritage Statement which considers the potential impact of the proposed development on the significance of these two nearby assets. Whilst this Statement was prepared in respect of the previous application, given the reduction in scale of the proposals now sought its findings are considered equally applicable to the current proposals.
- 7.52. The assessment demonstrates that intervening modern development provides clear physical separation between the application site and the Toddington Farm complex. This existing built form effectively prevents intervisibility and means that the application site does not contribute to the setting of these listed buildings. As such, the proposed development will not result in any harm, either directly or indirectly, to their significance or setting, and will have no adverse long-term impact on the surrounding historic environment.
- 7.53. These conclusions were previously accepted by the Council and remain wholly applicable. Indeed, the reduced scale of development now proposed further reinforces this position. The scheme therefore continues to fully accord with the requirements of Policy HER DM1 of the Arun Local Plan, ensuring that the historic environment is appropriately conserved and respected

- 7.54. As well as falling in close proximity to the two listed buildings the application site also falls within an Archaeological Notification Area. The submitted Desk-Based Assessment confirms that there is potential for remains dating from the prehistoric to Roman periods, and acknowledges that groundworks associated with development could affect any such assets if present.
- 7.55. This matter has already been carefully considered by the County Archaeologist, who raised no objection in principle and recommended the imposition of a planning condition requiring a programme of archaeological investigation to be carried out in accordance with a Written Scheme of Investigation prior to the commencement of development. The attachment of such a condition will ensure that any archaeological interest is appropriately identified, recorded and managed, thereby safeguarding the site's potential heritage value.
- 7.56. Accordingly, the proposals have been demonstrated to appropriately address both built heritage and archaeological considerations, and will comply with Policy HER DM6 of the Arun Local Plan.

Flood Risk And Surface Water Drainage

- 7.57. Application LU/83/25/OUT was initially submitted to the Council for consideration on the basis that the whole of the application site fell within Flood Zone 1. As such it was submitted that there was no requirement for a Sequential Test to be carried out. This was challenged by the Council who identified a very small section of the north east corner of the application site to fall with Flood Zone 3. The indicative site layout was therefore amended to remove any built form from Flood Zone 3. However, between the submission of the amended plan and the Council's decision, the Environment Agency published updated flood risk maps which identify future flood scenarios. A much larger area of the application site is now identified to fall within the area identified as "Flood Zones plus climate change for 2070-2125". The applicant was not afforded the opportunity make any comment on the change in circumstance regarding the flood zones. On the basis paragraph 175 of the NPPF states that "*the sequential test should be used in areas known to be at risk now or in the future from any form of flooding*" the application was refused, in part, due to the absence of a Sequential Test.
- 7.58. The applicant has carefully considered the implications of the updated flood maps and has developed a proposal that locates all of the proposed dwellings to the south of the site, and outside of the areas of current and future flood risk.
- 7.59. Paragraph 175 of the NPPF states:
- 7.60. "*The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).*" (Emphasis added).
- 7.61. On the basis that the indicative site plan shows how the site could be developed to ensure all of the proposed dwellings could be located outside any area at risk of flooding from any source, now or in the future, it is arguable that there is no requirement for this application to be supported by a

Sequential Test. Notwithstanding this, and without prejudice to the applicants position on this point, a Sequential Test has nonetheless been provided in support of the application submissions, in the event of the Council finding otherwise.

- 7.62. As can be seen the Sequential Test has carried out a review of potential alternative sites within the Parishes of Littlehampton, Rustington, Angmering, Yapton and Arundel (a search area agreed with the LPA). A total of 33 alternative sites were identified. Of these, only two were identified as being genuinely sequentially preferable to the application site on a flood risk basis. Technically the Sequential Test is failed. However, as identified by officers in their assessment of application LU/83/25/OUT failure of the Sequential Test does not result in automatic refusal of permission.
- 7.63. When considering a proposal at Rectory Farm, Yatton (APP/D0121/W/24/3343144) the Inspector found there to be 12 sites that were sequentially preferable to the appeal site under consideration. Notwithstanding their finding that the appeal proposals did not pass the sequential test, reflecting the Mead¹ judgement, the Inspector noted that failure to comply with the sequential test is not automatically fatal to a planning application. The Inspector noted *“Other material considerations, including housing need, may outweigh such a failure.”*
- 7.64. When considering the wider sustainability benefits of those proposals, the Inspector found that they outweighed the flood risk and accordingly they concluded that the policies of the NPPF relating to areas at risk of flooding did not provide a strong reason for refusing the development proposals. When considering the overall planning balance, despite finding conflict with the Development Plan overall, the benefits were deemed to outweigh the adverse effects and accordingly the appeal was allowed.
- 7.65. In the case of the current application, on the basis that the Sequential Test has failed, the Exceptions Test does not need to be considered. Certainly the PPG states that the exception test is not a tool to justify development where there are reasonably available lower risk sites. However the Inspector in considering the Yapton Appeal referenced above, found that it was clear that the matters set out in paragraph 178 of the NPPF are still important material considerations in the planning balance. These matters are:
- whether the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - whether the development would be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, would reduce flood risk overall.
- 7.66. At this point it is considered pertinent to note that large swathes of the District are impacted by the future flood zone scenarios. This is likely to significantly impact the Council’s ability to meet it’s five year housing needs without having to give consideration to areas currently identified as being at risk of flooding now or in the future. With little to no progress on an emerging development plan it is of course impossible to quantify this at this time, but a review of the Council’s most recently published HELAA indicates that a number of sites previously indicated to be developable, may need to be

¹ Mead_Realisations_Limited_v_Secretary_of_State_for_Levelling_Up__Housing_and_Communities__2024__EWHC_279__Admin_

reviewed in light of the updated flood maps. Furthermore, existing allocations already fall within areas susceptible to flooding and it is therefore highly likely that future sites within areas susceptible to flooding will need to be identified and allocated. The District is highly constrained and if the Council is to deliver the quantum of housing required of them, compromises are going to have to be made.

- 7.67. Littlehampton is one of the main towns of the District into which the Development Plan directs that new development should be focused. The only two alternative sites identified as being sequentially preferable to the application site on a flood risk basis are both located in smaller settlements and outside of the built up area boundaries. From a spatial strategy perspective the application site is therefore preferable. It has also been demonstrated to be sustainably located and within an area preferred for housing delivery in the LNP.
- 7.68. Accompanying the application is a Flood Risk Assessment and Surface Water Drainage Strategy that confirms that the proposed dwellings will be safe from flooding, that there is a safe means of access and that there is no increase to flood risk elsewhere.
- 7.69. The site has been subject to extensive exploratory drainage analysis and onsite monitoring. The report by CTP Consulting Engineers; together with the Site Drainage Plans, sets out how the site will could accommodate surface water and foul drainage, given the groundwater and geological considerations of the site.
- 7.70. Following the Sustainable Urban Drainage Systems (SuDS) hierarchy a surface water drainage strategy is set out that shows how all surface water associated with the proposed development can be attenuated on site, and discharged at a Greenfield discharge rate. Foul water is to be pumped to the existing sewer on Toddington Lane.
- 7.71. As an outline application with layout for future consideration, the proposed drainage strategy at this stage is purely indicative and has been prepared to illustrate that it is entirely feasible to design a drainage strategy that will adequately serve the proposed development of this site. It is entirely possible that an alternative site layout could be forthcoming at reserved matters stage that will require a further review of the surface water drainage strategy. However with appropriately worded planning conditions the control of this matter remains with the Local Authority.

Public Open Space & Play

- 7.72. Policy OSR DM1 of the Arun Local Plan requires housing developments to provide sufficient public open space, playing pitch and indoor sport and leisure provision. The Council has also produced an Open Space, Playing Pitches, Indoor and Built Sports Facilities SPD. The SPD sets out minimum space requirements for Public Open Space and and Play Space. For a development of 20 dwellings this equates to some 1,650 sqm (1,408 POS and 242 play space).
- 7.73. The substantial reduction in the number of dwellings now proposed leaves an area of some 2,000 sqm, meaning there is ample space available for the provision of public open space and playscape at detailed design stage to ensure that the proposals comply with Policy OSR DM1.

Draft Section 106 Heads Of Terms

- 7.74. The Council adopted a CIL charging schedule in 2020. Its purpose is to place a charge on new development to fund the infrastructure needed to support growth such as transport, education, heath, open space/green infrastructure, police/community safety, and flood defences.
- 7.75. CIL is charged on a “£ per square metre basis”. The application site falls within CIL Zone 2 where residential schemes of 11 or more units are charged £70/m² (indexed linked). The final CIL contribution will be calculated at reserved matters stage when the final design and layout of the proposals are confirmed.
- 7.76. Therefore the only matters needed to be addressed by the Section 106 agreement are:
- Provision of policy compliant Affordable Housing; and
 - A contribution towards mitigating the additional cost of transporting secondary school pupils to the nearest school.
- 7.77. As noted above the applicant is open to discussion/negotiation with the Council to refine and agree the detail of the Section 106 requirements.

8. PLANNING BALANCE

- 8.1. As set out above the proposals fully align with the spatial strategy of the Development Plan insofar as the site lies within the defined built up area boundary and within an area favoured for development by the Neighbourhood Plan. The application therefore accords with Policy SD SP2 of the ALP and Policies 1, 2 and 3 of the LNP.
- 8.2. Although detailed matters are reserved, the illustrative proposals demonstrate that the site can comfortably deliver a balanced mix of housing types and sizes, consistent with Policy H DM1 of the ALP. In addition, a Section 106 agreement will secure an level of affordable housing fully in accordance with Policy AH SP2.
- 8.3. The reduced number of dwellings and lower overall density ensure the scheme now complies with Policies D SP1 and D DM1 of the ALP, while also allowing full compliance with Policy QE SP1 to be achieved at the detailed design stage.
- 8.4. The proposals meet the requirements of Policies T SP1 and T DM1 by providing safe and suitable access to the highway network and by locating development where there is good access to public transport, as well as established pedestrian and cycling routes. A financial contribution towards school transport, to be secured via the Section 106 agreement, will ensure compliance with Policy INF SP1. The scheme also accords with Policy 22 of the LNP in respect of being able to accommodate the required level of car parking.
- 8.5. No harm would arise to protected species, and the scheme incorporates measures to secure biodiversity enhancements in accordance with Policies ENV SP1 and ENV DM5. Similarly, there

would be no harm to the historic environment, consistent with Policy HER DM1, and appropriately worded conditions can secure a programme of archaeological investigation to meet the requirements of Policy HER DM6.

- 8.6. Planning conditions can also secure the provision of on-site play space, ensuring compliance with Policy OSR DM1.
- 8.7. Whilst the application site as a whole falls within future Flood Zone 3 and the Sequential Test has been failed, the indicative layout demonstrates how the site could be developed in a way that would accommodate the proposed dwellings safely outside areas at risk of future flooding with safe access during potential times of flood. The supporting information confirms that development of this site in this manner will ensure no increased risk of flooding elsewhere in accordance with Policies ECC SP1, W SP1 and W DM2. The proposals also address the drainage requirements and comply with Policies W DM1 and W DM3.
- 8.8. Taken as a whole, it is accepted that there is some conflict with Development Plan policies, primarily in relation to flood risk. However, the requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another. In this instance it is necessary to consider whether there are other considerations that indicate a decision other than in accordance with the Development Plan.
- 8.9. When considering previous application LU/83/25/OUT the LPA concluded that, in the absence of a five year housing land supply paragraph, 11(d) of the NPPF was engaged. On the basis that Footnote 7 includes in a list of protected areas "areas at risk of flooding" the application was determined in the context of 11(d)(i) of the NPPF. Due to the absence of a sequential test, and insufficient flood risk and drainage information the potential impacts of the development on flood risk were found to constitute a strong reason to refuse the application.
- 8.10. These concerns have now been fully addressed through the revised proposals. It is therefore submitted that there are no longer any strong reasons to refuse the application.
- 8.11. The Council's housing supply shortfall is significant and persistent, and with limited progress on an emerging plan, it will be some time before new allocations deliver housing. In the interim, delivery will depend on sustainable windfall sites such as this. While modest in scale at 20 dwellings, the scheme will make a meaningful contribution to meeting housing needs within the next five years and will positively support housing supply. This and the delivery of policy-compliant affordable housing represents a substantial public benefit of the proposals that should be afforded significant positive weight.
- 8.12. The development will also generate economic benefits, including construction jobs and support for local supply chains, as well as increased local spending by future residents. These short and long term benefits should be afforded moderate positive weight in the overall planning balance.

- 8.13. The 137.10 % increase of hedgerow habitats is significantly greater than the 10% gain required by legislation. This measurable gain should also be afforded moderate positive weight in the overall planning balance given the need to secure net gains for biodiversity.
- 8.14. Furthermore, the site is currently underutilised and visually detracts from the surrounding area. Its redevelopment would enhance the character and appearance of the locality by bringing a vacant and untidy site into beneficial use. This visual improvement is a further benefit that should be given moderate positive weight.
- 8.15. In applying paragraph 11(d) of the NPPF, it is submitted that no policies within the Framework provide a clear or strong reason for refusal. Moreover, any potential adverse impacts would be limited and would not significantly and demonstrably outweigh the identified benefits. The planning balance therefore weighs firmly in favour of granting permission.

9. CONCLUSION

- 9.1. The proposed development is acceptable in principle. The proposals would deliver economic, social and environmental benefits, and is sustainable development as set out in the NPPF. The proposal complies with the relevant Policies of the Development Plan. The application should therefore be approved without delay, in accordance with Paragraph 14 of the NPPF.