

Planning Statement

1.0 Background

1.1 This minor Full planning application seeks to establish an alternative point of access and alternative emergency access along with minor highway works in connection with an extant and implemented planning consent for up to 175 dwellings and associated works at land east of Tye Lane Walburton (Arun DC Refs WA/44 /17/OUT and WA/95/18/RES). Highway England have proposals to implement a by pass that would impact upon the consented site access arrangements for the Vistry development. The proposal is therefore, to seek an alternative site access on the sites eastern boundary onto Tye Lane and an alternative emergency access onto Avisford Grange Road.

1.2 This application has been submitted as result of the withdrawal of application reference WA/93/20/PL on the 2nd June 2021. This application was substantively in the form of the current submission, however, the proposed access from Tye Lane only showed a left turn on exit. Significant amendments were submitted and it was considered that the application be withdrawn in favour of a new application which would also allow for a fuller community involvement exercise.

2.0 The Proposal

2.1 This proposal should be read in conjunction with the following submitted information

- *Transport Assessment Addendum June 2021 ref 183248-07*
- *Proposed Access Improvement drawing ref 183248-002G*
- *Proposed New Accesses drawing ref 183248-003C*
- *A27/Tye Lane Junction Improvement drawing ref 183248-005*
- *Designers Response – Stage 1 Road Safety Audit ref 183248-08*

- *Ecology Technical Note ref 3823.04*
- *Ecology Mitigation Enhancement Plan ref 3823 114D*
- *Tree Retention/Removal and Protection Plan – Access drawing ref BHA 401 03A*
- *Public Open Space Proposals (sheet 1 of 4) drawing ref 3823 107Q*
- *Public Open Space Proposal (sheet 3 of 4) drawing ref 3823 109P*
- *Public Open Space Proposal (sheet 4 of 4) drawing ref 3823 110O*

- *Statement of Community Involvement*
- *Heritage Statement*
- *Planning Statement*

2.2 This submission shows the proposed point of access at Tye Lane as capable of being accessed in either direction. As a consequence, there are proposed minor improvements to the A27/Tye Lane junction. The Avisford Park Road proposed emergency point of access is also proposed.

3.0 Policy

3.1 The *National Planning Policy Framework* was updated in 2019. However, it does not contain specific policies in respect to Nationally Significant Infrastructure Projects (NSIP) which are determined in accordance with the decision making framework of Planning Act 2008 (as amended) However, as a result of the announcement of the proposed route of the A27 Arundel bypass, itself an NSIP, then the consequential affects upon the consented scheme, can only be addressed by means of a Full application to Arun District Council, in order to ensure that the site remains accessible. Therefore, the NPPF is relevant to this submission.

3.2 In respect to considering development proposals *para 108* of the NPPF explains that a safe and suitable access should be achieved, with *para 111* pointing out that larger proposals should be supported by a Transport Assessment so that likely impacts can be assessed. In preparing this submission regard has also be had to governmental *Planning Policy Guidance – Travel Plan, Transport Assessments and Statements 2014*, in particular that proposals should tailored to local circumstances and scoped accordingly.

3.3 The NPPF at *para 184* explains that *Heritage assets are an irreplaceable resource*, with *paras 193 to 200* giving guidance on how to consider potential impacts

3.4 The *Arun District Local Plan* was adopted in 2018. *Chapter 15* relates to *Transport* with *para 15.3.8* explaining that routes of indicative and committed schemes will be protected with the stated aim of supporting the delivery of planned growth through the Local Plan. *Policy T SP3 (n)* confirms that the Arundel Bypass route is to be protected.

3.5 Chapter 16 relates to *Building Conservation and Archaeological Heritage*. *Policy HER DM3* relates to *Conservation Areas* and seeks to preserve and enhance their intrinsic characteristics.

2.5 The *Walburton Neighbourhood Plan* was made in 2017. Policy VE4 relates in part to Conservation Areas and reiterates the aims of Local plan policy.

2.6 In accordance with *paras 39 – 46* of the NPPF and indeed the governments *Planning Policy Guidance – Before Submitting an Application 2019* – the applicants engaged in pre application discussions with both Arun District Council, West Sussex County Council, Highways England and Walburton arish Council.

4.0 Comment

4.1 Vistry Homes are in a position whereby the approved main point of access is under serious threat of being lost with there being uncertainty as to when this may occur. As a result Vistry, its purchasers and its Registered Provider partner require certainty. To date this has meant that all activity on site ceased between October 2020 and June 2021, however, this situation cannot continue. Therefore, this application seeks an alternative point of access along with an alternative emergency access. The Tye lane access would be elevated from its current approved status as the approved emergency access and Avisford park Road would be utilised as the point where the emergency access would be taken.

4.2 As matters stand Arun DC cannot fulfil the Visions and Objectives of their Local Plan and will be under further severe pressure in terms of being unable to meet a 5 year land supply. 52

affordable dwellings of various tenures indeed to meet the needs of those families and individuals in the greatest housing need cannot be delivered. Added to which over £2m worth of s106 contributions are stalled, the first instalments of which should realistically have been paid by now. The situation is in stark contrast to the *Golden Thread* that is at the heart of the NPPF which seeks to achieve overarching social, economic and environmental objectives. However, this position can be rectified by approving the alternative arrangements as set out in the accompanying application. It should be stressed that it is the applicants intention to not only seek certainty but also for there to be minimum disruption. Therefore, if consented the Tye Lane alternative would not automatically be implemented. The consent would enure for 5 years and it is hoped that the A27 Grey Bypass route details would be resolved by then without the need to upgrade the approved Tye Lane emergency access as the main point of access to the site.

4.3 Since the withdrawal of application reference WA/93/20/PL work has continued with both WSCC Highways and Highway England. The response to the designers comments in respect to the Stage 1 Road Safety Audit has been agreed with WSCC Highways in respect to the proposed access, whilst Highway England have stated that they are agreeable to the imposition of a condition relating to the safety audit of the slightly modified A27/Tye Lane junction as the alterations are minor in nature.

4.4 The methodology for the updated Transport Assessment Addendum has been agreed with West Sussex County Council Highways as well as Highway England through scoping discussions. As a result the previously agreed Transport Assessment has formed the basis for the updated addendum.

4.5 Whilst the council policy is to protect the line of the A27 bypass, the Highway England decision to proceed with a wide southerly route has made that position untenable unless alternative access arrangements can be agreed. Pre Application discussions have resulted in an agreed way forward from a technical highways point of view. It has been demonstrated that Tye Lane is capable of accessing the site from a safety and capacity point of view and therefore meets the aims of para 108 of the NPPF.

4.6 It is noted that the last two properties either side of Tye Lane at the point where it accesses The Street fall within the Walburton Conservation Area. However, only minor footpath improvements are proposed within the Conservation Area and therefore, the proposals will not be detrimental to its characteristics. The councils Conservation officer had previously stated that the proposal would cause less than substantial harm. However, upon closer analysis it is clear that the works themselves will cause no harm and the modest increase in traffic flows of one car per hour at peak time, will also result in no change. Therefore, para 196 of the NPPF is not engaged. (these traffic flows were probably not available to the Conservation officer when their comments were made).

4.7 The submitted Arboricultural Impact Assessment, Tree Retention/Removal and Protection Plan, Ecological Technical Note and the Ecological Mitigation Enhancement Plan now addresses the further issues raised during the determination of the earlier application. In addition the

Public Open Space drawings demonstrate that the proposals can link relatively seamlessly to the approved scheme for 175 dwellings.

4.8 The submitted SCI demonstrates the level of engagement with the local community which has included a meeting with the Parish Council, the setting up of a dedicated email address and telephone number and an updated Residents News letter. One matter in particular was of concern to residents living on Avisford Park Road. This related to the use of the emergency access, however, it must be stressed that this would only be used in the very rare occurrence that the main site access was blocked, otherwise its use would be limited to pedestrians and cyclists.

4.9 The council now has before it a deliverable and safe solution to the access issues relating to a consented and implemented planning consent for 175 units which has been formulated with the assistance of both WSCC Highways and Highway England. The balance tilts significantly in favour of approval in order to secure alternative points of access should they so be required.