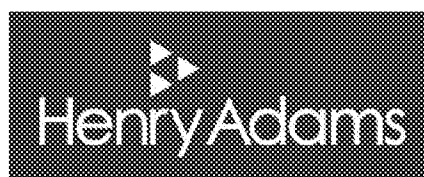


Planning Design and Access Statement, including Statement of Community Involvement, Affordable Housing Statement & Draft Heads of Terms

Site: Land west of Yapton Lane, Walberton

**Proposal: Outline planning application with
all matters reserved, other than means of
access, for the construction of up to 48
dwellings (30% affordable homes) and dental
/doctors' surgery (Use Class E (e))**

On behalf of LandQuest UK (Southern) Ltd
January 2022



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Appendix

Appendix 1: Consultation Leaflet

Appendix 2: Arun District Council Consultation response

1. Introduction

- 1.1. Henry Adams LLP act on behalf of LandQuest UK (Southern) Ltd in respect of this outline planning application for the construction of up to 48 dwellings, 30% of which would be provided as affordable homes.
- 1.2. This Statement sets out the relevant background for the determination of this planning application, including context of the site and surroundings, details of the proposed development and an assessment of the relevant planning considerations. The statement incorporates the following:
 - Statement of Community Involvement
 - Affordable Housing Statement
 - Draft Heads of Terms
- 1.3. The proposals have been informed by the policies within the National Planning Policy Framework (NPPF), Arun Local Plan, Walberton Neighbourhood Plan and supplementary planning documents.
- 1.4. In addition to this Statement, the following documents are submitted as part of the planning application;
 - Agricultural Land Assessment
 - Arboricultural Survey and Constraints
 - Archaeological Desk Based Statement
 - Flood Risk Assessment & Drainage Strategy
 - Ecological Assessments
 - Heritage Assessment
 - Landscape Visual Impact Assessment
 - Minerals Resource Assessment
 - Noise Impact Assessment
 - Transport Assessment
 - Location Plan and Illustrative Drawings

2. Site and Surroundings

The Site

- 2.1 The site is approximately 2.46 hectares in size, comprising the northern part of an agricultural field to the west of Yapton Lane. Yapton Lane runs along the entirety of the eastern boundary. There are limited views of the site from the highway as the site is set back behind a flint wall and copse of trees/self-seeding saplings. Village allotments, which have been designated as a Local Green Space, are located to the south of the site, agricultural fields lie to the west whilst the main village of Walberton is located to the north.
- 2.2 The site is well contained by existing boundary vegetation to the north, east and south. The western boundary currently lacks any physical demarcation due to the field forming part of a wider land parcel of farmland. Whilst this is the case, further woodland on the western boundary of the parcel of farmland encloses the fields. There are limited views of the site from public vantage points to the north and west.
- 2.3 In terms of connectivity, there is a permissive footpath located within the site, running along the eastern boundary, through the copse and connecting the site into the main village via footpaths further north on Yapton Lane.

The Surrounds

- 2.1. Walberton is a sustainable settlement, with direct access to key services and facilities, whether that be within the village itself or a short distance via public transport. Local facilities and employment opportunities include, but are not limited to, a primary school and pre-school, village hall and playing fields, post office, newsagent, dentist, doctors, green grocers, laundrette, churches and pubs.
- 2.2. The closest bus stop is located on The Street, with local services 66, 85 and 85A serving the Parish with regular stops at Bognor, Barnham, Yapton, Fontwell and Chichester. Services also link up with the number 700 bus which runs frequently along the A259 and B2233. These regular bus services would allow new residents to access improved employment opportunities and services further afield and in a sustainable fashion.
- 2.3. The nearest railway station is at Barnham which is 1.8 miles south west of Walberton with regular services to settlements throughout West Sussex and beyond to London, Portsmouth, Southampton and Bristol. This is accessible via dedicated off-road cycle route which links Barnham and Walberton.

Planning History

- 2.4 The application site does not appear to have been subject to any previous planning applications for residential development.

3. Application Proposal

- 3.1 The proposal comprises an outline planning application for the construction of up to 48 dwellings and dental/doctors' surgery (Use Class E (e)), with all matters reserved, other than means of access.
- 3.2 The site would be served via a single vehicular access point onto Yapton Lane. The access road would be provided in accordance with design standards. Pedestrian links would also be provided.
- 3.3 30% of the homes (i.e. up to 14) would be provided as affordable dwellings, in a form and tenure that complies with the Council's adopted Local Plan requirements. The proposed housing mix would be detailed as part of any reserved matters submission, but it will reflect the requirements set out within the Strategic Housing Market Assessment and associated update document.
- 3.4 In addition to the above, the proposed development would include:
- Formal and informal public open space
 - Provision of dental/doctor surgery
 - Buffer to adjoining commercial uses of the site
 - Retention of the existing trees and hedgerows within and surrounding the site, with the exception of a break to form access to the site.
 - Children's play area
 - Enhancement of the existing Surface Water Drainage management
- 3.5 Matters such as appearance, landscaping, layout and scale are reserved for consideration. However, the principal land use plans have been development in line with relevant planning policy requirements. This includes the Council's recently adopted Supplementary Planning Documents on Design, Parking and Public Open Space. It is also confirmed that the dwellings will comprise a mix of 2 storey properties which reflects the scale of development in Walberton.

4. Planning Policy

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70 (2) of the Town & Country Planning Act 1990 requires planning applications to be determined in accordance with the policies of the Development Plan unless material considerations indicate otherwise.
- 4.2 To the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.
- 4.3 The Development Plans for Arun and Walberton comprise:
- Arun Local Plan 2011-2031
 - Walberton Neighbourhood Plan (2021)
 - West Sussex Waste and Minerals Plan
- 4.4 The specific policies of relevance to this application are summarised in the list below:

Arun District Local Plan 2011-2031

- AH SP2 Affordable Housing
- C SP1 Countryside
- D DM1 Aspects of form and design quality
- D DM2 Internal space standards
- D SP1 Design
- ECC DM1 Renewable Energy
- ECC SP1 Adapting to Climate Change
- ECC SP2 Energy and climate change mitigation
- ENV DM4 Protection of trees
- ENV DM5 Development and biodiversity
- GI SP1 Green Infrastructure and Development
- HER DM1 Listed Buildings
- HER DM2 Locally Listed Buildings or Structures of Character
- HER DM3 Conservation Areas
- HER DM6 Sites of Archaeological Interest
- HER SP1 The Historic Environment
- LAN DM1 Protection of landscape character
- QE DM1 Noise Pollution
- QE DM2 Light pollution
- QE DM3 Air Pollution
- SD SP1 Sustainable Development
- SKILLS SP1 Employment and Skills
- SO DM1 Soils
- HWB SP1 Health and Wellbeing
- QE SP1 Quality of the Environment
- WM DM1 Waste Management
- T DM1 Sustainable Travel and Public Rights of Way

- T SP1 Transport and Development
- W DM2 Flood Risk
- W DM3 Sustainable Urban Drainage Systems

Walberton Neighbourhood Plan

- 4.5 The Walberton Neighbourhood Plan was originally made in 2017. Following the adoption of the new Local Plan, the Neighbourhood Plan was reviewed to conform to the Local Plan and its associated housing requirements. The Neighbourhood Plan Review was adopted in July 2021. Relevant policies within the plan are as follows:

- CL6 Health Care
- CL7 Recreation Facilities
- GA1 Open Access and Permissive Paths
- GA2 Footpath Bridleway and Cycle Patch Network
- GA5 Traffic Management
- GA6 A27/A29 Junction West, and Other Strategic Junctions
- HP1 Spatial Plan of the Parish
- HP10 Affordable Housing
- HP11 Housing Density
- HP13 Design Guidance
- VE3 Protection of Trees and Hedgerows
- VE4 Conservation Areas and Areas of Special Character
- VE5 Buildings and Structures of Character
- VE7 Surface Water Management
- VE8 'Unlit village' status

Supplementary Planning Documents

- 4.6 In terms of Supplementary Planning Documents (SPDs), the following adopted documents are relevant to this application:

- Arun District Design Guide SPD - 2021
- Arun District Council Parking Standards SPD - 2020
- Arun District Council Public Open Space, Playing Pitches and Built Facilities SPD - 2020
- Arun District Council Interim Housing Statement - February 2021

National Planning Policy Framework and Guidance

- 4.7 At national level the National Planning Policy Framework (NPPF) sets out the Government's most up-to-date policies against which all Development Plans should be prepared, and planning applications assessed. It is a material consideration that carries substantial weight.

- 4.8 The Framework sets out at paragraph 8 the three overarching objectives as follows:

- An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure
- A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and,
- An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making efficient use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.’

4.9 The same paragraph confirms that these objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The paragraph does not, however, state that net gains must be achieved across all three objectives for a proposal to constitute sustainable development.

4.10 The presumption in favour of sustainable development is set out at Paragraph 11, which the Government maintains is at the heart of the Framework. For decision-taking the presumption in favour of sustainable development means:

- c) Approving development proposals that accord with an up-to-date development plan without delay; or
- d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. The application of policies in this Framework that protects areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.’

4.11 This means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (such as where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites), planning permission should be granted. As the Council cannot currently demonstrate a 5-year HLS (as considered further below), paragraph 11 (d) of the NPPF and the application of the 'presumption' for sustainable development is engaged. The only caveat to this is set out above under paragraphs 11(d)(i) and (ii).

- 4.12 Paragraph 11(d)(i) relates to footnote 7 and this sets out the areas and assets that should be protected. However, it states that the policies that relate to them should only prevent the granting of permission where there are clear reasons for refusing development or, in accordance with paragraph 11(d)(ii), any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- 4.13 With regard to the delivery of new housing, Paragraphs 74 and 75 deal with the requirement for Local Planning Authorities (“LPAs”) to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement.
- 4.14 In terms of Neighbourhood Plans, paragraph 14 of the NPPF states that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:
- a) The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
 - b) The neighbourhood plan contains policies and allocations to meet its identified housing requirement;
 - c) The local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and
 - d) The local planning authority’s housing delivery was at least 45% of that required over the previous three years.
- 4.15 In terms of advice contained in the NPPF regarding emerging Local Plans or Neighbourhood Plans, paragraphs 47 -50 set out how these should be considered. The guidance states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 4.16 The NPPF goes on to state that when applying the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by

predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and

- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area
- 4.17 Section 15 of the NPPF considers matters relating to the natural and local environment. In this case, the South Downs National Park is located to the north and north-east of Walberton village. Section 15 states that planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 176 considers the setting.
- 4.18 Section 16 of the NPPF deals with conserving and enhancing the historic environment. Paragraph 199 states “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.” Where there is less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal (para. 202).

National Design Guide

- 4.19 In October 2019, the Government published the National Design Guide (NDG) to illustrate how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government’s suite of planning practice guidance. In addition to informing development proposals and their assessment by Local Planning Authorities, it supports paragraph 13 of the NPPF which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 4.20 Whilst the detailed layout and appearance of the scheme is reserved, the indicative masterplan demonstrates a constraints led approach to the development of the site, in accordance National and Local Design Guidance.

5. **Housing Land Supply**

- 5.1 The Council's current assessment of 5-year housing land supply is set out in its Annual Monitoring Report ("AMR") dated December 2020 and has a base date of 01 April 2020. This represents the most up-to-date assessment undertaken by the Council. It is considered that the correct five-year period for present purposes is to be 01 April 2021 – 31 March 2026.
- 5.2 Notwithstanding the above, the Council is due to publish an updated Housing Land Supply position to its Council meeting at the end of the month. It is expected that this will state that the Council will not be able to demonstrate a housing supply in excess of 3 years. This will likely be as a result of a recent appeal decision BN/142/21/OUT - Land South of Barnham Station, Barnham (Appeal Decision – ref: APP/C3810/W/21/3273087) wherein the Inspector found that the Council could only demonstrate a housing land supply of 2.63 years at best.

Local Plan Requirement

- 5.3 Paragraph 005 of the Housing Supply and Delivery section of the PPG is clear that the requirement should be calculated using the Local Plan where this was adopted in the last 5 years. Given that the Local Plan was adopted in 2018, we remain within that 5 year period and the housing supply should be calculated on the basis of the requirements of the Local Plan.
- 5.4 On the basis of the Local Plan being adopted in the last 5 years, the starting point for the calculation of 5-year supply is 1,310 dwellings per annum¹. This equates to a requirement for 6,550 homes to be delivered over the next 5 year period highlighted above, excluding any unmet need or buffer resulting from the Housing Delivery Test.
- 5.5 On the basis of the above, the Council's housing requirement for the 5 year period comprise:
- i. Local Plan annual requirement
 - ii. Shortfall over the past plan period (2011-2021)
 - iii. Appropriate Buffer (applied to annual requirement and shortfall figure)

Previous Under Delivery

- 5.6 Paragraph 031 of the PPG states that the level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5 year period (the Sedgefield approach), then the appropriate buffer should be applied.
- 5.7 The Council's December 2020 AMR confirmed that the shortfall in housing delivery to the base date was 2,039. This was on the basis of the available information up until April 2020. In January 2021, the 2020 HDT figure was published. On the basis of the AMR

¹ Local Plan 2018 – Policy H SP1 – Table 12.2

having an April 2020 base date, it is not considered that this shortfall has been accounted for.

- 5.8 This under supply should be added to the shortfall. The Council had a requirement for 1,120 homes to be delivered in 2020, however, they only delivered 515 homes in that year, resulting in a shortfall in delivery of 605 homes in 2019/2020. As a result, the shortfall for the purposes of the housing land supply assessment should be 2,650 homes.

Buffer

- 5.9 The Buffer is calculated by reference to the most recent HDT measurement published by Government, which in this case is the 2020 HDT published in January 2021. Where the HDT measurement is less than 75%, a 20% Buffer should be added to the housing requirement figure to ensure choice and competition in the market for land.

- 5.10 The results of HDT measurement for Arun, since 2019 are produced below:

Year	Arun DC's HDT Result
2018	91%
2019	68%
2020	61%

- 5.11 On the basis of the above, the buffer applied should be 20%.

Housing Requirement for the five year period 2021-2026

- 5.12 In applying the three elements to the housing requirements for the five-year period, 2021 – 2026, the housing requirement for the District is set out below:

	Element of Supply	ADC – AMR position	Henry Adams
1.	Local Plan Trajectory requirement	6,360	6,550*
2.	Shortfall over past plan period – 2011 – 2020**	2,039	2,650 (including 2020 shortfall)
	Total	8,399	9,200
3.	Buffer (20%)	1,680	1,840
	Total Requirement 2021-2026*	10,079	11,040
4.	Annual Requirement (1+2+3 /5)	2,054	2,208
5.	Deliverable supply	6,599	4,421
6.	5 year Housing Land Supply	3.3 years**	2 years

*updated to reflect requirement for 2021 – 2026 Local Plan Trajectory period (1,310 dpa)

**in undertaking a calculation of the Council's figures in the December 2020 AMR, the Council's Housing Land Supply position calculates at 3.21 years (6,599 / 2,054 = 3.21)

- 5.13 The Council's Action Plan sets out the reasons for the lower projected delivery. This includes planning delays on some Strategic Allocations; poor quality schemes delaying approvals; developers unable to meet stated and committed timescales; strategic site applications not coming forward as anticipated and developer/market factors outside of local authority control.
- 5.14 The Council's Action Plan was published in June 2019 and makes a series of recommendations in order to boost housing delivery. This includes use of the 'presumption in favour of sustainable development' until such time as the 5-year housing land supply is re-established. It recommends that applications be invited from landowners/developers on 'deliverable' HELAA sites to re-establish the 5 year housing land supply.
- 5.15 The release of further land for housing will help to maintain delivery rates. This may have to include sites outside the built-up area boundary and it would be preferential if such sites were located close to the edge of the BUAB and in sustainable locations which minimise the need to use the private car.

6. Scheme Assessment

- 6.1. This section sets out the merits of the scheme and its general compliance with national and local planning policy.

Principle of Development

- 6.2. As set out above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Arun District currently comprises the Arun Local Plan and Walberton Neighbourhood Plan.
- 6.3. It is considered that all development policies that relate to the supply of housing in the Arun Local Plan 2011-2031 (Policy C SP1 Countryside) have significantly reduced weight because Arun District Council is unable to demonstrate an adequate supply of housing land (somewhere between 2-3 year supply against its 5 year requirement, with the applicant's position being 2 years).
- 6.4. Policies in the Walberton Neighbourhood Plan that relate to the supply of housing (Policy HP1 Built Up Area Boundary) also carry significantly reduced weight because they relate to out of date housing needs as the policies were based on earlier draft versions of the Local Plan. The housing numbers identified in the Neighbourhood Plan have not been justified or subjected to any significant examination as part of the Neighbourhood Plan review process. The applicant is also of the view that the housing land supply position is significantly below a 3 year supply, as set out in paragraphs 5.13 above. The result of this means that criteria b) and c) of paragraph 14 are not met and the provisions of paragraph 14 do not apply.
- 6.5. As a result of the current Housing Land Supply position and advice contained within paragraph 11 of the NPPF, planning permission should be granted unless the circumstances in paragraphs 11(d)(i) and 11(d)(ii) apply. In this case, the matters referred to in Footnote 7 to 11(d)(i) relate to the setting of the National Park and setting of the Conservation Area. Having regard to the policies set out in the NPPF in relation to these specific matters, and in the context of the content of this report, it is considered that the circumstances are such that none of these issues amount to a clear reason for withholding planning permission.
- 6.6. In terms of paragraph 11(d)(ii) this report demonstrates that any adverse impacts are significantly and demonstrably outweighed by the benefits. The benefits include the provision of up to 48 homes which would provide a substantial contribution to housing supply. The tenure and form would make a significant contribution to the availability of affordable homes, alongside market homes. Housing provision in this form is therefore considered a significant benefit that weighs in favour of the proposed development.
- 6.7. It is considered that the presumption in favour of sustainable development is engaged. In this respect it is submitted that the proposal represents sustainable development. This is established in the pre-application response provided, and by the recent approval of the following planning applications:

- Y/83/19/OUT – Clays Farm, North End Road (January 2020)
- A/122/19/OUT – Land off Arundel Road, Angmering (March 2020)
- Y/121/19/PL – The Steddles, Yapton (August 2020)
- WA/79/20/PL – Spindlewood, Walberton (August 2021) (appeal decision – ref: APP/C3810/W/21/3269025)
- BE/109/19/OUT – Land to the east of Shripney Road, Shripney (appeal decision – ref: APP/C3810/W/20/3264105)
- BN/142/21/OUT – Land South of Barnham Station, Barnham, West Sussex (Appeal Decision – ref: APP/C3810/W/21/3273087)

- 6.8. Of most relevance is the recent appeal at Spindlewood and Barnham Station. The former is a decision relating to a site in the parish of Walberton and post-dates the Neighbourhood Plan. In this case the Inspector concluded that the proposals would run counter to the spatial strategy of the Local Plan. It was also concluded that the agreed position at the appeal was that the Council were only able to demonstrate a 2.7 year supply of housing, which the Inspector confirmed was ‘significantly short’ of what was required. In the context of the above, the Inspector concluded the following at paragraphs 19-23 of the appeal decision:

*20. An important material consideration is the policy set out in paragraph 11 of the revised Framework. In relation to footnote 8 of the revised Framework, the Council acknowledges **that it is only able to demonstrate 2.7 years of housing land supply, which is significantly short of the 5 years’ supply expected** by national planning policy. Furthermore, the 2020 housing delivery test shows only a 61% delivery rate, which is substantially below the housing requirement for the previous 3 years.*

*21. On either metric, the policies which are most important for determining the appeal must be considered out-of-date. In such circumstances the Framework says that permission should be granted unless policies within the Framework that protect areas of particular importance provide a clear reason for refusal, which they do not, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. **Given the acute shortfalls in housing land supply and housing delivery I give this material consideration significant weight.***

22. For housing development that conflicts with a neighbourhood plan, as here, paragraph 14 of the Framework says that the conflict is likely to significantly and demonstrably outweigh the benefits provided 4 tests are met. In this case the third test, which requires a local planning authority to have at least a 3 year supply of housing land, is not met and so the provisions of paragraph 14 do not apply.

23. Balancing these matters against one another, I conclude that the limited harm identified, including the conflict with the development plan when taken as a whole, would not significantly and demonstrably outweigh the benefits having regard to the acute lack of housing supply. It follows that the weight in favour of the development is greater than the weight against it. Consequently, I consider that the appeal should be allowed and planning permission granted in this instance. (emphasis added)

- 6.9. The Inspector's decision advocates the same approach albeit the applicant's position is that the Council's housing land supply is even lower than the Inspector considered at the above appeal and the application scheme contributes significantly more homes to meet the significant demand. Another recent appeal decision confirms the correct approach where there is a recently Made Neighbourhood Plan, for a development site in Paignton, Devon. This proposed a scheme of 400 dwellings on green field site adjoining a settlement boundary, but not allocated for development purposes and the housing supply fell below 3 years. With the decision, the Inspector confirmed the following:

94. The Council is not able to demonstrate a 5 year supply of deliverable housing sites (5 year HLS). As such, and notwithstanding the BPNP housing requirements being exceeded, in relation to paragraph 11(d) of the Framework those policies which are most important for determining the application are out-of-date. Furthermore, having regard to paragraph 11(d)(i) of the Framework, the limited harm that I have found would be caused to the integrity of the AONB, relating to its setting, would not be significant enough to provide a clear reason for refusing the development proposed. The tilted balance in paragraph 11(d)(ii) of the Framework is therefore engaged. Furthermore, as the Council is also not able to demonstrate a 3 year HLS, paragraph 14 of the Framework concerning the tilted balance is not engaged.

- 6.10. The appeal decision at Barnham Station did not relate to a parish with a recently adopted Neighbourhood Plan, but it considered the housing land supply in detail. It confirmed that the Council's housing land supply is 2.63 years, at best, concluding the following:

Conclusion on the housing land issue

113. There is a significant housing need in Arun, compounded by appreciable shortfalls in delivery since 2011. This includes a critical need for affordable homes. It is undisputed that there is not the required supply of deliverable housing land equivalent to five years' worth. On my assessment of the evidence, the deliverable supply is at best 2.63 years. There is little to indicate that the situation will markedly improve in the short term. Two broad conclusions follow from this. First, the scale of shortfall in meeting in housing need is substantial and the consequential deprivation of opportunity to secure a suitable, decent home for those in housing need is significantly harmful. The corollary of this is that the public benefit of deliverable housing supply, including affordable housing, should be afforded substantial weight in any balancing exercise. Second, and notwithstanding the imminent making of eNP2, on the basis of having less than 3 years deliverable supply, a planning balance undertaken in the terms of NPPF paragraph 11(d)(ii) should be tilted in the presumption in favour of sustainable development, as echoed at ALP Policy SD SP1. Allied to this, those development plan policies relevant to the supply of housing are out-of-date and so the weight to any harmful conflict with them is to be reduced.

114. Furthermore, in response to the increasing gap between housing need and delivery, the Council has invoked various measures including taking a more positive outlook to those deliverable HELAA sites which may comprise sustainable development. This includes the IHS, which was published as Council policy in early 2021. The IHS is a material consideration in the decision-making process. Accordingly, were I to find, on balance, that the appeal proposal comprises sustainable development this potentially further moderates any harm

from the locational conflict with the development plan and with plan-led certainty more generally.

- 6.11. This and the other material considerations set out below combine to outweigh the conflict with the policies of the development plan and serve to allow for the principle of the application to be supported. It is considered that the out-of-date policies in the Development Plan means that the presumption in favour of development should be engaged and the principle of development should be supported.
- 6.12. On this issue of the principle of development it is concluded that the policies which are most important for determining the appeal must be considered out-of-date. In accordance with paragraph 11 of the NPPF, planning permission should be granted as the policies within the Framework that protect areas of particular importance do not provide a clear reason for refusal nor are there any adverse impacts identified in this report that would significantly and demonstrably outweigh the benefits of providing housing in an area of an acute shortfall.

Sustainability of Location

- 6.13. The development will incorporate a strategy for sustainable design, which encourages the reduction of energy consumption. The full details of this will be considered and presented as part of the reserved matters submission.
- 6.14. In terms of the site's location, Walberton comprises a sustainable settlement, with direct access to key services and facilities. The following facilities are available in the local area within walking distance of the site:
- Walberton and Binstead C of E Primary School – 1km;
 - Walberton Pre-School – 1km;
 - Walberton Village Hall and sports pitches – 800 metres;
 - Post office, newsagent, greengrocer, laundrette, hairdressers and dental surgery – 640 metres;
 - Flintcroft GP Surgery – 600 metres;
 - St Mary's Church – 800 metres;
 - Walberton Baptist Church and Church Hall – 960 metres;
 - The Holly Tree (800 metres) and the Black Horse (1.2 km) Public Houses;
 - Walberton Recreation Ground – 800 metres;
 - Hooe Farm Industrial Park – 1.4km; and
 - Hilton Avisford Park Hotel and Golf Club – 800 m.
- 6.15. The nearest railway station is at Barnham which is 1.8 miles south west of Walberton with regular services to settlements throughout West Sussex and beyond to London, Portsmouth, Southampton and Bristol. This is accessible via dedicated off-road cycle route which links Barnham and Walberton.
- 6.16. The site already benefits from a well-used permissive path through the copse area. The proposal will connect into and ensure improvements to the path to make it more accessible for all users. The permissive path then connects into the main footpath

network, ensuring connectivity with The Street and existing facilities within the village, but also the wider footpath network aiding the prospect for healthy lifestyle choices.

- 6.17. The closest bus stop is located on The Street, with local services 66, 85 and 85A serving the Parish with regular stops at Bognor, Barnham, Yapton, Fontwell and Chichester. Services also link up with the number 700 bus which runs frequently along the A259 and B2233. These regular bus services would allow new residents to access improved employment opportunities and services further afield and in a sustainable fashion.
- 6.18. The site is easily accessible and sustainably located allowing any future residents a choice services and facilities and excellent access to public transport. The proposal is therefore aligned with the sustainable development principles as outlined within the NPPF and Local Plan Policy SD SP1 Sustainable Development, weighing significantly in favour of the development being approved.

Access and Movement

- 6.19. A Transport Assessment has been prepared to support the Planning Application, demonstrating the acceptability of the proposed development in highways terms.
- 6.20. The proposed development will be served by a single point of vehicular access from Yapton Lane, in the form of a new priority T-junction. A pedestrian link through the site will be provided to the existing footway on Yapton Lane to the north. The Transport Assessment demonstrates that the point of access is suitable and safe to accommodate the proposed development.
- 6.21. As set out elsewhere in this report, the Transport Assessment confirms that the site's proximity to existing local amenities, pedestrian, cycle and public transport networks, presents a good opportunity to encourage the use of sustainable transport and create a sustainable development. The Assessment goes on to confirm that many of the local facilities are within desirable walking distances and access to these is considered to be safe for existing and future residents.
- 6.22. The Transport Statement demonstrates that the scheme is expected to generate 26 two-way movements in the critical morning and evening peak hour periods. Across the day (12 hour period) the proposal is likely to generate 224 two-way movements on the local highway network. It is demonstrated in the Transport Statement that the proposal will result in a negligible level of traffic and will be insignificant when dissipated on the local highway network.
- 6.23. The Transport Statement concludes that the proposed development is in a suitable location for residents to access sustainable modes of transport, provides a safe and suitable access for all users, provides parking and internal road layouts to reflect national and local guidance and the traffic generated will not have a 'severe' residual cumulative impact on the local road network. As such, the proposal fully complies with the NPPF as severe impact is the key policy test set out at paragraph 109 and the relevant policies of the Development Plan.

Flood Risk and Drainage

- 6.24. The site is located within Flood Zone 1 (low probability of flooding), as defined by the Environment Agency Flood Mapping system. As such, the proposal accords with the objectives of the NPPF to locate development in such locations.
- 6.25. In terms of surface water drainage, the application is supported by a drainage strategy that demonstrates that an infiltration discharge solution is achievable. This will be provided by permeable pavement and an infiltration basin/pond that will mimic the existing run-off regime and preclude adverse impact flood flow rates outside the site. This accords with the requirement consider infiltration as the first solution and is informed by initial understanding of ground water conditions. The final detail design will be subject consideration at the reserved matters stage.
- 6.26. The development will discharge foul waste to the public foul sewer at Blacksmith's Corner via a rising main connection from an on-site wastewater pumping station.

Landscape and Trees

- 6.27. A comprehensive assessment of the site and landscape character is included in the Landscape Visual Impact Assessment (LVIA) submitted as part of the application documents. This highlights a landscape strategy for the site, its landscape sensitivity and the impact of the development on landscape character.

Landscape context and site description

- 6.28. The application site is approximately 2.46 hectares and comprises an agricultural field on the west side of Yapton Lane, in the Parish of Walberton, West Sussex. The site is bounded to the east by a linear tree belt or shaw located to the west of Yapton Lane which are predominantly young/maturing Sycamore, with occasional Beech, Hornbeam and Lime. Within the tree belt is an informal permissive footpath running north south. The linear tree belt provides a screen into the site limiting its visibility. Further south, past agricultural land, there is a hedgerow and mature trees which borders the community allotments, (a Local Green Space) and an area of open space, to the south of which are greenhouses and packaging buildings for the horticultural trade.
- 6.29. In the north-west corner of the application site is a care home, Walberton Place, which has open unrestricted views south and east out onto and across the field.
- 6.30. To the north of the site is a large wooded copse which extends from Walberton House to the north west of the site, to Yapton Lane to the east. Behind the copse is an area of open space, which is overlooked by the residential properties on the south side of 'The Street' in Walberton village. The copse, and the land to the north of it is included in the Walberton Conservation Area. In the north-east corner of the application site is a commercial business (chainsaw/lawnmower) which is bounded by a mixed belt of low scrubby vegetation.

Description of the Proposals

- 6.31. The proposals comprise 48 residential dwellings which are a mix of houses and flats, with associated driveways, front gardens and shared amenity space.
- 6.32. A small section of trees will be removed to make access into the site from Yapton Lane. Elsewhere the existing mature hedgerows and trees will be retained, and in many places enhanced, to provide a landscape setting for the residential development. The eastern woodland boundary will be reinforced with new planting and the southern boundary will be newly planted to provide a green division from the adjacent agricultural land both screening views and providing containment of the development.
- 6.33. A significant amount of proposed soft landscaping, including new trees, native shrub and hedgerow planting, ornamental planting will form the landscape elements of the site and provide a strong green framework within the development.
- 6.34. Within the areas of shared accessible space there is a mixture of ecological areas including a proposed balancing pond to the west of the development with associated marginal planting.
- 6.35. The broadly level topography of the site will remain largely unchanged as a result of the proposed development. There will be some minor changes at a localised level due to the construction of the proposed roads, dwellings and drainage requirements. Overall it is not considered that the changes would notably alter the existing topography of the site.

Development Opportunities

Tree planting

- 6.36. The design intent for tree planting is create an additional buffer to existing boundaries, screen views, provide green infrastructure and connect existing corridors, especially west to east. Proposed tree planting will be mainly native, and whilst some trees will need to be removed to form the access off Yapton Lane, the tree loss will be limited to young Sycamores. Replacement planting within this area on the eastern boundary will be more diverse, which will improve the species composition and diversify the age structure, and the woodland belt deepened which will improve its screening properties.

Biodiversity corridors

- 6.37. A new boundary will be created on the southern side of the application site in the form of a post and rail fence with a native hedgerow with trees, which will provide a new biodiversity corridor from west to east and will link the balancing pond located south of the care home to the existing woodland strip parallel to Yapton Lane.

Pedestrian connectivity

- 6.38. Within the existing woodland belt on the Yapton Lane boundary, the existing well used permissive footpath linking the village to the allotments will be upgraded, and new

connections made into and through the site to the public footpath (PROW 328) to the south near the allotments.

Landscape and Ecological Management Plan

- 6.39. As required in the Neighbourhood Plan, a Landscape and Ecological Management Plan (LEMP) will be produced which will describe and evaluate the landscape features to be managed to ensure the original design intent and vision for the scheme is realised and maintained and will set out the management and maintenance aims and objectives and schedule of operations to ensure that the ecological interest of the site is protected in the long term. It will also set out the requirements of the Management Company that will undertake the work following handover from the Landscape Maintenance Contractor at the beginning of the operational phase and who will oversee an ongoing review and monitoring of the strategy.
- 6.40. A separate Arboricultural Implications Assessment and Method Statement accompanies the application. It also describes a linear group of trees on the eastern boundary adjacent to the road and identifies and categorises the individual trees and groups of trees within it. To provide the new access, a single Category C Beech tree will need to be removed and some Sycamores from within a group. The proposed location of the access provides the best position to minimise the loss of non-sycamore species and new tree planting can take place in mitigation within the site, along the new southern boundary and also to strengthen the eastern boundary.

Ecology and Biodiversity

- 6.41. A Preliminary Ecological Appraisal (PEA) accompanies the application and includes surveys undertaken last year comprising a Biodiversity Records Centre search, an extended Phase 1 Habitat Survey, a preliminary roost assessment of the trees, an HSI and eDNA survey of the adjoining pond. It identifies the ecological features that could be the subject of adverse impacts in the absence of suitable mitigation. Although further work is needed to determine the significance of the impacts, it is stated that the land at the southern end of the site will be more than sufficient to address any potential ecological constraints that the further survey work may identify. This land falls within the control of the applicant and is therefore available for any mitigation purposes.

Agricultural Land Assessment

- 6.42. The submitted assessment identifies the land as Grade 1 agricultural land. However, it also identifies a number of constraints that limits its use for agricultural purposes. This includes the inadequacy of the access for modern machinery and the limited size of the parcel.
- 6.43. The economic benefits of maintaining this small parcel of land in agricultural use have to weighed in the planning balance against the other benefits of the scheme.

Minerals Resource Assessment

- 6.44. The site has been reviewed in relation to the mineral safeguarding policies of the West Sussex Joint Minerals Local Plan. The report accompanies the application and identifies that the site does have safeguarded mineral resources but concludes that the quantity is too small to be of economic value and is sterilised as a result of the buffer zone required for adjoining development. It is therefore concluded that the resource has no economic value and the proposed development is compatible with criteria (b) (i) and (b) (iii) of the mineral safeguarding policy.

Heritage and Setting Assessment

- 6.45. The application is informed by a Heritage and Setting Assessment. It identifies that the site lies adjacent to the Walberton Conservation Area and within the broader setting of Walberton Park and St Mary's Church which are listed buildings.
- 6.46. Following a setting assessment, it is concluded that the setting of the Church and House would not be directly affected by the proposed development but from some viewpoints, the setting of the conservation area could experience harm. This harm is identified as being 'less than substantial' when considered in relation to the advice in the NPPF. In this context, the public benefits of the scheme weigh in its favour. This includes the benefit of providing housing in an area of under provision along with the associated economic and environmental benefits.
- 6.47. Mitigation can also be provided in the form of planting in locations identified in the report to filter longer distance views and, at the reserved matters stage, the scheme designed and laid out to respect local vernacular and context.

Archaeology

- 6.48. The archaeology report accompanying the application identifies the site as lying within an historic parkland. Historic maps show the site to have been undeveloped since at least 18th century and any archaeological deposits which may be present would have survived beneath the ground surface although agricultural ploughing may have damaged or destroyed deposits. It is advised that a scheme of evaluation is prepared to gather information from field observations from which a scheme of mitigation can be produced if necessary. It is suggested that this can be required by means of a suitably worded planning condition.

Noise

- 6.49. A Planning and Noise Stage 1 Risk Assessment (ProPG) and Level 1 Acoustics, Ventilation and Overheating Assessment (AVO) has been carried out to determine the suitability of the site for its proposed use and identify relevant noise risks around the site. The risks of adverse effects from noise were identified as negligible to low towards Yapton Lane and negligible further away into the site. It concludes that subject to a review of acoustic mitigation measures the site is suitable for residential development. This would include a Stage 2 Acoustic Design Statement to consider the need for mitigation measures for the dwellings located towards Yapton Lane and an optional Level 2 AVO.

Sustainable Construction

- 6.50. LandQuest UK (Southern) Ltd support the principles of low-carbon design, reducing carbon emissions and ensuring lower energy costs for our customers. They follow a 'fabric first' approach to building design, maximising the performance of the components and materials of the building itself. This includes insulation, high-performing windows and doors, increased air tightness and maximising passive solar gains.
- 6.51. The details of the sustainable credentials of the built form are not known in detail at this Outline stage. However, this will likely include:
- 10% of total predicted energy requirements from renewable/low carbon sources on site;
 - Use of sustainable resourced materials;
 - Energy efficient buildings established through the fabric of the building;
 - Accessible and adaptable homes;
 - Energy display devices;
 - AAA rated appliances;
 - Water efficient homes to manage demand; and
 - Water butts fitted to collect rainwater for re-use.
- 6.52. Any reserved matters application and approaches to sustainability will be in accordance with Local Plan Policies ECC SP2 and ECC SP1.

7. Statement of Community Involvement

- 7.1. The NPPF encourages stakeholder involvement and early engagement with the local community. The Arun Statement of Community Involvement (SCI) states that prior to submitting a planning application, developers are encouraged to undertake at least one of a number of forms of consultation methods identified.
- 7.2. The applicant has consulted with nearby neighbours through the course of October/November 2021, with residents of the village throughout the course of November/December 2021 as well as providing an opportunity for the Parish Council to comment on draft proposals during the same period. The applicant has offered to meet and discuss draft proposals with immediate neighbours and the Parish Council prior to submission.

Comments from local residents and Parish Council

- 7.3. A leaflet, accompanying letter and draft site layout was issued to village residents and the Parish Council w/c 29th November 2021. This information has been attached at **Appendix 1** and comprised of the following:
- Summary of the site considerations;
 - Summary and aspirations of the proposal;
 - Details of where to access further information online; and
 - Opportunity to comment via post, email and website.
- 7.4. The consultation work to date has highlighted a number of matters, but largely limited to the principle, save for comments from a local dentist practice who are looking for new premises and the site was thought to be a good location for them.
- 7.5. The consultation exercise has only resulted in a small number of responses. Unfortunately, we noted on social media that the Chair of the Parish Council discouraged people from responding to the consultation as it was felt that it helped the applicant.
- 7.6. The comments received are summarised below:
- Concerns regard the relationship between the site and the existing settlement
 - Further information requested relating to technical assessments, such as heritage, planning and transport assessments
 - Traffic congestion and pollution
 - Interested in securing floorspace for dental / doctor's surgery
- 7.7. In response to the concerns raised, the detailed technical reports, such as the drainage strategy and transport assessment will address concerns on drainage and highway capacity. The scheme has also been revised following the consultation exercise to include floorspace for a proposed dental surgery, as a result of discussions with the potential occupier. The surgery is looking to expand its practice.

- 7.8. The applicant has also worked closely with the adjoining DM Chainsaws company to ensure that any indicative design responds to the use of its site and ensures that the existing commercial and proposed residential uses can sit side by side.
- 7.9. It is noted that there is concern that local facilities and services are over capacity. In that regard, the District Council will secure costs towards improvement of infrastructure in the area, to ensure appropriate capacity is available for existing and future residents.

Arun District Council – Pre-application enquiry

- 7.10. The pre-application enquiry related to a proposed application of around 120 dwellings and the response is attached at **Appendix 2**.
- 7.11. Although the response indicated that the site would be considered unsustainable, in a subsequent email response (which constitutes an addendum), the planning officer agreed that “On the basis that the existing permissive path through the site can be upgraded to provide a hard surfaced pedestrian public right of way into the village centre of Walberton it is accepted that the site could be made to provide safe access to local services by means other than the motor car. The proposal does represent sustainable development, even though it is considered to fail the environmental limb of sustainability as elaborated in para 8 of the NPPF and the NPPF 'presumption in favour of sustainable development' is engaged.”
- 7.12. It went to conclude however that the environmentally adverse effects identified in the original pre-application response would outweigh benefits when assessed against the NPPF as a whole. Those matters have been addressed throughout this report and the specific concerns raised in the pre-application response are summarised below alongside our comments:
- Development within a gap between settlements would visually compromise the integrity of the gap, expanding built form into a visually open area.
As noted within this report, the site does not comprise a ‘visually open area’. Any impact on the gap has been considered and assessed within the submitted LVIA.
 - The layout would not ensure a harmonious integration of units within the wider area given that it is not focussed along the road frontage meaning it would be prominent and obtrusive in an identified gap.
It is unclear why development needs to be focussed along the road frontage; this arrangement is not reflective of the local character and would result in the removal of a copse of trees (some of which benefit from protected status) whilst having an obtrusive impact on the wider gap designation. Further, the officer does not reference any local examples to justify this statement, nor do they account for the fact that this enquiry requests comments on an outline submission.
 - Density, Scale and Massing - The proposed residential development is not considered acceptable in terms of layout.
There is no justification as to why and again, this would be an outline application.

- There is no clear connection from the existing permissive path to any existing footpath on Yapton Lane.
This is incorrect, there is clearly an existing footpath to the north of the driveway accessible by crossing the existing driveway, with the permissive footpath clearly signposted from Yapton Lane; otherwise there would be a permissive path to nowhere.
- Consideration should be given to impact of the existing commercial use to the north on the new occupiers of adjacent dwellings.
A Noise Impact Assessment has been completed and submitted with the application. This determines considerations and potential measures to prevent any disturbance from neighbouring uses. The applicant has also liaised with the commercial use prior to submission to ensure any concerns they may have are considered through the submission; the submission has since been amended accordingly.
- Proximity to the Conservation Area would mean that any application would need to be accompanied by a Heritage Statement, in accordance with the NPPF.
A Heritage Statement has been submitted.
- Concerns over the impact lighting would have on the Settlement Gap.
This consideration is accounted for within the LVIA but a Lighting Assessment and Strategy could be conditioned upon approval.
- New boundary planting and maintenance of existing wildlife corridors are supported providing an overall management plan is agreed.

7.13. Other statutory consultee comments include the following:

Tree Officer

- Providing the submission is accompanied by an AIA, Tree Survey Schedule, RPA Schedule and Tree Constraints Plan, the development would reflect the landscaping characteristics of the site, improve landscaping around the site, achieve biodiversity net gains and retain existing trees of merit in accordance with Local Plan Policies D SP1, ENV DM4, and ENV DM5.
The applicant has liaised with the tree officer in further detail prior to the submission of the application given that the access road is due to be located within the copse on the eastern boundary. No objections have been raised to date.

Landscape Officer

- Guidance provided, no objection otherwise.

Drainage Engineer

- No objections subject to appropriate consideration of SUDs systems.

West Sussex County Council Highway Department – Pre-application enquiry

7.14. Pre-application advice was sought in terms of the access of the proposed access on to Yapton Lane. This considered a development of circa 120 dwellings. The response highlighted the following matters:

- Confirmed that the principle of the access is achievable for around 120 homes.
- Need to allow visibility splays to account for vehicle speeds of 40 – 41 mph.
- Visibility splays to be provided in accordance with the Design Manual for Roads Bridges.

7.15. The above consultation is considered to be sufficient for the scale of development and inform the concept masterplan for the site. It also confirms that both the District as the decision making authority and the County Council as the highway authority support the principle of development on the site.

8. Affordable Housing Statement

- 8.1. Policy HDM1 provides for a mix of housing to meet local needs and requires that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. It is important to highlight that the policy does not prescribe a specific housing mix that must be met by individual applications, with the policy stating that each must be considered on its own merits.
- 8.2. The policy (12.2.4) continues to acknowledge that the final mix will be then be negotiated on a site-by-site basis, having regard to the most up-to-date SHMA. Policy HP9 (Housing Mix) of the Walberton NP seeks to ensure that *"proposals providing a range of house types and tenures appropriate to the site size will be supported"*.
- 8.3. The Local Plan expects the delivery of circa 5,000 affordable homes across the plan period, which equates to the provision of 238 affordable dwellings per annum. It expects at least 1,000 of these to be delivered by way of a Neighbourhood Plan.
- 8.4. The detailed layout and housing mix of the proposed development off Yapton Lane is yet to be determined, however, it is proposed that 30% of the units, which equates to circa 14 homes, will be provided as affordable dwellings. The remaining proportion of 0.4 dwellings will be secured via contribution. The on-site provision would comprise a tenure mix of rented and shared ownership properties, expected to be split 75% in favour of affordable rented properties and 25% as shared ownership properties.
- 8.5. It is expected that the mix will be provided in accordance with the recommendations set out in the 'Updated Housing Needs Evidence' or following agreement on appropriate mix with the Council's Housing Enabling Officer and the Council's preferred affordable housing providers.
- 8.6. The pre-application response from the Housing Officer noted, based on the latest SHMA evidence, a requirement for the following mix:
- 30% 1 bed
 - 40% 2 bed
 - 25% 3 bed
 - 5% 4 bed
- 8.7. The proposed affordable mix will be secured at the reserved matters stage.
- 8.8. The appropriate mix can be secured by planning condition and delivered by way of legal agreement. The provision of 14 affordable homes, at a time where there is significant housing need in the District, is a matter that weighs heavily in favour of approving the development.

9. Planning Conditions, Infrastructure and Draft Heads of Terms

- 9.1. The Council has now adopted its CIL Charging Schedule and therefore any off-site impacts, due to the scale of the development, are expected to be addressed by this.
- 9.2. As the proposal comprises an outline scheme, with all matters reserved, other than means of access, a number of conditions will be likely to secure the relevant detail and parameters for the Reserved Matters.
- 9.3. In light of the above, the Heads of Terms of any future legal agreement are likely to be confined to the following:
- Delivery of the affordable homes,
 - Management and maintenance of public open space, play facilities and SuDS.
- 9.4. In terms of utilities, these are defined in the Development Plan as gas supply, electricity supply, heat supply, water supply, wastewater treatment, telecommunications infrastructure. Connectivity to existing utilities connections can be achieved and the applicant will work closely with the utility providers to ensure appropriate provision on-site.
- 9.5. Subject to appropriate conditions and agreements suggested above, it is considered that the proposal would comply with Policy ICS1 of the LPP1.

10. **Conclusion**

- 10.1. This statement has been prepared in support of this Outline planning application for the construction of up to 48 dwellings on land west of Yapton Lane, Walberton. 30% of the homes are to be provided as affordable dwellings.
- 10.2. It is considered that all development policies that relate to the supply of housing in the Arun Local Plan 2011-2031 and Walberton Neighbourhood Plan have significantly reduced weight because Arun District Council are unable to demonstrate an adequate supply of housing land. This is acknowledged by the Council during pre-application discussion, its decisions on recent applications and the appeal decisions.
- 10.3. In such situations, the NPPF directs decision-makers to grant permission, unless either:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 10.4. As neither of the above are considered to apply in this instance, we believe the presumption in favour of sustainable development is engaged. This position has been confirmed during pre-application discussions with Arun District Council.
- 10.5. The proposal represents sustainable development, which together with other material considerations, such as the significant benefit that should be afforded to housing delivery and its associated economic and social benefits, outweigh the conflict with the policies of the development plan and serve to allow for the principle of the application to be supported.
- 10.6. The provision of 48 dwellings would make a significant contribution to housing delivery within the District and is a matter that carries significant weight in favour of approving the development. Additionally, there are economic and environmental benefits including the creation of jobs during construction.
- 10.7. The site is environmentally sustainable as it lies on the southern edge of Walberton and it will be possible for residents to use non-car means of transport to access the primary school, local shops and other services. This is supported by the conclusions of this statement and that of the associated supporting technical assessments.
- 10.8. The application is supported by a Transport Assessment that concludes that the proposed development is in a suitable location for residents to access sustainable modes of transport, provides a safe and suitable access for all users, provides parking and internal road layouts to reflect national and local guidance and the traffic generated will not have a 'severe' residual cumulative impact on the local road network. Severe impact is the relevant test set out within the National Planning Policy Framework, when considering highway impacts of proposed new development.

- 10.9. The development of the site is capable of producing a net gain of biodiversity across the site, and on land within the applicant's control to the south, together with access to additional public open space for existing and future residents.
- 10.10. The proposed development comprises an Outline application, but the illustrative plans submitted in support of the application demonstrate that the site can be developed without harm to the landscape setting and locality. Any effects on landscape character are largely confined to the application site only.
- 10.11. The proposal does result in some harm to the setting of the Conservation Area and parkland associated with Walberton House. This is considered to result in less than substantial harm to the heritage asset. In addition, the proposal results in the loss of good quality agricultural land. Both matters weigh against the development of the site, however, as set out above, the tilted balance is engaged by paragraph 11(d)(ii) of the NPPF. There are no clear reasons within the NPPF to refuse the application. All technical matters, including ecology, highways, landscape impact, trees and flood risks are acceptable and therefore the benefits outweigh the limited harm in the planning balance.
- 10.12. The proposal jointly addresses each strand of sustainable development to provide and widen the choice of high-quality homes within a sustainable location. It has been demonstrated that the scheme brings benefits to housing land supply that significantly and demonstrably outweigh the limited harm identified, including conflict with the policies of the Development Plan (which have been shown to be out of date). It is therefore requested that planning permission is granted.

Appendix 1: Consultation Leaflet

FAO Owner / Occupier

30th November 2021

Consultation on draft proposals for housing on land west of Yapton Lane

Dear Resident,

We are writing to you as local residents of Walberton to inform you that we are currently in the process of working towards a planning application on a parcel of land located on the western side of Yapton Lane, Walberton to the south of the village centre. The proposed development is envisaged to comprise:

- 48 new homes, including a range of sizes and tenures to meet local identified need;
- A new access road into the development from Yapton Lane;
- Provision of new community open space and children's play area;
- Additional formal and informal open space;
- New pedestrian footpath and cycle connections to local village and wider surroundings;
- Ecology enhancement area through and around the site;
- Substantial landscape buffer to all boundaries and additional planning and management of adjoining woodland;
- Retention of important existing views across the site to the west towards the Church;
- Upgrading & improvements to existing poorly maintained flint wall along Yapton Lane;

Through December, we will be seeking views from the local community before a formal planning application is submitted to Arun District Council. We would welcome any views via the following means;

1. Online: From 3rd December we will be making draft plans and other information available on our dedicated consultation website at the below address. You will be able to use a link from the website to provide your feedback:

[REDACTED]

2. By email: Please email your feedback to us at [REDACTED]

Included within this letter is an overall draft masterplan for the site, to provide an indication of our proposals before more details are made available online.

We look forward to hearing from you in due course.

Yours faithfully

For and on behalf of LandQuest & Henry Adams Planning

Land west of Yapton Lane, Walberton



Appendix 2: Arun District Council Consultation response



Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Planning & Building Control General Enquiries
Tel: (01903) 737756 Fax: (01903) 730442
Dx: 57406 Littlehampton
Minicom: 01903 732755
e-mail: planning@arun.gov.uk
website: www.arun.gov.uk/planning

Ellie White
Henry Adams LLP
Rowan House
Baffins Lane
Chichester
PO19 1UA

Date: 8th September 2020

Please ask for: Mrs A Gardner
Tel: 01903 737529

Your Ref:
Our Ref: PAA/76/20/

Dear Ms White,

Pre-Application Advice

Construction of up to 120 dwellings.
Land west of Yapton Lane Walberton BN18 0DN

I write regarding the above matter and your enquiry received on 30th July 2020.

DESCRIPTION OF PROPOSED DEVELOPMENT

From the details submitted I understand that you propose to construct up to 120 dwellings comprising the following:

- 30% of the homes to be provided as affordable units
- Access via Yapton Lane to the east
- Vehicular and cycle access from Yapton Lane
- Pedestrian access via the existing permissive path that runs within the site boundary, parallel to Yapton Lane
- Pedestrian connectivity onto the existing Yapton lane footpath
- Formal and informal open space with play area in accordance with policy requirements and
- Landscape buffers to the southern and western boundaries

DESCRIPTION OF SITE

The application site is approximately 6.4 ha and comprises an agricultural field on the west side of Yapton Lane. There is a mature tree within the site and a linear tree belt located to the west of Yapton Lane which includes an informal footpath running north south. To the south of the site are a number of community allotments, (a Local Green Space) and an area of open space, to the south of which are greenhouses and packaging buildings for the horticultural trade.

A public footpath (No 328) runs along the southern boundary.

DESCRIPTION OF LOCALITY

Yapton Lane has intermittent ribbon development along the road on its western side and Walberton Place care home is located adjacent to the north west corner of the site.

To the north of the site is a large wooded copse which extends from Walberton House to the north west of the site, to Yapton Lane to the east. Behind the copse is an area of open space, which is overlooked by the residential properties on the south side of 'The Street' in Walberton village. The copse, and the land to the north is included in the Walberton Conservation Area. In the north east corner of the site is an established commercial business.

PLANNING ISSUES

The following issues have been identified for consideration.

Principle

Barnham and Walberton Gap Between Settlements

Design

Neighbour Amenity

Amenity Space Provision

Bin Storage

Affordable Housing

Highways, Transport & Parking

Sustainable Construction

Open Space Provision

Biodiversity

Landscape

Other Considerations

RELEVANT POLICIES - the following policies are considered relevant to your proposal:

Arun District Local Plan 2011-2031

<u>AHSP2</u>	AH SP2 Affordable Housing
<u>CSP1</u>	C SP1 Countryside
<u>SDSP3</u>	SD SP3 Gaps Between Settlements
<u>DDM1</u>	D DM1 Aspects of form and design quality
<u>DDM2</u>	D DM2 Internal space standards
<u>DSP1</u>	D SP1 Design
<u>ECCDM1</u>	ECC DM1 Renewable Energy
<u>ECCSP1</u>	ECC SP1 Adapting to Climate Change
<u>ECCSP2</u>	ECC SP2 Energy and climate change mitigation
<u>ENVDM4</u>	ENV DM4 Protection of trees
<u>ENVDM5</u>	ENV DM5 Development and biodiversity
<u>GISP1</u>	GI SP1 Green Infrastructure and Development
<u>HERDM1</u>	HER DM1 Listed Buildings
<u>HERDM2</u>	HER DM2 Locally Listed Buildings or Structures of Character
<u>HERDM3</u>	HER DM3 Conservation Areas
<u>HERSP1</u>	HER SP1 The Historic Environment
<u>LANDM1</u>	LAN DM1 Protection of landscape character
<u>OSRDM1</u>	Protection of open space, outdoor sport, comm& rec facilities
<u>QEDM1</u>	QE DM1 Noise Pollution
<u>QEDM2</u>	QE DM2 Light pollution

<u>QEDM3</u>	QE DM3 Air Pollution
<u>SDSP1</u>	SD SP1 Sustainable Development
<u>SODM1</u>	SO DM1 Soils
<u>HWBSP1</u>	HWB SP1 Health and Wellbeing
<u>OSRSP1</u>	OSR SP1 Allotments
<u>QESP1</u>	QE SP1 Quality of the Environment
<u>WMDM1</u>	WM DM1 Waste Management
<u>TDM1</u>	T DM1 Sustainable Travel and Public Rights of Way
<u>TSP1</u>	T SP1 Transport and Development
<u>WDM2</u>	W DM2 Flood Risk
<u>WDM3</u>	W DM3 Sustainable Urban Drainage Systems

<u>Walberton Neighbourhood Plan Policy 2017 CL6</u>	Health Care
<u>Walberton Neighbourhood Plan Policy 2017 CL7</u>	Recreation Facilities
<u>Walberton Neighbourhood Plan Policy 2017 GA1</u>	Open Access and Permissive Paths
<u>Walberton Neighbourhood Plan Policy 2017 GA2</u>	Footpath Bridleway and Cycle Patch Network
<u>Walberton Neighbourhood Plan Policy 2017 GA5</u>	Traffic Management
<u>Walberton Neighbourhood Plan Policy 2017 GA6</u>	A27/A29 Junction West, and Other Strategic Junctions
<u>Walberton Neighbourhood Plan Policy 2017 HP1</u>	Spatial Plan of the Parish
<u>Walberton Neighbourhood Plan Policy 2017 HP10</u>	Affordable Housing
<u>Walberton Neighbourhood Plan Policy 2017 HP11</u>	Housing Density
<u>Walberton Neighbourhood Plan Policy 2017 HP13</u>	Design Guidance
<u>Walberton Neighbourhood Plan Policy 2017 VE3</u>	Protection of Trees and Hedgerows
<u>Walberton Neighbourhood Plan Policy 2017 VE4</u>	Conservation Areas and Areas of Special Character
<u>Walberton Neighbourhood Plan Policy 2017 VE5</u>	Buildings and Structures of Character
<u>Walberton Neighbourhood Plan Policy 2017 VE7</u>	Surface Water Management
<u>Walberton Neighbourhood Plan Policy 2017 VE8</u>	'Unlit village' status

Planning Policy Guidance:

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

Supplementary Guidance:

SPD1	Open Space & Recreation Standards
SPD11	Arun Parking Standards 2020

PRINCIPLE

The site falls within the made Walberton Parish Neighbourhood Plan area. The enquiry proposes the

erection of 120 dwellings and associated infrastructure. The development would be in conflict with policies SD SP2, SD SP1a and C SP1 (ALP) in so far that the development comprises new residential development outside the built-up area boundary which doesn't meet with the criteria detailed in Policy C SP1. The site is not subject to a draft allocation in the Neighbourhood Plan.

The Arun Local Plan:

The key policy considerations in the determination of this pre-application are considered to be H SP1, SD SP1, SD SP2 and C SP1 of the Arun Local Plan (ALP) 2011 - 2031.

Policy H SP1 "The Housing Requirement" sets out an overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes a reference to additional non-strategic allocations being made across the District through reviews of Neighbourhood Plans.

Policy SD SP1 "Sustainable Development" states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work to secure development that contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland).

The nearest railway station is at Barnham which is 1.8 miles south west of Walberton with regular services to settlements throughout West Sussex and beyond to London, Portsmouth and Southampton, Bristol and Cardiff. The closest bus stop is on The Street and there are local bus routes (66, 85 and 85A) which serve the parish with regular stops to Bognor, Barnham, Yapton, Chichester and Fontwell, linking up with the no 700 bus service along the A259 and B2233. However without the provision of a public footpath this would not be readily/easily and safely accessible on foot. Whilst Walberton currently has limited employment opportunities, the regular bus service would allow current and future residents to access to those opportunities and services sustainably.

Policy SD SP2 "Built up Area Boundary" states that the Built-Up Area Boundary (BUAB) is defined for the main towns and villages in the District and shown on the Policies Maps. Development should be focused within the BUAB and will be permitted, subject to consideration against other policies of the Local Plan.

The site lies outside the BUAB. The site does not form part of any proposed Local or Neighbourhood Plan allocation; but the Walberton Neighbourhood Plan Team are currently at the call for sites stage.

Policy C SP1 "Countryside" states that residential development in the countryside outside the BUAB will not be permitted unless in accordance with policies in the Plan which refer to a specific use or type of development. It is noted that none of these relate to the proposed development at the application site.

As this site lies outside the nearest BUAB, it is categorised as being within the countryside and the scheme would therefore conflict with Local Plan Policies SD SP2 and C SP1.

Walberton Neighbourhood Plan (2015-2035):

The Walberton Neighbourhood Plan (NP) was made (adopted) in March 2017 on the basis of the saved policies in the ADLP and the draft policies in the emerging Arun Local Plan (2014).

The site is outside the built-up area boundary (BUAB) for Walberton identified by Schedule 8 Existing Built-Up Area Boundaries and Extension Policy HP1 - Spatial Plan of the Parish of the NP. Schedule 8 of the Walberton NP identifies the built-up area boundary, but excludes the site. The site is therefore classified as countryside and the pre-application conflicts with the Walberton NP.

S38(6) of the Planning and Compulsory Purchase Act 2006 requires development proposals to be assessed against the policies contained within the Development Plan comprising the made Walberton Neighbourhood Development Plan and the Arun Local Plan 2011-2031 (July 2018), unless material considerations indicate otherwise.

Arun District Council is unable to demonstrate a 5 year Housing Land Supply which triggers the presumption in favour of sustainable development under footnote 7 and paragraph 11(d) of the National Planning Policy Framework (2019). The NPPF is held as an overriding material consideration in this instance when determining planning applications under Section 38(6) of the 2006 Act.

Footnote 7 and NPPF paragraph 11(d) makes it clear that where Councils are unable to demonstrate a 5 year Housing Land Supply, the policies which are most important for determining the application are out-of-date.

All development policies that relate to the supply of housing in the Local Plan (policies C SP1, SD SP2) have reduced weight because Arun cannot demonstrate an adequate supply of housing land (only 2.9 years). Policies in the Walberton Neighbourhood Plan that relate to the supply of housing have greater reduced weight because they relate to out of date housing needs as the policies were based on the 2003 Local Plan.

Paragraph 8 of the NPPF states that in order to achieve sustainable development; economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The following is an analysis of the sustainable nature of the site and proposal:

Paragraph 14 of the NPPF states that in situations where the 'presumption in favour of sustainable development' applies to applications involving the provision of housing, then the adverse impact of allowing development that conflicts with the neighbourhood plan will not significantly and demonstrably outweigh the benefits if four specific criteria apply. In this case, criteria (a) to (d) are not all applicable because the Neighbourhood Plan was made over two years ago. Therefore, the presumption in favour of sustainable development is unaffected by the Neighbourhood Plan. Walberton Parish Council are currently working on a review of their Neighbourhood Plan, but they have not yet reached the Regulation 18 stage in this process.

The development does not provide housing in a sustainable location. It would provide a range of homes that could meet the needs of present and future generations (social), but the development would be not be sustainably located and within walking distance of a number of nearby services required for day-to-day needs (environmental). The development provides housing in a location which is not sustainable there is no footpath along this part of Yapton Lane and no public right of way accessing Walberton village centre, the nearby school and amenities therefore environmentally, the development would be not be sustainably located in that nearby services required for day-to-day needs cannot easily and safely be reached on foot.

On the basis of the above, the development would not fulfil all three objectives of sustainable development. Owing to the trigger of the tilted balance, the development is not considered to be principally acceptable.

In addition the site lies within the eastern side of the Walberton and Barnham Settlement Gap which is identified on the policies map and subject to Policy SD SP3 (Gaps Between Settlements) in the Arun Local Plan. Policy SD SP3 says that "The generally open and undeveloped nature of the gaps between settlements, as identified on the Policies Map will be protected to prevent coalescence and retain their separate identity".

"Development will only be permitted within the gaps if:

- a. It would not undermine the physical and / or visual separation of settlements;
- b. It would not compromise the integrity of the gap, either individually or cumulatively with other existing

- or proposed development;
- c. it cannot be located elsewhere; and
- d. it maintains the character of the undeveloped coast;
- e. or, if a subsequent DPD or Neighbourhood Plan deems it appropriate through an allocation."

It is considered that the proposed development within the gap between Walberton and Barnham would undermine the physical and visual separation of the settlements of Walberton and Barnham due to the introduction of 120 dwellings with the associated highway development and residential lighting within this Gap, which is considered to be contrary to Policy SD SP3(a).

The proposed would visually compromise the integrity of the gap, contrary to Policy SD SP3(b). It would expand built form into what is a visually open area which acts as a buffer to the development in The Street and separates it from the development fronting Yapton Lane to the north.

It is considered that there would be significant harm to the character of the countryside if the site was developed for housing. It would represent an unacceptable incursion of built form into an area that provides a wooded backdrop to the main settlement boundary and a visual gap between residential development in The Street in Walberton and development in Barnham.

The proposal would be clearly visible within the street scene when viewed from the east by virtue of its height compared to boundary screening and the open fields beyond.. Therefore it is considered that the proposed development would have a significant and unacceptable impact upon the character of the locality by virtue of its scale and height contrary to policies DSP1, DDM1 and SD SP3 of the Arun Local Plan. The proposal would result in a significant intensification of development within the gap.

Further, given the position, size and height of the proposed 2 storey buildings they would not be readily assimilated into the landscape and would appear as a prominent form of development out of keeping with the flat open character of the area in conflict with Development Plan policy. They would not respect the pattern of development in the locality where residential development is located within close proximity of the road frontages and generally has a linear form which does not encroach into the open countryside beyond. This proposal would provide a large dominant built form within the open area which would harmfully detract from the rural character of the area. The amelioration offered in the form of tree planting and landscaping would not adequately screen or enhance the appearance of the development. The proposal would cause a permanent loss to the key feature of the landscape which is its open undeveloped form and would disrupt established views across the area from public rights of way and roadways.

Conclusion on Matters of Principle:

The principle of residential development on this site is clearly contrary to the policies within the Development Plan, although, the policies of the Local Plan that relate to the supply of housing have reduced weight due to the Council not being able to demonstrate an adequate supply of housing land and additionally, policies in the Walberton Neighbourhood Plan that relate to the supply of housing have greater reduced weight because they relate to out of date housing needs as the policies were based on the 2003 Local Plan.

The proposal does not represent sustainable development and the NPPF 'presumption in favour of sustainable development' is not engaged. This and the other material considerations set out above do not combine to outweigh the conflict with the policies of the development plan and do not in principle allow the proposal to be supported.

It is considered that there are insufficient material considerations to overcome the out of date policies in the Development Plan.

DESIGN

Policy D SP1 of the Arun Local Plan (ALP) requires development proposals 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. Policy D DM1 (ALP) sets out a 15 point criteria against which the design of new development should accord with. Criteria 1 requires development to reflect or improve upon the character of the site and surrounding area, in terms of scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping and design features. Policy HP 13 of Walberon Neighbourhood Plan refers to design.

Whilst it is acknowledged that the site falls outside of the Built-Up Area Boundary, the criteria for assessing good design remains relevant and would be given weight.

Para 127 of the NPPF requires planning decisions to ensure developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Developments should be visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting and maintain a strong sense of place, using the arrangement of streetscapes, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

NPPF para 130 makes clear that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

In applying the above Local Plan policy, Officers give weight to the recently adopted Arun District Council Design Guidance which comprises an SPG document used to provide further detail on the above policies. Should an application be forthcoming then this guidance will be used to assess development. Conformity with this guidance should be demonstrated in any future submission.

The development should comprise a mix of dwellings to provide a balanced mix of houses which would respond to a broad range and mix of occupants within the District. The layout indicated would not ensure a harmonious integration of units within the wider area given that the development is not focused along the road frontage and would be prominent and obtrusive in an identified visual gap.

No detailed design in terms of elevational treatment of units has been provided. Elevational designs reflecting the wider vernacular and character of the immediate area would be suggested. In finalising the detailed design of the development, particular attention should be given to the Arun District Council Design Guidance (SPD) document which sets a series of parameters and standards which development should accord with. In particular, depths of gardens will each be required to achieve a minimum of 10m.

The positioning of the public open space to the north is considered to be an appropriate location and will consolidate built form towards existing development to the south. Whilst the Council's starting point would be to integrate POS towards the centre of the site where greater opportunities for overlooking could be achieved, the submitted layout would ensure built development is consolidated in a manner commensurate to its countryside/fringe location.

Taking these factors into account, the suggested layout would not be appropriate for this edge of settlement location. It would therefore conflict with paragraphs 127 of the NPPF and Policies D SP1 and D DM1 of the Arun Local Plan in terms of design.

INTERNAL SPACE STANDARDS

Policy D DM2 (ALP) requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs.

Nationally Described Space Standards set out the current guidance for dictating minimum space standards. The indicative floor plans submitted appear to exceed these standards. On this basis, the

development would accord with Policy D DM2 of the Arun Local Plan.

The Arun Design Guide is a draft with consultation having been undertaken in early 2020 with adoption expected later in the year. The guide promotes good design in new development through setting out key design objectives. It encourages creating a network of streets (F.01), appropriate open spaces (H.03), appropriate external space standards (H.04) and appropriate building design (J.01).

Section D.01: (Site Appraisal) of the Arun Design Guide states: "the first step in the design process should be to carry out a detailed appraisal of the development plot and its surrounding context in order to ensure a clear understanding of the site and its wider setting. The appraisal should identify the constraints and opportunities presented by various aspects of the site and its surrounds, which will inform the upcoming development proposal. Major housing and masterplanning projects should approach site appraisal strategically, considering aspects such as surrounding settlements or landscapes, drainage patterns and transport networks." Section D.02 (Developing a Design Rationale) of the District Design Guide states: "the design rationale should draw upon the results of the site appraisal in order to justify the reasoning behind key design decisions for the proposed development."

The pre-application information that you have submitted does not set out how the proposed residential development accords with the provisions of the National Design Guide or the Arun Design Guide. In any forthcoming detailed planning application you will need to provide a statement supporting your design principles.

DENSITY, SCALE AND MASSING

Paragraph 122(a) of the NPPF (February 2019) says that "planning decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it."

Policy D DM1 (13) of the Local Plan says "the density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity".

Policy HP11 of the Walberton NP says "the density of new development shall be appropriate to its location by virtue of size, siting and relationship to existing properties".

The proposed residential development is not considered acceptable in terms of layout.

MATERIALS AND ARCHITECTURAL DETAILS

In terms of design and appearance, development on the site would need to include houses that include traditional materials used on the houses in Walberton and you need to demonstrate why you have chosen them. The use of tile hanging on the elevations of properties and the use of painted render, especially on key buildings and buildings at focal points across the site would be supported. Flint could be used in the elevational treatments of houses on the site, but the LPA considers that the use of flint panels on new buildings sometimes appears visually incongruous; and the use of blocks of flint individually embedded in mortar is preferable to the use of flint panels. The development should include dual aspect units and incorporate active frontages wherever possible, to avoid blank side elevations fronting onto streets or open spaces.

ADAPTABILITY

Policy HP9 (Housing Mix) of the Walberton NP seeks to ensure that "a proportion of the housing required is to meet Lifetime Homes standards in order that homes are suitable for households whose needs change". The equivalent standard to Lifetime Homes is Category 2 M4(2).

The LPA has a Guidance Note setting out standards aimed at securing a percentage of homes as disabled friendly and adaptable, meeting suitable standards. Under building regulations optional

requirement M4(2): Category 2 - Accessible and adaptable dwellings can be enforced where it is required by a planning condition, in accordance with Policy D DM1 of the Local Plan. For schemes greater than 51 unit inclusive - 15% of units need to be designed to M4(2) standard plus two additional units to be designed to M4(3) wheelchair accessible, for every 50 units proposed thereafter. However, there is an aspiration to secure 100% M4(2). It is considered that this can be secured adequately via a suitably worded condition.

HEALTH AND WELLBEING

Policy HWB SP1 of the Local Plan says: "all development shall be designed to maximise the impact it can make to promoting healthy communities and reducing health inequalities. In particular regard shall be had to:

- a. providing or contributing to the necessary infrastructure to encourage physical exercise and health, including accessible open space, sports and recreation facilities (including outdoor fitness equipment) and safe, well promoted, walking and cycling routes.
 - b. creating mixed use development and multi-use community buildings that reduce the need to travel by providing housing, services and employment in close proximity to each other; and
 - c. ensuring that arts and cultural facilities are accessible to all residents and visitors to the District.
- Where new health, recreation and leisure facilities are planned, where possible, these shall be located along public transport corridors that are easily accessible to members of the wider community."

It is noted that there is potential for upgrading an existing permissive path within the site, but this is fragmented with no clear connection to any existing footpath along Yapton Lane and there is no cycle lane provision to create a safe, well promoted walking and cycling route into Warberton Village, in accordance with Policy HWB SP1(a) of the Local Plan.

NEIGHBOUR AMENITY

Policy QE SP1 (ALP) requires development to contribute positively to the quality of the environment and ensure development does not have a significantly negative impact upon residential amenity. Policy D DM1(3) (ALP) requires development to have a minimal impact to users and occupiers of nearby property/land e.g. by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance.

Back to back distances will be assessed in accordance with the standards contained within the Arun District Council Design Guide SPD. However, in principle the plots appear to achieve rear garden distances of at least 10m. In the instances where these distance cannot be achieved, rear gardens should be extended to conform with these standards.

Whilst no definitive elevations have been provided within this enquiry, the LPA is satisfied that adequate and sufficient detailing could be achieved throughout the application period.

On the basis of the above, the development would create a place with a high standard of amenity for existing, adjacent, nearby and future users in accordance with NPPF paragraph 127 and Policies QE SP1 and D DM1 of the Arun Local Plan.

The NPPF further indicates that good design should contribute positively to making places better for people. When more detailed designs are being developed, consideration should be given to the height of properties to ensure that overlooking and loss of light is not an issue where the site abuts the residential carehome to the north west.

A schedule of the internal space standards should be submitted with the forthcoming detailed planning application, to ensure that the houses comply with the Nationally Described Spaced Standard (NDSS) table (Table 1).

Consequently, it is not possible given the absence of elevational details to conclude that the proposed residential development would comply with Policy D DM1(3) of the Local Plan and the Arun Design

Guide in terms of impact on neighbouring residential amenity.

Consideration should also be given to the impact of the existing commercial use to the North on occupiers of the proposed adjacent dwellings.

BIN STORAGE

Policy WM DM1 (ALP) requires new residential development to ensure that kerbside collection is possible for municipal waste vehicles. Where appropriate, communal recycling bins and safe storage areas should be available to residents of flats.

For all new residential development including flat conversions, the applicant must show bin storage/collection provision as follows:-

Each unit should be provided with the equivalent of 240 litres of residual waste storage/bins. For flats the communal/bulk bins can be used on the basis of 240 litres of residual waste storage/bin per flat. Alternatively one 240 litre wheelie bin for each property can be provided. The same amount of storage space/bins for recyclable materials is required.

It is recommended that if any communal provision is located near or adjacent to the highway, it should be suitably enclosed and landscaped so that the maximum pulling distances and vehicle access requirements are complied with.

The LPA and WSCC (acting in their capacity as the Local Highways Authority), will require satisfaction that the internal main access road and secondary access road will be finished to adoptable standard, if the development does not provide for private collections. This should be clarified at application stage.

Any application should be accompanied by a refuse vehicle tracking layout to ensure that the curvature in the road can accommodate a refuse vehicle. The southern units on the perimeter plots appear to be located deep into the site and would not appear to benefit from drive-by collection. In such instances, WSCC standards require a drag distance of no more than 30m. This matter should be addressed and clarified should an application be forthcoming.

Therefore, in principle, the development could accord with Policy WM DM1 of the Arun Local Plan, subject to sufficient details coming forward at the application stage.

AFFORDABLE HOUSING

Policy HDM1 provides for a mix of housing to meet local needs and requires that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. It is important to highlight that the policy does not prescribe a specific housing mix that must be met by individual applications, with the policy stating that each must be considered on its own merits. The policy (12.2.4) continues to acknowledge that the final mix will be the negotiated on a site by site basis, having regard to the most up-to-date SHMA.

Policy HP9 (Housing Mix) of the Walberton NP seeks to ensure that "proposals providing a range of house types and tenures appropriate to the site size will be supported".

The ADC Housing Officer has made the following comments:

Affordable Housing Policy requirements

In accordance with the Arun Local Plan 2018, the Council aims to ensure that 30% affordable housing is achieved on all new residential developments in the district where more than 11 units are proposed such as on this site. The outline application includes a 30% (36 dwellings) affordable contribution.

Tenure

The Council's Affordable Housing policy requires a tenure split of 75% rented and 25% intermediate housing.

Housing Need

There is high demand for affordable housing throughout the Arun District for both rent and low-cost home ownership. As of May 2020 there were 973 households in housing need on the Council's housing register.

S106 considerations and Affordable Housing Agreement

To meet the requirements of the Council's Affordable Housing policy the applicants will need to provide 36 affordable dwellings, which equates to 27 rented and 9 intermediate.

We would anticipate that the affordable housing statement roughly reflects the mix recommended in the SHMA, as follows:

30% 1 bed
40% 2 bed
25% 3 bed
5% 4 bed

Affordability

To ensure affordability of the rented accommodation the rent should not be set higher than 90% of Local Housing Allowance (LHA) levels. In addition to ensure sufficient dwellings are accessible for those on the Council's Housing Register we would anticipate that 50% of the rented units are set at rent levels of no higher than 65% of open market value.

All of the necessary affordable housing requirements would need to be included in S106 planning obligation not secured by planning condition.

HIGHWAYS TRANSPORT AND PARKING

Policy T SP1 (ALP) requires development to incorporate appropriate levels of parking in line with WSCC guidance on parking provision and consider the impact on highways safety. ADC Supplementary Planning Guidance has since been adopted and takes precedence over WSCC standards.

These guidelines require the provision of 2 parking spaces for 1, 2 and 3 bed dwellings and 3 parking spaces for 4 bed dwellings. The SPD requires 20% of 120 units) to be provided for visitor parking.

NPPF para 108 states in assessing applications for development it should be ensured that safe and suitable access to the site can be achieved for all users. NPPF para 109 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The enquiry is supported by a Transport Statement which details potential for upgrading the permissive footpath within the site being explored. Any formal application will require consultation with County Highways, which is not undertaken as part of Arun's pre-app service. WSCC operate their own separate pre-application service and we would encourage you to engage with this prior to the submission of any application.

On any application the Council will take a balanced view following comments received from WSCC acting as the Local Highways Authority (LHA) to inform its assessment and its potential impact upon wider highway safety.

CYCLE PROVISION

In accordance with Policy T SP1 and ADC guidance, the site requires provision for secure cycle storage. Should an application be forthcoming, provision for 1 cycle space per dwelling would be required under ADC guidance. Sufficient cycle spaces could be provided to ensure accordance with the above standards and therefore, in principle, accordance with Policy T SP1 of the Arun Local Plan could be achieved.

SUSTAINABLE CONSTRUCTION

Policy ECC SP2 (ALP) requires all new residential development to be energy efficient and to demonstrate how they will:

- a. Achieve energy efficiency measures that reflect the current standards applicable at the time of submission;
- b. Use design and layout to promote energy efficiency; and
- c. Incorporate decentralised, renewable and low carbon energy supply systems, for example small scale renewable energy systems such as solar panels.

Should an application be forthcoming accordance with the above criteria would be sought to fulfil the contents of Policy ECC SP2 of the Arun Local Plan.

All major developments must produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless it can be demonstrated that this is unviable. Energy efficiency measures will be taken into consideration when the total predicted energy requirements are calculated. The Council will consider 'allowable solutions' where it is clearly demonstrated that the provision of on site renewable or low carbon energy generation is unviable or not feasible.

In assessing the achievement of these standards the Council will consider:
Site constraints; Technical viability; Financial viability; and Delivery of additional benefits.

Policy ECC SP1 - Adapting to climate change

The Council will support development which is located and appropriately designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding; water stress; health impacts as a result of extreme temperatures and a decline in the quality of habitats and richness of biodiversity.

In order to achieve this, development must be designed to take account of the following issues:

- a. Location (in relation to flood risk and vulnerability to coastal erosion);
- b. Water efficiency;
- c. Shade, cooling, ventilation, solar gain;
- d. Connectivity to the green infrastructure network;
- e. Layout and massing;
- f. Resilience of buildings and building materials to extreme weather events;
- g. Capacity of drainage systems and incorporation of Sustainable urban Drainage Systems (SuDS)

Officer comment

Any future planning application would need to include a site plan and drawings with details of proposed energy efficiency measures, renewable energy sources and sustainable construction methods

CONSERVATION AREA

Policy HER SP1 of the Local Plan states that designated heritage assets including listed buildings, structures and their settings; and Conservation Areas will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. Policy HER DM3(f) of the Local Plan says: "in order to preserve the character or appearance of the Conservation Area,

planning permission will normally be granted for proposals within or affecting the setting of a Conservation Area, provided that it does not harm important views into, out of or within the Conservation Area".

Policy VE4 of the Walberton NP says "proposals that adversely affect the setting of the Conservation Areas will not be supported. New development must protect the open / rural character of the Conservation Areas settings and sustain or enhance the visual connections between the villages core and its rural hinterland, including longer views to the South Downs, which contribute to the character of the Conservation Areas".

In considering whether to grant planning permission with respect to any buildings or other land in a Conservation Area, the Council shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area (Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990.

Paragraph 190 of the NPPF (February 2019) requires great weight to be given to the conservation of heritage assets. Any harm resulting from the proposed development should be weighed against the public benefit in accordance with paragraph 196 of the NPPF.

It would be necessary to include a Heritage Statement in any forthcoming detailed planning application. Such a statement would assess the significance of the heritage assets including the listed buildings and the Conservation Areas, in accordance with the NPPF, including paragraph 189. The application would then need to be properly assessed, considering the significance of the assets and any potential impact of the development upon them.

OPEN SPACE PROVISION

Policy OSR DM1 (ALP) requires housing developments, where viable, to contribute towards (a) open space provision in accordance with guidance set out in the current Open Space Study, (b) playing pitch provision in accordance with guidance set out in the Playing Pitch Strategy, (c) indoor sport and leisure facilities through financial contributions and (d) strategic project identified in the Leisure and Cultural Strategy.

The Arun District Council Open Space, Playing Pitches, Indoor and Built Sport Facilities SPD makes clear the thresholds and requirement for public open space and associated facilities, in accordance with new residential development.

For developments of over 15 dwellings or greater, open space is to be provided on-site. For developments of greater than 34 dwellings the SPD requires provision of LEAP on site, comprising a minimum size of 0.04 ha. This provision requires a 20 x 20m separation between the activity zone and nearest habitable room facade. Financial contributions will also be sought towards sports and healthcare provision, off-site. The SPD sets out the formulas required for providing this. The development would provide for a 605 sqm play area which should be finished to LEAP standards and provide for equipment.

The Arun District Council Open Space, Playing Pitches, Indoor and Built Sport Facilities SPD sets out that on-site requirements for amenity green space and parks and gardens. The development would provide for a total of 3,238 sqm of public open space and amenity areas which would exceed the formula calculations within the SPD. Financial contributions towards their ongoing management and maintenance will be sought via S106 agreement.

From the plans submitted it appears that this would provide adequate on-site open space and LEAP provision. On this basis, the development would be considered to accord with Policy OSR DM1 of the Arun Local Plan and ADC Open Space, Playing Pitches, Indoor and Built Sports Facilities SPD.

Further comment is provided below in the landscape section of this response.

LIGHT POLLUTION

Planning policies emphasise the need to consider the impact of light on neighbouring uses and wider landscape. Light levels should be the minimum required for security and working purposes, and minimise potential glare and spillage.

Policy VE8 of the Walberton NP says "development proposals which detract from the unlit environments of the Parish will not be supported".

Concerns exist over the impact lighting would have on this Settlement Gap.

INFRASTRUCTURE PROVISION

The Council will seek fair and reasonable contributions to be made by the landowners or developers towards the cost of infrastructure, service or amenity provision, to meet the needs of the occupiers or users of the development.

Policy INF SP1 of the Local Plan says: "the Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development (including the necessary infrastructure set out in the Infrastructure Delivery Plan) to meet the needs of occupiers and users of the development and the existing community. Infrastructure provision or improvements should be provided on-site as an integral part of a development, wherever possible and appropriate. Off-site measures will require planning obligations or financial contributions, to secure the necessary provision. "

Policy CL6 of the Walberton NP says "proposals for new medical facilities, especially in Fontwell Village, will be supported".

The proposed development could help to support the local community by providing up to 120 dwellings with a mix of bedrooms (and affordable homes) to meet future needs.

The proposed development would be required to make a CIL contribution towards local schools, libraries, sports facilities (including an off-site Neighbourhood Equipped Area of Play) and allotments as set out in the Open Space SPD, and the local health service. As such, there would be a further benefit to the local community as the development site is located in Zone 3 of the Arun CIL Charging Schedule Zone Maps.

As far as possible, Section 106 contributions would be limited to on-site mitigation and affordable housing provision, in accordance with Appendix 2 of the Arun CIL Charging Schedule.

In terms of on-site infrastructure, the LPA has adopted guidance on the provision of electric vehicle charging points. No details have been provided in the pre-application Supporting Statement that provision would be made for electric vehicle charging points to serve each house as set out in paragraph 2.8 and Table 2.2 of the Arun District Parking Standards SPD. As such, a scheme would be required to be submitted with the forthcoming detailed planning application for the provision of Electric Vehicle (EV) charging points within the site.

If permission were to be granted for this development, the Council would request that the applicant signs up to the Developer and Partner Charter and agrees to use local suppliers wherever possible as well as producing a Skills Plan.

BIODIVERSITY

Development will need to avoid impacts on protected species on a site such as this, and where this is not possible, mitigation or compensation will be necessary. The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. If there is a possibility that a development proposal will impact on a protected species, surveys will need to be submitted with a

planning application to determine the presence or absence of a protected species upfront with a planning application and will not be a condition of a planning permission if granted since their presence is a material consideration that will need to inform decisions. If planning permission is granted, a licence, a development licence or conservation licence, from Natural England may be required. All ecological surveys need to be undertaken by a suitably qualified ecologist and at the right time of year and the right duration.

Policy ENV DM5 of the Local Plan says: "development schemes shall seek to achieve a net gain in biodiversity and protect existing habitats on the site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats".

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist would need to check the site before any works take place (within 24 hours of any work).

Due to the size and location of the residential development on the site, information should be submitted with the forthcoming planning application on net biodiversity gain; and this is required before determination, in accordance with Policy ENV DM5 of the Arun District Local Plan.

Also of relevance is Policy 'VE10 2020 Biodiversity Corridors of Walberton Neighbourhood Plan', which explains that proposals that have a positive impact on the local ecology will be encouraged, subject to other policy constraints. It also explains that new development within or immediately adjacent to the Biodiversity corridors identified in their Schedule 5 will only be supported where it can be clearly demonstrated the proposals will not give rise to any significant harm to the integrity or function of the Biodiversity Corridors. Developers will be required to demonstrate how the impact of the proposed development will be mitigated or avoided and that proposals should include a management plan to ensure that effective long-term management and enhancement of the corridors can be achieved. One of the corridors is 'W5. St Mary's Church and Walberton Park': a natural corridor from St Mary's Churchyard, Walberton Park and a major stream down the side of woodland which links with a dominant woodland belt alongside Yapton Lane on the eastern side of the application site.

It is noted that a new boundary planting will be created on the northern side of the application site in the form of a native trees and new hedgerows, which will provide a new biodiversity corridor from north to south and will wrap round the eastern side of the care home and link to the copse to the north. The existing important corridor W5 will be maintained and managed as part of the overall management plan for the site. This would accord with the policy objectives.

LANDSCAPE

Policy D SP1 (ALP) requires development proposals to reflect the landscaping characteristics of the site and local area. Policy ENV DM5 (ALP) requires consideration to be given to increasing biodiversity net gains through utilisation of landscaping measures throughout the site. Policy ENV DM4 (ALP) requires development proposals to be supported by tree surveys that take a comprehensive view of trees at an early stage in the design process. Development works should not have a negative impact on existing trees.

Taking into account the purpose of the wider strategic gap, any submission will need to rely on a significant and positive landscaping scheme to ensure the encroachment into this area would not result in adverse impacts upon this designation. It is considered that an effective landscaping scheme could assist in providing an appropriate landscaped setting, but that would not sufficiently ameliorate the impact on the Gap. It is noted that within the masterplan proposed, the proposals allow for only a net developable area of 60% of the overall site with a view to constructing circa 120 units, which means that 40% of the site will become designated as open space, amenity planting and woodland. Keeping the built form away from the southern boundary and western boundary, This would retain a small visual gap which would not be sufficient to maintain a visual gap and separation between Walberton and

Barnham.

The site should look to achieve biodiversity net gains throughout the development. Whilst not adopted at this stage by the LPA, the DEFRA Biodiversity Matrix is recognised more widely as being the appropriate tool to ascribe value to any increase in biodiversity value. Owing to the open space and additional landscaping along the boundaries it is considered that a 10% increase in biodiversity could be easily achieved, in principle.

Landscape officer comment:

This proposal for up to 120 no dwellings proposes development predominantly clustered to the northern aspect of the site covering approx 60% of the site and the remaining 40% designated for POS.

This site does not form part of any strategic allocation identified for development in ADCs adopted Local Plan 2011-2031 (July 2018) It would therefore be assumed that CIL contributions would be sought

accordingly, these will need to include contributions towards playing pitches, sport, leisure, pools, halls and ancillary facilities as set out in ADC SPD Open Space, Playing Pitches, Indoor and Built Sports Facilities January 2020.

The design of the site should promote a high-quality development that respects, maintains and enhances the local landscape character. This new development should consider the character and distinctiveness of the area reflecting local design characteristics where possible and its setting with the surrounding countryside and rural fringe. All nature conservation features within the development site including existing habitats, trees, hedges, watercourses and other features should be incorporated into the site design and protected from change.

Quality, well-designed Public Open Space will be fundamental to any proposal submission, these will need to accord with Arun District Councils OS SPD January 2020. There would be requirement for confirmation of the areas of public open space being proposed with this development, and clarification re quantum. It would appear the site is proposing above the minimum standards for POS provision which is good to see (9,900m² minimum required) POS areas will need to connect within and beyond the development site promoting and enhancing footpath and cycle links and their use within the wider area. Consideration should be made to the siting of open space and buffer areas and their use in softening and integrating the proposals with any existing residential development on this fringe. POS should be considered not only for the larger open character area shown to the south, the perimeter buffer areas but also to create sense of place, desirable living areas and distinctiveness within the plot areas. The proposed design intent for tree planting to bring the woodland into the site, and not just limit it to the boundaries is good to see. Planting within the boundaries will improve the species composition and diversify the age structure, and proposals for the woodland belt deepening will improve its screening properties to neighbouring dwellings.

It is good to see the existing constraints incorporated into the concept plan allowing for views from the Care Home to be retained over the greenspace to the south and views from within the site maintained over to the north/west to the listed Parish Church of St Mary.

This development will trigger the requirement for play in the form of onsite LAP LEAP/NEAP provision, which would need to be suitable for location in material choice and play experience offer. Off-site allotment contribution also triggered from this development.

SuDS Policy W DM3 of the Arun Local Plan requires development to integrate SuDS into the overall design of the development. The primary purpose of SuDS is to minimise the impact of urban development on the water environment, reduce flood risk and provide habitats for wildlife. SuDS should increase the levels of water capture and storage. It is essential that SuDS do not impact on the usable levels of public open space whilst providing benefit in the correct capacity within the development and should not be included in the 'usable open space calculations'.

These comments are agreed and will need to be addressed in any submission.

Impact

The potential impact on the location would require that Landscaping be provided as mitigation towards screening and softening of the development. Consideration will be required re the access into the site and the impact this may have on existing trees and hedges on this boundary along Yapton Lane. It is refreshing to see that the prominent existing tree within the site has been incorporated into a large open space area where it would have the potential to thrive into maturity.

Early consideration should be made of existing topography and assets and any considered tree works within the site in consultation with Arun District Councils Tree Officer. Further information concerning the existing hedges across the site and proposed TPO for worthy trees will need to be provided. A tree condition survey of the application site will be required to highlight the importance and protection requirements of retaining these trees and hedgerows.

Mitigation/requirements

An existing green boundary is evident in along the boundaries of this site and indicated buffer zones and further boundary planting treatment indicated. A robust and detailed landscape scheme will be required within these proposals for all areas of development and POS to increase biodiversity net gain and habitat within this rural fringe site.

All greenspaces should be considered and valued and their connection for biodiversity and habitat explored.

Tree specification should be at a size which allows instant impact, but which will establish and mature as the site develops.

TREES

The enquiry has been supported by an Arboricultural Letter, provided by Ecurban Ltd and any submitted application would need to include a full tree report.

The Council's Tree Officer has provided the following comments:

There are significant trees both on and off this site which could be adversely affected by the proposals. The applicants have employed ecurban Ltd (Arboricultural Consultancy) to attend site and provide an early appraisal of the development proposal with specific focus on access formation through woodland adjacent Yapton Lane. I am pleased to see early consideration has been given to preservation/enhancement of this important woodland/landscape feature. I support the comments and suggestions made within that report. The woodland is predominantly mixed broadleaf deciduous and largely characterised by proliferation of even-aged sycamore, although there are several notable lime. Those lime and other species (e.g. hornbeam, beech, hawthorn) should take precedence when determining the most appropriate access route and I would expect those and their respective nominal Root Protection Areas (RPA) to be given a wide berth, during any subsequent design layout.

My recommendation for the making of a Tree Preservation Order (W1) is not to frustrate any attempt at woodland management, but to ensure adequate scrutiny of any felling/replanting proposal and secure the woodland (and anticipated enhancements of the same flowing from the site's development) as a landscape feature for future generations to enjoy and benefit from.

Looking at the wider site proposals, I find the principle of development and layout supportable in arboricultural terms. At this early stage there seems to be only a few minor areas of concern which can be resolved with sympathetic refinement and provision of further detail. The introduction of boundary trees and hedgerow, especially around existing property will need to be carefully designed to achieve the right balance between respecting existing light levels for residents and maintenance of premises/outbuildings with effective screening and respect for landscape character.

There is an individual and isolated Turkey oak toward the southern end of the site, shown as retained surrounded by wild flower meadow grassland. This tree is visually impressive although potentially compromised by internal stem/root decay (to be confirmed). That said, it appears worthy of retention and may add value to the development for many years to come. It's long-term future may be secure only if given adequate room. It is therefore pleasing to see it incorporated into an area of open space and so remote from any built form such that it could exist without being subject to any drastic risk

mitigation pruning works.

Recommendations:

1. The applicants will need to employ the services of an Arboricultural Consultant to carry out a tree survey exercise and then prepare an Arboricultural Implications Assessment (AIA) which must be inclusive of; a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan' - with the trees accurately plotted on same.
2. In the event that a RPA of any tree which is proposed for retention overlaps the development then BS5837:2012 requires that the Detailed Planning Application is accompanied by an Arboricultural Method Statement (AMS) and also most importantly a Tree Protection Plan - to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground.
3. Recommend the making of a Tree Preservation Order to cover the woodland belt from alongside the east boundary of this site and abutting Yapton Lane as well as one individual Oak tree.

On the basis of the above, and subject to appropriate information being submitted within any future submission, the development would reflect the landscaping characteristics of the site and local area, improve landscaping around the site to achieve biodiversity net gains and retain existing trees of merit; in accordance with Policies D SP1, ENV DM4 and ENV DM5 of the Arun Local Plan.

OTHER CONSIDERATIONS

SOILS

Policy SO DM1 (ALP) states that where development proposals relate to the use of Grades 1, 2 and 3a of the Agricultural Land Classification, any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for development outweighs the need to protect such land in the long term.

Policy SO DM1 requires the submission of an Appraisal of Agricultural Land Quality, a Soil Resources Plan and a Sustainability and Options Appraisal which demonstrate that care would be taken to preserve the soil resource, such that it could be incorporated into a productive green environment following development.

The identified Grade of agricultural land should be referred to in any application submitted. The NPPF (paragraph 170) requires that the Council takes into account the economic and other benefits of this type of land. The Local Plan's Sustainability Appraisal recognised that most of the undeveloped coastal plain within the District is high grade agricultural land. The loss of BMV is one factor in the decision making process

COMMUNITY INFRASTRUCTURE LEVY

The Council adopted its CIL Charging Schedule on 01 April 2020. Applications will be subject to CIL payments where they fall in a charging zone detailed in the adopted Charging Schedule. In this instance, the enquiry site falls within CIL Charging Zone 3.

The Charging Schedule Zones can be found here:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n14675.pdf&ver=15026>

The Council's Draft Charging Schedule, including any exemptions, are detailed here:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n14676.pdf&ver=15027>

DRAINAGE ENGINEERS COMMENTS

The Council's Drainage Engineers will follow in due course.

Policy W DM3 states that all development must identify opportunities to incorporate a range of

Sustainable Urban Drainage (SUDs) systems. These features may include green roofs, permeable driveways, soakaways, water harvesting such as water butts.

Policy VE 6 of Walberton Neighbourhood Plan refers to protection of watercourses.

Any future planning application should include a site plan/drawings with details of the SUDs proposed.

CONCLUSION

Based on the above comments I conclude that were an application for planning permission to be submitted for residential development on the Land West of Yapton Lane, in Walberton it would be likely to be refused for the following reasons:

1) By virtue of the location of the site outside the built up area boundary the proposal is contrary to policy C SP1 of the Arun Local Plan and would be prominent from surrounding viewpoints and would constitute an alien intrusion in the countryside which would be out of keeping with and detrimental to the rural character of the locality in conflict with policies D DM1, D SP1 and H DM2 of the Arun Local Plan and policy HP1 of the Walberton Neighbourhood Plan. Further, the proposal fails to provide a development that is easily accessible by means other than the private car with access to local facilities and is therefore also contrary to H DM2 of the Arun Local Plan and Section 15 of the National Planning Policy Framework.

2) The proposal would involve significant built development within the Barnham and Walberton Settlement Gap, in conflict with policy SD SP3 of the Arun Local Plan which requires that development demonstrates that it cannot be located elsewhere and does not result in undermining the physical/visual separation of settlements.

MAKING AN APPLICATION

If you decide to proceed with making an application you will need to quote the reference number for this advice in the pre-application advice section of the relevant application form. This will ensure that the application receives priority and a speedy validation process.

You will need to submit the following documentation/information with your application to meet the National Validation Requirements:

Fully completed and signed Application Form with full description of the proposal.

Ownership Certificate and Agricultural Land Declaration

Design and Access Statement

Correct Fee

Location Plan (1:1250)

Site / Block Plan (1:500)

Elevations (Existing and Proposed)

Floor Plans (Existing and Proposed)

Roof Plans

Please note that the Council has a Local Validation Requirements List for each type of application and you should refer to it before submitting your application. Failure to provide the required documentation will result in the application being treated as incomplete and delay the validation of the planning application.

Having looked through the Local Validation Requirements List, I would suggest that the following additional documents will be required:

Affordable Housing Agreement

Affordable Housing Statement
Biodiversity Survey and Report
Flood Risk Assessment
Foul and Surface Water Drainage Statement
Landscaping Strategy
Lidsey foul water- environmental consultation statement
Lighting Assessment
Bin Storage and Collection Provision
Parking Plan
Street Scene
Transport Statement
Tree Survey and Arboricultural Report
Heritage Statement
Ecology Report

You should be aware that any advice given by the Council in relation to pre-application advice will be based on the case Officer's professional judgement and will not constitute a formal response or decision of the Council with regard to any future planning applications. Any views or opinions expressed are given without prejudice to the consideration by the Council of any formal planning application which will be subject to wider consultation and publicity. Although the case officer may indicate the likely outcome of a formal planning application, no guarantees can or will be given about the decision that will be made on any such application. Any further correspondence will be at the Case Officer's discretion depending on the nature of the further enquiry. It may be necessary to submit a further pre-application advice request. Please note this advice only relates to planning and does not relate to any other legislation which may or may not apply such as Building Regulations or ordinary watercourse consents. You will need to carry out your own checks to determine whether any other consents or permissions are required.

I trust this is of assistance to you.

Yours sincerely



Neil Crowther
Group Head of Planning