

PLANNING STATEMENT AND AFFORDABLE HOUSING STATEMENT

**FULL PLANNING APPLICATION FOR RESIDENTIAL
DEVELOPMENT OF 30 DWELLINGS TOGETHER
WITH ASSOCIATED ACCESS, PARKING, PUBLIC
OPEN SPACE AND LANDSCAPING**

**LAND AT WEST WALBERTON LANE,
WALBERTON**

ON BEHALF OF MACRA LTD



Pegasus Group

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1.0 Introduction

- 1.1 This Planning Statement, including an Affordable Housing Statement, has been prepared by Pegasus Group on behalf of the applicant, Macra Ltd, in support of a full planning application to Arun District Council. The application seeks permission for residential development on land at West Walberton Road in Walberton, comprising 30 no. dwellings together with associated access, parking, open space and landscaping.
- 1.2 The submission of a full planning application follows the completion of a detailed pre-application process with Arun District Council. The initial pre-application advice received from the Council in November 2019 raised concerns with the proposed development being environmentally unsustainable due to the loss of open countryside and the design of the proposals being out of character with the rural location of the site beyond the Built Up Area Boundary of Walberton village. The Council's response confirmed that the proposals would have social and economic benefits and also acknowledged a 5-year housing land supply shortfall in the District.
- 1.3 Following careful consideration of the Council's comments, the second pre-application consultation was submitted in November 2020 and included a completely revised scheme, designed to respond more positively to the character and appearance of its surroundings and to preserve and enhance the character and appearance of the adjoining Conservation Area, such that it does not cause the harm to the local character that was alleged of the first draft scheme. The Council's second response continued to confirm that the proposals would have social and economic benefits and still acknowledged a 5-year housing land supply shortfall in the District.
- 1.4 The second pre-application response from the Council dated February 2021 continues to raise the same concerns as those relating to the first pre-application scheme – again that the proposed development would be environmentally unsustainable taking an area of open countryside and that the proposed layout would be cramped and out of character with its rural location beyond the Built Up Area Boundary of Walberton village. The full pre-application process undertaken with the Council is summarised in detail below.

- 1.5 This Planning Statement also analyses the application site and surrounding area, describes the proposed development in more detail, sets out the planning policy context for the application site and explains why it is appropriate having regard to the key planning and technical considerations. It also includes an Affordable Housing Statement.
- 1.6 Overall, this Planning Statement will demonstrate that the proposed development is acceptable and represents an appropriate form and location for development having regard to the relevant planning policies and the site context. In particular, this Planning Statement will confirm that the proposed scheme represents sustainable development having regard to the provisions of Paragraph 8 of the NPPF, especially focussing on the Council's pre-application concerns in relation to the environmental objective. It will be explained how the proposed development has been redesigned to address the Council's concerns in relation to the perceived impact on the local character. In addition, given that Arun District Council has an acknowledged housing land supply shortfall against the 5-year requirement, this Planning Statement will confirm that the presumption in favour of sustainable development set out at Paragraph 11d) of the NPPF is engaged such that planning permission for the proposed development should be granted.

2.0 The Application Site and Surrounding Area

- 2.1 The application site is located on the western edge of Walberton village. It extends to approximately 1.5 hectares in area and is an irregular triangle in shape. The site comprises the land between West Walberton Lane to the north and Eastergate Road to the south, and is bounded by existing residential development along both of these roads to the north and south. The site is undeveloped with an occasional use for grazing in the past.
- 2.2 The eastern boundary of the site adjoins Walberton Green and its associated Conservation Area. Walberton Green comprises two triangular parcels of land intersected by Eastergate Lane. The northern section consists of an open grassed area, bounded by West Walberton Lane to the north. The southern section includes a pond that is surrounded by mature trees and is bounded by

Barnham Lane to the south. The Green is the focus of the Conservation Area, framed by the surrounding houses and the pond creating a village character. There are no listed buildings on or immediately adjacent to the site, the nearest ones being in the village approximately 150 metres to the east.

- 2.3 The western boundary of the site is defined by mature hedgerow and trees, beyond which are open paddocks divided into fields.
- 2.4 Some areas of the southern and western parts of the site lie within Flood Zones 2 and 3a and are susceptible to flooding. Any residential development of the site will therefore need to be located in the northern, central and eastern parts of the site.
- 2.5 There are a number of trees along the site boundaries, particularly to the east, that are protected by the Conservation Area and Tree Preservation Orders (TPOs).
- 2.6 The site is well located, adjoining Walberton Green and less than 500 metres to the centre of the village to the east. This short walk to the village centre provides access to the village hall, community play centre, village sports pitches, Walberton & Binsted C of E Primary School, a post office, pub, church and other local services and facilities. The site therefore represents a sustainable location for new housing.
- 2.7 The site also benefits from links with local footpaths and bridleways, as well as a local cycle route that runs along West Walberton Lane, around Walberton Green and along Eastergate Lane, before connecting with the dedicated cycle route that runs in a southerly direction from Eastergate Lane located opposite the southern boundary of the site.

3.0 Pre-Application Consultation

Arun District Council – Stage One

- 3.1 In September 2019, the applicant (Macra Ltd), submitted a request to Arun District Council for pre-application advice in relation to the proposed

development of the application site. At this time, the proposals were for the construction of 33 dwellings, including 30% affordable housing (10 dwellings), 5 reduced price dwellings for persons with a local connection and 8 "down-sizer" flats.

- 3.2 The Council's response is dated 20th November 2019 (reference number PAA/112/19). With regard to the relevant planning considerations, the response is summarised below.

Description of Site and Locality

- 3.3 The Council describes the site as comprising *"...open agricultural land outside of the built up area boundary"* but confirms it *"...is located at the edge of the village of Walberton on the northern and eastern boundaries."* The Council describes the area as *"...rural in character with an open aspect across surrounding land to the west and south."*

Principle

- 3.4 The Council confirms that both the Arun Local Plan 2011-2031 and Walberton Neighbourhood Plan seek to focus development within the Built Up Area Boundary (BUAB) and that residential development in the countryside outside of the BUAB will be resisted. The Council's response states *"as this site lies outside the nearest BUAB, it is categorised as being within the countryside..."* and the scheme is considered to conflict with the relevant Development Plan policies relating to the location of development.
- 3.5 The Council's response considers whether there are any material considerations which indicate that the proposal should be determined other than in accordance with the Development Plan, namely housing land supply and the presumption in favour of sustainable development set out at Paragraph 11d) of the National Planning Policy Framework (NPPF).
- 3.6 In relation to housing land supply, the Council's response confirms that its Annual Monitoring Report (June 2019) shows that the Council does not have a 5 year supply of housing land, it being 4.7 years at the time. The Council's

response therefore concludes *"...that 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."*

3.7 In terms of the presumption in favour of sustainable development set out at Paragraph 11d) of the NPPF, the Council's response confirms in order to achieve sustainable development *"...economic, social and environmental gains should be sought jointly and simultaneously through the planning system."* In this case, the Council concludes:

- Economic gains from the proposals would include increased Council Tax receipts; New Homes Bonus payments; financial contributions towards local service and facilities through S106 payments; construction jobs; and additional local spending by new residents;
- Social gains would result from the provision of affordable housing; the proposed mix of house types; and the increased use of local services and facilities; however
- Environmental gains will not be provided because, although adjacent to the BUAB, the site *"...is within the open countryside and is visually separate from the village with far ranging views across open countryside to the site. The development would change the character of the open countryside irrevocably and would be unsustainable in environmental terms as the new development would be urban in character and there would be no reasonable opportunity for the rural character to be re-established in the future. It is noted that within Walberton there is a doctor's branch surgery, a primary school, a public house, a number of local shops and bus stops immediately adjacent to the site. The proposed development will have an impact on the ecology of the site and will result in the loss of some existing trees and hedgerows."*

3.8 The Council's assessment states *"It is considered that the proposal has clear social and economic benefits however the impact on environmental sustainability would be unacceptable with (no) reasonable mitigation to offset the harm being possible for the loss of open countryside...and it is considered,*

on balance, that the proposal would be environmentally unsustainable and would therefore fail to benefit from the NPPF presumption in favour of sustainable development."

- 3.9 The Council concludes *"The principle of development on this site is clearly contrary to the policies within the development plan. However, these policies have reduced weight due to the Council not being able to demonstrate an adequate supply of housing land. The proposal does not represent sustainable development and the NPPF presumption in favour of sustainable development would not be engaged."*

Design

- 3.10 The Council's response then considers design. It is stated that the Arun Local Plan (Policy D SP1) requires proposals to *"....reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details..."* It is also stated that the Walberton Neighbourhood Plan (Policies HP11 and HP13) seek *"to ensure that the density of the proposed development is in keeping with its location to maintain the character and appearance of the locality";* and that development *"must contribute to local character by creating a sense of place appropriate to its location"*.

- 3.11 In response to the draft scheme submitted, the Council states:

"The introduction of a housing estate into the open countryside at this location would be entirely out of character with the village of Walberton and would be inappropriate in its location. ...The location of a modern housing estate next to the Conservation Area would have an unacceptable effect on the character of the village as a whole."

Conclusion

- 3.12 For the above reasons, the Council's letter confirms:

"Based on the above comments, I conclude that were an application for

planning permission (to be submitted) it would be likely to be refused for the following reasons:

- 1. The proposed development would be environmentally unsustainable taking an area of open countryside and contrary to policy.....*
- 2. The proposed development would be out of character with its rural location beyond the Built Up Area Boundary of Walberton village contrary to policies..."*

Arun District Council – Stage Two

- 3.13 The applicant and their project team carefully considered the pre-application advice received from the Council in Stage One (summarised above) and in November 2020 a second request for pre-application advice was submitted to the Council based on a revised Development Concept. The proposed development was for the construction of 36 dwellings including 30% affordable housing. The submission included an accompanying written response to the concerns raised by the Council in Stage One, which is summarised below.

Description of Site and Locality

- 3.14 In the applicant's view, the Council's description of the site as being separate to the village, rural in character and in open countryside is not accepted. The site abuts the village and lies within the existing extent of the settlement (albeit not within the defined BUAB), with existing residential development immediately to the north, south and east (beyond Walberton Green). The site is well contained and discrete due to the large trees and established hedgerows, particularly on its western and northern boundaries. Its development would round off the extent of the settlement at this end of the village.

Principle

- 3.15 At the time of submitting the second pre-application consultation, it was understood that the Council could not demonstrate a 5-year supply of housing land and that the position had considerably worsened in the past year.

According to two recent appeal decisions in early 2020, the Council could only demonstrate a supply of approximately 2.9 years. It is therefore concluded that the presumption in favour of sustainable development contained in Paragraph 11d) of the NPPF is engaged.

- 3.16 In terms of the NPPF's three objectives for achieving sustainable development, the applicant's written response confirms that it has previously been accepted by the Council that a residential development of this site will achieve the economic and social objectives of the NPPF. The Council held that the previous draft proposals at Stage One did not satisfy the NPPF's environmental objective because they were out of character with the surroundings and context, and were "environmentally unsustainable" for taking an area of open countryside, but in circumstances where the Council cannot demonstrate a 5 year supply of housing land, BUAB policies are out of date. Moreover, the same objection could be made to the development of any greenfield site outside a BUAB, but such an objection is outweighed by the presumption in favour of sustainable development which has been engaged.
- 3.17 Therefore, the applicant's written response suggests that if a revised development proposal can be designed which responds positively to the character and appearance of its surroundings, and which preserves and enhances the character and appearance of the adjoining Conservation Area, such that it does not cause the harm to the character of this location which was alleged to be caused by the Stage One scheme, then the environmental objectives of the NPPF are achieved and the proposals can be held to be sustainable development.

Design

- 3.18 The applicant's design team completely reviewed the proposals for the site and the revised scheme submitted with Stage Two, designed to appear as if it has evolved over time, rather than having been developed at a single point, reflecting the organic character of this part of the village, including an extension of Walberton Green into the site intended to weave the development into the fabric of the settlement. The revised design is considered to be wholly in character with its surroundings such that it represents an environmentally

sustainable proposal which accords with the NPPF's guidance that development should seek to satisfy economic, social and environmental objectives.

3.19 The applicant's written response concludes that, in the context of the acknowledged severe housing land supply shortfall in the District, the presumption in favour of sustainable development described by Paragraph 11 of the NPPF applies as there are no adverse impacts of such weight that they would outweigh the many benefits of planning permission being granted.

3.20 The Council's response is dated 24th February 2021 (reference number PAA/131/20). The Council's position in relation to a number of the relevant planning considerations remains unchanged to those set out in the first pre-application response (as summarised above). However, the key points in the second pre-application response are summarised as follows:

Description of Site and Locality

- The Council remains of the view that the site comprises *"open agricultural land outside of the built up area boundary... The area is rural in character with an open aspect across surrounding land to the west and south but is located at the edge of the village of Walberton on the northern and eastern boundaries"*;

Principle

- The Council's response confirms that it cannot demonstrate a 5-year supply of housing land and suggests an updated supply of 3.3 years at the time of writing (as confirmed in the 2019/20 Annual Monitoring Report, published in December 2020). The Council continues to state *"...that 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"*;
- The Council continues to state that whilst the proposed development does meet the economic and social objectives of sustainable development, it does not meet the environmental objective and therefore the presumption in favour of sustainable development set out in Paragraph 11d) of the NPPF is not engaged;

Design

- Overall, the Council considers that the character of the development in relation to plot sizes, the quantum of dwellings and space between/around dwellings does not reflect the character/density of the surrounding area which is much lower with larger plot sizes and dwelling sizes; and

The Council remains of the view that the introduction of a housing development in this location would be out of character with the village and inappropriate. They do not consider the proposals to represent infilling, but instead an extension to the village which would detract from the rural character of the area as a whole.

Arun District Council – Stage Three

- 3.21 Following receipt of the second pre-application response from the Council, the applicant and their project team carefully considered the advice received and subsequently prepared a further revised Development Concept which reduced the quantum of development down to 30 dwellings, including the provision of a greater number of larger dwellings in larger plots (by replacing terraces with semi-detached and detached dwellings).
- 3.22 On 4th March 2021, the applicant and their project team had a virtual meeting with Ms Anita Gardner at Arun District Council to discuss the latest revisions to the proposed development. Ms Gardner was supportive of the reduction in the number of dwellings proposed, as well as the provision of a greater number of larger dwellings in larger plots, and agreed that this went part way towards overcoming the Council's concerns with the proposals. Ms Gardner also confirmed that the proposed elevations and materials presented to her were generally acceptable and that a traditional appearance for the proposed dwellings is the most appropriate approach for the site. However, Ms Gardner remained unsupportive of the principle of development in this location for the same reasons set out above in relation to Stages One and Two of the pre-application consultation with the Council.

Walberton Neighbourhood Plan Group

- 3.23 In March/April 2019, the applicant's agent made contact with Walberton Parish Council to request the opportunity to meet with them to discuss the Neighbourhood Plan Review and the development potential of the application site. The Chair of the Highways and Planning Committee for the Parish Council advised the applicant's agent that they do not meet developers in advance of planning applications, but the Walberton Neighbourhood Plan Group may do so.
- 3.24 Subsequently, the applicant's agent met with the Walberton Neighbourhood Plan Group in June 2019. They advised that the applicant wishes to work closely with the Neighbourhood Plan Group to deliver a residential development on the application site to help meet the housing needs of the Parish and following the meeting a revised draft layout was submitted to the Neighbourhood Plan Group to incorporate some of the comments made in relation to dwelling sizes and the quantum of development.
- 3.25 The Neighbourhood Plan Group were unsupportive of the proposed development at this time as, in their view, they had already identified sufficient housing land to meet the local requirement.

4.0 The Proposed Development

- 4.1 The full planning application sets out detailed proposals for residential development of the site for 36 new dwellings. The proposed development has been designed having regard to the feedback received from Arun District Council from the first of the two pre-application consultations that have been undertaken, as well as an analysis of the constraints and opportunities associated with the site.
- 4.2 The proposed development is described in detail in the Design and Access Statement that is submitted in support of the planning application. The Design and Access Statement also sets out a detailed rationale for the design of the proposals and how this has evolved, including an assessment of the local character and how this has informed the character areas to be created within the site. It should therefore be read in conjunction with this Planning Statement.

4.3 The proposed development is summarised as follows:

- Provision of 30 new dwellings including 30% affordable housing (9 dwellings);
- Mix of dwellings including flats, a bungalow, terraced, semi-detached and detached houses ranging from 1 to 4 bedrooms;
- All dwellings to be a maximum of 2 storeys in height;
- Proposed materials to include brick, flint, painted brickwork, tile hanging, timber cladding, and slate and clay roof tiles;
- Private parking provision including driveways, car barns, on-plot spaces and allocated spaces within parking courts, as well as additional visitor parking spaces;
- Vehicular access via Eastergate Lane;
- Pedestrian / cycle links to West Walberton Lane and Eastergate Lane;
- Network of footpaths and cycleways within the site, providing connections to existing off-site footpaths, bridleways and cycle routes, as well as potential for future link to Walberton village green;
- Public open space areas including an extension to Walberton village green (with potential future pedestrian link), a pond, community orchard, natural play areas and wooded areas;
- Wildlife corridors and ecological buffers along site boundaries; and
- Retention of existing high value and protected trees and hedgerows supplemented by additional planting.

5.0 Planning Policy Context

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, in the determination of planning applications, decisions are made in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 The application site lies within the jurisdiction of Arun District Council (ADC) where the Development Plan comprises the Arun District Local Plan 2011-2031 (adopted in July 2018) and the original Walberton Neighbourhood Plan 2015-2035 (March 2017). A Neighbourhood Plan Review 2019-2031 is currently being completed.

- 5.3 The National Planning Policy Framework also forms a material consideration in the determination of the application.

National Planning Policy Framework

- 5.4 The National Planning Policy Framework (NPPF) was most recently updated in February 2019. It sets out the Government's planning policies for England and how these should be applied.
- 5.5 Paragraph 2, and later Paragraph 47, confirms that applications for planning permission are required to be determined in accordance with the Development Plan unless material considerations indicate otherwise, and that the NPPF is a material consideration in determining planning applications.
- 5.6 Paragraph 7 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development and Paragraph 8 confirms that the planning system has three overarching objectives to achieve this, which are interdependent and need to be pursued in mutually supportive ways. The three objectives are:
1. Economic – 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.
 2. Social - 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
 3. Environmental - to contribute to protecting and enhancing our natural, built and historic environment; including making effective 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.

- 5.7 Paragraphs 10 and 11 confirm that at the heart of the NPPF is the presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay. Alternatively, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. Footnote 7 confirms that, for applications involving the provision of housing, this includes situations where local planning authorities cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in Paragraph 73), or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.
- 5.8 Paragraph 12 states that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted but local planning authorities may take decisions that depart from an up-to-date development plan only if material considerations in a particular case indicate that the plan should not be followed.
- 5.9 Paragraph 14 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.

- 5.10 Paragraph 38 confirms that local planning authorities should approach decisions on proposed development in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.11 Paragraph 47 reiterates that planning applications are required to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.12 Paragraph 73 confirms that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against the housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 5.13 Paragraph 92 states that in order to provide the social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for the provision and use of shared spaces and community facilities, including open space.
- 5.14 Paragraph 96 confirms that access to a network of high quality open spaces and opportunities for sport and physical activities is important for the health and well-being of communities.
- 5.15 Paragraph 98 states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks.

- 5.16 Paragraph 108 states that in assessing specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users; and
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 5.17 Paragraph 109 confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.18 Paragraph 110 goes on to state that, within this context, applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
 - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 5.19 Paragraph 117 promotes the effective use of land is meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.

- 5.20 Paragraph 122 promotes the 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; local market conditions and viability; the availability and capacity of infrastructure and services; the desirability of maintaining an area's prevailing character and setting (including residential gardens); and the importance of securing well-designed, attractive and healthy places.
- 5.21 Paragraph 123 confirms that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 5.22 Paragraph 124 confirms that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.23 Paragraph 127 states that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 5.24 Paragraph 130 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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 5.25 Paragraph 163 confirms that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 5.26 Paragraph 170 requires planning policies and decisions to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value, recognising the intrinsic character and beauty of the countryside and minimising impacts on and providing net gains for biodiversity.
- 5.27 Paragraph 189 confirms that in determining planning application, local planning authorities should require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting.
- 5.28 Paragraph 190 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

5.29 Paragraph 192 states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

5.30 Paragraph 193 confirms that 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.

5.31 Paragraph 213 confirms that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Arun Local Plan 2011-2031 (adopted July 2018)

5.32 The Arun Local Plan covers the period 2011-2031 for Arun District (excluding the area covered by the South Downs National Park Authority) and was adopted on 18th July 2018.

5.33 Policy SD SP1 confirms that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

5.34 Policy SD SP2 confirms that Built Up Area Boundaries are defined for the main towns and villages in the District. Development should be focused within these

areas and will be permitted subject to consideration against other policies of this Local Plan.

- 5.35 Policy C SP1 relates to the countryside and states that outside the Built Up Area Boundaries land will be defined as countryside and will be recognised for its intrinsic character and beauty. Development will only be permitted in the countryside for a defined list of uses that are considered appropriate.
- 5.36 Policy GI SP1 requires all major development to be designed to protect and enhance existing Green Infrastructure assets and the connections between them in order to ensure a joined up Green Infrastructure Network.
- 5.37 Policy LAN DM1 states that development throughout the plan area should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas. The historic character and development pattern of settlements within the District should be respected, taking into account their distinct identity and setting.
- 5.38 Policy SO DM1 states that unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term. The requirement to protect the best and most versatile land can be outweighed if it is demonstrated through sustainability and options appraisals that:
- a. Preservation of land of lower agricultural quality has greater benefits in terms of ecosystem services (for example carbon storage, flood water retention, support of biodiversity);
 - b. That any site preferred for development is demonstrated to be the best and most sustainable option, including but not limited to the terms of land quality, ecosystem services, infrastructure and proven need; and
 - c. The proposed development meets the requirements of the countryside policy and/or equine development policy.

- 5.39 Where development is permitted it should, as far as possible, use the lowest grade of land suitable for that development. Development will not be permitted unless:
- d. The applicant has submitted sustainability and options appraisals, mitigation measures, and a soil resources plan for the development site;
 - e. Site appraisal documents submitted by the applicant must demonstrate that consideration has been given to DEFRA's Soil Strategy for England;
 - f. The productivity of the land is demonstrated using a methodology for assessing gross margins as contained in the Arun Soils and Agricultural Land Assessment Report; and
 - g. The applicant has submitted a comprehensive soil resources plan for the development site which demonstrates that care will be taken to preserve the soil resource, such that it can be incorporated into a Productive Green Environment following development.
- 5.40 Policy H SP1 confirms that within the plan period 2011-2031, at least 20,000 new homes will be accommodated in the District and sets out the proposed phasing of this development.
- 5.41 Policy H DM1 relates to housing mix and seeks a mix of dwelling types and sizes, to include affordable housing units. For developments of 11 units or more the Council shall require a balanced mix of market and affordable dwelling sizes including family sized accommodation based on the most up to date SHMA recommendations. The tenure mix for developments shall be negotiated on a case by case basis taking any necessary viability considerations into account. Developers shall have regard to the most up to date version of the SHMA.
- 5.42 Policy AH SP2 confirms that for all developments of 11 residential units or more the Council will require a minimum of 30% of the total number of units proposed on site to be provided as affordable housing on the same site in the first instance. Where it can be proven, however, that 30% affordable housing provision is not viable, then a reduction in the amount of affordable housing on a site or off-site provision as part of another development within Arun District may be considered (as agreed with the local planning authority). The Council will negotiate the affordable housing tenure mix on development sites

from an initial position of 75% rent and 25% intermediate housing.

5.43 Policy AH SP2 continues that affordable housing must be visually indistinguishable from market housing with large groupings of single tenure dwellings or property types avoided. Affordable housing units shall be permitted in small clusters throughout development schemes. The affordable dwelling mix should comprise of the following range of homes unless evidence indicates otherwise:

- 1 bedroom 35 – 40%
- 2 bedroom 35 – 40%
- 3 bedroom 15 – 20%
- 4+ bedroom 5 – 10%

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

5.45 Policy D DM1 lists all aspects of form and design quality which the Council will have regard to when considering any application for development, including where relevant character, appearance/attractiveness, impact, innovation, adaptability, crime prevention, trees and woodland, solar gain, public realm, layout – movement, layout – legibility, public art, density, scale and aspects of form and design quality.

5.46 Policy D DM2 confirms that the local planning authority will require internal space standards to be an appropriate size to meet the requirements of all occupants and their changing needs, Nationally Described Space Standards will provide guidance.

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- 5.47 Policy ECC SP1 states that 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; and
 - g. Capacity of drainage systems and incorporation of Sustainable urban Drainage Systems (SuDS).
- 5.48 Policy ECC SP2 states that 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.
- 5.49 Policy HWB SP1 states that all development shall be designed to maximise the impact it can make to promoting healthy communities and reducing health inequalities including accessible open space and safe, well promoted walking and cycling routes.
- 5.50 Policy OSR DM1 states that housing development will be required to contribute towards open space provision in accordance with guidance set out in the current Open Space Study.
- 5.51 Policy T SP1 states that the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.
- 5.52 Policy T DM1 states that new development must ensure ease of movement, prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport and community transport services where a need has been identified.

- 5.53 Policy HER SP1 states that the Local Planning Authority will grant planning permission or relevant consent for development proposals that conserve or enhance the historic environment of the District, based on the following approach: 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.
- 5.54 Policy HER DM3 states that in order to preserve or enhance the character or appearance of the Conservation Area, planning permission or relevant consent will normally be granted for proposals within or affecting the setting of a Conservation Area, provided that:
- a. New buildings and structures acknowledge the character of their special environment in their layout, form, scale, detailing, use of materials, enclosure and the spaces created between buildings;
 - b. Alterations or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings, townscape or streetscape in the area;
 - c. Traditional features such as shop fronts, walls, railings, paved surfaces and street furniture are retained and restored;
 - d. Unsympathetic features are removed and missing features are restored or reinstated;
 - e. It retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges; and
 - f. It does not harm important views into, out of or within the Conservation Area.
- 5.55 Policy ENV SP1 confirms that Arun District Council will encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment through the development process and particularly through policies for the protection of both designated and non-designated sites. Where possible it shall also promote the creation of new areas for habitats and species.

- 5.56 Policy ENV DM4 confirms that development will be permitted where it can be demonstrated that trees protected by a Tree Preservation Order(s), (TPO) identified as Ancient Woodland, in a Conservation Area or contributing to local amenity, will not be damaged or destroyed now and as they reach maturity.
- 5.57 Policy ENV DM5 confirms that development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site.

Walberton Neighbourhood Plan 2015-2035 (the 2015 Plan)

- 5.58 The original Walberton Neighbourhood Plan 2015-2035 was 'made' by Arun District Council on 8th March 2017 following a referendum. It is known as the 2015 Plan.
- 5.59 Policy VE3 confirms that development will be permitted where it can be demonstrated that trees and hedgerows contributing to local amenity will not be damaged or destroyed.
- 5.60 Policy VE4 states that proposals that adversely affect the setting of the two Conservation Areas will not be supported. New development must protect the open/rural character of the Conservation Area's setting and sustain or enhance the visual connections between the village's core and its rural hinterland, including longer views to the South Downs, which contribute to the character of the Conservation Area.
- 5.61 Policy VE7 requires that new development should aim to reduce the overall level of flood risk, stating that surface water management measures will be required for development proposals to ensure that the risk of flooding both on-site and downstream is not significantly increased. Consideration should be given to the use of SUDS as alternatives to conventional drainage where appropriate. Where necessary a site specific Flood Risk Assessment must demonstrate that the development will be safe, including access and egress, without increasing the flood risk elsewhere and reduce flood risk overall.

- 5.62 Policy HP1 confirms that development proposals that accord with the relevant policies of the Arun Local Plan will be supported. Development proposals for other new dwellings outside the Built-up Areas will be resisted unless the Plan has made specific provision for those proposals.
- 5.63 Policy HP10 states that proposals meeting the ADC current standards in respect of affordable housing, as a minimum, will be supported.
- 5.64 Policy HP11 confirms that the density of new development shall be appropriate to its location by virtue of size, siting and relationship to existing properties.
- 5.65 Policy HP13 states that new development which would have an effect on the appearance of character of the surrounding area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to its location. The Parish has two conservation areas and other visually sensitive points.
- 5.66 Policy GA2 confirms that support will be given to proposals that improve and extend the existing footpath, bridleway and cycle path network, allowing easier and safe access to the local amenities and services, to green spaces, to any new housing and to the open countryside.

Walberton Neighbourhood Plan Review 2019-2031 (the 2019 Plan)

- 5.67 The adoption of the Arun District Local Plan 2018 requires a review and, where appropriate, amendments to the 2015 Neighbourhood Plan to ensure that the two documents are in alignment and reflect the new policies. At the time of writing this Planning Statement, the draft 2019 Plan has reached Regulation 19 stage and is proceeding to referendum which is expected to take place on 6 May 2021. The draft 2019 Plan comprises all the saved policies from the 2015 Plan and some new and amended policies / maps.
- 5.68 Draft Policy VE10 is a new policy relating to biodiversity corridors which states that proposals that have a positive impact on the local ecology will be encouraged, subject to other policy constraints. New development within or

immediately adjacent to the biodiversity corridors 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. Proposals should include a management plan to ensure that effective long-term management and enhancement of the corridors can be achieved. The management plan should set out how retained habitats will be preserved into the future, along with detail on how they allow permeability and connection to the existing corridors and ecological network. Development proposals that may impact on the corridors will be required to deliver measurable biodiversity net gains through design in line with national policy.

- 5.69 Draft Policy VE13 relates to distinctive views and vistas, including View 1 looking west towards Walberton Village Green and pond. Development proposals should respect and, where possible, enhance distinctive views and vistas by ensuring that their visual impact on these views is carefully and sympathetically controlled.

- 5.70 Draft Policy HP1 is proposed to relate to the Built UP Area Boundary (BUAB) and states that proposals for development outside of the BUAB, that do not accord with the development plan policies in respect of the countryside, will be resisted unless it is for essential utility infrastructure, where the benefits outweigh any harm, and it can be demonstrated that no reasonable alternative sites are available.

- 5.71 Draft Policy HP2 relates to windfall sites and states that permission will be granted for residential developments on infill and redevelopment sites within the BUAB.

- 5.72 Draft Policy HP6 relates to housing mix and construction and states that proposals providing a range of house types and tenures appropriate to the size of the site will be supported. A proportion of housing is required to meet the needs of our ageing population who wish to downsize.

- 5.73 Draft Policy GA2 is proposed to be amended from the 2015 Plan to state that

support will be given to proposals that improve and extend the existing footpath, bridleway and cycle path network, allowing easier and safe access to the local amenities and services, to green spaces, to any new housing and to the open countryside. Where new off-road paths are to be established, wherever possible and appropriate they should be open to all non-motorised users: walkers, cyclists and equestrians. In particular, support will be given to certain proposals including those that will make the section of the cycle route between Walberton Green and Fontwell safe and attractive for walkers and cyclists.

Arun District Council Parking Standards SPD (January 2020)

- 5.74 Walberton falls within Parking Behaviour Zone 1 of the SPD. Table 3.1 confirms that the expected level of provision for new residential developments is 2 parking spaces for dwellings of up to 3-bedrooms, and 3 parking spaces for dwellings of 4+ bedrooms. In addition, visitor parking will be required to be provided at a ratio of 20% of the total number of residential units.
- 5.75 Principle 3 confirms that 'active' charging points for electric vehicles shall be provided at a minimum of 20% of all parking spaces with ducting provided at all remaining spaces where appropriate to provide 'passive' provision for these spaces to be upgraded in the future. This applies to residential development.
- 5.76 Principle 6 states that garages must be at least 6m x 3m internally to be regarded as an allocated parking space of 0.5 but a car port or parking space of this dimension will count as 1 parking space. Where garages do not meet this minimum size, they will not be counted towards meeting parking demand.
- 5.77 Table 2.3 confirms that dwellings of 1 and 2 bedrooms should provide 1 cycle space per unit and dwellings of 3 bedrooms or more should provide 2 cycle spaces per unit.

Arun District Design Guide SPD (adopted January 2021)

- 5.78 The Arun District Design Guide SPD provides detailed guidance that will raise design standards across the District, ensuring that only the highest quality

development is delivered. The SPD sets out the Council's expectations with regard to the design of quality new development, and for the preservation and enhancement of the existing distinctive character and qualities that can be found within the District.

5.79 The SPD provides further guidance on design policies contained within Arun's Local Plan. While the Guide is a material consideration in Arun District Council's decision-making, the design solutions specified within are guidance only, and alternative approaches may be acceptable, when sufficiently justified and after the local authority's approval.

5.80 The proposed development has been designed having regard to the guidance set out within the SPD and, where relevant, this is discussed in more detail in Section 6.0 below and also within the Design and Access Statement and other technical documents that are submitted in support of the application. These documents should all be read in conjunction.

6.0 Key Development Considerations

6.1 This section of the Planning Statement explains why the proposed development is acceptable having regard to the previous pre-application advice received from Arun District Council, summarised in Section 3.0 above, the planning policy context set out in Section 5.0 above and the technical considerations that are relevant to the proposals.

Principle of Development

6.2 As set out in Section 5.0 above, the NPPF states at Paragraph 47 that planning applications are required to be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.3 Having regard to Policy SD SP2 of the adopted Arun Local Plan, and Policy HP1 of the 2015 Walberton Neighbourhood Plan, the application sites lies outside of the Built Up Area Boundary of Walberton (within which development should be focused) and instead is defined as being located within the countryside under the provisions of Policy C SP1 of the adopted Arun Local Plan, where

development will only be permitted for a defined list of countryside uses.

- 6.4 The provisions of Policy SD SP2 and Policy C SP1 therefore preclude residential development on the application site. However, Paragraph 11 of the NPPF and Policy SD SP1 of the adopted Arun Local Plan set out a presumption in favour of sustainable development. In particular, Paragraph 11d) and Footnote 7 of the NPPF confirm that where a local authority is unable to demonstrate a 5-year supply of housing land or where there is a record of substantial under delivery of housing over the past three years, the most important policies for determining residential planning applications are to be considered out-of-date.
- 6.5 In such circumstances, Paragraph 11d) of the NPPF requires that the 'tilted balance' is engaged and that planning permission for the proposed development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole (or unless the 'tilted balance' is disengaged as a result of specified policies in the NPPF providing a clear reason for refusal).
- 6.6 Arun District Council currently has a record of substantial under delivery and accepts that it is unable to demonstrate a 5-year supply of housing land. Therefore, in accordance with Paragraph 11d) and Footnote 7 of the NPPF, Policy SD SP2 and Policy C SP1 of the adopted Arun Local Plan should be considered out-of-date in determining this planning application and the 'tilted balance' is engaged.
- 6.7 However, Paragraph 14 of the NPPF states that, in circumstances where the presumption (at Paragraph 11d) applies, the adverse impact of allowing development that conflicts with a neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all (*our underlining*) of the following apply:
- a) The neighbourhood plan was made within the last two years;
 - b) The neighbourhood plan contains policies and allocations to meet its identified housing requirement;
 - c) The LPA is able to demonstrate at least a three-year land supply (3YLS);

and

d) The housing delivery test (HDT) result is in excess of 45%.

- 6.8 Having regard to the 2015 Walberton Neighbourhood Plan, only Criterion d) of Paragraph 14 is fulfilled – Arun District Council has a HDT result of 61%. The 2015 Plan was not made within the last two years and therefore does not fulfil Criterion a). The 2015 Plan also does not contain policies and allocations to meet the current identified housing requirement for Walberton – according to Paragraph 2.4 of the emerging 2019 Walberton Neighbourhood Plan, the Parish Council has been advised to allocate sites for up to 60 units but the 2015 Plan only allocates sites for up to 45 dwellings. Therefore, the 2015 Plan does not fulfil Paragraph 14b) of the NPPF.
- 6.9 In terms of Criterion c) of Paragraph 14, it is the applicant's position that the Council is not able to demonstrate a 3-year supply of housing land and this is set out in more detail in the next section below. Therefore, in the applicant's view, Criterion c) of Paragraph 14 of the NPPF is not fulfilled.
- 6.10 For the above reasons, the policies of the 2015 Walberton Neighbourhood Plan do not benefit from the protection of Paragraph 14 of the NPPF.
- 6.11 Having regard to the emerging 2019 Walberton Neighbourhood Plan, once 'made' this will fulfil Criteria a) and b) of Paragraph 14 of the NPPF, and Criteria d) will still be fulfilled in relation to the HDT. However, the Council still will not be able to demonstrate a 3-year supply of housing land, as discussed in more detail in the next section, such that Criteria c) still will not be fulfilled.
- 6.12 Therefore, even once 'made' the emerging 2019 Walberton Neighbourhood Plan will also not benefit from the protection of Paragraph 14 of the NPPF and the presumption in favour of sustainable development set out at Paragraph 11d) will be engaged.
- 6.13 Returning to Paragraph 11d) and Footnote 7 of the NPPF, for the reasons set out above Policy SD SP2 and Policy C SP1 of the adopted Arun Local Plan should be considered out-of-date in determining this planning application as the Council cannot demonstrate a 5-year supply of housing land and therefore the

'tilted balance' is engaged in terms of the presumption in favour of sustainable development. Planning permission for the proposed development should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

- 6.14 Paragraph 8 of the NPPF confirms the three overarching objectives in relation to sustainable development: economic, social and environmental. The Council's pre-application advice confirms that it is accepted that a residential development of the application site will achieve the economic and social objectives of the NPPF.
- 6.15 In terms of the economic benefits, the Council's pre-application advice confirms that residential development on the application site is likely to result in benefits to the local area in the form of: an increase in Council Tax receipts; potential 'New Homes Bonus' payments from the Government; financial contributions towards local libraries, education establishments, healthcare facilities and play areas; the creation of new or maintenance of existing construction jobs; and additional spending by new residents on local goods and services including at the public house.
- 6.16 In terms of the social benefits, the Council's pre-application advice confirms that the proposed development of the application site will support the local community by providing new dwellings including affordable housing, as well as a mix of housing types. It was also noted that the additional custom may also lead to an increased use of local facilities and services.
- 6.17 However, both of the Council's pre-application responses hold that the draft proposals at these times did not satisfy the environmental objective of Paragraph 8 of the NPPF because they were held to be out of character with the surroundings and context of the site, being described as a "modern housing estate" lying on the edge of the village Conservation Area. It was also asserted that the proposals were "environmentally unsustainable for taking an area of open countryside" but, given that the Council cannot demonstrate a 5-year supply of housing land, the BUAB policies are out of date. Moreover, the same objection could be made to the development of any greenfield site outside a

BUAB, but such an objection is out-weighed by the presumption in favour of sustainable development which has been engaged.

6.18 Therefore, it follows that, if a revised development proposal can be designed which responds positively to the character and appearance of its surroundings, and which preserves and enhances the character and appearance of the adjoining Conservation Area, such that it does not cause the harm to the character of this location which was alleged to be caused by the draft schemes submitted as part of the two pre-application processes, then the environmental objective of the NPPF is achieved and the proposals can be held to be sustainable development.

6.19 The applicant's position is that the proposed development does represent an appropriate design response for the application site and surrounding area. The reasons for this are discussed in the section below entitled 'Character and Appearance of the Surrounding Area including Conservation Area – Design Response' and also in the Design and Access Statement submitted with the application. Accordingly, the proposed development meets all three objectives of sustainable development set out in Paragraph 8 of the NPPF, and the presumption in favour of sustainable development set out at Paragraph 11d) of the NPPF is engaged such that planning permission should be granted.

Housing Land Supply

6.20 Arun District Council has a 5-year housing land supply requirement of 10,079 dwellings for the period 2020-25. The applicant has appointed a housing land supply expert to undertake a review of the Council's position in relation to its 5-year supply of housing land, as set out in its latest Annual Monitoring Report (AMR) dated December 2020.

6.21 Following the review undertaken on behalf of the applicant, it is considered that the Council has significantly over-estimated its deliverable supply of housing. The reasons for this conclusion include, but are not necessarily limited to, the following matters:

- It is inappropriate to apply a generic 10% slippage rate to all sites, as their

deliverability varies considerably and the individual circumstances of each needs to be taken into account;

- Sites where full or outline planning permission appears to have lapsed should no longer be considered deliverable according to the NPPF;
- Sites with an extensive record of non-implementation and which do not stand a realistic prospect of implementation should not be included in the deliverable supply;
- Sites upon which the trajectory of the Council is now unrealistic given the absence of progress towards development since the base-date should not be included in the deliverable supply;
- Sites upon which the trajectory of the Council is more optimistic than that identified by the developer should not be included in the deliverable supply;
- Sites in relation to which reserved matters applications have been refused should not be included in the deliverable supply; and
- Including unallocated, unpermitted HELAA sites in the deliverable supply is contrary to the NPPF, PPG and findings of every S78 Appeal Inspector.

6.22 In its 2020 AMR, the Council suggests it can demonstrate 3.27 years housing land supply. For the reasons given above, the applicant has recalculated this position and concludes that in fact the Council's housing land supply position is more realistically in the region of 2.6 years. Accordingly, both parties agree that the Council cannot demonstrate a 5-year supply of housing land such that Paragraph 11d) and Footnote 7 of the NPPF are engaged. Moreover, it is the applicant's view that the Council cannot demonstrate a 3-year supply, such that NPPF Paragraph 14 does not apply.

Character and Appearance of the Surrounding Area including Conservation Area – Design Response

6.23 Having regard to the Council's pre-application responses, the description of the site as being visually separate to the village, rural in character and in open countryside is not accepted by the applicant. The site abuts the village and lies within the existing extent of the settlement (albeit not within the defined BUAB), with existing residential development immediately to the north, south and east (beyond Walberton Green). The site is well contained and discrete

due to the large trees and established hedgerows, particularly on its western and northern boundaries. Its development would round off the extent of the settlement at this end of the village.

6.24 Following receipt of the Council's two pre-application responses, the applicant's design team has completely reviewed the proposals for the site to seek to address the concerns raised by the Council as far as possible. The design review process which has been conducted is documented and explained in the accompanying Design and Access Statement, which should be read in conjunction with this Planning Statement. The design review has included:

- An assessment of the site's built surroundings, particularly the character and appearance of the Walberton Green Conservation area including its buildings and spaces, the historical evolution of this part of the settlement, and the identification of surviving precedent examples of vernacular building types;
- A separate assessment of the site's landscape context and its existing landscape features as part of a Landscape Appraisal to inform the re-design; and
- Technical studies including in relation to heritage, flood risk, drainage, biodiversity and highways / site access design.

6.25 These assessments, in particular the Landscape Appraisal and Heritage Statement, have informed the design of a revised scheme which is sensitive to the character and appearance of this historic part of the settlement. It has been designed to appear as if it has evolved over time, rather than having been developed at a single point, reflecting the organic character of this part of the village. The proposed extension of Walberton Green into the site both weaves the development into the fabric of the settlement and safeguards the open northerly aspects of the two properties backing onto that part of the site on Eastergate Lane. The scheme has also been designed to be permeable for pedestrians and cyclists, including the cycle connection from West Walberton Lane to the cycle route south of Eastergate Lane. The retention and reinforcement of the site's planted boundaries, including supplementary tree planting to its western boundary, will enhance its existing strong containment and emphasise the role of the site as part of the built extent of the village.

- 6.26 The quantum of development has been reduced to 30 dwellings in total, including a greater number of larger dwellings in larger plots by reducing the number of terraces and increasing the number of semi-detached and detached dwellings. This has created increased space between and around the proposed dwellings and reflects the character of existing development in the immediate locality. The dwellings have also been designed to be traditional in terms of their appearance and materials to reflect the local character.
- 6.27 The Landscape Appraisal confirms that the proposed development would change the character of the site from improved grassland to residential development but the surrounding area is already partly characterized by residential development such that the proposals will have minimal impacts on the character of the local landscape. The proposed development benefits from a high level of visual containment provided by the mature boundary vegetation and the low lying nature of the topography of the site and surrounding area. Therefore, views are limited to close range views along West Walberton Lane and Eastergate Lane and the proposed planting and appropriate siting of individual dwellings will help to mitigate these views. The proposed landscaping is discussed in more detail in the 'Landscape' section below and can be seen on the Landscape Masterplan submitted with the application. Therefore, it is anticipated that there will only be views of upper levels and roofscapes of the development and these will be primarily restricted to upper levels of existing dwellings. In summary, the proposed development is considered to have limited landscape and visual effects on the wider landscape and minor landscape and visual effects on the immediate site context.
- 6.28 The Heritage Statement submitted with the application confirms that the site makes a very minor contribution to the heritage significance of the Walberton Green Conservation Area through character, appearance and setting, and that the development proposals will cause no harm to the heritage significance of the Conservation Area through change to its character and appearance, since the easternmost part of the site will be retained as undeveloped land, opened to public access and planted with new trees. There is also anticipated to be no harm to the significance of the Conservation Area through change to its setting since the experience of the rural surrounds of the asset will be preserved by

the retention and augmentation of existing boundary vegetation.

- 6.29 For all of the above reasons, the revised design of development is wholly in character with its surroundings and it should be regarded as an environmentally sustainable proposal which accords with Paragraph 8 of the NPPF.
- 6.30 The proposed development also accords with Paragraphs 124, 127, 130 and 189-193 of the NPPF, as well as the relevant design, landscape and heritage policies of the adopted Local Plan (including Policies D SP1, D DM1, LAN DM1, HER DM3, HER SP1), 2015 Neighbourhood Plan (including Policies HP13, HP15, VE4 and VE13) and also the Council's Design Guide SPD.
- 6.31 In the context of the acknowledged housing land supply shortfall in the District, the presumption in favour of sustainable development described by Paragraph 11 of the NPPF is engaged. This presumption would only not apply if there are "adverse impacts which would significantly and demonstrably outweigh" the benefits of granting planning permission. In this case, for the reasons set out in this Planning Statement and the evidence provided in the technical documentation submitted as part of the application, there are no adverse impacts of such weight that they would out-weigh the many benefits of planning permission being granted.

Mix

- 6.32 The Proposed Site Layout Plan incorporates a mix of dwelling types and sizes, including 1 and 2-bedroom flats, 2 to 4-bedroom houses comprising terraced, semi-detached and detached dwellings, as well as a 3-bedroom bungalow. The specific mix is set out in Table 1 below:

Table 1: Overall Mix of Housing

Type of Accommodation	Number of Dwellings	% of Total Dwellings
1 bed dwelling (flat)	4	13.3
2 bed dwelling (flats & houses)	9	30.0
3 bed house	13	43.4
4 bed house	4	13.3
Total	30	100

6.33 The pre-application advice received from the Council is somewhat contradictory. On the one hand the advice states that that the proposals should reflect the character of existing residential development surrounding the site which, in the Council's view, comprises primarily larger dwellings in larger plots. However, at the same time the Council's pre-application advice suggests that the proposals should also meet the mix requirements set out in the adopted Local Plan, in particular the affordable housing mix set out in Policy AH SP2 which requires a higher proportion of smaller dwellings. The Applicant's response to this advice is summarised below.

6.34 Overall, it is considered that the proposed mix of dwellings (both market and affordable) provides an appropriate balance in seeking to meet both of the Council's objectives. The quantum of development has been reduced to 30 dwellings (previously 36 dwellings at the time of the pre-application process), which has allowed for more semi-detached and detached dwellings to be provided in larger plots. In particular, a looser grain of development is now proposed in the north-west part of the site to reflect the character of existing dwellings on West Walberton Lane to the north of the application site. At the same time provision is still made for some smaller, terraced 2-bedroom houses and also 1 to 2-bedroom flats to ensure a mix of dwellings is achieved. These are located primarily in the eastern part of the site. The proposed flats have been designed to appear like detached dwellings, however, it is noted that there are examples of existing smaller sized dwellings, including terraces, within the village to the east of the site, for example around the Green. Therefore, this form of development is also appropriate and reflective of the existing local character.

- 6.35 The proposed development therefore accords with Policy H DM1 of the adopted Local Plan and Policies HP6 and HP11 of the 2015 NP.

Scale

- 6.36 The proposed dwellings will be a maximum of two storeys in height which is appropriate and consistent with the local context. The proposed development therefore accords with the Council's Design Guide SPD.

Amenity

- 6.37 The proposed layout has been designed to ensure that appropriate separation distances are provided between dwellings to prevent overlooking as well as overshadowing, with good access to light provided to all private open space and internally. All dwellings have access to private open space and the public open spaces to be created on the site. The proposed development therefore accords with the Council's Design Guide SPD in terms of providing a good standard of living.

Highways and Access including Pedestrian Access

- 6.38 The application is accompanied by a Transport Statement which confirms that the proposed development is acceptable having regard to highways impacts, concluding that the proposed development will not have an unacceptable impact on the existing operation of the surrounding highway network. The Transport Statement also confirms that the proposed vehicular access from Eastergate Lane and internal road layout is appropriate and has been designed to accord with the relevant standards, as well as providing pedestrian and cycle access to connect to the internal footpaths/roads within the site and to the access to West Walberton road via the northern boundary.
- 6.39 The proposed development therefore accords with Paragraphs 108-110 of the NPPF, Policies HWB SP1, T SP1 and T DM1 of the adopted Local Plan and Policy GA2 of the 2015 Neighbourhood Plan.

Parking including Electric Vehicle Charging Points

- 6.40 The Transport Statement submitted with the application confirms that the proposed development provides sufficient parking spaces for all dwellings, as well as visitors, in accordance with the Council's Parking Standards SPD.
- 6.41 The proposed development provides a total of 64 private parking spaces located on driveways, on-plot, within car barns or allocated within parking courts. All 1 to 3-bedroom dwellings are provided with 2 spaces each and the 4-bedroom dwellings are provided with 3 spaces each. In addition, there are 7 visitor spaces shown on the Proposed Site Layout (one more than the standards require). These are spread across the site, including adjacent to the public open space. All parking spaces meet the relevant size standards.
- 6.42 All dwellings that have a driveway and garage will be provided with active electric vehicle charging points and active electric vehicle charging points will be provided at 20% for all other dwellings, in accordance with the Council's Parking Standards SPD.

Refuse and Recycling

- 6.43 The Transport Statement submitted with the application confirms that servicing will take place internally within the site boundary to reduce impact on the local road network. It is envisaged that kerbside collection will be undertaken for all the properties, with carry and/or reversing distances in accordance with Manual for Streets best practice guidance of 30m for residents and 25m for refuse collection personnel with bin collection points provided where required. Bin stores and bin collection points are shown on the Proposed Site Layout or otherwise can be accommodated within private gardens.

Landscaping

- 6.44 The application is supported by a Landscape Masterplan. The proposed landscaping is intended to minimise any impact on the immediate site context including mitigation hedgerow and tree planting; create new public open space

which provides connectivity to the existing footpath and cycle network as well as attractive and useable open space; and provide appropriate planting within the streetscape to help assimilate the built form into the wider landscape. The proposed development therefore accords with Paragraphs 92, 96 and 98 of the NPPF and Policies GI SP1 and OSR DM1 of the adopted Local Plan.

Ecology/Biodiversity

- 6.45 The application is supported by a Phase II Survey Results and Mitigation Strategy document, which confirms that the proposed development is acceptable in terms of ensuring that the existing key habitats and biodiversity features on-site will be protected and where possible enhanced as part of the proposals. The report details the species-specific mitigation, compensation and enhancements which will achieve this and ensure that the proposals are in line with the key policy and legislation. In particular, it is noted that a 5 metre wide buffer is proposed along the northern boundary of the site. This, together with the introduction of new potential bat roost and bird nesting features and enhancing the site through the Landscape Masterplan will result in a net gain for biodiversity of +9.13%. The proposed development therefore accords with Paragraph 170 of the NPPF, Policies ENV SP1 and ENV DM5 of the adopted Local Plan and Policy VE10 of the 2015 Neighbourhood Plan.

Trees

- 6.46 The application is supported by an Arboricultural Assessment and Method Statement, including a Tree Protection Plan, which considers the effect of the proposed development on local character from an arboricultural perspective. This concludes that the small amount of tree removal that will be required to accommodate the proposed site access from Eastergate Lane (Group G33) will have no adverse impact on the visual amenity or landscape character of the locality. This group is low category due to their poor condition and limited scope for sustainable retention. Otherwise, all the significant and sustainable boundary tree cover will remain intact, and no high or moderate quality trees will need to be removed.

- 6.47 The report goes on to consider the matter of adverse impacts on retained trees due to post-development pressures to fell or prune and concludes that none of the retained trees will be affected. Finally, the report sets out the precautions required to protect retained trees during construction activity and during the life of the development once completed, such that it will have no long-term detrimental impact on tree health or the contribution of trees to the character and appearance of the area.
- 6.48 The proposed development therefore accords with the relevant provisions of the NPPF, as well as Policy EN DM4 of the adopted Local Plan and Policy VE3 of the 2015 Neighbourhood Plan.

Flood Risk and Drainage

- 6.49 The application is accompanied by a Flood Risk Assessment which confirms that the developable area of the site is located within Flood Zone 1 and at little or no risk of fluvial or tidal flooding. Some areas along the western boundary of the site are within Flood Zone 2 and 3 as a result of the adjoining watercourse and there is an additional area of Flood Zone 3 in a depression in the south-west corner of the site. The location of the proposed dwellings entirely within Flood Zone 1 is therefore appropriate and the FRA demonstrates that the proposed development will not increase flood risk elsewhere.
- 6.50 The FRA advises that Finished Floor Levels (FFL) should be a minimum of 13.60mAOD and adjacent hard paved areas shall be a minimum of 150mm below the FFL – the proposed development has been designed accordingly.
- 6.51 The application is also accompanied by a Drainage Strategy Statement and Drainage Layout. These confirm that surface water drainage will comprise a permeable paving with type 3 subbase storage. The permeable paving will act as the main collection point for all surface water including roof and highway drainage. A structural concrete culvert is also proposed beneath the highway which will provide bulk storage of flood water and allow controlled discharge to the proposed pond. To ensure inflow and outflow are balanced, there will be a discharge point with the local watercourse downstream of the site. The pond will also provide biodiversity.

- 6.52 The foul drainage strategy shows a connection from the site to the public foul sewer located in Eastergate Lane. The discharge rate will need to be confirmed and approved by Southern Water and a Section 106 Agreement will be required to approve the connection construction method.
- 6.53 The proposed development therefore accords with the relevant planning policy, including Paragraph 163 of the NPPF.

Minerals Safeguarding

- 6.54 The West Sussex Joint Minerals Local Plan was adopted in July 2018 and the West Sussex Minerals and Waste Safeguarding Guidance was published in March 2020. According to these documents, the application site lies within the Sharp Sand and Gravel Mineral Safeguarding Area. The Safeguarding Guidance thresholds (Table 1, page 5) suggest that within this area, the Mineral Planning Authority (MPA) should be consulted in relation to residential applications for 10 dwellings or more or 0.5 hectares or more.
- 6.55 This requirement has been reviewed by the applicant and it is considered that it is not necessary to prepare a detailed Minerals Statement in relation to the application site for the reasons set out below.
- 6.56 A '*Combined Desk Study and Interpretive Site Investigation Report with Remedial Strategy Proposals*' has been prepared for the application site by Forge Environmental Management Ltd (dated November 2020) and is submitted as part of the application. In terms of the ground conditions identified, Table 7.2.1 provides a summary of the strata encountered on-site which primarily comprises clay, as shown below:

Table 7.2.1: Summary of Strata Encountered

Depth (m bgl)		Exploratory Holes Identified	Soil Type	General Description/Comments
From	To			
GL	0.15-0.20	WS1, WS2, WS3, WS4, WS5 & WS6	Topsoil	Brown silty clay with roots
0.15	0.95	WS5	Superficial Deposits (Head)	Firm light brown/yellow gravelly silty clay
0.20-	0.60-0.80	WS1, WS2, WS3, WS4 & WS6	Superficial Deposits (Head)	Light brown/yellow locally light brown/light grey soft locally soft to firm silty clay
0.60-0.80	2.00-3.00	WS1, WS, WS3, WS4 WS5 & WS6	Superficial Deposits (Head)	Soft to firm yellow/light brown sandy gravelly to very gravelly clay. Gravel is subangular to angular flint
0.95-3.00	>4.0->6.0 Base of probe hole	WS1, WS2, WS3, WS4, WS5 & WS6	Superficial Deposits (Head)	Generally soft although locally Firm tending to firm to stiff with depth yellow/light brown very sandy clay

6.57 In addition to the above, the application site would not represent a suitable or appropriate location for minerals extraction for the following reasons:

- The site is surrounded by residential development on all but one side, and is within a residential setting;
- Minerals extraction should not happen within circa 100 metres of existing residential dwellings; and
- Any activity relating to minerals extraction would have a detrimental impact on the adjacent Conservation Area.

6.58 Whilst the application site is not a suitable location for minerals extraction, the applicant is willing to offer incidental extraction on-site during the development process, to be reused for the construction of the proposed development.

Agricultural Land

6.59 Having regard to the provisions of Policy SO DM1 of the adopted Local Plan, it is considered that the benefits of the proposed development outweigh any need for the long-term protection of the application site as agricultural land.

6.60 The application site has never been developed and has only ever been used for occasional grazing (horses). It has never comprised arable land and the relatively small size and irregular shape of the site mean that it is both unsuitable and uneconomical for agricultural purposes. In addition, and as

confirmed elsewhere in this Statement, the application site comprises primarily clay soil and includes areas located within Flood Zones 2 and 3 making it further unsuitable for agricultural use.

6.61 In contrast to this, the social and economic benefits of the proposed residential development of the application site have already been set out in this Planning Statement and are acknowledged by the Council in its pre-application advice. In addition, this Planning Statement and the relevant technical documents submitted in support of the application confirm that the proposed development will also have environmental benefits, including biodiversity net gain and enhanced planting.

6.62 Accordingly, the application site should not be afforded the protection of Policy SO DM1 of the adopted Local Plan, with the benefits of its proposed residential development clearly outweighing any limited potential for agricultural use.

Sustainability

6.63 The application is accompanied by a Sustainability Statement which confirms that the proposed development can meet the requirements of Policies ECC SP1 and ECC SP2 of the adopted Local Plan (i.e. to provide renewable energy technologies capable of generating 10% of the site's predicted energy requirement) through PV arrays capable of generating 15,905.44kWh/year, to be installed on the front facing roof slopes of Plots 8 to 12.

7.0 Affordable Housing Statement

7.1 This Affordable Housing Statement provides details of the affordable housing to be provided as part of the proposed development, including the quantum, mix, size and tenure split of the units. It also confirms the proposed location of the affordable housing within the proposed development.

Affordable Housing Target

7.2 Overall the proposed development will provide a total of 30 dwellings, with the following mix:

Table 2: Overall Mix of Housing (Market and Affordable)

Type of Accommodation	Number of Units
1 bed dwelling (flat)	4
2 bed dwelling (flat)	4
2 bed dwelling (house)	5
3 bed house	13
4 bed house	4
Total	30
30% Affordable Housing Target	9

- 7.3 Policy AH SP2 of the adopted Local Plan states that 30% of the total dwellings on-site should be provided as affordable housing. For the proposed development, this equates to the provision of 9 affordable units.

Proposed Quantum of Affordable Units

- 7.4 The proposed development includes the provision of 9 affordable units, which represents 30% of the total development in accordance with Policy AH SP2 of the adopted Local Plan. The quantum of affordable housing provision is therefore appropriate and acceptable.

Proposed Mix of Affordable Units

- 7.5 Table 3 below confirms the proposed type of affordable units and the number of each type proposed. It also confirms the percentage of each unit type proposed and compares this to the percentages set out within Policy AH SP2 of the adopted Local Plan.

Table 3: Proposed Mix of Affordable Housing Units

Type of Accommodation	Number of units proposed	% of units in proposed	% of units in Policy AH SP2
1 bed flat	4	44.5	35-40
2 bed house	3	33.3	35-40
3 bed house	2	22.2	15-20
4+ bed house	0	0	5-10
Total	9	100	100

7.6 Table 3 confirms that the proposed development will provide a mix of affordable unit types and that the percentage of each type to be provided is broadly consistent with the percentages contained within Policy AH SP2 of the adopted Local Plan. It is acknowledged that there are some minor discrepancies between the mix of affordable unit types proposed compared to those contained within the policy. However, the variations are not significant and given that a good range of affordable unit types is proposed, from smaller 1-bed flats to larger 3-bed houses, the proposed mix is considered acceptable. Whilst the schemes presented to the Council as part of the two pre-application processes vary slightly compared to the scheme now submitted as part of this application, the Council was generally supportive of the affordable housing mix proposed at the pre-application stages and this is still broadly consistent with the mix set out above.

Proposed Size and Design of Affordable Units

7.7 The proposed affordable housing units have the following floor areas:

Table 4: Floor Areas of Affordable Units

Type of Accommodation	Floor Area (sqm)	Number of Units	Total Floor Area (sqm)
1 bed flat	50	4	200
2 bed house	70	3	140
3 bed house	96	2	192
Total		9	532

7.8 As shown in Table 4 above, a broad range of affordable unit types is proposed,

allowing for a mixed and balanced allocation of households including families to live on the site.

- 7.9 The affordable units will follow a consistent design and specification so as to be indistinguishable from the market dwellings on the site, in accordance with the provisions of Policy AH SP2.

Proposed Location of Affordable Units

- 7.10 Policy AH SP2 continues that affordable housing must be visually indistinguishable from market housing within small clusters throughout development schemes.
- 7.11 The Design and Access Statement submitted with the application includes an Affordable Housing Location Plan which confirms that they are located in groups of 2-3 dwellings in the front (south), central and eastern parts of the site. The proposed development therefore accords with the provisions of Policy AH SP2.

Proposed Tenure of Affordable Units

- 7.12 Policy AH SP2 of the adopted Local Plan sets out an initial position on the preferred affordable housing tenure mix of 75% rent and 25% intermediate housing. At this stage, the exact tenure split for the proposed development has not been determined but it is submitted that this can be secured by way of a Section 106 Agreement associated with any planning permission that may be granted for the proposed development.

Summary

- 7.13 Overall, this Affordable Housing Statement demonstrates that the proposed development accords with Policy AH SP2 of the adopted Local Plan and it is therefore concluded that the development is appropriate and acceptable having regard to the proposed affordable housing provision.

8.0 Conclusion

- 8.1 This Planning Statement, including an Affordable Housing Statement, has been prepared by Pegasus Group on behalf of the applicant, Macra Ltd, in support of a full planning application to Arun District Council. The application seeks permission for residential development on land at West Walberton Road in Walberton, comprising 30 no. dwellings together with associated access, parking, open space and landscaping.
- 8.2 This Planning Statement, and the other documentation submitted in support of the application, confirms that the proposed development complies with the relevant planning policy framework for the site and is acceptable having regard to the key planning considerations to be taken into account in assessing the proposals. This Statement also summarises how the proposed development is acceptable having regard to the key technical considerations.
- 8.3 Overall, this Planning Statement has demonstrated that the proposed development is acceptable and represents an appropriate form and location for development having regard to the relevant planning policies and the site context.
- 8.4 In particular, this Planning Statement confirms that the proposed scheme represents sustainable development having regard to the provisions of Paragraph 8 of the NPPF, especially focussing on the Council's concerns in relation to the environmental objective. It has explained how the proposed development has been redesigned to address the Council's concerns in relation to the perceived impact on the local character. In addition, Arun District Council has an acknowledged housing land supply shortfall against the 5-year requirement and, by the Applicant's calculations, the supply is considered to be in the region of 2.6 years. Accordingly, this Planning Statement confirms that the presumption in favour of sustainable development set out at Paragraph 11d) of the NPPF is engaged such that planning permission for the proposed development should be granted.