

Mr Crowther
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Our Ref: PLAN 1180

21 December 2021

Dear Mr Crowther

Applicant: David Wilson Homes
Site: Land West of Tye Lane, Walberton
Proposal: Outline planning application with all matters reserved, other than means of access, for the construction of up to 131 dwellings (30% affordable homes) and amendment to boundary of garden land to serve adjoining property

Please find enclosed a completed electronic application for the above proposal. The application submission includes the following:

- Completed electronic application form with Certificate B
- Agricultural Land Assessment with Supplemental Letter
- Arboricultural Survey and Constraints
- Archaeological / Heritage Desk Based Statement with Supplemental Statement
- Desk Based Contamination Statement
- Flood Risk Assessment & Drainage Strategy
- Ecological Assessments
- Landscape Visual Impact Assessment
- Minerals Resource Assessment with Supplemental Statement
- Planning Statement
- Design and Access Statement
- Transport Statement, including access drawing:
 - Drawing No. 041.0071.001 Revision A
- Walking, Cycling and Horse Riding Assessment and Review
- Travel Plan
- Application Drawings
 - Site Location Plan – Drawing No. LP.01 Rev. P3
 - Site Layout – Scheme 5
 - Constraints and Opportunities Plan and Framework Plan
- CIL Form 1

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 require that development that meets the thresholds set out at Schedule 2 of the Regulations should be screened so as to determine whether or not it comprises Environmental Impact Assessment (EIA) Development. In this instance, the development does fall under the description in Schedule 2, 10 (b) Urban Development Projects, which states:

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- i. The development includes more than 1 hectare of urban development which is not dwelling house development; or
- ii. the development includes more than 150 dwellings; or
- iii. the overall area of the development exceeds 5 hectares.

The development exceeds the indicative thresholds set out in the Regulations and is therefore deemed to be Schedule 2 development. Due to the scale of the development and it not being of more than local significance, it is not considered to be EIA Development for the purposes of the above quoted Regulations.

It is considered that the documents submitted in support of this application allow sufficient information for the Council to assess the likely effects of the proposal. We therefore request that the Council confirm this following receipt of the application and issue a Screening Opinion with 21 days of receipt of this application.

Please note that in accordance Regulation 9 of The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, a fee is not payable. The Regulations and associated planning practice guidance confirms that following a refused planning application, a fee is not payable, subject to the following conditions, all of which that are relevant to this application are met:

Condition	Applicant response
The application must be made by or on behalf of the same applicant	The application made on behalf of the same applicant
That the application is made within 12 months: i. in the case of an earlier valid application which was withdrawn the date the application was received ii. in the case of an appeal against non-determination, within 12 months of the expiry of the 8 week period or (in the case of major applications) 13 week period for determination iii. in any other case the date of the refusal	The application is made following the refusal of a planning on 12 January 2021. This submission is made on 20 December 2021 and is therefore within 12 months of the refused planning application.
In the case of an application for planning permission, the authority is satisfied that it relates to the development of the same character or description as the development to which the earlier application and no other land	The development continues to be an Outline application with all matters reserved, other than means of access. The only change comprises a reduction in proposed number of dwellings to up to 131 dwellings. As the previous application also comprises an up to number of dwellings, the resultant scheme is of the same character and description as the development to which the earlier application related.

	No other land is required or included within the application.
Where the original application was in outline only a revised outline application can be exempt	The application comprises an outline application.
Where the original application was for full permission the further application must be for full permission	n/a
In the case of reserved matters, the revised application must relate to the same reserved matter(s) to be exempt	n/a
That no application made by or on behalf of the applicant in relation to the whole or any part of the site has already been exempted from Regulation 3	The site or any part is exempt by Regulation 3 of the Fee Regulations.

In light of the above, a further fee is not due and has not therefore been paid by the applicant.

I hope that the submission is in order and I will look forward to receiving confirmation that the application is valid, however, should you require any further information, please do contact me on the number above.

Kind regards,

Peter Cleveland MRTPI
Partner, Head of Planning
Henry Adams LLP