

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO:	P/24/20/RES
LOCATION:	Land North of Sefter Road & 80 Rose Green Road Pagham
PROPOSAL:	Approval of Reserved Matters pursuant to condition 1 (Reserved Matters details), condition 6 (Design Code Masterplan) and condition 7 (landscaping and layout details) following the approval of Outline planning permission P/134/16/OUT for the erection of 280 dwellings, (including affordable homes), replacement scout hut & Ambulance Community Response Post Facility; provision of a primary vehicular access from Sefter Road; demolition of No. 80 Rose Green Road & creation of a pedestrian & emergency only access; provision of Public Open Spaces including associated children's play areas, landscaping, drainage & earthworks. This application also lies within the parish of Aldwick. This site falls within the Pagham North SD2, CIL Zone 1 (Zero Rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks approval of reserved matters following the grant of outline planning permission (P/134/16/OUT) on 15th October 2019 for "the development of up to 280 dwellings (including affordable homes), land for a replacement scout hut, land for an Ambulance Community Response Post Facility and land for either a 1FE primary school or care home. Provision of a primary vehicular access from Sefter Road and demolition of No. 80 Rose Green Road and creation of a pedestrian and emergency only access. Provision of Public Open Spaces including associated children's play areas, landscaping, drainage and earthworks" on land north of Sefter Road & 80 Rose Green Road, Pagham. Approval is sought for the appearance, landscaping, layout and scale of the development.
SITE AREA	13.34 hectares
RESIDENTIAL DEVELOPMENT DENSITY	34.68 dwellings per hectare (net)
TOPOGRAPHY	Predominantly flat.
TREES	There is a Tree Preservation Order (TPO/P/4/19) protecting 12 oak trees on the site. There is a further Tree Preservation Order (TPO/AW/2/17) protecting two oak trees at 82 & 86 Rose Green Road, adjacent to the site.
CHARACTER OF LOCALITY	The character of the immediate locality is rural with open countryside situated to the north and west. Residential development is situated immediately to the east and south of

the application site. To the east is Lincoln Avenue which features single storey bungalows and chalet bungalows set within small plots, whilst to the south is Osborne Way a new residential development featuring 2 and 2.5 storey dwellings. Also to the south is Osborne Refrigerators who occupy a large industrial building which is situated to the north of Sefton Road and the existing residential development.

RELEVANT SITE HISTORY

P/134/16/OUT	Outline application for the development of up to 280 dwellings (including affordable homes), land for a replacement scout hut, land for an Ambulance Community Response Post Facility and land for either a 1FE primary school or care home. Provision of a primary vehicular access from Sefton Road and demolition of No. 80 Rose Green Road and creation of a pedestrian and emergency only access. Provision of Public Open Spaces including associated children's play areas, landscaping, drainage and earthworks. This application also falls within the parish of Aldwick	App Cond with S106 10-10-19
P/40/20/DOC	Approval of details reserved by condition imposed under ref P/134/16/OUT relating to Condition Nos 9 - arboricultural method statement, 15 - ecology, 20 - employment & skills plan, 28 - energy conservation, 30 - archaeological, 32 - noise, 33 - electric vehicle charging and 34 - retention of WW2 Infantry section post	

COMMENTS ON PLANNING HISTORY

The outline planning permission (P/134/16/OUT) was granted subject to 34 conditions and obligations in a s.106 agreement. Two of the conditions contain specific requirements for this reserved matters application. Condition 6 requires a design code masterplan to be included. Condition 7 requires details of all existing trees and hedgerows, proposed boundary treatment, proposed alterations in existing ground levels, the hard and soft landscape design, footpaths and cycle routes to be included.

At the time of preparing this report, the application (P/40/20/DOC) seeking approval of matters reserved by condition has yet to be determined.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Pagham Parish Council
Aldwick Parish Council

PAGHAM PARISH COUNCIL: Objection

1. It seeks to change the description of the development approved under P/134/16/OUT;
2. A separate application is needed to discharge conditions 6 and 7;
3. Fails to protect and enhance green infrastructure assets;
4. Fails to protect the character of the landscape;
5. Fails to have regard to a masterplan endorsed by the Council;
6. Fails to demonstrate how the development:
 - (a) protects, conserves or enhances the natural environment, landscape and biodiversity,
 - (b) extends, enhances and reinforces strategic green infrastructure and publicly accessible open space,
 - (c) clusters retail, commercial and community uses,
 - (d) provides community buildings for a range of uses,
 - (e) provides the required infrastructure,
 - (f) considers self-build and custom-build, and
 - (g) considers gypsy and traveller accommodation;
7. Fails to demonstrate how the development will:
 - (a) collectively, with other developments at Pagham, provide at least 1200 dwellings over the plan period,
 - (b) ensure no detrimental impact to Pagham Harbour SPA,
 - (c) provide a new primary school and nursery places,
 - (d) provide a care home,
 - (e) provide a community hub,
 - (f) provide public open space,
 - (g) enhance the local cycle network, and
 - (h) provide links and accessible pedestrian and cycle routes to Bognor Regis Town Centre.
8. Fails to align with the neighbouring Osborne Refrigerators land;
9. Fails to accord with policy requirements for housing mix and affordable housing;
10. Fails to accord with policy requirements on design and aspects of form, design and quality;
11. Fails to demonstrate internal space standards have been met;
12. Fails to demonstrate adaptation to climate change;
13. Will not contribute to health and well-being;
14. Open space is provided in an arbitrary way to accommodate the number of houses, rather than in a planned manner;
15. Layout fails to make provision for waste management;
16. Design Code does not meet the requirements of Condition 6;
17. There is no document or plan that provides the details required by Condition 7.

ALDWICK PARISH COUNCIL: Objection

1. Insufficient information regarding measures to mitigate climate change;
2. Clarification required on strategy to mitigate noise from Osborne Refrigerators' site;
3. No strategy for quality improvements in construction skills;
4. Site considered to be unsuitable for development due to risk of flooding;
5. No provision of single-storey housing to meet the needs of older residents or people with disabilities;
6. Difficult to see how the vehicular, cyclist and pedestrian access to Sefter Road is going to be safe;
7. Impact on the safety, reliability and operation of the strategic road network;
8. Insufficient parking for parents dropping off or picking up children from the school;
9. Bus routes and stops need to be identified and shelters provided for passengers;
10. No provision for self-build or custom-build (should the school site not be required, it should be allocated for this type of development);
11. Areas should be set aside to enhance biodiversity;
12. Insufficient information regarding play areas;
13. No information on the provision of high speed broadband;

14. No reference to the provision of public art.

OTHERS:

At the time of preparing this report 369 representations have been received from 364 individuals; all objecting. The following issues have been raised:

- Floodwater on the site
- Groundwater monitoring data is not up to date
- Risk of flooding to existing homes
- Surface water flooding of roads
- Pollution from additional surface water entering Pagham Rife
- Inadequate sewerage infrastructure
- Existing low mains water pressure
- Increase in traffic
- Inadequate highway infrastructure
- Traffic congestion and road safety
- Air pollution from traffic
- Existing parking issues
- Inadequate parking provision proposed
- Lack of cycle paths
- Inadequate public transport
- Inadequate provision for schools
- Inadequate provision for health services
- Inadequate provision for police and fire and rescue services
- No provision for renewable energy
- Inadequate energy conservation measures
- No attempt to achieve carbon neutrality
- The effects of climate change, including rise in sea level
- Impact on birds and wildlife
- No reference to bats in updated ecological report
- Light pollution
- Proximity of earthworks to trees
- Loss of prime agricultural land needed to grow crops
- More suitable brownfield sites
- The need for the housing is questionable
- Change in the mix of affordable housing
- Lack of housing to meet the needs of the elderly
- The need for sheltered/assisted living and extra care accommodation
- No employment opportunities locally
- Overdevelopment of the area
- Loss of peace and tranquillity
- Impact on the character of the area
- Effect on tourism
- The design of the houses is poor
- Does not comply with the Arun District Design Guide SPD Consultation Draft
- Minimal provision of communal green space
- Proposed open space and SuDS features are unlikely to support biodiversity
- Impact on the privacy and amenity of properties either side of 80 Rose Green Road
- Inadequate provision for the disposal of waste
- Increased risk of the spread of viruses due to more people in one place
- The decision-making process during the coronavirus pandemic

COMMENTS ON REPRESENTATIONS RECEIVED:

The representations are noted and considered as appropriate in the Conclusions section of this report.

CONSULTATIONS

Highways England
WSCC Strategic Planning
Environment Agency
Natural England
Sport England South East
Surface Water Drainage Team
Environmental Health
Parks and Landscapes
Arboriculturist
Southern Water Planning
Economic Regeneration
Planning and Housing Strategy
Sussex Police-Community Safety
Engineering Services Manager
Engineers (Drainage)
Archaeology Advisor
Ecology Advisor
Strategic Projects
NHS Coastal West Sussex CCG

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND: No objection

Highways England is satisfied that the proposals will not materially affect the safety, reliability and/or operation of the strategic road network in this locality.

LOCAL HIGHWAY AUTHORITY: More information required

1. Parking - ADC should consider the proposed level of parking in accordance with its own standards.
2. Lighting - SSE should be consulted about the suitability and type of street lighting proposed to be installed.
3. Road adoption - Confirmation is sought whether the internal roads are to be offered for adoption. The materials to be used for the roads and private drives do not appear to have been specified and no phasing plan for their provision appears to have been provided.
4. Visibility splays - Plans are required to show visibility splays at junctions and driveways where they emerge to roads and where shared foot/cycleway routes cross roads.
5. Cycle routes - There is a lack of clarity how cyclists enter and leave the route at Sefter Road and the features to be provided that will assist all users at the crossing points of roads and footways within the development.

6. Walking routes - Footways need to be carried just beyond any rumble strip feature where they terminate at the start of shared surfaces. It is recommended that the circulatory walking route be widened to permit shared use by pedestrians and cyclists. Some additional connections to this path should be considered. Details of the surfacing are required for all of the routes too.
7. Internal speed controls/traffic management - These measures are unclear.
8. Visitor parking - The design of some of the visitor parking spaces needs amendment to show additional areas of hardstanding.
9. Emergency access - Further details are required; notably the method of access at both ends and diagrams showing vehicle tracking.
10. Pumping station access - Gates need to be shown to open inwards.
11. Other matters - Appropriate fencing/safety barriers are required alongside drainage swales, ponds and ditches to safeguard people walking alongside them.

SOUTHERN WATER: No objection

No sewage from the site shall be discharged into the public system until works to provide sufficient capacity within the network to cope with additional flows are complete. Southern Water is currently designing and planning the delivery of offsite network reinforcements.

ADC DRAINAGE ENGINEERS: More information required

1. Conditions applied to the outline planning permission (P/134/16/OUT) require the detailed drainage design to be submitted for approval.
2. The principle of the proposed surface water drainage (SuDS) system is acceptable and there appears to be adequate space to accommodate the necessary infrastructure.
3. A 3m access strip is required all around the open SuDS features to allow for maintenance.
4. A very high winter water table and poor infiltration rates will require surface water to be attenuated in sealed SuDS features and discharged, to the anti-tank ditch/culvert, at restricted rates.
5. Permeable paving will be required on all private driveways and car parking areas to provide water treatment and attenuation.
6. No open SuDS features should be counted towards public open space provision.
7. Clarification is needed over the location of the proposed SuDS pond in the NW corner of the site and the associated ditch diversion as it appears to be within an area of vegetation to be retained.
8. The attenuation tank in the western part of the site should be omitted and storage provided elsewhere.
9. As ground levels are proposed to be raised across much of the site, additional perimeter drainage is likely to be required to ensure there is no detriment to surrounding properties or infrastructure.
10. Additional measures may be needed to counteract any displacement of groundwater in the SE corner of the site to ensure no detriment to existing properties.
11. The routing of flows in excess of the design storm needs to be considered and provision made within the development layout.
12. Further information is required on the purpose and level of a connecting pipe to the anti-tank ditch/culvert and a new ditch indicated along the northern boundary. It is not possible to confirm whether the development layout is acceptable until this has been investigated further.

NATURAL ENGLAND: No comment to make on this application

ADC GREENSPACE: More information required

1. Comments made at the outline stage remain relevant and valid.
2. Planting proposals are needed for the residential areas as well as the site periphery.
3. There is a lack of soft landscaping in the streets and residential areas.
4. Concern about the proximity of water features to dwellings and play areas.

5. Water features should not be included in public open space calculations.
6. Clarification is sought on the total area of public open space to be provided and compliance with the SPD.
7. Further details of play areas are needed.
8. The circular walk appears to be broken and lacks connections within and beyond the site.
9. Pedestrian routes should not bisect play areas.
10. Clarification is sought on maintenance arrangements.

ADC ARBORICULTURE: Objection

1. There is no supporting arboricultural information with the application.
2. Consideration should be given to the intended land use beneath the canopy of established trees.
3. The site lends itself to a design that avoids any direct interference with established trees.
4. The trees the subject of the TPO should be incorporated in open space or a landscape buffer.
5. The tree survey and arboricultural impact assessment prepared at the outline stage needs to be updated.
6. There is concern that the drainage strategy could have an impact on retained trees.

SUSSEX POLICE: No major concerns

Additional measures to mitigate local crime trends and site specific requirements should be considered.

ADC ENVIRONMENTAL HEALTH: No comments to make on this application

ADC ECONOMIC DEVELOPMENT: No comments to make on this application

ADC HOUSING STRATEGY: Advice

A revised housing mix is recommended, to include more three-bedroom dwellings and less two-bedroom dwellings.

WSCC MINERALS & WASTE: No objection

1. Need to be satisfied that the proposed development would not prevent or prejudice the operation of an anaerobic digestion plant at Sefter Farm (770m to the west).
2. Need to be satisfied that the proposals minimise waste generation, maximise opportunities for re-using and recycling waste and include waste management facilities of an appropriate type and scale.

WEST SUSSEX PUBLIC HEALTH: No comment to make on this application

WSCC EDUCATION AUTHORITY: Objection

Suitable land for education provision should be set aside to accommodate a new primary school to meet the strategic requirements for Pagham (North and South).

COMMENTS ON CONSULTATION RESPONSES:

Local Highway Authority - Details for the provision of street lighting are the subject of a separate condition (26) of the outline planning permission.

Southern Water - Condition 14 of the outline planning permission ensures occupation of the development is phased to align with the completion of works required to provide sufficient waste water capacity within

the network and for the disposal of sewage.

ADC Drainage Engineers - Conditions 10 to 14 inclusive of the outline planning permission deal separately with details of the drainage systems.

The consultation responses are noted and considered as appropriate in the Conclusions section of this report.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

AHSP2	AH SP2 Affordable Housing
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
GISP1	GI SP1 Green Infrastructure and Development
HDM1	H DM1 Housing mix
HSP2A	HSP2a Greater Bognor Regis Urban Area
HWBSP1	HWB SP1 Health and Wellbeing
INFSP1	INF SP1 Infrastructure provision and implementation
LANDM1	LAN DM1 Protection of landscape character
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
WDM1	W DM1 Water supply and quality
WMDM1	WM DM1 Waste Management

West Sussex Waste Local Plan 2014:

West Sussex W2 Safeguarding Waste Management Sites

West Sussex W23 Waste Management within Department

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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POLICY COMMENTARY

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

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

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plans (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. 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).

On the 19th July 2019, the "Pagham Development Management Plan 2019-2026" was published. The Plan contains four policies. The Plan was published under regulation 14 and the necessary consultation period ended on the 31st August 2019. It is therefore necessary, in accordance with the NPPF, to have regard to the Draft Neighbourhood Plan as a material planning consideration.

However, given the conflict between the Draft Neighbourhood Plan and the NPPF, the Draft Neighbourhood Plan should be attributed no weight at this time. It must also be highlighted that the Draft Neighbourhood Plan in its current format is not considered to be in general conformity with the Arun Local Plan and is therefore in conflict with Paragraph 036 (Reference ID: 41-036-20190509) of the National Planning Practice Guidance.

Policies DM1, DM3 and DM4 are relevant. However as the principle of the development has already been established and the extent of infrastructure contributions/Pagham Harbour mitigation measures agreed, there can be no conflict with these policies.

On 24 June 2020, the "Pagham Neighbourhood Plan 2020-2030" was published under regulation 14, with a consultation period ending on 7 August 2020. The plan contains 11 policies. Policies 1, 2, 6, 8, 9 & 10 are relevant. Again, the plan is not considered to be in general conformity with the Arun Local Plan and is in conflict with Paragraph 036 (Reference ID: 41-036-20190509) of the National Planning Practice Guidance. Therefore, it should be attributed no weight at this time.

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 located within a strategic housing allocation inside the built-up area boundary in compliance with the Development Plan. However, the proposal does not accord with the Development Plan because of its conflict with the following policies of the Arun Local Plan 2011-2031:

H DM1 Housing Mix
AH SP2 Affordable Housing
D SP1 Design
D DM1 Aspects of form and design quality
T SP1 Transport and Development
T DM1 Sustainable Travel and Public Rights of Way
H SP2a Pagham (SD1 Pagham South and SD2 Pagham North)
WM DM1 Waste Management
ENV DM4 Protection of trees
OSR DM1 Open space, sport and recreation
HWB SP1 Health & Wellbeing

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

PRINCIPLE

The principle of the development of this site was established with the grant of outline planning permission (P/134/16/OUT) on 15 October 2019, for up to 280 dwellings. Access to the site, from Sefter Road, was considered as part of the outline application and was also approved.

The issues to be considered under the current application are matters of detail and relate to the layout, scale, appearance and landscaping of the proposed development. Consideration of these matters will need to include an examination of how well the proposed development creates easily accessible new green spaces for recreation and good pedestrian and cycle routes in the context of Policies H SP2a and ENV DM2.

A masterplan for the Pagham North strategic allocation has not yet been endorsed by the Council, but a Design Code has been prepared and accompanies this application, as required by condition 6 of the outline planning permission (P/134/16/OUT).

It is noted that the description of development for which outline planning permission was granted included "land for either a 1FE primary school or care home". The s.106 agreement included a plan with an indicative location for the primary school and specified that the final extent of the primary school land was to be determined at the reserved matters stage.

The Planning Layout (Drawing numbered CB_84_139_001) submitted with this application has omitted to show land for either a 1FE primary school or a care home. The layout shows residential development in place of the school or care home. The applicant's agent has explained that this is because the site is not the preferred location for a new primary school. The County Council is, nevertheless, concerned to ensure that a school site is reserved on land north of Sefter Road until a school at its preferred site - Summer Lane - is a reality in coming forward.

From a legal perspective, a reserved matters application can only be for matters which are within the principle agreed in the outline planning permission. If a developer does not apply for the correct reserved matters they will not be able to implement the outline planning permission which was subject to the approval of reserved matters. The submitted layout not showing the provision of land for a primary school, and the absence of a plan to show the extent of the primary school land as defined in the s.106

agreement, indicates that the applicant has not applied for the correct reserved matters in this instance. The fact that the developer has made it plain that the reserved matters application intends to cover the school site with residential development is evidence that the reserved matters application falls outside the terms of the outline planning permission which envisaged a school or care home.

Housing Mix

Policy H DM1 of the Arun Local Plan 2011-2031 seeks to secure a mix of dwelling types and sizes, including affordable housing units. It states, "for developments of 11 units or more the Council shall require a balanced mix of market and affordable dwelling sizes including family sized accommodation based on the most up to date SHMA recommendations".

The proposed development comprises the following mix in each sector:

Market

0 x 1 bedroom - 0%
33 x 2 bedrooms - 17%
89 x 3 bedrooms - 45%
74 x 4+ bedrooms - 38%

Affordable

15 x 1 bedroom - 18%
61 x 2 bedrooms - 73%
6 x 3 bedrooms - 7%
2 x 4+ bedrooms - 2%

When compared with the SHMA recommendations, the market housing is weighted towards the provision of larger dwellings at the expense of smaller units. The affordable housing is dominated by the provision of smaller (two-bedroom) dwellings at the expense of larger (three-bedroom) dwellings. The latter has been noted by the Council's Housing Strategy and Enabling Manager who has recommended that more three-bedroom dwellings and less two-bedroom dwellings be provided. Therefore, the proposal is contrary to Policy H DM1.

Affordable Housing

Policy AH SP2 of the Arun Local Plan 2011-2031 states that the Council will require a minimum of 30% of the total number of units proposed on site to be provided as affordable housing on the same site on all developments of 11 residential units or more.

A planning obligation, secured at the outline stage, also requires 30% of the total number of dwellings to be provided as Affordable Housing Units.

The application proposes 280 dwellings and includes 84 affordable units, which equates to a 30% provision of affordable units. Therefore, the total number of units to be provided as affordable housing meets both the policy requirement and the planning obligation.

The s.106 agreement requires 75% (63) of the proposed affordable units to be affordable rented housing units and 25% (21) of proposed affordable units to be intermediate housing units. The application does not appear to distinguish the two types of tenure. That said, the tenure mix is required to be provided in an Affordable Housing Scheme to be submitted to and approved in writing by the Council.

Policy AH SP2 of the Arun Local Plan 2011-2031 adds that: "Affordable Housing must be visually

indistinguishable from market housing with large groupings of single tenure dwellings or property types avoided. Affordable housing units shall be permitted in small clusters throughout development schemes." It is noted that the affordable housing is proposed in clusters throughout the scheme, with the exception of the north-east and south-west corners. It is also noted that all of the proposed flats and coach houses are in the affordable sector. This defeats the object of 'tenure blind' development when there is a specific type, or types, of dwelling that are exclusively 'affordable'. In this respect, the proposal does not accord with Policy AH SP2.

LAYOUT

Policy D SP1 of the Arun Local Plan 2011-2031 states: "All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development."

Policy D DM1 states that the Council will have regard to various aspects of form and design quality when considering proposals for development, including layout both in terms of movement and legibility.

Street Hierarchy

The proposed layout generally follows the street hierarchy set out in the submitted Design Code. There are four types of residential street defined by their carriageway width, pavement width, parking arrangement, building set-backs, plot boundaries, materials and tree planting. The streets are described as a "Principal Route", "Secondary Route", "Tertiary Route" and "Private Drives". The Design Code states that: "The road pattern stems from a central principal route that connects a sequence of secondary streets, tertiary streets and private drives". It continues: "This provides a simple legible structure that is highly permeable connecting the housing to the landscape area".

However, the secondary streets, tertiary streets and private drives do not always follow the principal route in the stated sequence. There are numerous examples of tertiary streets and private drives directly off the principal route.

The submitted layout shows the principal route with a 6m wide carriageway until it has passed the proposed pumping station and a tertiary route leading north-east. The carriageway width then reduces to 5.5m and the surface material changes from tarmac to block paving. The carriageway width remains at 5.5m, but the surface material changes back to tarmac shortly after passing a central area of public open space. A 3m wide shared footway/cycleway is also proposed along the principal route, but requires users to cross several times to complete their journey. The local highway authority has questioned what features will be provided to assist users at the crossing points of (all types of) roads. The change in width, change in material and change of side for shared footway/cycleway on the principal route alone is considered unlikely to assist legibility. Therefore, the proposed layout is considered contrary to Policy D DM1.

Land uses and character areas

The proposed layout features a replacement scout hut and an ambulance community response post in the south-western part of the site adjacent to the access from Sefter Road. A small cluster of detached and semi-detached houses is proposed opposite these facilities, on the other side of the main spine road. Most of the housing is proposed in the northern and eastern parts of the site. Some attenuation

ponds are shown in the western and south-eastern parts of the site. Most of the public open space is shown around the perimeter of the site, but there is also a small square near the centre. There is a local equipped area for play (LEAP) proposed in the northern part of the site and a local area for play (LAP) proposed in the south-east.

As set out in the submitted Design Code, three character areas are proposed. These are described as follows:

1. Western Edge - This character area will be the first impression of the development and will re-define the edge of the settlement. Architecturally, it will have a less formal and more rural feel. The proposed scout hut will provide a focal building for this part of the development.
2. Green Edge - This area, on the northern and eastern boundary, will have a semi-rural feel and will be surrounded by the public open space and enclosed by existing mature vegetation.
3. Core Area - This is the largest character area within the site and will be more formal and urban in its appearance. Some focal spaces will have their own character and add variation to the core area.

In principle, division of the site into these three character areas is considered to be acceptable. However, from the contents of the submitted Design Code, it is difficult to get a precise sense of what will distinguish one character area from another. The Design Code needs to be revised to provide much greater clarity and distinctiveness.

Connectivity

Policy T SP1 of the Arun Local Plan 2011-2031 requires development not only to provide safe access on to the highway but to create safe and secure layouts for traffic, cyclists and pedestrians and to incorporate appropriate levels of parking in line with published guidance on parking provision and the Arun Design Guide.

The provision of a 3m wide shared footway/cycleway along the principal route, linking with the emergency access to Rose Green Road, has been mentioned previously. However, to facilitate an off-road cycle route, linking Sefter Road and the strategic housing allocation West of Bersted, there needs to be a cycleway from the site entrance, passing by the school site and onward to the north-east corner. Another cycleway is needed from Rose Green Road in the south-east corner to join with the first at the north-east corner. Additionally, there is a need to link the proposed circular walk on the south side of the principal route, between the western part of the site and the block of flats comprising plots 9-17. The proposed layout is, therefore, considered to be contrary to Policies H SP2a and T SP1 of the Arun Local Plan 2011-2031.

Parking Provision

Arun District Council's Parking Standards Supplementary Planning Document (SPD) January 2020 requires the provision of 2 car parking spaces for 1, 2 and 3-bedroom dwellings and 3 spaces for 4-bedroom dwellings in this location. Given the proposed housing mix, this requires the provision of a total of 636 spaces for the residential units. Visitor parking is also required at a ratio of 20% of the total number of residential units, adding 56 spaces.

Cycle parking provision is also required at a ratio of 1 space for each flat, 1 space for 1 and 2-bedroom houses and 2 spaces for 3 and 4-bedroom houses.

From the submitted Parking Plan (Drawing numbered CB_84_139_006), 806 parking spaces are

proposed to be provided for the residential development. This figure includes 159 garages. However, the SPD requires a garage to be at least 6m x 3m internally and, where it meets these dimensions, counts it as 0.5 parking spaces only. This reduces the total number of spaces to 726.5, exceeding the requirement of 692. All of the garages are stated to include an electric vehicle charging point. It is also stated that charging points are to be provided on driveways where a garage doesn't exist, but the precise number is not given. There are also 5 unallocated parking spaces shown with charging points. While the car parking standards appear to have been met as a whole, there are two plots (245 & 251) shown with two spaces when they ought to be provided with three. Similarly, most of the flats are shown with only one allocated parking space when the requirement is for two. This could lead to on street parking in those locations, which are all at important road junctions.

Plans have been submitted showing the provision of sufficient cycle storage facilities for the flats, but the provision of covered and secure cycle parking facilities for many of the houses is unclear. Cycle parking is proposed to be within garages, where provided, and in gardens elsewhere. In the case of the latter, the Bin and Cycle Storage Plan (Drawing numbered CB_84_139_007) is annotated with "possible location for 1.8m x 1.2m shed for cycle storage with 'approved' ground anchor for securing cycles". It is not clear whether convenient, covered and secure storage is to be provided or not.

The plan shows the provision of 10 parking spaces for the proposed Scout Hut, when 12 are required for a building of this size. There also appears to be no cycle parking provision for the users of this building.

Therefore, the proposed development does not make adequate provision for the parking of cars and the parking and storage of cycles contrary to Policies T SP1 and T DM1 of the Arun Local Plan 2011-2031 and the Arun Parking Standards Supplementary Planning Document January 2020.

Amenity Space Provision

The Government's National Design Guide recognises that well-designed homes and buildings provide good quality internal and external environments for their users, promoting health and well-being (para. 123). Amenity space is defined as: "The outside space associated with a home or homes. It may be private or shared, depending on the building it serves".

In accordance with paragraph 13.3.5 of the Arun Local Plan 2011-2031, the Council has published the Arun District Design Guide SPD Consultation Draft. Section H.04 of the Design Guide deals with Residential Outdoor Amenity & External Space Standards. It recommends minimum separation distances between habitable rooms in back to back, back to side and front to front arrangements, the minimum depth for private rear gardens and the minimum area for communal shared spaces.

The proposed layout (Drawing numbered CB_84_139_001) shows private rear gardens that are less than the recommended minimum of 10.5m in depth (e.g. Plots 19-23 (9.7m), 75-78 (9.5-10m), 153-155 (9.7m) and 159-160 (9.7m)).

Communal shared space for the occupiers of the flats and coach houses is limited to the soft landscape areas immediately adjacent to the buildings or courtyard parking areas. This does not meet the Arun Design Guide requirement to provide, a minimum of 40sq.m plus 10sq.m for each unit, of safe and usable communal shared space that has been designed to a high standard.

Bin Storage

Policy WM DM1 of the Local Plan supports new residential development provided that: "a. It is designed to ensure that kerbside collection is possible for municipal waste vehicles b. Where appropriate, communal recycling bins and safe bin storage areas are available to residents of flats".

An area of hardstanding is identified in the rear gardens of houses for the storage of refuse and recycling bins, while communal bin stores are provided for the blocks of flats.

A plan has also been submitted to demonstrate that the road layout is capable of accommodating the turning movements of a refuse collection vehicle. However, the swept path analysis shows the tracking of a 10.22m long vehicle. For Arun District, it is necessary to show the turning of a 12m long refuse collection vehicle. Consequently, insufficient information has been submitted to demonstrate that the proposed development would be able to accommodate the movement of a 12m long refuse vehicle to collect household waste and items for recycling.

The proposed development is therefore not considered to accord with Policy WM DM1 of the Local Plan

SCALE

Policy D DM1 (14) of the Arun Local Plan 2011-2031 states: "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement".

A Building Heights Plan (Drawing numbered CB_84_139_005) shows that the only proposed single-storey buildings are garages and one bin and cycle store. Two short rows of 2.5-storey houses are proposed towards the middle of the development. There are five proposed 3-storey blocks of flats. The majority of the proposed development would comprise 2-storey houses.

Scale does not simply mean the number of storeys, but "the height, width and length of each building proposed within a development in relation to its surroundings". The National Design Guide adds, "This relates both to the overall size and massing of individual buildings and spaces in relation to their surroundings, and to the scale of their parts".

The submitted elevations and street scenes show a high ridgeline and substantial volume for the roof of each of the proposed blocks of flats. These buildings are of a significantly different scale to the proposed two-storey buildings in their immediate locality, as well as the existing single-storey and 1.5 storey dwellings surrounding the site. Thus, the scale of some of the proposed buildings is considered to be inappropriate for their location. In this respect, it is considered that the proposed development does not accord with Policy D DM1 (14) of the Arun Local Plan

APPEARANCE

Policy D DM1 of the Arun Local Plan 2011-2031 requires proposals to "demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area".

The National Design Guide states that well-designed new development is influenced by:

- "an appreciation and understanding of vernacular, local or regional character, including existing built form, landscape and local architectural precedents;
- the characteristics of the existing built-form;
- the elements of a place or local places that make it distinctive; and
- other features of the context that are particular to the area".

This includes considering a range of factors, one of which is facade design, such as the degree of symmetry, variety, the pattern of windows and doors and their details. (Paragraph 52)

The Arun District Design Guide SPD Consultation Draft also contains guidance on building design. Section J.04 deals with building frontages and facades and section J.05 deals with roofs, openings and articulation.

New designs are required to respond to the frontages and facades of existing buildings in the immediate surroundings and good examples in the wider context in order to ensure a high-quality elevational treatment that integrates with the surrounding context. Generally, vertical emphasis in elevation is suited to development in urban areas, while horizontal emphasis is suited to rural contexts. Building facades should be simply organised and aligned.

The SPD seeks to ensure that the roofs, windows and entrances of buildings are simply and successfully designed to integrate with the surroundings and wider context. It states that dormer windows should not be over-dominant and fussy, windows and doors should be vertically and horizontally aligned, while arrangements that are almost aligned should be avoided.

Two of the proposed house types (NT31 and NT41) feature windows and doors that are not vertically aligned. The "coach houses" attached to the blocks of flats feature windows that are not horizontally aligned at first floor level.

The proposed materials include brick, boarding, tile hanging and flint for the external walls and red and grey tiles for the roofs. The specific choice of materials appears to be determined by the character area in which the building is located. However, use of the same house types in all three areas will not give them their own distinctive character.

Consequently, the appearance of the proposed development is not considered to constitute high quality design that would otherwise accord with Policy D DM1 of the Arun Local Plan, the National Design Guide and the draft Arun District Design Guide.

Trees

Policy ENV DM4 of the Local Plan states: "Where there are existing trees on or adjacent to a development site, developers shall be required to provide:

- d. Land and tree surveys
- e. A tree constraints plan
- f. An arboricultural impact assessment to include a tree protection plan and arboricultural method statement".

As highlighted by the Council's Tree Officer, no supporting arboricultural information has been submitted with the application. Condition 7 of the outline planning permission specifically requires details of all existing trees and hedgerows on the land, showing which are to be retained and which removed, as well as details of any excavations within the crown spread of any retained tree to be submitted with an application for the approval of the landscaping and layout reserved matters (i.e. this application). Condition 9 of the outline planning permission requires the separate submission and approval of an arboricultural method statement and tree protection plan.

This application (P/24/20/RES) does not accord with Policy ENV DM4 of the Arun Local Plan, or with Condition 7 of the outline planning permission.

LANDSCAPING

Condition 7 of the outline planning permission requires the reserved matters application to include the detailed hard and soft landscape design for the development including the layout and design of the public realm within the development.

A hard landscape strategy has been submitted, which sets out the proposed materials to be used for the surface of the roads and footpaths. The submitted plan shows the use of tarmac for the road surface, footways and private driveways, concrete block paving for the shared surface roads, shared driveways and raised tables, and compacted gravel (hoggin) with timber edging for the footpaths through areas of public open space. Published guidance indicates that the latter is suitable for wheelchair use.

The proposed use of tarmac for private driveways will need to change as part of the design of the surface water drainage system. The Council's Drainage Engineer has advised that permeable paving will be required on all private driveways and car parking areas to provide water treatment and attenuation.

A set of plans showing a soft landscape strategy has also been submitted.

Policy OSR DM1 (2) of the Local Plan states: "Housing... will be required to contribute towards:

a. Open space provision in accordance with guidance set out in the current Open Space Study. In some parts of the District open space provision is identified as being sufficient in terms of quantity. Therefore, provision of new open space is not deemed necessary but what is needed is to seek contributions for quality improvements and/or new off-site provision in order to address any future demand."

Developments of the scale proposed in this application are expected to provide open space on site. Using the online calculator associated with the Open Space, Playing Pitches, Indoor and Built Sports Facilities SPD, a development of 280 dwellings would be expected to provide at least 1.97ha of public open space and 0.34ha of play space.

The submitted land use plan (Drawing numbered CB_84_139_002) indicates the provision of 4.397ha of public open space, primarily around the edge of the site and with a small square near the centre. Some of the open space that is shown on the periphery will be needed to accommodate the surface water drainage system. Therefore, the amount of public open space stated on this drawing will need to be recalculated.

The concerns raised by the Council's Leisure and Landscape Officer regarding the lack of soft landscaping in some of the more central parts of the development and the risk of creating a rather hard environment are considered to be justified.

The submitted land use plan indicates the provision of only 0.063ha of land for play areas, in contrast to the SPD requirement for 0.34ha. As well as an increase in the amount of provision, the pedestrian routes to and from the play areas should pass outside, rather than bisect them, as highlighted earlier.

Therefore, the amount, location and design of the proposed open spaces is considered to be unsatisfactory and the landscape proposals contrary to Policies H SP2a, OSR DM1 and HWB SP1 of the Local Plan and the Open Space SPD.

HUMAN RIGHTS ACT

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

Consideration has been specifically given to Article 8 (Right to respect private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with the applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

The design of some of the parking courts and streets may not meet the needs of disabled people who find it difficult to navigate level surfaces when the kerb between the road and pavement is absent.

SECTION 106 DETAILS

Planning obligations related to the proposed development are contained in a s.106 agreement completed at the outline stage. The obligations include contributions towards education, libraries, fire and rescue, police infrastructure, access management at Pagham Harbour, swimming pools, sports halls, an artificial turf pitch, playing pitch, healthcare, highways and public rights of way. The agreement also deals with the provision of affordable housing.

RECOMMENDATION

REFUSE

- 1 The proposed layout fails to provide land for either a 1FE primary school or care home and consequently falls outside the terms of the outline planning permission P/134/16/OUT.
- 2 The proposed development does not provide a mix of dwelling types and sizes in accordance with Policy H DM1 of the Arun Local Plan 2011-2031 or a mix of affordable housing that accords with Policy AH SP2 of the Arun Local Plan 2011-2031.
- 3 The proposed development does not make adequate provision for the parking of cars and the parking and storage of cycles contrary to Policies T SP1 and T DM1 of the Arun Local Plan 2011-2031 and the Arun Parking Standards Supplementary Planning Document January 2020.
- 4 Insufficient information has been submitted to demonstrate that the proposed development would be able to accommodate the movement of a 12m long refuse vehicle to collect household waste and items for recycling, contrary to Policies D DM1 (10), T SP1 and WM DM1 of the Arun Local Plan 2011-2031.
- 5 The proposed development does not constitute a high standard of design in the layout, the scale, the appearance of the buildings, outdoor amenity space for the dwellings and the hard and soft landscaping of the site, contrary to Policies D SP1, D DM1, H SP2a, T SP1, OSR DM1 and HWB SP1 of the Arun Local Plan 2011-2031, the National Planning Policy Framework and the National Design Guide.
- 6 No arboricultural information has been submitted with the application contrary to condition 7 of the outline planning permission P/134/16/OUT and contrary to Policy ENV DM4 of the Arun

Local Plan 2011-2031.