

REPORT UPDATE

Application No: LU/182/15/PL

Reason for the Update / Changes

Development Control Committee resolved to grant planning permission subject to the resolution of the Deed of Variation to the S106 Agreement on the 2nd November 2017. The Deed of Variation to the S106 Agreement has now been completed. This further update report is also required to consider the new planning policy context following the adoption of the Arun District Local Plan and the revision of the National Planning Policy Framework.

In addition a Screening Opinion was issued on the 24th April 2018 confirming that that there were not any additional impacts resulting from the amendments which changed the characteristics of the impacts from those originally considered by the Environmental Statement (accompanying LU/47/11), therefore an Environmental Impact Assessment was not necessary.

Since the Report was originally considered, the following updates are required (listed under the original report headings):

RELEVANT SITE HISTORY

Updates to the applications listed as follows:

"LU/278/17/RES - Lyminster By-Pass southern Section - resolution to grant at Development Control Committee on 11 April 2018 (N.B. this application remains undetermined and will also return to Committee)"

"LU/121/17/RES - Approval of reserved matters for construction of 126 no dwellings - approved"

POLICY COMMENTARY:

Replace previous section with the wording below:

"The Development Plan consists of the Arun District Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The Littlehampton Neighbourhood Development Plan was 'made' in 2014 and forms part of the development plan of relevance to this application."

CONCLUSIONS:

The conclusion section sets out the changes proposed to each condition. The original report was broken down by each condition.

Condition 4:

The reasons for each Condition need to be amended to reflect the 2018 ALP as they currently refer to policies in the 2003 ALP.

All references to Condition 4 - amend reason to replace 'Policy GEN7' with 'Policy QE SP1'

The conclusions refer to the loss of the Open Space Plan as acceptable, as it is replaced by the Play and Fitness Plan. The proposal would still be acceptable when considered against Policy OSR DM1 (replacing GEN7 and GEN20) of the ALP.

The conclusions refer to the amendment of the northern junction on the Lyminster Bypass from a traffic controlled junction to a roundabout. This was previously considered acceptable and allowed for the safe movement of pedestrians and vehicles in accordance with GEN7 of the 2003 ALP. The amendments are considered to accord with the new policies T SP1 and T SP3.

The other amendments to condition 4 were considered to accord with GEN7, GEN20, GEN12 and SITE7 of the ALP. They are now considered to accord with QE SP1, OSR DM1, T DM1 and D DM1. Policy SITE7 which allocated the site in the 2003 ALP has not been replaced as the site is being implemented.

Condition 6:

All references to Condition 6 - amend reason to replace 'Policy GEN7' with 'Policy QE SP1 and D SP1'

The section relating to Condition 6 sets out how the submitted Development Framework Document (DFD) accords with GEN7 of the 2003 ALP. The DFD is now considered to accord with Policies QE SP1, D SP1 and D DM1 of the ALP.

Condition 7:

The section on Condition 7 sets out the changes to delete reference to the provision of a Combined Heat and Power plant. The original report was considered against Policy ECC SP2 of the draft Local Plan and as this policy now has full weight as part of the development plan, the conclusion remains unchanged and the amendment accords with the development plan.

Condition 8:

Condition 8 sought to include reference to the DFD document in the condition which was considered to accord with GEN7 of the 2003 ALP. Therefore it would also accord with QE SP1, D SP1 and D DM1 of the ALP.

Condition 39:

The amendments to Condition 39 related to the delaying the trigger for the provision of bus stops to related to the revised phased of the development. The proposals were acceptable subject to the revision of the trigger to 100 occupations (as opposed to 350) and were considered to accord with GEN14 of the

2003 ALP. The amendments are now in accordance with T SP1 and T DM1 of the ALP.

Condition 42:

No amendments necessary to this section of the original report as it related to highway improvements that had already been completed.

SECTION 106 DETAILS

Since the application was presented to Development Control Committee discussions between the Local Highway Authority, ADC and the applicant in relation to amendments required to Schedule 10 of the S106 have taken place and been concluded. The amendments related to the triggers and plans for highway works which had to be amended to reflect the amendments to the Masterplan.

RECOMMENDATION:

That, in accordance with the original report, as amended by this Update report, the application is recommended for approval subject to the conditions attached to LU/47/11 as amended by this application and the Deed of Variation to the S106 Agreement.

Condition 4 - Amend reason to replace 'Policy GEN7' with 'Policy QE SP1'

Condition 6 - Amend reason to replace 'Policy GEN7' with 'Policies QE SP1, D SP1 and D DM1'

Condition 7 - Amend reason to replace 'Policy GEN7' with 'Policies QE SP1, D SP1 and D DM1'

Condition 8 - Amend reason to replace 'Policy GEN7' with 'Policies QE SP1, D SP1 and D DM1'

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Planning Permission

REF NO: LU/182/15/PL

LOCATION: Land North of Toddington Lane
Littlehampton
BN17 7PP

PROPOSAL: 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 & traffic improvements.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Application to vary some elements of outline planning permission reference number LU/47/11 relating to the land to the North of Toddington Lane in Littlehampton. The outline planning permission has already been amended under reference number LU/346/14/PL dated 20 February 2015.

Condition 4 - lists the plans to which the outline planning permission relates. The proposal seeks to amend the condition to make reference to an updated masterplan and revised parameter plans.

Condition 6 - states that the permitted development will be carried out substantially in accordance with the illustrative masterplan. The proposal seeks to amend the wording of Condition 6 to refer to the updated masterplan. It is also proposed that reference to the Development Framework Document (DFD) is added to the existing wording of Condition 6,

Condition 7 - requires the provision of details of the CHP plant building. It is proposed to amend Condition 7 to delete the references to the CHP plant in parts (i) and (ix).

Condition 8 - requires the submission of a Design Statement for each phase of development, to accord with the approved Design and Access Statement incorporating Design Guidance dated February 2011. A Development Framework Document (DFD) in relation to the overall masterplan for the North Littlehampton site has been submitted and the application seeks to amend Condition 8 to refer to the DFD.

Condition 39 - requires the submission of a scheme for the provision of bus stops within the site. The proposal seeks to amend the trigger for the provision of this information to 'prior to the occupation of the 350th dwelling on the site'.

Condition 42 - requires traffic improvements to the A27/A284 Ford Road roundabout. It is proposed that Condition 42 should be deleted as the highways improvement works have already been completed.

Description of Development - further to the proposed changes to Condition 7, the development description will also need to be amended to remove the reference to the combined heat and power plant.

As a result of the above proposed amendments, the S106 Agreement would need to be varied to reflect the amended plans.

SITE AREA

85 hectares

RESIDENTIAL DEVELOPMENT Overall density 41 dwellings per hectare
DENSITY (NET)

TOPOGRAPHY

The two areas within the application site with existing buildings on are raised approx 3m above the level of the central area and Black Ditch environs.

TREES

There are a number of excellent specimens in the centre of

the site that are shown to be retained within the masterplan around the Community Centre. Detailed design layouts will need to carefully consider these trees and their protection will be a high priority.

BOUNDARY TREATMENT

The south coast mainline railway forms the southern boundary of the site. Toddington Lane crosses north over the railway, serves a mixed use area located centrally on the site before turning west to connect, via Mill Lane, to the Lyminster Road. The residential area of Toddington is located south of the railway and the separate village of Lyminster lies to the north, whilst the northern part of the residential area of Wick is situated to the west of the site. The A284, which is the main road serving Littlehampton from the A27, passes to the west of the site through Lyminster and Wick and then south to Littlehampton Town Centre.

The Black Ditch watercourse follows the northern site boundary. Low lying land within the site south of the Black Ditch comprises grazing marshes of biodiversity value. Land to the north of the Black Ditch, beyond the site boundary, is arable land with large-scale fields and a few defining hedgerows.

There are two main public rights of way near the site. The first is a bridleway which runs east to west along a track between Lyminster and Poling. This route is less than 300m to the north of Black Ditch and the site boundary at its nearest point. A public footpath connects the eastern part of the site to this bridleway. This footpath passes through the site between the glasshouses before joining Toddington Lane near the railway line.

SITE CHARACTERISTICS

The original application site, which extends up to the Black Ditch watercourse, consists of approximately 85 hectares of land, largely covered with glasshouses, warehouses and other development, and is located on the northern edge of the town.

The existing site subdivides into two general areas, being the developed area to the immediate north of the railway line, mainly to the north of Toddington Lane; and the undeveloped area being the low lying grazing marshes to the north and east of the developed area extending up to the Black Ditch watercourse. The undeveloped area serves as part of the functional flood plain, whereas the developed area stands on a raised plateau approx 2-3m above the flood plain.

The developed area of the site is currently occupied by a variety of uses including horticulture, packaging and distribution, office uses and residential properties. A substantial proportion of this part of the site is covered in buildings (mainly glasshouses) and hard surfacing.

Two areas of the site are currently under construction / partially completed (parcels A1 and B3/B5) in addition to an internal access road, following granting of reserved matters applications (LU/347/14/RES, LU/117/15/RES and LU/114/15/RES).

CHARACTER OF LOCALITY

The developed part of the site extends little further north than existing housing development to the west around Mill Lane and Lyminster Road, including Hearnfield Road, Fullers Walk and Granary Way. The latter two roads are culs-de-sac which immediately adjoin the western boundary of the site. To the north of Fullers Walk is a household recycling facility to the west of which are allotments and a residential caravan park.

To the south of the railway line is the Watersmead Business Park, accommodating the Body Shop headquarters amongst its occupiers. To the west of this business park is a small haulage depot site which is the subject of a planning application for redevelopment with 91 dwellings. The majority of the land between the railway line and the A259 Worthing Road is the residential area of Toddington Park, including the recent Eden Park development of about 400 dwellings. To the west of the Toddington Park area is open land in a number of uses, including allotments, the Wick Town Football Club site, and a recreation ground.

The Black Ditch watercourse follows the northern site boundary. Low lying land within the site south of the Black Ditch comprises grazing marshes of biodiversity value. Land to the north of the Black Ditch, beyond the site boundary, is intensively cultivated arable land with large-scale fields and a few defining hedgerows.

Although the site is dominated by horticultural uses, it also accommodates a mix of employment, residential and other land uses.

RELEVANT SITE HISTORY

LU/346/14/PL	Application for variation of Conditions 11, 17, 18, 20 and 30 imposed under LU/47/11 relating to maintenance of watercourse, scheme for creation of central wetland area, scheme for details of bridges and buffer-zones to on-site watercourses, ecological management plan and scheme for hydrants.	ApproveConditionally 20-02-15
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	App Cond with S106 23-01-13

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. This application is the subject of an Environmental Impact Assessment & a departure from the development plan. This application affects a public right of way.

LU/278/17/RES	Approval of Reserved Matters following Outline Permission LU/47/11 for Construction of the southern section of the Lyminster Bypass, including northern and southern roundabouts, surface water drainage and landscaping. Departure from the Development Plan & affects a Public Right of Way.	
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 & landscaping.	
LU/92/16/RES	Approval of reserved matters following LU/47/11/ for landscaping of internal road to the North of Toddington Road, East of Southern section of proposed Lyminster By Pass & West of Parcels B3 & B5.	Approve 15-08-16
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.	ApproveConditionally 21-04-16
LU/114/15/RES	Approval of reserved matters following outline permission LU/47/11 for layout, appearance and landcaping of access road.	ApproveConditionally 08-07-16

LU/347/14/RES	Approval of Reserved Matters following Outline Application LU/47/11 for Construction of 114 dwellings together with associated internal road network, car parking and landscaping on Parcel A1, following demolition of existing glasshouses and buildings. Departure from the Development Plan.	ApproveConditionally 01-09-15
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LU/47/11 granted outline planning permission for 1,260 dwellings with a large number of conditions and a S106 agreement.

Planning permission LU/346/14/PL amended a number of conditions attached to LU/47/11 in February 2015.

Parcels A1 and B3/B5 and an internal access road approved under reserved matters applications LU/347/14/RES, LU/117/15/RES and LU/114/15/RES respectively.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
Littlehampton Town Council - No objection

- Repositioning of the Youth Centre welcomed
- Initial concerns raised relating to removal of allotted space for care-home and leisure facility.
- Following re-submission of Development Framework Document with revisions to land allocations, noted that provision of a non-residential parcel suitable for a care home or bespoke leisure facility has been re-instated which overcomes previous objection.

2 representations received objecting to the proposal and raising the following issues:

- Number of houses being built in Toddington Lane without the by-pass having been built
- Road should be completed prior to occupation of houses
- Lyminster Road traffic is horrendous and results in rat-running through estates
- Houses should be elsewhere
- Concerns relating to drainage between the application site and Westholme Nurseries

1 letter of support:

- The Greencore Group - (responsible for delivery of commercial elements of the development) - support the application in relation to the proposed amount of B1 employment floorspace, the hotel and leisure facilities. Noted that there is no longer dedicated provision for a care home within the masterplan - support this flexibility should the market interest in care home demonstrate that it is feasible.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

WSCC Strategic Planning
Highways England
Network Rail
Highways England
WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Network Rail - No objection

Highways England - No objection

WSCC (highways) - Would agree to 100 occupations for trigger to bus stops. Need to see up to date version of framework design guide to agree.

Further WSCC response:

Condition 6:

- Clarification sought on status of the Design and Access Statement in relation to the Development Framework Document. Applicant confirmed that the DAS would remain.

Condition 7:

- Minimum road width should be 4.8m. Private access roads are shown as 4.1m.
- Comments provided on ensuring visibility splays and extent of road adoption.
- Advice provided on ensuring appropriate design speeds can be attained for internal roads, particularly the main spine road through the development. Matter for detailed design stage through reserved matters.
- Cycleways to accord with design criteria for such routes published by Department for Transport (LTN 1/12 para 7.60 and table 7.4).
- Parking - to be informed by WSCC guidance. Advice on visitor parking and avoiding parking on carriage-way and to rear of properties. Recommend that reference is added to DFD.
- Comments provided on need to underwrite Traffic Regulation Orders if conditions prejudicial to road safety occur.
- Comments on ensuring sufficient drainage for roads.
- Comments on ensuring landscaping is kept clear from road junctions and visibility splays.
- Ensure S106 is amended to reflect changes to the outline permission.

Condition 8:

- Comment in relation to correct date for document.

Condition 39:

- Principle of using spine road for bus route accepted. Final detail can only be approved when detailed submissions made.

Condition 42:

- Matter for Highways England who requested the condition.

Further comments received from WSCC Local Highway Authority (14/11/17) requesting that cycle infrastructure is reinstated, particularly through Central Wetland Area.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Officers agree that the proposed trigger for approval of a scheme of bus stops is not acceptable and an earlier trigger is necessary.

POLICY CONTEXT**DEVELOPMENT PLAN POLICIES**

Littlehampton Neighbourhood Plan 2014 Policy 1	The Presumption in Favour of Sustainable Development
Littlehampton Neighbourhood Plan 2014 Policy 2	A Spatial Plan for the Town
Littlehampton Neighbourhood Plan 2014 Policy 22	Design of New Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan in preparation is a material consideration when determining planning applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced was suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these took place 10 April 2017 to 5pm on Tuesday 30 May 2017. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination re-opened in September 2017.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Climping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans

should not be deemed to be out of date where all of the following circumstances arise;

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

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

The Littlehampton Neighbourhood Development Plan was 'made' in 2014 and forms part of the development plan of relevance to this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would provide a suitable suite of documents, when combined with the existing Design and Access Statement, to ensure high quality design and sustainability objectives are met.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Condition 4:

Condition 4 lists the approved plans attached to the outline planning permission, including Drawing Number GR.L-002 (North Littlehampton Illustrative Masterplan). The applicant has reviewed the original masterplan and identified some required refinements to the Masterplan.

Condition 4 of the outline planning permission currently refers to a series of Parameter Plans. These plans have now been updated (initially the application sought to remove them), as has the Development Framework Document (DFD) which is intended to set out the principles and objectives of the overall North Littlehampton masterplan, as well as provide design guidance for each phase of development.

Further to the above, it is proposed that Condition 4 is amended to make reference to the updated masterplan, and updating references to the Parameter Plans. Accordingly, Condition 4 would state the following:

"4. The planning permission relates to the following approved plans:
519-GR.L 002 Rev B (Updated North Littlehampton Illustrative Masterplan)
519 GR.L-004 Rev A (Red Line Plan)
519 GR.L-005 (Ownership Areas Plan)

519-GR.L 006 Rev B (Land Use Plan)
 519-GR.L 008 Rev B (Vertical Alignment Plan)
 519-GR.L 010 Rev B (Vehicular Access Plan)
 519-GR.L 011 Rev B (Play and Fitness Plan)
 519-GR.L 014 Rev A (Pedestrian and Cycle Access Plan)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy GEN7 of the Arun District Local Plan."

The Horizontal Alignment Plan and Open Space Plan are proposed to be removed from the list of approved plans. The Horizontal Alignment Plan previously set out the block perimeters for the site. As additional detail has been added to the Masterplan, the block structure can be clearly seen on the Masterplan and it is not considered necessary to continue to include the Horizontal Alignment Plan.

The Open Space plan previously detailed the location and amount of open space to be provided across the site. Whilst some detail has been lost, the main areas of open space are illustrated on the Masterplan and on the revised Play and Fitness Plan, with detail provided in the Development Framework Document. Therefore, the loss of the Open Space Plan is considered to be acceptable and would ensure the provision of open space in accordance with GEN7 and GEN20 of the ALP.

The changes to the Masterplan are considered to be minor and do not change the number of dwellings that can be achieved on the site or the mix of non-residential land uses proposed. The revised Masterplan ensures that the areas shown conform with the amount of land identified for different uses in the S106, which the earlier Masterplan did not do. The proposed layout also allows for a 15m offset along the Bypass to allow for noise attenuation, landscaping and surface water attenuation.

One of the main changes is the alteration of the northern junction on the Bypass which was previously shown as a traffic light/ priority junction and is proposed to be changed to a roundabout. This is following discussions between the applicant and the Local Highway Authority. The roundabout is considered to provide capacity benefits over the traffic signalised junction. The Town Council initially raised concerns regarding the success of the traffic signals - given the level of traffic. The DFD confirms that the LHA have approved the layout of the roundabout in principle and have reviewed the capacity testing of the roundabout junction. The change was discussed at the North Littlehampton Steering Group who were broadly supportive. Therefore this amendment is considered to be acceptable and would allow for the safe movement of pedestrians and vehicles in accordance with Policy GEN7 of the ALP.

The Vehicular Access Plan shows a hierarchy of streets from the bypass down to private drives. The shared surface roads are similar to the previous 'Homezones'. The Main Avenue remains as the primary 'spine' road through the development and secondary routes have been re-named as 'estate roads'. The main change is the loss of the 'rural edge/ green lanes' road typology. This was a feature of the edges of the development where they fronted onto the Black Ditch and the Central Wetland, to create softer edges to the development. This has been replaced with the more generic 'estate roads' and 'private drives'.

The Play and Fitness Parameter Plan has been amended with the reduction in the number of LAPs from 25 to 13. The result is that some residents would be over the recommended 1minute walking distance from a LAP. However, the number of LEAPs has been increased from 3 to 4 which is considered to compensate for the reduction in LAPs and there are other areas of green space on the site which also compensate (e.g. the central wetland area, Black Ditch and SuDs corridors). The LEAPs have also been re-located to ensure that they are more accessible to the western part of the site. The Fitness Trail routes are not shown on the updated Plan, but the location of the fitness trail stations has been indicated.

In relation to the Vertical Alignment plan, the parameters are broadly unchanged, with the principle of

higher storey buildings around the local centre and 2 storey buildings on the rural edges, with up to 3 storeys along the main avenue.

The changes to the Land Use Plan include the relocation of the Youth Centre from the western side of the Southern Bypass to adjacent to the school site. This is a logical re-positioning as there is a synergy between the uses and it would also be closer to the community centre site. The 'energy centre' has been removed and the 'leisure use' rezoned as 'non-residential' land. This would provide additional flexibility to respond to the market and demand for a variety to non-residential uses, rather than restricting the development to a leisure use.

The Pedestrian and Cycle Access Plan details the main designated cycle route around the site and the pedestrian footpaths which will ensure site connectivity. A further amendment to the plan has been received (14/11/17) which shows a designated combined pedestrian/ cycle path through the Central Wetland Area. These amendments are considered to be acceptable.

Based on the above, there is no objection to amending the wording of this condition in accordance with GEN7, GEN20, GEN12 and SITE7 of the Arun Local Plan.

Condition 6:

Condition 6 of the outline planning permission states that the permitted development must be carried out "...in substantial accordance with the illustrative masterplan drawing number GR.L-002 Rev A..." Some changes have been required to the overall masterplan for the site as approved as part of the outline planning permission and an updated masterplan has been submitted. Accordingly, the wording of Condition 6 also needs to be amended to refer to the updated masterplan.

It is proposed that reference to the Development Framework Document (DFD) is added to the existing wording of Condition 6, which currently requires the permitted development to be carried out in accordance with the Design and Access Statement incorporating Design Guidance dated February 2011. It is therefore proposed that the wording of Condition 6 is amended to state the following:

"6. The development hereby permitted shall not be carried out except in substantial accordance with the updated illustrative masterplan drawing number 519-GR.L_002 Rev B ('the Masterplan'), the Design and Access Statement incorporating Design Guidance dated February 2011 (approved under Planning Permission Reference No. LU/47/11) and the Development Framework Document dated June 2017, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy GEN7 of the Arun District Local Plan."

The Development Framework Document (DFD) aims to provide further design guidance to sit underneath the overarching principles established through the outline permission. The proposal is that the DFD should be read in conjunction with the approved Design and Access Statement. The aim of the DFD is to provide a framework so that when reserved matters applications are submitted, it will be clear how they relate to the overall design principles for the site.

The DFD sets out the design evolution of the site and the design concept for the layout. It provides the rationale behind the Parameter Plans in relation to scale and identifies the roles key buildings and frontages within the development, including the green edge and main avenue frontage. The role of 'central spaces' is also identified - for example the local centre and community hub. Detail is provided on the form of development, identifying the use of block structures to form the parcels of development across the site. Key concepts are included, such as ensuring streets are overlooked and corner buildings

provide fenestration on the two outward looking edges.

The DFD includes a set of 'character areas' which would have different architectural principles depending on and influenced by their location within the site. There are 8 character areas in total and for each one the DFD provides an overview of the character, a table setting out architectural details (e.g. materials palette, parking arrangements, surface materials), and public realm, open and play space principles.

The Civic Square has been identified for 'parking/square' and is identified as having three primary functions - including a civic area, car parking and drainage storage facility. The original DAS Design Guidance does not mention parking as one of the function of the Civic Square and it is not considered that the two functions are desirable in urban design terms. The dual function has arisen due to a lack of space for car parking when the detail was added to the layout. The parking would be for the retail uses, rather than residential and would have the potential to be suspended to allow the space to be used for civic functions. Whilst a Civic Square with no parking would be the best solution in design terms, it is considered that the need for sufficient parking to support the retail functions and avoid on-street parking over-rides the design concerns. The detailed reserved matters application for this area would need to show a well designed multi-functional square which incorporates parking, landscaping and structural planting/ seating as set out in the revised DFD.

The DFD also provides a detailed Access and Movement Strategy, which includes the road hierarchy, parking design guidance and a plan showing the pedestrian and cycle access through the site, including diverted public rights of way. The document provides typologies for each road in the hierarchy, including the proposed speed, width, footway/ cycleway provision and location, verges and parking. The document has taken away the separate 'green lane' typology (and combined it with private access roads). These were low speed, low width areas giving access to the perimeter areas only and was intended to meander along the boundary and provide an informal edge to the development. This has been replaced with estate roads which end in a 'T' and then turn into 'private access roads and green lane' type arrangements. This would have a harder appearance than the original green lane typology. Whilst the more generic 'estate roads and private drives' typology description lacks some of the features of the previous green lane typology, the principles are set out in the Green Edges Character Area in the DFD document e.g. 'a naturalistic edge to the main development parcels', 'a irregular pattern referring to the open rural setting'. This provides sufficient detail to ensure that the principle of the green lane providing an informal edge to the development is maintained in the replacement proposals.

The 'SuDs' street type has also been lost. The original DAS Design Guidance document (which is not proposed to be altered by this application) provides a detailed section of how this type of street would look. These SuDs streets were to be located both to the east and west of the Central Wetland area but have been removed from the western side and replaced with hard surfaced streets with no SuDs features incorporated or ecology or open space benefits. The SuDs streets on the eastern side have been replaced with 'SuDs corridors' and with 'private access roads and green lanes' type roads abutting the corridor in places. The principle of the SuDs corridors and their appearance is set out in the 'Green Edges Character Area' which states that 'SuDs features will run vertically from Black Ditch providing attenuation areas for surface water run off'. It also states that 'they will form a key landscape feature of the green edge'. The justification for the loss of the open SuDs corridors from the western side of the site is that this area of the site would have a more urban character and also because of the constraints on the site which have reduced the amount of available space for all of the uses proposed. 'Urban style' SuDs features would still be included within the western side of the site, including attenuation tanks and permeable paving. Whilst the reduction of the open SuDs corridors weakens the overall cohesiveness of the design, it is acknowledged that it is necessary in order to deliver the agreed quantum of development on this site and the benefits of enabling development on the scheme to progress outweigh the loss of the open SuDs corridors.

The DFD includes a Landscape Strategy detailing the approach to landscaping across the site, including the key green infrastructure area of the Central Wetland and the SuDs corridors. It also provides information on the sports pitches and residential 'on plot' landscaping. A 'Play Strategy' is also included setting out the type of play provision to be included. A Drainage Strategy and Sustainability Strategy are also covered by the document.

The latest version of the DFD was considered by the North Littlehampton Steering Group on the 12th September and clarification was sought in relation to the bus route, type of playing pitch provision, the spread of affordable housing, parking provision across the site and the timing for delivery of the school. There were no comments made in relation to the detailed content within the DFD.

Overall, it is considered that the Development Framework Document, combined with the original Design and Access Statement provides a suitable set of design parameters and principles to ensure delivery of high quality development across the site, with distinctive but complementary character areas adding variety to the built and natural form, and sufficient detail in relation to the road typologies to understand how separate reserved matters applications fit within the proposed hierarchy, in accordance with GEN7 of the Local Plan.

Condition 7:

Condition 7 makes reference to the provision of a CHP (Combined Heat and Power) plant as part of the overall masterplan for the North Littlehampton site, as was proposed as part of the approved outline planning permission. This was intended to reduce enough energy on site to offset 10% of the development's expected regulated energy use by installing a community heating system with integrated CHP as an alternative to mains gas combi-boilers to all plots.

The applicant is now proposing to use a Fabric First approach as an alternative to CHP for the site, to ensure that enhanced performance is embedded within the properties for the duration of their design life with little or no maintenance required, as opposed to bolt-on options which can reduce in performance over time and require regular maintenance and therefore additional cost. The DFD summarises this approach which includes a building fabric which exceeds Part L by limiting U-Values as well as higher efficiency boiler, lighting and ventilation systems.

It is therefore proposed to amend Condition 7 of the outline permission to delete the references to the CHP plant in parts (i) and (ix).

The 'fabric first' approach is considered acceptable as an alternative to the CHP provision as it achieves a similar aim in relation to energy reduction in accordance with Policy ECC SP2 of the modified Emerging Arun Local Plan (eALP).

Condition 8:

Condition 8 requires the submission of a Design Statement with each reserved matters application which accords with the approved Design and Access Statement incorporating Design Guidance dated February 2011. As explained in relation to Conditions 4 and 6 above, a Development Framework Document in relation to the overall masterplan for the North Littlehampton site and has been submitted and the application seeks to amend Condition 8 to refer to the DFD as follows:

"8. In respect of each phase or sub phase of the development hereby permitted, reserved matters applications shall include a design statement. Each design statement shall demonstrate how the objectives of the approved Design and Access Statement incorporating the Design Guidance dated February 2011 (approved as part of Planning Permission Reference Number LU/47/11) and the

Development Framework Document (dated June 2017) will be met and confirm details in respect of; ..."

As considered above, the DFD is an acceptable addition to the framework documents for the outline permission and therefore the reference to the document in Condition 8 is acceptable and accords with Policy GEN7 of the Arun Local Plan.

Condition 39:

Condition 39 requires the submission of a scheme for the provision of bus stops within the site to be approved by the Local Authority prior to the commencement of development. As part of the outline planning permission, a Parameter Plan for Vehicular Access (Drawing No. GR.L-010 Rev A) was approved which shows the proposed bus route around the eastern and central part of the masterplan, including the proposed Local Centre and the Southern Bypass. The proposed bus route does not extend to the west of the proposed Southern Bypass and therefore does not relate to Parcel A1.

For this reason, the details of the proposed bus route including bus stops will not be established until a later phase of the overall masterplan, in line with the design of the road network on which the proposed bus route will operate. The applicants have stated that it is not practical to submit the detailed information required by Condition 39 at this early stage in the overall masterplan, prior to the commencement of any development as currently specified.

It is proposed to amend the wording of Condition 39 to require the details of the proposed bus scheme to be submitted at a later stage. The proposal is that an appropriate trigger for the provision of this information is prior to the occupation of the 350th dwelling on the site, to reflect the trigger for the provision of the Southern Bypass which will be the first stage of the new road network to come forward on which the bus route will operate.

The proposed amended wording for Condition 39 would therefore be amended as follows:

"39. No more than 350 dwellings in the development hereby permitted shall be occupied until a scheme for the provision of bus stops within the site shall have been submitted to and approved in writing by the Local Planning Authority..."

There is a need to have some certainty in relation to the bus stop locations before any reserved matters applications are submitted which include the bus route along the Main Avenue. Therefore, it is considered that a more appropriate trigger would be the occupation of the 100th dwelling. Subject to the revision of the trigger to 100 occupations, the amendment accords with Policy GEN14 of the ALP.

Condition 42:

Condition 42 of the outline planning permission requires the completion and opening to public traffic of the improvements to the A27/A284 Ford Road roundabout prior to the occupation of no more than 350 dwellings. However, as part of the subsequent discussions with the Highways Agency, it has now been confirmed that these highways improvement works have already been completed by the Highways Agency and therefore are not required to be delivered as part of the overall masterplan for the North Littlehampton development. Accordingly, it is proposed that Condition 42 should be deleted.

The applicant has confirmed that they will also be seeking to amend the Section 106 Agreement to reflect the deletion of Condition 42.

As set out above, Condition 42 is no-longer deemed necessary in order to make the development acceptable and it is recommended that it is deleted.

RECOMMENDATION:

It is therefore recommended that planning permission be granted subject to the amended conditions and S106 Deed of Variation.

HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

SECTION 106 DETAILS

The outline application LU/47/11 was accompanied by a S106 Agreement. In light of the changes proposed to the conditions, a Supplemental Deed has been prepared to vary the original Agreement.

The Supplemental Deed includes the following:

Affordable Housing Scheme and Tenure Mix

Amended definition of affordable housing scheme to amend tenure requirements following the bedroom tax and to accommodate the need to provide 12 ground floor flats. The resulting change is a reduction in 3 bed houses from 43% to 33% (108 units to 83 units) and an increase in 2 bed flats from 26% to 36% (66 units to 91 units). The chosen affordable housing provider, Hyde, have also sought a change to 50/50 split in type of affordable housing tenure provided (from 65% rented and 35% intermediate). This approach has been agreed on Phases A1 and B3/B5 and the same approach is required on the remainder of the site. The Housing and Strategy Manager has been consulted and agreed that the changes are appropriate.

Definitions within the Agreement

The Agreement makes reference to the 'Application' meaning the outline application LU/47/11. This needs to be updated to reflect this application (LU/182/15/PL). This is a logical amendment to make to reflect the correct permissions.

The Agreement provides definitions of the various parts of the site reserved for different uses (e.g. school site, community centre land etc) and associated plans. The definitions refer to colours indicated on a corresponding drawing. The Supplemental Deed would amend the definitions to refer to the amended parameter plans and therefore the amended colours. This is a logical amendment to reflect the changes proposed by the S73.

Ecology Scheme

The S106 Agreement currently refers to a single scheme for ecology. The Supplemental Deed proposes a change (to the definition and Schedule 16) to ensure that ecology schemes are submitted for each phase, rather than for the site as a whole. This change would ensure that the ecological enhancement proposals and a programme for their implementation, management and monitoring, would be submitted with each reserved matters application, rather than as a whole. As the opportunities for ecological enhancement wouldn't be known in full until detailed layouts have been prepared for a reserved matters application, this amendment is considered to be acceptable.

Highway Improvement Plans

The applicants are proposing to vary Schedule 10 of the S106 Agreement. This Schedule details the Highway Works that are required to be delivered in relation to the site. Discussions with the LHA and ADC on the amended triggers and plans are ongoing and when finalised to the satisfaction of all parties would be included in the Supplemental Deed. The changes to the Highways Schedule need to follow the amendments to the Masterplan and parameter plans, and reflect the proposed deletion of condition 42 proposed by the S73 application.

Open space and recreation

The agreed S106 includes triggers for the delivery of open space against occupation numbers for the whole site. The Supplemental Deed seeks to amend the occupation related triggers and instead refer to open space schemes (LEAP 1, 2, 3 and 4) being brought forward and delivered with each reserved matters application in which the open space is located. Within each phase an open space scheme would be approved prior to first occupation and the laying out, servicing and planting of open space and landscaping completed prior to 50% occupation of that phase. A completion certificate would have to be issued prior to 90% occupation of each phase. The justification for the amendment is that it is not possible to provide detailed boundaries and specifications for the LEAPs in advance of the reserved matters stage for each LEAP. This amendment is considered to continue to provide sufficient control to ensure delivery of each LEAP in a timely and progressive manner with each respective reserved matters application.

The trigger for the playing fields is also proposed to be amended from the 900th occupation to the 1000th occupation. The justification for this is the need to be realistic about the delivery. The applicants have stated that the residential development on the eastern part of the site would be delivered in the clockwise formation and the playing fields location can only be accessed when parcels E4 and E6 are delivered. As these parcels are likely to be delivered towards the end of the development period, the later trigger of 1000 occupations is proposed. Whilst an earlier trigger would be preferred, the justification for the amendment is accepted, and in terms of timescales, the delay would amount to approx. 1 year (depending on build rates). The time period for the transfer offer for the open space to be made to the Council is proposed to be amended from within 12 months to within 24 months and this is considered to be acceptable.

The trigger for the approval of a scheme for the community centre and the youth facility is currently 350 occupations and following negotiations this is not to be amended. The proposal would amend the trigger for offering the freehold or long leasehold for both facilities to the Town Council from 350 to 450 occupations. The proposed trigger for disposing of the freehold to the Town Council is proposed to remain at 500 occupations with transfer to the Town Council by 650th occupation. The trigger for the owners (Persimmon) delivering the community centre if the Town Council have not taken the transfer of the Community Centre land by 500 occupations is proposed to be altered to the 750th occupation.

The justification for these amendments is to allow time for the community centre and youth centre schemes to be approved and to allow workability with the offer obligations and increase the timescale for delivering the Community facility should the obligation fall to Persimmon. There is also the need to ensure that the land can be fully serviced (which requires delivery of the Central Wetland and Main

Avenue). As set out in the DFD, the applicants are anticipating that they would reach 600 occupations by 2020 which means that 650 occupations would have been reached by 2021. The Town Council considered the amended triggers and were satisfied with the amendments. There is then a limit of 5 years from transfer of the sites to the Town Council for the completion of construction and fitting out of the facilities, if the trigger for transferring the freehold or leasehold is put back to 650 occupations, this would result in a delay to the completion of the facilities. However, it is considered that delivery of the facilities would still take place before the final occupations take place (anticipated around 2026 - based on worse case scenario) and therefore the amendment is considered acceptable.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

1 Condition 4:

The planning permission relates to the following approved plans:
 519-GR.L 002 Rev B (Updated North Littlehampton Illustrative Masterplan)
 519 GR.L-004 Rev A (Red Line Plan)
 519 GR.L-005 (Ownership Areas Plan)
 519-GR.L 006 Rev B (Land Use Plan)
 519-GR.L 008 Rev B (Vertical Alignment Plan)
 519-GR.L 010 Rev B (Vehicular Access Plan)
 519-GR.L 011 Rev B (Play and Fitness Plan)
 519-GR.L 014 Rev B (Pedestrian and Cycle Access Plan)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy GEN7 of the Arun District Local Plan.

2 Condition 6:

The development hereby permitted shall not be carried out except in substantial accordance with the updated illustrative masterplan drawing number 519-GR.L_002 Rev B ('the Masterplan'), the Design and Access Statement incorporating Design Guidance dated February 2011 (approved under Planning Permission Reference No. LU/47/11) and the Development Framework Document dated August 2017, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy GEN7 of the Arun District Local Plan.

3 Condition 7:

The appearance, landscaping and layout particulars to be submitted in accordance with Condition 1 for any phase or sub phase shall include (insofar as they are relevant to that phase or sub-phase):

- i. The detailed layout of the site including the delineation of the precise boundaries of the sites reserved for the waste management centre, primary school, community centre, allotments, youth facility in the relevant phases;
- ii. The siting, design and external appearance of the buildings;
- iii. A full arboricultural survey to accompany each phase or sub phase of proposed development;
- iv. The detailed design of the southern section of the Lyminster bypass, including associated levels, profiles, culverts, lighting and street furniture, including a scheme for inclusion of public

- art. The lighting and street furniture should be of a design and specification which reflects the 'gateway' appearance and function of the new road and could constitute public art;
- v. The detailed design of the works required for the closure of the Toddington Lane level crossing, including the footbridge, fencing and other accommodation works (such closure being subject to the outcome of a separate legal closure process);
- vi. The detailed design of the works required for the closure of the Norway Lane level crossing including fencing and other accommodation works (such closure being subject to the outcome of a separate legal closure process);
- vii. The detailed design of the flood compensation measures including the wetland, including levels and profiles and a programme for construction;
- viii. Details of recycling facilities;
- ix. The detailed design of the Community Centre, Primary School, Youth Facility;

Reason: In the interests of amenity and of the environment of the development in accordance with Policy GEN7 of the Arun District Local Plan.

4

Condition 8:

In respect of each phase or sub phase of the development hereby permitted, reserved matters applications shall include a design statement. Each design statement shall demonstrate how the objectives of the approved Design and Access Statement incorporating the Design Guidance dated February 2011, and the Development Framework Document (August 2017) will be met and confirm details in respect of;

- a) The character, mix of uses and density established through the parameter plans at the outline stage to include the block principles and the structure of public spaces;
- b) The street hierarchy, including the principles of adopting highway infrastructure, and typical street cross-sections;
- c) How the design of the streets and spaces takes into account mobility and visually impaired users;
- d) Block principles to establish use, density and building typologies. In addition, design principles including primary frontages, pedestrian access points, fronts and backs and perimeter of building definition;
- e) Key groupings and other key buildings including information about height, scale, form, level of enclosure, building materials and design features;
- f) Details of the approach to vehicular parking across the entire site for each building type, including details of a design approach;
- g) Details of the approach to cycle parking for all uses and for each building type, including the distribution (resident/visitor parking and location in the development), type of rack, spacing and any secure or non-secure structures associated with the storage of cycles.
- h) The approach to the character and treatment of the structural planting to the development areas;
- i) The conceptual design and approach to the sustainable drainage management and how this is being applied to the built-up area to control both water volume and water quality including

specification of palette of sustainable drainage features to be used, and planting strategies to enhance biodiversity.

j) The conceptual design and approach of the public realm to include public art, materials, signage, utilities and any other street furniture.

k) The conceptual design and approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs, so as to maximise energy efficiency, minimise light pollution and avoid street clutter;

l) Details of waste and recycling provision for all building types and recycling points.

m) Measures to demonstrate how opportunities to maximise resource efficiency and climate change adaptation in the design of the development will be achieved through external, passive means, such as landscaping, orientation, massing, and external building features;

n) Conceptual designs and approach to the treatment of the public realm at the central wetland (including the bridge crossing), Neighbourhood Centre, Community Hub area, primary school and youth facility are required to be submitted to the local planning authority for approval prior to the commencement of any development within the phase that these facilities are sited.

Each phase or sub phase of the development hereby permitted shall be carried out in accordance with the approved design statement for that phase or sub-phase.

Reason: To enable the Local Planning Authority to exercise comprehensive control over the details of the proposed development in accordance with Policy GEN7 of the Arun District Local Plan.

5 Condition 39

No more than 100 dwellings in the development hereby permitted shall be occupied until a scheme for the provision of bus stops within the site shall have been submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition the scheme shall include a programme for provision of real time passenger information-ready bus stops. The development shall not be carried out otherwise than in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of road safety and sustainable development.

6 Condition 42:

Condition 42 of LU/47/11 is hereby deleted.

7 INFORMATIVE: All of the conditions imposed on LU/47/11 (as amended by LU/346/14) shall remain in force except for conditions 4, 6, 7, 8, 39 which are replaced by conditions 1 to 5 above and condition 42 which is deleted.