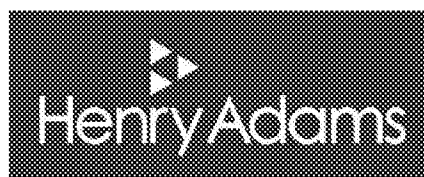


Planning Design and Access Statement, including Statement of Community Involvement, Draft Heads of Terms & Affordable Housing Statement

Site: Land west of Tye Lane, Walberton

**Proposal: Outline planning application with
all matters reserved, other than means of
access, for the construction of up to 155
dwellings (30% affordable homes) and
amendment to boundary of garden land to
serve adjoining property**

On behalf of David Wilson Homes
September 2020



Henry Adams LLP Rowan House, Raffles Lane, Chichester, West Sussex PO19 1UA



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1. Introduction

- 1.1. Henry Adams LLP act on behalf of David Wilson Homes in respect of this outline planning application for the construction of up to 155 dwellings, 30% of which would be provided as affordable homes.
- 1.2. This Statement sets out the relevant background for the determination of this planning application, including context of the site and surroundings, details of the proposed development and an assessment of the relevant planning considerations. The statement incorporates the following:
 - Affordable Housing Statement
 - Draft heads of Terms
 - Statement of Community Involvement
- 1.3. The proposals have been informed by the policies within the National Planning Policy Framework (NPPF), Arun Local Plan, Walberton Neighbourhood Plan and supplementary planning documents.
- 1.4. In addition to this Statement, the following documents are submitted as part of the planning application;
 - Agricultural Land Assessment
 - Arboricultural Survey and Constraints
 - Archaeological Desk Based Statement
 - Desk Based Contamination Statement
 - Flood Risk Assessment & Drainage Strategy
 - Ecological Assessments
 - Heritage Assessment
 - Landscape Visual Impact Assessment
 - Minerals Resource Assessment
 - Transport Statement
 - Illustrative Drawings

2. **Site and Surroundings**

- 2.1 The site comprises a mix of arable and grazing land to the west of Tye Lane and north of the existing residential areas off The Street. It measures 8.15 hectares (20.1 acres). The site is located on the north side of Walberton, West Sussex. The Street is fronted by residential properties on both sides and Tye Lane has the proposed development site to the west and the Linden homes scheme and Avisford Park golf course to the east.
- 2.2 The Street is an unclassified local road, which runs east to west from Yapton Lane to West Walberton Lane, where it continues to Barnham Lane. The Street is subject to a 30mph speed limit.
- 2.3 Tye Lane is an unclassified local road, which runs north to south from the A27 Arundel Road. Tye Lane is subject to a 30mph speed limit to the south, but changes to 60mph (derestricted) approximately 100m north of the junction with The Street. Tye Lane connects directly to the westbound carriageway of the A27 Arundel Road trunk road (dual carriageway).
- 2.4 The site is located to the north of the village settlement boundary of Walberton, but it abuts the settlement boundary on its southern, eastern and western boundaries. In addition, the Linden housing development to the east is under construction. Once that site is developed, the site would be enclosed on three sides by development.
- 2.5 The site is considered to be well related to the existing village and would comprise a natural extension to the village settlement boundary. The northern boundary is well defined by a mature hedgerow, which would be retained.

Site & Surrounds Planning History

- 2.6 There is no planning history relating to the application site. However, the land to the east of Tye Lane is subject to the following planning history:

Application Reference	Proposal	Decision
WA/44/17/OUT	Outline application with some matters reserved for up to 175 dwellings, new vehicular access, together with associated car parking, landscaping & community facilities to include allotments, play space & community orchard.	Approved
WA/95/18/RES	Approval of reserved matters following outline consent WA/44/17/OUT for the erection of 175 No. dwellings, car parking including garages, internal access roads, footpaths, parking & circulation areas, hard & soft	Approved and implemented

	landscaping, allotments, play areas/equipment & community orchard & other associated infrastructure & engineering works	
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2.7 In granting planning permission for the development of land to the east of Tye Lane, the Council confirmed the following:

- Site considered to be in a sustainable location;
- The development will make a significant contribution towards market housing and affordable housing in the District, further boosting the sustainability of Walberton; and
- Proposed mitigation planting and location of open spaces would mean that the nature of visual effects would become neutral over time and the site would integrate into the wider landscape.

3. Application proposals

- 3.1 The proposal comprises an outline planning application for the construction of up to 155 dwellings, with all matters reserved, other than means of access. The proposal also includes minor changes to the garden area serving Little Firs, which adjoins the sites southern boundary.
- 3.2 The site would be served via a single vehicular access point onto Tye Lane, approximately 200m north of The Street. The access road would be provided in accordance with design standards. Pedestrian links would be tied into the adjacent site currently being built out by Linden Homes as well as other pedestrian and cycle links onto Tye Lane and Field Close. A pedestrian and cycle link would also be proposed to the northern boundary to connect with the employment premises at Hooe Farm.
- 3.3 30% of the homes (i.e. up to 46) would be provided as affordable dwellings, in a form and tenure that complies with the Council's adopted Local Plan requirements. The proposed housing mix would be detailed as part of any reserved matters submission, but it will reflect the requirements set out within the Strategic Housing Market Assessment and associated update document.
- 3.4 In addition to the above, the proposed development would include:
- Formal and informal public open space – circa 2.5 hectares
 - Bungalows to southern portion of the site, facing those in Field Close and North Pound on the opposite side of a substantial area of open space
 - Retention of the existing hedgerows within and surrounding the site, with the exception of a break to form connectivity through the site.
 - Children's play areas
 - Extensive landscape buffers to adjoining residential properties
 - Protection of long distance views through the site from The Street
 - Enhancement of the existing Surface Water Drainage management
- 3.5 Matters such as appearance, landscaping, layout and scale are reserved for consideration. However, the principle land use plans have been development in line with relevant planning policy requirements. This includes the Council's recently adopted Supplementary Planning Documents on Design, Parking and Public Open Space. It is also confirmed that the dwellings will comprise a mix of 1 and 2 storey properties which reflects the scale of development in Walberton.

4. Planning Policy

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

Arun District Local Plan 2011-2031

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

- HWB SP1 Health and Wellbeing
- QE SP1 Quality of the Environment
- WM DM1 Waste Management
- T DM1 Sustainable Travel and Public Rights of Way
- T SP1 Transport and Development
- W DM2 Flood Risk
- W DM3 Sustainable Urban Drainage Systems

Walberton Neighbourhood Plan

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

National Planning Policy Framework and Guidance

- 4.5 At National level the National Planning Policy Framework sets out the Government's most up-to-date policies against which all Development Plans should be prepared, and planning applications assessed. It is a material consideration that carries substantial weight.
- 4.6 The framework sets out at paragraph 8 the three overarching objectives as follows:
- An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure
 - A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect

current and future needs and support communities' health, social and cultural well-being; and,

- An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making efficient use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

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

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

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

4.9 It is particularly relevant to note that point (i) confirms that applications should only be refused if there is a clear reason for refusing development.

4.10 With regard to the delivery of new housing, Paragraphs 73 and 74 deal with the requirement for Local Planning Authorities ("LPAs") to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement.

4.11 Footnote 7 on Page 6 confirms that where an LPA cannot demonstrate a five year supply of deliverable housing sites, the housing supply policies will be considered out of date for the purposes of applying Paragraph 11 (d).

4.12 As the Council cannot currently demonstrate a 5-year HLS (as considered further below), paragraph 11 (d) of the NPPF and the application of the 'presumption' for sustainable development is engaged. This means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-

of-date (such as where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), planning permission should be granted. The only caveat to this is set out above under paragraph 11 d i) and ii).

4.13 In terms of Neighbourhood Plans, the NPPF states that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided **all** of the following apply:

- a) The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
- b) The neighbourhood plan contains policies and allocations to meet its identified housing requirement;
- c) The local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and
- d) The local planning authority's housing delivery was at least 45% of that required over the previous three years.

4.14 In terms of advice contained in the NPPF regarding emerging Local Plan's or Neighbourhood Plans, paragraphs 47 -50 set out how these should be considered. The guidance states that local planning authorities may give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

4.15 The NPPF goes on to state that when applying the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

National Design Guide

4.16 In October 2019, the Government published the National Design Guide (NDG) to illustrate how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's suite of planning practice guidance. In

addition to informing development proposals and their assessment by Local Planning Authorities, it supports paragraph 13 of the NPPF which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Walberton Neighbourhood Plan

- 4.17 The Walberton Neighbourhood Plan (NP) was Made (adopted) in March 2017 on the basis of the saved policies in the ADLP and the draft policies in the emerging Arun Local Plan (2014). Since its adoption, the District Council have adopted the Local Plan 2011-2031. Given that the Walberton Neighbourhood Plan was adopted in advance of the more recently adopted Local Plan, the Parish Council are in the process of reviewing this document to conform to the Local Plan and its associated housing requirements.

- 4.18 The Neighbourhood Plan is at an early stage of preparation and we understand subject to a number of unresolved objections, following a Regulation 14 consultation. NPPF sets out advice on prematurity, stating the following at Paragraphs 49 and 50 of the Framework:

49. However in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

50. Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.

- 4.19 In this case, the Neighbourhood Plan is yet to be submitted to the District Council and is currently prepared on the basis of the out of date Local Plan. Accordingly, the Review document must only carry very limited weight at this stage.

5. Housing Land Supply

- 5.1. In February 2019, the Government published results of its Housing Delivery Test. This shows that Arun has under-delivered on its housing targets (achieving only 91%). The Test recommends that all Councils achieving less than 95% prepare an Action Plan to set out how delivery rates will be improved. There has since been the 2019 result (published Feb 2020) showing an even worse position of 68% with buffer as the consequence.
- 5.2. In addition to the above, the Council can no longer demonstrate a 5-year Housing Land Supply (HLS) as is required by the NPPF. The Council's latest information shows that Arun District has a 2.9 year' housing land supply for the period 2019-2024. The 2.9 year' figure arises from an Inspector's Decision Letter (Appeal Ref: APP/C3810/W/19/3236911) - Land adjacent to Bonhams and Flints, Hoe Lane, Flansham (Y/20/18/OUT). This position on housing land supply is accepted by the District Council, and was confirmed in their pre-application enquiry response in May 2020. A 20% buffer (rather than 5%) must now also be applied, which wasn't the case when the Inspector concluded that the Council could only demonstrate a 2.9 year supply.
- 5.3. The Council's Action Plan sets out the reasons for the lower projected delivery. This include planning delays on some Strategic Allocations; poor quality schemes delaying approvals; developers unable to meet stated and committed timescales; strategic site applications not coming forward as anticipated and developer/market factors outside of local authority control.
- 5.4. The Council's Action Plan was published in June 2019 and makes a series of recommendations in order to boost housing delivery. This includes use of the 'presumption in favour of sustainable development' until such time as the 5-year housing land supply re-established. It recommends that applications be invited from landowners/developers on 'deliverable' HELAA sites to re-establish the 5 year housing land supply.
- 5.5. The release of further land for housing will help to maintain delivery rates. This may have to include sites outside the built-up area boundary and it would be preferential if such sites were located close to the edge of the BUAB and in sustainable locations which minimise the need to use the private car.

6. Scheme Assessment

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

Principle of Development

- 6.2. As set out above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the plan unless material considerations indicate otherwise. The development plan for Arun currently comprises the Arun Local Plan and Walberton Neighbourhood Plan.
- 6.3. It is considered that all development policies that relate to the supply of housing in the Arun Local Plan 2011-2031 (Policy C SP1 Countryside) have significantly reduced weight because Arun District Council are unable to demonstrate an adequate supply of housing land (currently only 2.9 years against their 5 year requirement). Policies in the Walberton Neighbourhood Plan that relate to the supply of housing (Policy HP1 Spatial Plan of the Parish) also carry significantly reduced weight because they relate to out of date housing needs as the policies were based on earlier draft versions of the Local Plan.
- 6.4. Owing to the current Housing Land Supply position and advice contained within paragraph 11 of the NPPF, it is considered that the presumption in favour of sustainable development applies in these circumstances. In such instances, the Council must first consider whether there is a clear reason to refuse a planning application. In this case, there is no clear reason and therefore the Council must undertake a balancing act in coming to a decision.
- 6.5. The proposal represents sustainable development and the NPPF 'presumption in favour of sustainable development' is engaged. This is established by the Council's recent approval of the following planning applications:
- Y/83/19/OUT – Clays Farm, North End Road (January 2020)
 - A/122/19/OUT – Land off Arundel Road, Angmering (March 2020)
 - Y/121/19/PL – The Steddles, Yapton (August 2020)
- 6.6. This and the other material considerations set out below combine to outweigh the conflict with the policies of the development plan and serve to allow for the principle of the application to be supported.
- 6.7. The proposed development of up to 155 homes would provide a substantial contribution to housing supply (equating to approximately 0.15 year supply, and bringing the district position up from 2.9 years to around 3.05 years). The tenure and form would make a significant contribution to the availability of affordable homes, alongside market homes. Housing provision in this form is therefore considered a significant benefit that weighs in favour of the proposed development.
- 6.8. The site has been considered in the Council's most recent Housing Economic Land Availability Assessment (HELAA). This concludes that the site is 'Deliverable'. As set out in

paragraph 5.4 above and within the Council's housing delivery Action Plan, applications for sites considered 'Deliverable' in the assessment, are invited by the Council. The conclusions of the HELAA for the site states:

The site is outside but adjoining the settlement boundary. Currently development on this site would contravene policy and therefore the site would not be considered to be suitable. However, from the information available, the site is considered suitable in principle for future housing potential, because of its accessibility to facilities, job opportunities and public transport, and because there are no insurmountable constraints. The site could contribute to the creation of a sustainable, mixed community.

- 6.9. The proposal has been designed to respect the site's edge of settlement location in order to minimise the impact of development upon adjoining properties. This will also ensure that views in to and out of the site to the countryside beyond could be achieved as part of the detailed design considerations.
- 6.10. As noted above, some policies of the NPPF are cast in terms which indicate that in certain circumstances planning permission should be restricted. In this case, these relate principally to the National Park and natural environment. Having regard to the tests set out in the NPPF in relation to these issues, and in the context of the content of this report, it is considered that the circumstances are such that none of these issues amount to a reason for withholding planning permission.
- 6.11. It is considered that these material considerations overcome the out of date policies in the Development Plan and the principle of development should be supported.

Sustainability of Location

- 6.12. The development will incorporate a strategy for sustainable design, which encourages the reduction of energy consumption. The full details of this will be considered and presented as part of the reserved matters submission.
- 6.13. In terms of the site's location, Walberton comprises a sustainable settlement, with direct access to key services and facilities. The following facilities are available in the local area within walking distance of the site:
- Walberton and Binstead C of E Primary School – 450 metres;
 - Walberton Pre-School – 400 metres;
 - Walberton Village Hall and sports pitches – 450 metres;
 - Post office, newsagent, greengrocer, laundrette, hairdressers and dental surgery – 550 metres;
 - Flintcroft GP Surgery – 550 metres;
 - St Mary's Church – 640 metres;
 - Walberton Baptist Church and Church Hall – 210 metres;
 - The Holly Tree (350 metres) and the Black Horse (1.9 km) Public Houses;
 - Walberton Recreation Ground – 450 metres;
 - Hooe Farm Industrial Park - 280 metres; and

- Hilton Avisford Park Hotel and Golf Club – 1.6km.

- 6.14. The nearest railway station is at Barnham which is 1.8 miles south west of Walberton with regular services to settlements throughout West Sussex and beyond to London, Portsmouth, Southampton and Bristol. This is accessible via dedicated off-road cycle route which links Barnham and Walberton.
- 6.15. The proposed development will benefit from pedestrian and cycle links with the surrounding area. This will ensure connectivity with the existing footpath network and enhance the connection between The Street and the Hooe Farm Industrial estate to the north of the site. The proposal also includes a proposal for a pedestrian crossing on The Street, east of Tye Lane.
- 6.16. The site is easily accessible and sustainably located allowing any future residents a choice services and facilities and excellent access to public transport.
- 6.17. The site's location is therefore highly sustainable, which was confirmed in our recent pre-application enquiry response, which stated:

The site is environmentally sustainable as it lies on the northern edge of Walberton and it will be possible for residents to use non-car means of transport to access the primary school, local shops and other services.

The location of the development therefore weighs significantly in favour of the development being approved.

Access and Movement

- 6.18. A Transport Statement has been prepared to support the Planning Application, which has been submitted to demonstrate the acceptability of the proposed development in highways terms.
- 6.19. The proposed development will be served by a vehicle access from Tye Lane, in the form of a priority junction. Pedestrian and cycle access would also be provided to connect with Tye Lane and the adjacent Linden Homes scheme. To the south-west of the site, pedestrian and cycle access would also be available via Field Close and to the north onwards towards Hooe Farm Industrial Estate. The Transport Assessment demonstrates that these points of access are suitable and safe to accommodate the proposed development.
- 6.20. As set elsewhere in this report, the Transport Assessment confirms that the site's proximity to existing local amenities, pedestrian, cycle, public transport and equestrian networks, presents a good opportunity to encourage the use of sustainable transport and create a sustainable development. The Assessment goes on to confirm that many of the local facilities are within desirable walking distances and access to these is considered to be safe for existing and future residents.

- 6.21. The Transport Statement demonstrates that the scheme is expected to generate 84 vehicle movements in the AM peak period (08.00-09.00), 89 vehicle trips in the PM peak period (17.00-18.00) and 766 vehicle trips across a 12 hour period. To consider the impact of this, comprehensive assessments of local junctions has been undertaken to determine the impact of the proposed development on their operation. Each junction has been demonstrated as operating within capacity with the addition of the proposed development.
- 6.22. The Transport Assessment demonstrates that the proposed development will not have a 'severe' impact on the operation, capacity or safety of the local road network. Severe impact being the key policy test set out at paragraph 109 of the NPPF.

Flood Risk and Drainage

- 6.23. The site is located within Flood Zone 1 (low probability of flooding), as defined by the Environment Agency Flood Mapping system. As such, the proposal accords with the objectives of the NPPF to locate development in such locations.
- 6.24. The Environment Agency map of historic flood incidents identifies a short section of The Street and Barnham Lane approximately 150m to the south of the site which has historically suffered localised flooding but does not identify any historic incidents directly affecting the site.
- 6.25. In terms of surface water drainage, due to the ground conditions and presence of high groundwater encountered within the ground investigation undertaken, infiltration of surface water to ground is deemed unsuitable. A suitable sustainable drainage system is proposed, which accords with the requirements of national and local policy.
- 6.26. In order to prevent increased flood risk in off-site locations, the applicant's drainage consultants have undertaken preliminary calculations that indicate that surface water runoff generated by the proposed development can be attenuated on site for all rainfall events up to the 1:100 year event including an allowance for climate change. The surface water drainage strategy also proposes that water quality improvement will be provided to mitigate against any risk to the existing watercourses.
- 6.27. The proposed drainage measures ensure that both the proposed and the nearby properties will not be at risk of flooding following construction of the development. The proposal would therefore be aligned with relevant local and national policy guidance.
- 6.28. Foul drainage from the development will discharge via gravity into one of two available existing Southern Water public foul sewers which are located beneath Tye Lane and Field Close adjacent to the site.

Landscape and Trees

- 6.29. A comprehensive assessment of the site and landscape character is included in the Landscape Visual Impact Assessment (LVIA) submitted as part of the application

documents. This highlights a landscape strategy for the site, its landscape sensitivity and the impact of the development on landscape character.

- 6.30. The LVIA concludes that the site would be considered semi-rural in character however, residential dwellings to the southern and south-western edges and an equestrian land use to the north-east and east mean there is also a distinct suburban quality.
- 6.31. The Assessment then goes on to confirm that as a 'green field' site, it is accepted there would be substantial adverse landscape character impacts as a result of the proposed scheme as new residential dwellings and associated access roads would permanently change the character of the fields west of Tye Lane. It is considered that these adverse impacts would be largely constrained to the proposed development site area due to the enclosed character which would be maintained by the retention of boundary vegetation. Likewise, the perceptibility of the proposed scheme from locations out-with of the proposed development site would be limited by retained vegetation and existing residential dwellings.
- 6.32. The indicative scheme layout incorporates substantial green buffers to the south-western, southern and eastern boundaries, offering extensive opportunities for new planting and habitats which would enhance biodiversity and green infrastructure. Where feasible, all the existing boundary trees and hedgerows would be retained, thereby maintaining the existing constrained and enclosed landscape character. In addition, the proposed massing of single and two storey dwellings would be arranged so as to limit impact with regard to the gradual rise in topography to the north.
- 6.33. It is also considered the proposed scheme would offer substantial scope to improve the existing ecological condition from the current intensive arable / equestrian land-use which offers limited opportunities for biodiversity.
- 6.34. A landscape corridor would be established to the centre of the site area running north-south, maintaining and framing views to the retained, large trees to the north from locations to North Pound. New pedestrian links would be incorporated to the southern edge (via Field Close) enabling residents to walk to the centre of Walberton.
- 6.35. Residential frontages and access routes would be enhanced with tree and hedgerow planting. This would soften and filter near and mid-distance views and provide seasonal change.
- 6.36. The Assessment concludes that the majority of visual receptors would have low or moderate visual effects. Overall, it is considered that the proposed scheme could be accommodated within the fields immediately west of Tye Lane without undue harm to existing landscape character and visual amenity of the wider landscape north of Walberton.
- 6.37. The effect on visual receptors is a matter that is in our view clearly outweighed by the significant benefits of the scheme, The landscape effect is also limited to the immediate site and does not harm the wider landscape character and amenity of Walberton.

Ecology and Biodiversity

- 6.38. A Preliminary Ecological Appraisal (PEA) and Phase 1 Habitat Survey was completed in February 2018 to inform a planning application for a residential development. This was followed by protected species surveys at the site throughout 2018. A revised layout plan was then produced in 2020 for the site and therefore, a further site visit was undertaken by the project ecologist on the 13th August 2020. The purpose of this was to determine whether there have been any significant changes to the habitat condition at the site in the intervening period.
- 6.39. The further walkover survey revealed that the habitats present at the site have not significantly changed since the original Phase 1 Habitat Survey and Phase 2 protected species surveys were undertaken in 2018.
- 6.40. In response to the site specific survey work, a Mitigation and Enhancement Strategy has been prepared to set out the measures proposed to protect and enhance the wildlife value at the site through the life of the development project. This includes measures put in place during the design of the scheme to retain and protect existing habitats of high value, prescribe mitigation measures to prevent impacts to protected or notable species and to create and appropriately manage new high value habitats for the benefit of targeted wildlife and wider biodiversity.
- 6.41. The Ecological Appraisal concludes that through the implementation of the safeguards and recommendations set out within their report, any development proposals will accord with planning policy with regard to nature conservation at all administrative levels and the appropriate requirements can be secured through appropriately worded conditions and reserved matters approval. It is also considered that biodiversity net gain can be achieved on-site.
- 6.42. As indicated in NPPF Paragraph 175(d), these ecological enhancements are a matter that weigh in favour of developing the site.

Agricultural Land Assessment

- 6.43. The application is supported by a land quality assessment which considers characteristics of the land and its agricultural quality. Agricultural land is graded as follows:
- Grade 1 - excellent quality agricultural land
 - Grade 2 - very good quality agricultural land
 - Grade 3 - good to moderate quality agricultural land
 - Subgrade 3a - good quality agricultural land
 - Subgrade 3b - moderate quality agricultural land
 - Grade 4 - poor quality agricultural land
- 6.44. The Assessment considers the quality of land in comparison to other land within the vicinity. Surrounding land, particularly to the south, is well above average when considering the country as a whole. However, the application site would be classified as Grade 3a at best and therefore has to be considered as good to moderate quality

agricultural land with moderate limitations. It is considered, at best, average for the locality given the amount of Grade 1 and 2 soils in the area.

- 6.45. The assessment also highlights some major constraints on the use of the site that need to be taken in to consideration. The existing access to the arable parcel is very limiting for modern agricultural machinery. In terms of economies of scale, the size of agricultural and horticultural units and the total area here amounts to circa 4.96 ha. Sprayer booms can be 26m in width and the combine header 9.15m. It is suggested that with the size of modern machinery, ignoring the access implications, farming of arable parcels of this size is becoming more problematic. Due to the stone content the arable parcel is not of a suitable quality to grow potatoes or field vegetables.
- 6.46. The Assessment also highlights that smaller horticultural growers have ceased operating and the larger growers have only enlarged their operations and therefore this area is again too small for modern horticultural use.
- 6.47. The Assessment concludes that the Land Classification would indicate that the land is good to moderate quality (3a). However, there are limitations which in relation to the arable parcel due to its access and location will only escalate in the future. The grassland used for equestrian use is in a poor condition but could be grazed by sheep or cattle and in terms of agricultural productivity is minimal. Therefore, the loss of this parcel of land as a natural resource is minimal.
- 6.48. Given the above the application is consistent with relevant provisions in the NPPF concerning agricultural land (in particular paragraphs 170(b), 171, and footnote 53.

Heritage Statement

- 6.49. The application is informed an archaeological and heritage appraisal to consider above and below ground heritage assets. The report identifies the following:
- The Site lies within a modern fieldscape and is not covered by any heritage designations;
 - A high potential for buried archaeological deposits of prehistoric and Romano-British date has been identified, with a similar potential for former post-medieval field boundary ditches;
 - The Site contains several earthworks of minor significance, and an isolated historic hedgerow;
 - Historic and ongoing arable cultivation is likely to have impacted on any buried archaeological deposits to some extent;
 - The proposed groundworks will impact any buried archaeological deposits that are present; and
 - No adverse setting issues have been identified in relation to designated heritage assets.

- 6.50. The assessment identifies that there is no harm to any above ground heritage assets such as Listed Buildings, Conservation Areas or historic landscape features. The illustrative masterplan confirms that hedgerows on the site (also a historic feature in some instances) are capable of being incorporated into the design without significant loss or impact. .
- 6.51. In considering below ground archaeology, the assessment concludes that no buried heritage assets of national significance are located within the Site that may require preservation in situ. However, intrusive ground investigations will be likely and this can be appropriately secured via condition.
- 6.52. It is considered that the development would have a neutral impact on the historic environment and is not a matter that weighs either in favour of, or against the development proposal.

Sustainable Construction

- 6.53. David Wilson Homes support the principles of low-carbon design, reducing carbon emissions and ensuring lower energy costs for our customers. They follow a 'fabric first' approach to building design, maximising the performance of the components and materials of the building itself. This includes insulation, high-performing windows and doors, increased air tightness and maximising passive solar gains.
- 6.54. David Wilson Homes continue to review and apply new technologies that help deliver energy efficiency such as waste water heat recovery, improved insulation around windows and doors and energy efficient boilers. Such measures enable an EPC rating of 'B' or above when homes are constructed and make them eligible for products such as Barclays Green Home Mortgages. When customers occupy their new homes they receive a guide to its sustainability features to help safeguard the environment and reduce ongoing energy costs.
- 6.55. The details of the sustainable credentials of the built form are not known in detail at this Outline stage. However, this will likely include:
- Use of sustainable resourced materials
 - Energy efficient buildings established through the fabric of the building
 - Accessible and adaptable homes
 - Energy display devices
 - AAA rated appliances
 - Water efficient homes to manage demand
 - Water butts fitted to collect rainwater for re-use

7. Statement of Community Involvement

- 7.1. The NPPF encourages stakeholder involvement and early engagement with the local community. The Arun Statement of Community Involvement (SCI) states that prior to submitting a planning application, developers are encouraged to undertake at least one of a number of forms of consultation methods identified.
- 7.2. To date, the following consultation has been undertaken:
- 2018 – presentation to Walberton Neighbourhood Plan Group
 - 2018 – individual meetings with a number of adjoining landowners
 - January 2019 – attendance and presentation of the site at Neighbourhood Plan consultation event
 - 2019 – pre-application enquiry to West Sussex County Council Highways Department
 - May 2020 – pre-application enquiry to Arun District Council
 - August – September 2020 – consultation by way of letter to adjoining landowners / residents. Circa 40 individuals contacted directly
 - September 2020 – presentation to Walberton Parish Council meeting

Comments from local residents and Parish Council

- 7.3. The consultation work to date has highlighted a number of matters, which comprise a mix of technical matters, support for bungalows on site and general requirement to understand the final design details. The comments received are summarised below:
- Concern regarding ability of Tye Lane to accommodate proposed access and increased vehicle movements;
 - Lack of capacity in local infrastructure, principally in local schools and healthcare provision;
 - Off-site surface water flooding and inundation of existing sewer systems;
 - Foul drainage capacity;
 - Loss of agricultural land;
 - Landscape buffer around the southern part of the site seen as benefit; and
 - Significant interest in the purchase of the proposed bungalows.
- 7.4. In response to the concerns raised, the detailed technical reports, such as the drainage strategy and transport assessment will address concerns on drainage and highway capacity. The scheme has also been designed to provide public access to open space, whilst also ensuring a buffer to existing residential properties and the provision of bungalows along the southern edge of the site.
- 7.5. It is noted that there is concern that local facilities and services are over capacity. In that regard, the District Council will secure costs towards improvement of infrastructure in the area, to ensure appropriate capacity is available for existing and future residents.

- 7.6. Should outline consent be granted, the applicant is committed to undertaking further consultation on the detailed layout of the site and technical design matters.

Arun District Council – Pre-application enquiry

- 7.7. The pre-application enquiry related to a proposed application of around 153 dwellings, with the response confirming the following:
- The proposal represents sustainable development and the NPPF 'presumption in favour of sustainable development' is engaged. This and the other material considerations set out above combine to outweigh the conflict with the policies of the development plan and serve to allow for the principle of the application to be supported.
 - The proposed development would go a considerable way in achieving the Council's Five Year Housing Land Supply. This would overcome the conflict with the out of date policies in the Development Plan.
 - Some policies of the NPPF are cast in terms which indicate that in certain circumstances planning permission should be restricted. These, in this case, relate principally to flooding, agricultural land, the natural environment and designated heritage assets. Having regard to the tests set out in the NPPF, it is considered that the circumstances are such that none of these issues amount to a reason for withholding planning permission.
 - Consideration to be given to the position of the green corridor through the site and its legibility.
 - The site is environmentally sustainable as it lies on the northern edge of Walberton and it will be possible for residents to use non-car means of transport to access the primary school, local shops and other services.
 - Matters of detail will need to be considered further.
 - Consultation with the Parish Council recommended.

West Sussex County Council Highway Department – Pre-application enquiry

- 7.8. Pre-application advice was sought in terms of the access of the proposed access on to Tye Lane. This considered a development of circa 150 dwellings. The response highlighted the following matters:
- Confirmed that the principle of the access is achievable for around 150 homes.
 - Need to allow visibility splays to account for vehicle speeds of 40 – 41 mph.
 - Visibility splays to be provided in accordance with the Design Manual for Roads Bridges.
 - Traffic calming not recommended along Tye Lane.
 - Pedestrian and cycle access via Field Close acceptable, but requested details of ownership to be considered.

- General advice and guidance provided in regard to future internal layouts, parking requirements and sustainable access considerations, including the needs of mobility impaired people and those with pushchairs.
- Junction modelling recommended.

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

8. Affordable Housing Statement

- 8.1. Policy HDM1 provides for a mix of housing to meet local needs and requires that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. It is important to highlight that the policy does not prescribe a specific housing mix that must be met by individual applications, with the policy stating that each must be considered on its own merits.
- 8.2. The policy (12.2.4) continues to acknowledge that the final mix will be then be negotiated on a site by site basis, having regard to the most up-to-date SHMA. Policy HP9 (Housing Mix) of the Walberton NP seeks to ensure that "proposals providing a range of house types and tenures appropriate to the site size will be supported".
- 8.3. The Local Plan expects the delivery of circa 5,000 affordable homes across the plan period, which equates to the provision of 238 affordable dwellings per annum. It expects at least 1,000 of these to be delivered by way of a Neighbourhood Plan.
- 8.4. The detailed layout and housing mix of the proposed development off Tye Lane is yet to be determined, however, it is proposed that 30% of the units, which equates to circa 47 homes, will be provided as affordable dwellings. These would comprise a tenure mix of rented and shared ownership properties, expected to be split 75% in favour of affordable rented properties and 25% as shared ownership properties.
- 8.5. It is expected that the mix will be provided in accordance with the recommendations set out in the 'Updated Housing Needs Evidence', or following agreement on appropriate mix with the Council's Housing Enabling Officer and the Council's preferred affordable housing providers.
- 8.6. The appropriate mix can be secured by planning condition and delivered by way of legal agreement. The provision of 47 affordable homes, at a time where there is significant housing need in the District, is a matter that weighs heavily in favour of approving the development.

9. Planning Conditions, Infrastructure and Draft Heads of Terms

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

10. Conclusion

- 10.1. This statement has been prepared in support of this Outline planning application for the construction of up to 155 dwellings on land west of Tye Lane, Walberton. 30% of the homes are to be provided as affordable dwellings.
- 10.2. This outline planning application seeks to establish the principle of residential development, and as set out in this statement, it can be demonstrated that the site is suitable to accommodate the proposed number of dwellings. The site is located outside the defined settlement boundary, but is enclosed by the defined settlement boundary to the south, east and west.
- 10.3. It is considered that all development policies that relate to the supply of housing in the Arun Local Plan 2011-2031 and Walberton Neighbourhood Plan have significantly reduced weight because Arun District Council are unable to demonstrate an adequate supply of housing land (currently only 2.9 years against their 5 year requirement). This is acknowledged by the Council during pre-application discussion, their decisions on recent applications and the appeal inspector.
- 10.4. In such situations, the NPPF directs decision-makers to grant permission, unless either:
 - "i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed"; or
 - "ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."
- 10.5. As neither of the above are considered to apply in this instance, we believe the presumption in favour of sustainable development is engaged. This position has been confirmed during pre-application discussions with Arun District Council.
- 10.6. The proposal represents sustainable development, which together with other material considerations, such as the significant benefit that should be afforded to housing delivery and its associated economic and social benefits, outweigh the conflict with the policies of the development plan and serve to allow for the principle of the application to be supported.
- 10.7. The provision of 155 dwellings would make a significant contribution to housing delivery within the District and is a matter that carries significant weight in favour of approving the development. Additionally, there are economic and environmental benefits including the creation of jobs during construction.
- 10.8. The site is environmentally sustainable as it lies on the northern edge of Walberton and it will be possible for residents to use non-car means of transport to access the primary school, local shops and other services. This is supported by the conclusions of this statement and that of the associated supporting technical assessments. This is also confirmed by the District Council in their response to a pre-application enquiry in May

2020 and in approving the Linden development site east of Tye Lane. The Council's recently updated HELAA also confirms the suitability of the site and their housing delivery Action Plan invites applications on sites such as this.

- 10.9. The application is supported by a Transport Assessment that concludes that Tye Lane is suitable to provide the proposed means of access to the site for vehicles. Pedestrian and cycle access is also provided independently to this and a choice means of transport is achievable. The Transport Assessment considers the impact of the development on the wider highway network and concludes that the development would not have a severe impact on highway safety. Severe impact being the test set out with the National Planning Policy Framework, when considering highway impacts of proposed new development.
- 10.10. The development of the site is capable of producing a net gain of biodiversity across the site, together with access to over 2 hectares of additional public open space for existing and future residents.
- 10.11. The proposed development comprises an Outline application, but the illustrative plans submitted in support of the application demonstrate that the site can be developed without harm to the landscape setting and locality. Any effects on landscape character are confined to the application site only.
- 10.12. The illustrative material demonstrates that the design will be of a high quality and the density and scale of the proposal is commensurate with surrounding development and therefore appropriate for the location. The illustrative layout includes the provision of extensive areas of open space and a green corridor through the site.
- 10.13. As set out above, the tilted balance is engaged by paragraph 11d of the NPPF and there are no clear reasons within the NPPF to refuse the application. All technical matters, including ecology, highways, landscape impact, trees and flood risks are acceptable.
- 10.14. The proposal jointly addresses each strand of sustainable development to provide and widen the choice of high quality homes within a sustainable location. The scheme, as demonstrated, is compliant with national and local planning policy and it is therefore requested that planning permission be granted.