

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO:	WA/95/18/RES
LOCATION:	Land east of Tye Lane Walberton
PROPOSAL:	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 landscaping, allotments, play areas/equipment & community orchard & other associated infrastructure & engineering works. This application may affect the character & appearance of the Walberton Village Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks approval of Reserved Matters for the erection of 175 dwellings and associated works following the granting of outline planning permission (WA/44/17/OUT) on Land to the East of Tye Lane, in Walberton. The reserved matters that are being applied for comprise appearance, scale, layout and landscaping. The proposed reserved matters scheme seeks to deliver detached, semi-detached and terraced houses and 5 apartment buildings (Blocks A to E inclusive). The vehicular access to the site was approved as part of the outline planning permission, (WA/44/17/OUT) in 2018; and is located in the north east corner of the site, directly onto Yapton Lane. The primary (spine) road is designed to be a minimum of 5.5 metres wide, finished with tarmac, with 2.0 metre wide footways on either side. This reserved matters application includes pedestrian and cycle links to Walberton village. The applicant proposes the provision of 507 car parking spaces consisting of 455 spaces allocated for residents, 52 unallocated spaces for residents and their visitors; together with cycle parking spaces for each house and in dedicated cycle stores for the 5 apartment blocks. In terms of public open space, the application includes the provision of 2 Locally Equipped Areas of Play (LEAPS), 2 Local Areas of Play (LAPS), two Tennis Courts, allotments and a community orchard.
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The applicant proposes the provision of two surface water attenuation basins, one located in the south west corner of the site and the second basin located in the south eastern part of the site, adjacent to the community orchard. The applicant is also proposing to provide a swale (a rill) which would run through the application site.

The application includes the construction of a Gateway Feature at the entrance to the site off Yapton Lane. The Gateway Feature would comprise of a brick wall with coping stones.

SITE AREA 11.3 hectares (28 acres)

RESIDENTIAL DEVELOPMENT DENSITY 29 dwellings per hectare.

TOPOGRAPHY Predominantly flat.

TREES The site includes a number of trees subject to TPOs along the boundaries of the site, including a cluster in the south eastern corner of the site and a single tree that is subject to a TPO in close proximity to the southern boundary of the site with Walberton and Binstead Primary School.

BOUNDARY TREATMENT The site is bounded by hedgerows and hedgerow trees along the western and part of the southern boundary of the site; by railings along the southern boundary with Avisford Park Road; by close boarded fencing along the eastern boundary; and by ranch style fencing along the northern boundary with the Avisford Park Golf Course.

SITE CHARACTERISTICS The site comprises a large arable field with narrow field margins, bordered by hedgerows and trees. The site is generally gently sloping and there are a couple of notable trees within the site to the south east corner and trees/hedgerows along the boundaries of the site.

CHARACTER OF LOCALITY The area is rural in character with housing in Walberton Village, including the Conservation Area and related listed buildings, the Walberton and Binstead Primary School, Walberton Recreational Ground and Avisford Park Road to the south of the application site. The Recreational Ground includes a playing field which contains a cricket square and the outfield has also been used to provide football pitches.

The site is bounded to the north by Avisford Park Hotel golf course, associated buildings and historic parkland. To the west the site is bounded by Tye Lane, with open farmland beyond. To the east the site is bounded by housing and Yapton Lane, beyond which is open farmland and the golf club's back 9 holes.

RELEVANT SITE HISTORY

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. This application is a Departure from the Development Plan & may affect the character & appearance of the Walberton Village Conservation Area.	App Cond with S106 23-02-18
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The outline planning application (WA/44/17/OUT) was subject to a call-in request, but the Secretary of State resolved not to call in the application. The outline planning permission was granted by Arun District Council on 23rd February 2018.

Archaeological investigations have started on site following the discharge of Condition 34, which was imposed under the outline planning permission, and discharged under Discharge of Condition application WA/111/18/DOC.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Walberton Parish Council

Walberton Parish Council

No objection.

- The Parish Council supports the inclusion of tennis courts, greenspaces and play areas.
- The PC supports the proposed two storey buildings and the layout of the development.
- The PC would like to be consulted on the design for the village green.
- The proposed landscaping should be implemented up-front to provide a screen for the existing houses in Walberton.

Walberton Parish Council submitted a separate letter in support of the tennis courts stating that the provision of tennis courts meets a demand within the Parish and would be well utilised in addition to providing important health benefits.

The Parish Council submitted a further representation on 8th March 2019 to the amended layout plan and the proposed changes to the elevational treatments of the affordable apartment buildings and terraced houses:

- The Gateway Feature and proposed name plate is aesthetically pleasing;
- The proposed footway/cycleway links should provide more accessibility to the existing facilities and residential areas but there is local concern that it could lead to problems with parking on Avisford Park Road and Tye Lane.
- Support the design of the houses close to the Conservation Area which are more sympathetic and that the landscaping to the northern boundary has additional further planting.
- The latest architectural minor amendments are noted and the PC agree with the suggestions made by Arun; the PC has no further comment to the changes.
- The tennis courts will enhance the new and existing community.
- The PC supports the submitted construction management plan with the wheel cleaning, and the materials and storage area located away from residential properties.

A local resident raised no objection to the proposed development but raised the following point:

- A safety audit is required of the danger to residents from the golf course to ensure mitigation takes place.

Four letters of representation have been submitted by local residents objecting to the proposed development on the following grounds:

- The site would be accessed of Yapton Lane which is a fast and dangerous road, taking commercial traffic from the A27 to Ford Airfield.
- The proposal to develop 175 dwellings on the site would generate further traffic movements onto Yapton Lane and the junction with Arundel Road (the A27).
- The site needs to provide sufficient foul water drainage to accommodate the proposed development.
- The design of the proposed dwellings needs to be improved to compliment the existing dwellings in Walberton.
- The site is higher than the Conservation Area and so the height of the houses should be limited so the have less detrimental visual appearance on the Conservation Area.
- All properties should have front gardens and garages. Lack of garages leads to unsightly parking on access roads.
- There is no footpath leading to the school or the main street of the village of Walberton.
- The LPA needs to keep additional lighting to a minimum in this dark sky environment in Walberton,
- The shrubs and trees along the boundary with Avisford Park Road acts as a screen and should be retained; and more landscaping should be planted to screen the proposed development.
- A condition should be imposed preventing the installation of floodlighting at the tennis courts.
- There is a lack of doctors surgeries in the village.
- The Landscape MasterPlan 3823/111 REV B' dated 15/02/19 has been significantly altered. The 'LAP' has been removed and replaced with a path running immediately adjacent to existing boundary fences on Manser Road. There are concerns regarding unauthorised access to the existing houses on Manser Road with a planned path in such close proximity, not to mention the reduction in privacy and potential noise disruption.
- The letters of representation also considered the proposed green spaces, tennis courts and play areas would enhance the local area and are supported.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted and covered in the Conclusions section of this report.

CONSULTATIONS

Ecology Advisor
Highways England
WSCC Strategic Planning
Environment Agency
Sport England South East
Sussex Police-Community Safety
Surface Water Drainage Team
Conservation Officer
Environmental Health
Parks and Landscapes
Arboriculturist

Southern Water Planning
Economic Regeneration
Planning and Housing Strategy
Engineering Services Manager
Engineers (Drainage)
Archaeology Advisor
NHS Coastal West Sussex CCG

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND:

No objection.

Highways England is satisfied that this reserved matters application would not materially affect the safety and/or operation of the strategic road network, in this case the A27.

LOCAL HIGHWAY AUTHORITY:

No objection.

The Local Highway Authority has withdrawn its initial objection to this reserved matters application to the lack of information on path surfacing, following the submission of two plans (Drawing No. CSA/3823/111 Rev. F - Landscape Masterplan and Drawing No. CSA/3823/109 Rev. C - Public Open Space Landscape Proposal) showing the proposed paths to Tye Lane and Avisford Park Road surfaced in Bitmac, matching all of the other paths in the scheme. The Local Highway Authority considers the proposed development would achieve safe and convenient access by a choice of means of travel and encourage and enable an increase in environmentally sustainable means of travel such as walking, cycling and public transport and thereby minimise the impact of car journeys. The revised swept paths have been provided and are acceptable to the Local Highway Authority. The additional issues regarding phasing of the footpath links and layout can be commented on further under the discharge of condition applications WA/11/19/DOC for condition 15 and WA/116/18/DOC regarding the Construction Management Plan (which includes the phasing plan). The Fire and Rescue Service is satisfied with the amended layout plan, the hard and soft landscaping plans and the public open space plans which show a proposed emergency access to the site off Tye Lane, which would measure 3.0 metres wide. The Local Highway Authority welcomes the provision of the emergency access link.

ENVIRONMENT AGENCY:

This application does not fall under the Environment Agency's consultation checklist as the site is located in Flood Zone 1 and therefore the Agency will not be providing a response on this reserved matters application.

SPORT ENGLAND:

Support this reserved matters application which includes the provision of tennis courts, subject to a condition providing further details of the design of the tennis courts i.e. a section detail regarding the construction of the courts (geotextile layer, sub base depth, base course depth, upper course depth dependent on soil type; together with details of floodlighting - where floodlighting is to be provided - and ball stop fencing). This is necessary to ensure that the performance of the tennis courts is fit for purpose. Sport England considers the provision of tennis courts addresses an identified need for this type of facility and has the potential to be of benefit to the development of tennis in the District. The management and maintenance of the tennis courts should be secured locally to ensure that the facility remains available for use and is well maintained.

ADC HOUSING:

No objection.

Support the revised mix of affordable housing as set out in the Affordable Housing Statement, dated October 2018, to that set out in the S106 Agreement. The revised mix proposes a change from one 1 bedroom flat to an additional 2 bedroom flat (affordable rented) and a change from a 2 bedroom flat to a 2 bedroom house (shared ownership).

SOUTHERN WATER:

No objection.

Southern Water has undertaken a desk study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that there is an increased risk of flooding unless any required network reinforcement is provided by Southern Water. Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme. Southern Water and the developer would need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement. Southern Water has requested the following condition be applied: "Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development"

ADC DRAINAGE ENGINEERS:

No objection to the proposed layout.

The exact details of the surface water drainage design are to be agreed via a separate discharge of conditions application. Surface water would be disposed of via infiltration; this is in line with the hierarchy for sustainable drainage. The surface water drainage design has not been finalised. However, dialogue is ongoing with the applicant's drainage engineer and the majority of the design has been resolved. Sufficient detail has been provided to allow ADC Drainage Engineers to have a large degree of confidence that there is adequate space within the proposed layout to facilitate surface water drainage. ADC Drainage raised no objection to the proposed positioning of the emergency access onto Tye Lane; details of the culvert construction and wider drainage proposals would be resolved by the conditions that were imposed upon the outline application.

ADC ENVIRONMENTAL HEALTH:

No objection.

Environmental Health request conditions permitting no floodlighting of the tennis courts, restricting the hours of use of the tennis courts and for the provision of ball stop fencing along the northern boundary with Avisford Park Golf Course. With regard to the golf course to the north, Environmental Health have concerns that there may be a (literal) impact from escaping golf balls on the future residents of this development. Environmental Health would therefore request that the applicant liaise with the Golf Club to determine where ball-stop fences (or other suitable mitigation) should be implemented to prevent ingress of golf balls onto the application site. Given that there are a number of trees on the northern boundary of the site and that direction of play with obviously be important, it is expected that the location and extent of Ball-Stop Fences would not be extensive.

ADC ECOLOGICAL ADVISOR:

No objection.

Following submission of the Ecological Mitigation and Management Plan (February 2019), the ADC Ecological Advisor is satisfied that this covers all the precautionary measures discussed as part of the outline application (WA/44/17/OUT) and no further information is required at this stage.

ADC CONSERVATION OFFICER:

Support.

There are a number of heritage assets in close proximity to the proposal that have been identified. These assets are both designated and non-designated and consist of Avisford Park Hotel, a Grade II listed building to the north of the site; a number of Grade II listed buildings and locally listed 'Buildings or Structure of Character' fronting The Street, to the south and south-east of the site; and Walberton village conservation area, to the south and south-west/east of the site. The success of those properties on the application site (which are located within close proximity to the Conservation Area) would ultimately be related to the quality of the materials used. Every attempt should be made to ensure that the materials used reflect the colours and textures of those found in the Conservation Area. It is considered that the proposed development would not harm the Conservation Area, and is therefore capable of support.

ADC GREENSPACE:

No objection.

ADC Greenspace supports the submitted Landscape Framework Plan and the amended layout plan. ADC Greenspace supports the proposal to provide Tennis Courts on site in place of a MUGA. The Tennis Courts should be maintained by Walberton Parish Council (or a nominated management company). ADC Greenspace agrees with the proposed footpath surfacing around the Tennis Courts to have a tarmac finish as opposed to the more informal pathways which run through the site. ADC Greenspace recommends approval of the landscape details contained in this reserved matters application WA/95/18/RES. ADC Greenspace is satisfied with the amended Landscape Management Plan which now includes a brief section on the maintenance of the emergency access from Tye Lane to ensure that the edges of the pedestrian/cycle path are free of trees and hedges.

ADC ARBORICULTURAL OFFICER:

No objection, subject to a condition ensuring all construction activity at the site is to be carried out in accordance with the Arboricultural Impact Assessment Report. The ADC Arboricultural Officer raises no objection to the emergency access off Tye Lane as it would appear that all construction can easily take place outside of the root protection area of the nearest tree subject of a TPO (T23).

SUSSEX POLICE:

No objection.

The proposed residential development should be developed to Secured by Design standards. The widening of the footway/cycleway to Tye Lane and the provision of parking spaces to serve the allotments is supported. For natural surveillance, shrubs should have a mature growth height no higher than 1.0 metre high, and trees should have no foliage or lower branches below 2.0 metres which allows 1.0 metre field of view between them. The tennis courts should be surrounded with perimeter fencing and gates with access control of an appropriate height to prevent vandalism when they are not in use.

SUSSEX COASTAL CLINICAL COMMISSIONING GROUP (CCG):

No objection to this reserved matters application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and covered in the Conclusions section of this report.

POLICY CONTEXT

Designation applicable to site:
Inside the Built-up Area Boundary (BUAB) of Walberton.

DEVELOPMENT PLAN POLICES

[Arun Local Plan 2011 - 2031:](#)

AHSP2 AH SP2 Affordable Housing

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
HDM1	H DM1 Housing mix
HERDM1	HER DM1 Listed Buildings
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas
HERDM6	HER DM6 Sites of Archaeological Interest
INFSP1	INF SP1 Infrastructure provision and implementation
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
OSRSP1	OSR SP1 Allotments
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TELSP1	TEL SP1 Strategic delivery of telecomms infrastructure
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

Walberton Neighbourhood Plan Policy 2017 CL8	Allotments
Walberton Neighbourhood Plan Policy 2017 GA2	Footpath Bridleway and Cycle Patch Network
Walberton Neighbourhood Plan Policy 2017 GA3	Car Parking
Walberton Neighbourhood Plan Policy 2017 HP1	Spatial Plan of the Parish
Walberton Neighbourhood Plan Policy 2017 HP10	Affordable Housing
Walberton Neighbourhood Plan Policy 2017 HP11	Housing Density
Walberton Neighbourhood Plan Policy 2017 HP13	Design Guidance
Walberton Neighbourhood Plan Policy 2017 VE3	Protection of Trees and Hedgerows
Walberton Neighbourhood Plan Policy 2017 VE4	Conservation Areas and Areas of Special Character
Walberton Neighbourhood Plan Policy 2017 VE7	Surface Water Management
Walberton Neighbourhood Plan Policy 2017 VE8	'Unlit village' status

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan:

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton; Ford.

The Walberton Neighbourhood Plan (NP) was made in March 2017. Relevant Walberton NP policies have been taken account of and are addressed in the Conclusions section below.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposed development is located inside the built-up area boundary (BUAB) of Walberton in the Arun Local Plan and therefore complies with the relevant Development Plan policies. The proposal would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area including Walberton Conservation Area and the Listed Buildings.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The principle of residential development was established in 2018 when outline planning permission

(WA/44/17/OUT) was granted for 175 dwellings on the Land East of Tye Lane. The outline planning permission included the access to the site directly off Yapton Road.

ASSESSMENT

The site has outline planning permission for 175 houses. The proposed reserved matters application seeks to deliver detached and semi-detached houses, terraced houses and 5 apartments buildings. The key issues to be considered as part of the current reserved matters application are ones of detail and relate to the layout, design, appearance and landscaping on the site.

DENSITY

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

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

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

The Design and Access Statement which accompanied the outline planning application contained an indicative residential density plan which stated that the development should not exceed 30dph. It also sought to provide a range of indicative densities within the development to provide different character areas for example lower scale densities on the rural edges of the site and higher densities in the core of the site to frame the central space.

Housing density should be in keeping with the surroundings in accordance with Policy HP11 of Walberton NP and Policy D DM1 (13). The layout plan submitted with the reserved matters application would meet this requirement and is reflected in the overall density of 28dph across the site. The layout also provides for the use of different character areas which identify spaces and provide for differing densities in those areas. The central area of the site is typified by larger buildings with stronger building lines whereas the rural edges are lower density typified by semi and detached units reflecting the transition to the countryside. The plots positioned next to the school have been designed to reflect the security requirements due to their proximity with gable ends facing the school.

Overall, the layout is consistent with the 30dph indicatively set out in the outline DAS. The layout provides for a density which is appropriate to the context and delivers a range of densities within the site allowing for variations in design and character. The proposed density is in accordance with Policy D DM1 (13) of the Local Plan, Policy HP11 of the Walberton NP and the NPPF.

HOUSING MIX

Policy H DM1 of the Local Plan says: "The Council will seek 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.

The applicant is proposing the following mix at this reserved matters stage (WA/95/18/RES):

- 12 x 1 bedroom flats;
- 39 x 2 bedroom flats/houses;

- 58 x 3 bedroom houses; and
- 66 x 4 bedroom houses.

This is split between market and affordable properties;

Market

- 1 bed - 0
- 2 bed - 14
- 3 bed - 45
- 4 bed - 64

Affordable

- 1 bed - 12
- 2 bed - 25
- 3 bed - 13
- 4 bed - 2

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

The 2012 SHMA was the subject of an update in 2016 which paragraph 6.3 stated that the evidence highlighted a direction towards the provision of 2 and 3 bed units for market units and smaller affordable units. The GL Hearn 2016 update acknowledges at 6.10 that the analysis clearly shows the different profiles in the different broad tenures with affordable (rented) need being more heavily skewed towards smaller dwellings and market housing predominantly homes with three or more dwellings. Table 29 identifies a suggested broad mix housing by size and tenure for the District.

Whilst the market and affordable housing is disaggregated, the policy makes reference to the delivery of both tenures in the creation of a balanced community. The overall market and affordable mix provides for a range of dwelling sizes from 1, 2, 3 and 4 bed flats and houses. The proposal includes 52% 4 bed market units compared to recommended proportion of 10-15% in the SHMA update. This departure is justified in terms of the density of the development (29 dwellings per hectare). If the plans provided a greater number of smaller units this would increase the density in pockets of the development. This density of the site is important in the consideration of the impact on the character of the village and its relationship with the surrounding listed buildings and Conservation Area, on a site on the edge of the village. The use of detached dwellings is important in the creation of different character areas within the site, as envisaged at outline stage, such as using larger more dense areas in the core of the site and the use of detached dwellings to blend out to the edges of the site.

The proposed development delivers over half of the overall scheme as 2 and 3 bed dwellings, equating to 55% of the mix. When considering the smaller 1, 2 and 3 bed units this equates to over 62% of the overall housing mix. This is consistent with the objectives of the SHMA in providing a focus on family housing across a range of housing sizes and types whilst also providing a proportion of smaller 1 bed units overall. The development comprises detached, semi-detached and terraced houses and 5 apartment buildings which provide for variety not only in housing size but type.

Consequently, it is considered that the proposed housing mix, sizes and tenures in this reserved matter application provides a range of house sizes including family accommodation over a range of dwelling

sizes and tenures, and whilst it does not accord with Policy H DM1 of the Local Plan the mix proposed is needed to provide lower density development in sensitive parts of the site.

AFFORDABLE HOUSING

Policy AH SP2 of the Local Plan says "for all developments of 11 residential units or more the Council will require a minimum 30% of the total number of units proposed on site to be provided as affordable housing on the same site in the first instance".

Policy HP10 of the Walberton NP says: "Affordable Housing Proposals meeting the ADC current standards in respect of Affordable Housing, as a minimum, will be supported."

The residential development on the site includes 52 affordable houses (30% provision which accords with the affordable housing policy in the Local Plan), and comprises 50% Affordable Rent and 50% Shared Ownership, in accordance with the S106 Agreement. The affordable units would constitute the following:

- 12 x 1 bedroom flats (23%);
- 12 x 2 bedroom flats and 13 x 2 bedroom houses (48%);
- 13 x 3 bedroom houses (25%); &
- 2 x 4 bedroom houses (4%).

This is a slight variance from the mix set out in policy AH SP2 as the policy wording sets out that the following mix;

- 1 bed 40%
- 2 bed 40%
- 3 bed 20%
- 4+ bed 10%

In this proposal, the scheme provides a greater level of 2 and 3 bed family dwellings when compared to the mix specified in Policy AH SP2. However, this provision is substantially consistent with the mix specified in the Section 106 Agreement which accompanied the outline planning permission. The policy wording requires evidence if a different mix is proposed. In this instance the S106 has prescribed the affordable housing mix for this site which is different than that required by Policy AP2 therefore there is no conflict with Policy.

The mix of affordable housing has been revised slightly in the Affordable Housing Statement, dated October 2018, to that set out in the S106 Agreement; as it now proposes a change from one 1 bedroom flat to an additional 2 bedroom flat (affordable rented) and a change from a 2 bedroom flat to a 2 bedroom house (shared ownership). The S106 agreement allows for variations to be agreed through the reserved matters and as such as a Deed of Variation is not required for the affordable housing mix revision.

The affordable housing mix as proposed is considered to be acceptable, it continues to provide a range of affordable house types and tenures with the development. The proposals provide slightly larger units than specified in the S106. This proposed revision to the mix is supported by ADC Housing.

The proposed quantum and location of the affordable housing located in the 5 apartments blocks, semidetached houses and terraced houses is considered to be acceptable as the affordable units would not be centred entirely in one location but they would be provided in two clusters in the application site. The LPA is satisfied that the affordable units would be tenure blind following the submission by the applicant of amended elevational treatments of all of the affordable units, ensuring the design and materials of the affordable units would be no less than that of the open market housing. The Parish

Council has viewed the amended elevational treatments of the affordable units and has raised no objection.

The proposed development complies in general terms with Policy AH SP2 of the Local Plan and accords, subject to a minor revision in house types, with the obligation in the Section 106 Agreement which accompanied the outline planning permission (WA/44/17/OUT).

SCALE AND BUILDING HEIGHTS

Policy D DM1(14) of the Local Plan says: "the scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement".

The application site itself for the most part enjoys good screening from neighbouring residential development to the south.

The proposed building heights are in accordance with the 2 storey height limit set out in the approved Design and Access Statement which accompanied the outline planning application (WA/44/17/OUT). The outline Design and Access Statement includes a plan showing indicative building heights. The proposals are fully in accordance with the building heights with all proposed dwellings being 2 storeys only. The predominance of two storey dwellings on this site is in keeping with the character of the residential development in Walberton village to the south and ensures that the development reflects the built form and massing, comprising the modern housing estates to the south and Walberton Conservation Area to the west.

Consequently, it is considered that the proposed residential development complies with Policy D DM1 of the Local Plan.

SITE LAYOUT AND CHARACTER

Policy D DM1(1) of the Local Plan requires the proposed development to "make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding areas, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping and design features".

Policy D SP1 of the Local Plan specifies that development proposals should have been derived from a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness and usability, health and wellbeing and climate change); and the influence these objectives have on the form of the development.

Policy HP13 of the Walberton NP says: "New development which would have an effect on the appearance or 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 outline planning application for the site (WA/44/17/OUT) included an indicative layout plan (an illustrative masterplan) and a Design and Access Statement. The indicative layout plan identified the housing development focussed on the centre of the application site, surrounded by public open space (Green Infrastructure), with allotments and a community orchard located on along the southern boundary of the site adjacent to houses on Avisford Park Road. The DAS set out the green infrastructure provision across the site including the Central Green, the provision of Green Corridors, together with balancing ponds as wetland features in the south west and south east corners of the site.

The detailed layout plan submitted with this reserved matters application adheres extremely closely to the indicative layout provided at the outline planning stage. The detailed layout plan needs to adhere to

the details set out in the Design and Access Statement, dated June 2017 approved at the outline planning stage, which included a parameter plan (Drawing No. 2507-A-1100-A) relating to land-use, access and movement, landscape and public open space and building heights.

The applicant has submitted a Design and Access Statement, dated October 2018, which accompanies the reserved matters application. This Design and Access Statement mirrors the Design and Access Statement approved with the outline planning permission (WA/44/17/OUT), as it provides design principles and identifies the following key character areas:

- The Entrance Gateway;
- The Avenue;
- The Community Edge;
- The Village Edge; and
- The Parkland Edge.

Following pre-application advice, the applicant has adopted the key character areas from the outline Design and Access Statement that accompanied the outline planning permission and included them in the new Design and Access Statement October, 2018 and the detailed layout plan which accompanies this reserved matters application.

The Entrance Gateway is located directly off the site access with Yapton Lane. The Entrance Gateway includes a green corridor, with the houses set back but fronting the highway; with the Gateway Feature wall providing a sense of arrival to the housing development. The Entrance Gateway leads on to The Avenue character area. The Avenue runs the length of the housing development from east to west along the primary (spine) road; and includes higher density housing including 5 apartment blocks, interspersed with green corridors formed by specimen tree planting and a swale.

The Community Edge runs along the southern edge of the site facing onto the Primary School and Walberton Recreational Ground, and it consists of lower density housing facing onto the large areas of green space to the south including the community orchard, the allotments and the main play area (LEAP 2) and the tennis courts. The Village and Parkland Edge comprises the remainder of the site and it faces west towards Tye Lane and north to Avisford Park Golf Course. The Village and Parkland Edge is rural in character with larger family homes, with the use of estate railings along the parkland edge.

The applicant has also proposed the provision of focal buildings, which would be located at principal junctions and prominent locations within the proposed residential development. The focal buildings would have double frontages and be dual facing and incorporate detailed design features. It is considered that the provision of focal buildings would enhance the development framework for the housing within the specific character areas.

During the course of the consultation period for this reserved matters application, the applicant has submitted an amended layout plan which ensures that the houses and apartment buildings are orientated and aligned to front onto the primary (spine) road and the secondary roads which run through the site. The layout of the site includes the provision of a large area of open space (Green Infrastructure) which encompasses the housing development, and it includes 2 LEAPs, 2 LAPs, allotments, a community orchard and 2 tennis courts; together with pedestrian and cycle links to the village. The proposed layout includes a swale feature which runs along the primary (spine) road, which it is considered forms an attractive landscape feature.

The amended layout plan includes minor plot changes and revisions to house types on specific (prominent) plots. The layout has been amended to minimise the impacts on the oak tree that is subject to a TPO in the central green space, adjacent to Plots 53 and 54. A number of the house types have been substituted to include dual fronted house types; the construction materials on the houses adjoining the Conservation Area have been refined and enhanced with additional details.

Additional pedestrian links have been added connecting onto the footpath at Avisford Park Road; together with a pedestrian/cycleway and emergency access link to the south western corner of the site leading to Tye Lane, comprising a 3.0 metre wide tarmac surfaced path. Additional landscaping has been added to the parking courts to mitigate the hard landscaping. The amended layout ensures cycle stores are provided for dwellings that do not have garages. Additional tree planting has been added to the entrance to the site. The proposed tree planting long the Avenue has been amended to ensure that it is better spaced. The central park area has been re-aligned to provide a more central space. The revised layout plan also includes the provision of three car parking spaces serving the allotments.

Gateway Feature

The applicant is proposing to construct a Gateway Feature at the site entrance with Yapton Lane, which would comprise a brick wall, incorporating cast stone pier caps, 14" cast stone ball finials and cast stone wall coping, and a recessed cast stone signage panel with the name of the proposed residential development: 'Avisford Grange'

It is considered that the proposed reserved matters layout plan reflects the guidance in the NPPF, in respect of the need to create a high standard of environment for residents, which is also reflected in the requirements of the Local Plan; and that the current application for the approval of reserved matters (WA/44/17/RES) accords with Policy D DM1 and Policy D SP1 of the Local Plan and Policy HP13 of the Walberton NP.

DESIGN AND FORM OF BUILDINGS

Policy D SP1 of the Local Plan requires "all development proposals should be of good quality and demonstrate a high standard of design".

Policy HP13 of the Walberton NP says: "New development which would have an effect on the appearance or character of the surrounding area must be of a high quality of design".

A high quality, locally appropriate indicative materials palette was included on page 68 of the approved Design and Access Statement. The applicant has utilised the indicative materials palette in the choice of materials for the houses and apartments on the site in this reserved matters application.

The applicant has submitted amended plans which comprise revisions to the elevational treatments on all 5 apartment blocks, the three affordable terraced houses and one of the market houses, which are located in prominent locations within the application site. The proposed amendments were requested by the LPA as the initial plans of these buildings included blank elevations and brick walls, lacked any brick detailing, nor did they incorporate any of the vernacular architectural detail prevalent in Walberton including tile hanging; and the apartment building are large structures which require detailing to enhance the visual appearance of the buildings. A dentil course of brickwork has been extended round Flat Block A, and brick cills have been added to all elevations of the building. A dovecote has been added to the roof of Flat Block B, and tile detailing added to the front elevation gables, and brick cills added to all elevations. Brick cills have been added to the windows of all elevations on Flat Block C. A dentil course of brickwork has been extended around Flat Block D, and brick cills have been added to all elevations. Tile hanging has been added to the first floor of all of the elevations of Flat Block E. A central gable has been added to the Walberton House type which will be tile hung, a brick dentil course has also been added at first floor cill level to add further detail. A central gable has been added to the 3 terraced affordable houses which will be tile hung as this is a feature of this Character Area in the site, and a brick dentil course has also been added at first floor cill level to add further detail.

The applicant has submitted an amended Dwelling Boundary Materials Layout Plan replacing the original proposal for timber fencing facing the road at Plot 74 and the front fence at Plot 155 with brick walls. It

was considered that the use of timber fencing at these two plots would be visually unattractive in such prominent locations within the site and that brick walls would be more acceptable in visual terms. The proposed amendments are considered to be acceptable as they enhance the visual appearance of large buildings, located in prominent locations in the site; and the amendments to the boundary treatment at Plots 74 and 155 would improve the appearance of these two properties.

It is considered that the proposed design and form of the houses and apartments is acceptable and it complies with Policy D SP1 of the Local Plan and Policy HP13 of the Walberton NP.

HIGHWAY ISSUES

Policy T SP1 of the Local Plan says that "to ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; 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".

Vehicular access, with a priority 'T' junction from the site onto Yapton Lane, was approved when the outline planning permission was granted in February 2018.

The applicant is proposing to construct a 5.5 metre wide carriageway spine road running the length of the application site from east to west, with a 2.0 metre wide footway on either side of the road; to an adoptable standard. The 2.0 metre wide footways would tie in with the existing pavements running along the western side of Yapton Lane. The secondary roads leading off the primary (spine) road would comprise a 4.8 metre wide shared surfaces; and the private drives would be 4.1 metre wide shared surfaces.

It is considered that the proposed internal road network is acceptable and it complies with Policy T SP1 of the Local Plan.

Emergency Access

The Fire and Rescue Service initially raised concerns about there being no emergency access into the site. Consequently, the applicant submitted an amended layout plan, hard and soft landscaping plans and public open space plan showing the pedestrian/cycle path link connecting to Tye Lane widened to 3.0 metres, which would provide a level of emergency access into the site at a point on the site which is considered the safest for pedestrian to be entering Tye Lane. It would not provide a fully engineered road access into the site (taking account of the need to avoid residents using it, minimising tree removal and avoiding SuDs features etc), it would however provide a level of emergency access should the need ever arise. The applicant has also amended the Landscape Management Plan (the LMP) by adding a brief section on the maintenance of the emergency access to ensure that the edges of the pedestrian/cycle path are free of trees and hedges, to allow a clear width of 3.7 metres so that emergency services vehicles are not obstructed. The provision of a 3.0 metre wide emergency access into the site from Tye Lane is considered to be both acceptable and necessary.

Parking Provision

Policy T SP1(d) of the Local Plan says: "The Council will support transport and development which incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision taking into consideration the impact of development upon on-street parking."

Parking provision for the proposed dwellings, comprising 507 car parking spaces, consisting of 455 spaces allocated for residents, and 52 unallocated spaces for residents and their visitors, is in accordance with the West Sussex (Residential) Parking Demand Calculator for the size of dwellings proposed. 115 of the allocated spaces would be located within a garage which would be designed to a

suitable size in order to allow them to count towards the parking provision number. Visitor parking is proposed throughout the development and in addition, many of the dwellings have sufficient space to accommodate visitor parking on plot. Car parking is predominantly on plot. Parking courts comprising up to 15 spaces are proposed within the housing estate; and the applicant is proposing to break up the spaces in visual terms by planting specimen trees between spaces. Cycle parking is provided for each house on the site and the apartment blocks would be served by cycle stores.

Consequently, the proposed parking provision complies with Policy T SP1(d) of the Local Plan as it incorporates appropriate levels of parking, taking into consideration the impact of the development upon on-street parking.

Footways and Cycleways

Policy T SP1 of the Local Plan says: "The Council will support transport and development which gives priority to pedestrian and cycle movements".

Policy GA2 of the Walberton NP says: "Support will be given to proposals that improve and extend the existing footpath, bridleway and cycle path network, allowing easier and safer safe access to the local amenities and services, to green spaces, to any new housing and to the open countryside."

The reserved matters application includes a network of hard surfaced footpaths which would provide access and link the proposed new housing estate to the existing services and facilities in Walberton.

The proposed site layout includes a shared pedestrian/cycle link to the west of the site which would connect the site to Tye Lane. A pedestrian/cycle link is proposed to the Recreational Ground alongside Walberton and Binsted Primary School, which would link up with a footpath link that the Parish Council will be providing around the playing field on the Recreational Ground, as a result of the outline planning permission (WA/22/15/OUT) on Land to the East of Fontwell Avenue, Fontwell. The applicant has revised this reserved matters application to provide a new a pedestrian link onto Avisford Park Road. There would also be pedestrian/cycle link through the main site access onto Yapton Lane.

The indicative layout plan (illustrative masterplan) submitted at the outline planning stage included a pedestrian link to Avisford Park Golf Course; but this link has been removed from the detailed layout plan submitted with this reserved matters application as there is considered to be no need for residents to gain access on foot to the private golf course.

The Local Highway Authority requested the submission of a phasing plan for the proposed pedestrian connection to the playing fields on the Walberton Recreational Grounds, however all of the site phasing works are set out in the Construction Management Plan which has been submitted in a separate Discharge of Condition application (WA/116/18/DOC), which accompanies this reserved matters application. The applicant has submitted a revised plan showing the link surfaced in bitmac, which is acceptable to the Local Highway Authority. The revised drawings show the removal of the pedestrian/cycle link to Tye Lane (towards the sites northern extent) and replacement with a pedestrian/cycleway/emergency access link to the south western extent of the site's boundary to Tye Lane. The provision of the south western link is welcome, and the applicant has confirmed that the path would be surfaced in bitmac, matching all of the other paths in the scheme.

It is considered that the proposed development complies with Policy T SP1 of the Local Plan in terms of creating a safe and secure layout for cyclists and pedestrians, and Policy GA2 of the Walberton NP.

IMPACT ON WALBERTON CONSERVATION AREA AND LISTED BUILDINGS

Policy HER DM1 of the Local Plan says: "proposals affecting statutory Listed Buildings will be required to preserve or enhance the historic character, qualities and special interest of the buildings" and "protect

and where possible enhance the setting of the building". (Policy HER DM1(a) and (e).

Policy HER DM3 of the Local Plan says: "in order to preserve or enhance the character or appearance of the Conservation Area, planning permission will normally be granted for proposals within or affecting the setting of a Conservation Area, provided that it does not harm important views into, out of or within the Conservation Area".

Policy VE4 of the Walberton NP says: "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."

Paragraph 190 of the NPPF (February 2019) requires great weight to be given to the conservation of heritage assets. Any harm resulting from the proposed development should be weighed against the public benefit in accordance with paragraph 196 of the NPPF (February 2019). Paragraph 196 of the NPPF says that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum value".

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 says: "In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area"

There are 3 types of designated heritage assets which are located adjacent to this site;

- Avisford Park Hotel (Grade II),
- The Street - dwellings to the Street (both Grade II and locally listed) and.
- Walberton Conservation Area.

The outline approval established that the development would not result in harm to the designated heritage assets or their settings. The outline was assessed in relation to parameters set out in the Design and Access Statement (June 2017) and the Heritage Assessment (June 2017). The reserved matters layout is consistent with the parameter plan with the layout continuing to provide the landscaped areas/buffers to the edges of the site and notably the northern and south western boundaries in relation to the heritage assets. The plans do not propose development any closer or taller than shown on the indicative plans forming part of the outline Design and Access Statement or the approved parameter plan. On this basis, the development is consistent with the level of impact on the significance of these heritage assets as assessed as part of the outline planning permission which concluded there was no direct harm to these assets.

Avisford Park Hotel is a Grade II listed building to the north of the application site. The ground level falls away gently to the south of the listed building, and various ancillary structures, as well as mature trees and shrubbery, exist between the heritage asset and the site. The proposed dwellings are of a smaller scale in terms of height than the heritage asset and have been designed to reflect the local vernacular. The degree of separation to the asset from the site along with the 2 storey scale, along with the proposed landscaping will continue to provide the visual separation of this site to the Listed Building, as envisaged in the outline planning permission. These intervening elements, together with the landscaped buffer to the northern edge of the proposed development will effectively obstruct direct views between the existing and new built form. It is considered that the listed building would remain pre-eminent in the immediate vicinity and continue to sit acceptably in its existing landscaped setting. As a consequence, the development in terms of its design and layout would continue to maintain the same level of no direct harm as established at the outline stage on the setting of this heritage asset.

The Grade II listed buildings / locally listed buildings which front on to The Street in Walberton, form part of the character of the Conservation Area (when viewed from the road). Their significance, therefore, partly derives from the village context in which they sit; i.e. nestled around similar properties of a small scale, constructed from traditional materials. The layout of the site reflects the approved parameters and respects the landscaped buffer to this part of the village. The scale of the dwellings is limited to 2 storey reflective of the village. Taking these factors into consideration, as considered at outline stage, the development would continue to have 'a negligible impact on the special qualities of a number of Grade II listed buildings and local listed buildings' fronting The Street 'due to distance and intervening buildings.

Only a small part of the southern boundary of the application site abuts the Walberton Village Conservation Area; for the most part, it is well separated by intervening built form. Walberton Conservation Area was designated in 1990 and comprises the historic core of the village. The application site is sufficiently separated from Walberton Conservation Area and the overall design of the houses reflects the local vernacular being two stories in height and constructed from brick and flint with a mixture of clay tiles and slate roofs. The presence of mature trees and shrubbery, along with further proposed vegetation will mean that the new landscaping will largely screen the development from the Conservation Area. This is in accordance with the details shown on the approved parameter plan and the indicative details shown in the outline Design and Access Statement.

The ADC Conservation Officer notes units 72-81 and 94, 95 and 96 on the application site due to their proximity to the Walberton Conservation Area/heritage assets. Through the submission of revised elevation detailing such as materials and detailing, the applicant has improved the elevational treatment of these units so that it reflects some of the established vernacular characteristics of the Conservation Area. For instance, units 74-81 are small scale, semidetached cottages which front almost directly on to the carriageway. This is in keeping with the character and appearance of the existing buildings adjacent to this part of the site.

Having had regard for the principles established in the outline planning permission, the consultation response from the ADC Conservation Officer summarised above, together with the layout of the proposed residential development on the site and the location of the Walberton Conservation Area, the design of the buildings and their proximity; it is considered that the proposed development would continue to have a negligible / no direct harm to the significance of the designated heritage assets than that established in the outline planning permission and found to be acceptable, in accordance with paragraph 196 of the NPPF.

Consequently, it is considered that the proposed development is acceptable and complies with Policy HER DM1 of the Local Plan in terms of impact on listed buildings and Policy HER DM3 of the Local Plan in terms of impact on the Conservation Area; Policy VE4 of the Walberton NP, and the NPPF in that it protects the setting of Listed Buildings and Walberton Conservation Area.

TREES

Policy ENV DM4 of the Local Plan says: "where planning permission is granted, conditions shall be used to ensure that, for any trees which are removed as part of a development, at least an equivalent number of a similar species and age (where practical) are planted on the proposed development site. Sufficient space for replacement trees to mature without causing future nuisance or damage shall be provided. The planting of new trees shall form an integral part of the design of any development scheme."

Policy VE3 of the Walberton NP says: "Development will be permitted where it can be demonstrated that trees and hedgerows contributing to local amenity will not be damaged or destroyed."

The reserved matters application was accompanied by an Arboricultural Survey, Impact Assessment and

Protection Plan. The primary constraints for the site are the Root Protection Areas (RPAs) of the retained trees and the shading associated with those trees and ensuring the trees that are subject to tree preservation orders are protected during the construction process and when the houses are built and occupied.

It is considered that the scheme of tree protection measures proposed in the latest revision of the Arboricultural Impact Assessment and Method Statement 'Heads of Terms', and illustrated/annotated on the Protection Plan seeks to adequately respect and protect retained trees and which reflects a revised and suitably informed site layout.

Consequently, it is considered that the proposed development complies with Policy ENV DM4 of the Local Plan and Policy VE3 of the Walberton NP, in terms of tree protection.

LANDSCAPING

Policy D DM1 of the Local Plan states that: "When considering any application for development the Council will have regard to the following aspects: make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features; demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area." (Policy D DM1(1) and D DM1(2))

The Parameter Plan approved at the outline planning stage required an extensive green buffer surrounding the proposed residential development. The Landscape Framework Plan which accompanied the reserved matters application includes a green landscaped space at the entrance to the site (in the Entrance Gateway); a central green corridor running north / south through the centre of the site incorporating the Avenue and the Village & Parkland Edge Character Areas; and a green corridor running along the primary (spine) road including a swale (rill) and trees planted at regular intervals along The Avenue Character Area. The reserved matters application retains the extensive green buffer surrounding the proposed residential development, which would be landscaped.

The Landscape Framework Plan also includes tree and shrub planting and the provision of a main play area with the tennis courts and LEAP 2; the inclusion of allotments, a community orchard and an informal circular walking route around the periphery of the site. Pocket greens are proposed to be provided around the site providing local spaces for informal recreation in accordance with the approved Design and Access Statement.

The Landscape Framework Plan and the amended layout plan which removes the pathway through the north west play area (LEAP 1), and introduces an external pathway and link pathway within is considered to be acceptable. ADC Greenspace requested the removal of the youth shelter which was originally proposed in the southern play area (LEAP 2) next to the tennis courts and its replacement with alternative play offer still aimed at older children. The amended layout plan and the Landscape Framework Plan removed the youth shelter. The amended layout plan now provides better spacing for the tree planting in a row along the main spine road in the Avenue character area and is considered to be acceptable.

The Landscape Framework Plan and the amended layout plan now incorporates the thicket mix as boundary treatment and also identify where existing scrub understory is to be removed and thicket introduced. The details regarding the height, design and type of boundary treatment have been provided to the satisfaction of the LPA. The crown spread and location of trees to be retained have been shown in locations within the masterplan and detailed landscape drawings and the topography in which these sit. The detailed landscape design for the development has been provided which is considered to be suitable in species choice, planting densities and size at time of planting for the public realm areas.

Consequently, it is considered that the proposed landscaping scheme is acceptable and complies with Policy D DM1(1) and Policy D DM1(2) of the Local Plan.

OPEN SPACE PROVISION

Policy OSR DM1(2a) of the Local Plan says: "housing will be required to contribute towards open space provision in accordance with guidance set out in the current Open Space Study. In some parts of the district open space provision is identified as being sufficient in terms of quantity. Therefore, provision of new open space is not deemed necessary but what is needed is to seek contributions for quality improvements and/or new off-site provision in order to address any future demand."

Policy CL8 of the Walberton NP says: "The provision of new allotments will be supported."

The outline planning permission required the provision of public open space on the site including a LEAP, LAPs, land for a MUGA, allotments and a community orchard. The indicative layout plan (illustrative masterplan) submitted at the outline planning stage referred to the provision of 9 LAPs (Local Area for Play) on the site together with a single LEAP (Local Equipped Area for Play) would be provided on the village green area. The Section 106 Agreement did not include any contribution towards the MUGA, only the provision of land.

The applicant has submitted a Revised Play & Recreation Strategy (Drawing No. CSA/3823/115 Rev. A) with this reserved matters application which proposes 2 LEAPS, 2 LAPS, two tennis courts (the two tennis courts are in place of the land for the MUGA), an allotment and a community orchard. The number of the LAPs has been reduced from that proposed in the indicative layout plan that accompanied the outline planning application from 9 LAPs to 2 LAPs in the reserved matters application; but this does not detract from the useable open space on the site, as the proposed locations of the 2 LAPs and the provision of an additional LEAP in the proposed locations is acceptable as the locations are both accessible and prominent.

It is considered that the LAPs and LEAPs would provide a good and varied play offer, suitable for age range, location and purpose. The details of surfacing and signage to the play areas and footpaths/cycle routes have now been provided, which are considered to be satisfactory.

The layout includes formal hard surfaced paths providing connectivity through the site and to the main features such as the recreational facilities. The layout also includes informal paths which are more desire lines through the open space but these are not hard surfaced paths.

The total area of open space amounts to 4.4ha (44,712 square metres) and it is considered that it would provide a high level of amenity for future residents as well as accessible green space for the existing residents of Walberton.

The proposed provision of 4.4ha of on-site public open space is acceptable and complies with Policy OSR DM1(2a) and Policy OSR SP1 of the Local Plan and Policy CL8 of the Walberton NP.

PROVISION OF TENNIS COURTS

The Council's adopted Playing Pitch Strategy, 2016 assesses the demand and supply of tennis courts in the area and concludes that the existing supply is sufficient to meet local clubs needs with a good standard of provision at various club sites and on Council maintained facilities. The proposed provision of tennis courts on the site would therefore contribute to building capacity in supply, rather than addressing an identified strategic unmet need. The LPA accepts that a local need for the facility has been expressed through the Parish Council. It is also acknowledged that the Parish Council and Sport England support the provision of the two tennis courts within the application site.

ADC Greenspace's stance on the provision of tennis courts is led by the Play and Pitch Strategy which discusses the need or not for tennis provision in the District and where Tennis is generally deemed to be well provided. As a MUGA has been approved to be delivered as part of residential development in Fontwell and because of the evidence based supporting documentation submitted by Walberton Parish Council and the representations they received favouring tennis to this site, then ADC Greenspace raise no objection to the proposal for Tennis Courts for this development. There is a caveat that the tennis courts remain open to the public, and they are maintained by Walberton Parish Council.

The applicant has submitted a Deed of Variation to amend the S106 Agreement to remove the reference to the provision of land for a MUGA and replace it with the provision of land for tennis courts, together with the surfacing and laying out of the tennis courts. The developer would be constructing the tennis courts and then transferring them to Walberton Parish Council to manage.

Sport England has requested a condition be imposed requiring the details of the cross sectional specification of the tennis courts. The applicant has submitted a plan (Drawing No. 3823_113 - LEAP Play Area 2) which provides the specification for the tennis courts, including the surfacing, the provision of nets and posts, surfacing, fencing, gates and line marking. The tennis courts are proposed to be surfaced in porous tarmac and finished with acrylic markings. However, the cross sectional details of the surfacing have not been submitted. The applicant is happy for the condition requested by Sport England to be imposed as specialist sports contractors would be employed by the applicant to deliver the tennis courts and they would be able to provide the relevant detail for Sport England to review and agree. Consequently, it is considered that there is a need to impose a condition on this reserved matters application requiring cross sectional details of the tennis courts.

Subject to a condition requiring the submission of the cross sectional details of the tennis courts, the proposed development accords with Policy OSR DM1 of the Local Plan.

ECOLOGY

Policy ENV DM5 of the Local Plan says "development schemes shall seek to achieve a net gain in biodiversity and protect existing habitats on the site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats". Policy ENV SP1 of the Local Plan says: "Arun District Council will encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment through the development process."

The applicant has submitted an Ecological Technical Note and an Ecological Management and Mitigation Plan in a separate Discharge of Condition application (WA/99/18/DOC) which has been submitted in parallel to this reserved matters application.

RESIDENTIAL AMENITY

Policy D DM1(3) of the Local Plan says "have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance".

There are existing houses located along Avisford Park Road to the south of the application site and housing fronting onto Yapton Lane to the east of the application site. The proposed location and orientation of the dwellings on the layout plan shows that the proposed houses are more than 20 metres from the existing houses on Avisford Park Road and Yapton Lane and therefore should ensure that neighbouring residential amenity is not adversely affected by either the loss of privacy or by overlooking.

An objection has been received from a resident on Manser Road regarding the proximity of paths on the

site to his boundary fence. The plans show an informal path in the area adjoining the properties on Manser Road. It is not a formal path and would not be hard surfaced. Indeed there are formal paths nearby but further away from the objector's house, which provide a hard surface link from the properties through the community orchard and out to Avisford Park Road and the other parts of the site. This is the intended route for pedestrians in this part of the site and anticipated to be the main path. The applicant has also taken the opportunity to bolster the planting on the boundaries with the existing properties on the revised landscaping plans. The landscaping includes a secure boundary fence (post and rail) along with a range of additional planting including hedgerow, trees and wildflower mix. This is considered to provide a landscaped buffer to the eastern edge of the site with Manser Road, whilst bolstering the ecological habitat of the site. It is therefore considered that the informal nature of the path shown in combination with the position of the formal path nearby along with the additional landscaping already proposed on the boundary with the houses on Manser Road, ensure that there would be no adverse impact on the amenity of the properties adjoining the site. The layout has not moved any closer to the eastern boundary through the revisions submitted in this application. The proposed layout is consistent with the approved outline planning permission's parameter plans and provides more than sufficient separation coupled with additional landscaping to this boundary.

Environmental Health has requested the provision of ball stop fencing along the northern boundary of the proposed residential development with Avisford Park Golf Course. The applicant accepts the need for a condition on a fence but, but also claims the condition needs to be very carefully worded as a fence may not be the only solution if works are done with the golf course on their tees, for example. The imposition of a condition regarding mitigation, which could include ball stop fencing, is considered to be reasonable and necessary.

Consequently, it is considered that the proposed residential development complies with Policy D DM1(3) of the Local Plan in terms of impact upon neighbouring residential amenity.

NOISE POLLUTION

The NPPF and Policy QE DM1 of the Local Plan emphasise that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses. The applicant has submitted a Noise and Air Quality Statement in a separate Discharge of Condition application (WA/11/19/DOC) which has been submitted in parallel to this reserved matters application.

LIGHT POLLUTION

Policy QE DM2 of the Local Plan emphasises the need to consider the impact of light on neighbouring uses and wider landscape, particularly with regard the South Downs International Dark Sky Reserve designation, light levels should be the minimum required for security and working purposes, and minimise potential glare and spillage.

Policy VE8 of the Walberton NP says: "Development proposals which detract from the unlit environments of the Parish will not be supported. New lighting will be required to conform to the highest standard of light pollution restrictions in force at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly in its use including floodlighting at equine establishments and on sports fields or sports grounds".

Environmental Health has requested conditions permitting no floodlighting of the tennis courts as the courts are close to houses on the site, which is considered to be acceptable. Environmental Health also requested a condition restricting the use of the tennis courts to the hours of daylight. However, if the condition is imposed deterring the provision of floodlighting, it is considered unreasonable and unnecessary to impose an additional condition restricting use of the tennis courts to the hours of daylight.

The proposed condition permitting no floodlighting of the tennis courts ensures that the proposed

development complies with Policy QE DM2 of the Local Plan and Policy VE8 of the Walberton NP.

EXTERNAL SPACE STANDARDS

The submitted layout plan shows all of the houses with rear gardens that measure 10 metres in length. The proposed development includes amenity space for the 5 apartment buildings in the Avenue Character Area, both in front and private spaces to the rear which are private for the individual flat blocks, which are considered to be acceptable.

INTERNAL SPACE STANDARDS

Policy D DM2 of the Local Plan sets out that the LPA will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance.

The floor plans of each dwelling / apartments where it specifies the number of bedrooms, the occupancy and the square metres of floor space have been cross referenced with the Nationally Described Space Standard (NDSS) table (Table 1). The minimum gross internal floor areas of all of the houses and the apartment buildings on the application site comply with Policy D DM2 and meet the NDSS requirements.

SURFACE WATER DRAINAGE

The NPPF requires that development does not give rise to an unacceptable risk of flooding detrimental to human health or property.

Policy W DM3 of the Local Plan says "to increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SuDS), appropriate to the size of development, at an early stage of the design process".

Policy VE7 of the Walberton NP says: "Consideration should be given to the use of Sustainable Urban Drainage Systems (SUDS) as alternatives to conventional drainage where appropriate."

The site includes two proposed surface water attenuation basins, one located in the south west corner of the site and the second basin located in the south eastern part of the site, adjacent to the community orchard. The applicant is also proposing to provide a swale (a rill) which would run along the primary (spine) road running through the site and through the public open space (Green Infrastructure) that runs along the southern boundary of the application site.

A Surface Water Drainage Strategy was submitted and approved with the outline planning permission. The applicant has submitted a foul and surface water management strategy as an addendum to the FRA with this reserved matters application which proposes to infiltrate surface water run-off from the site to the two infiltration (attenuation) basins located in the southern area of the development site for rainfalls events up to the 1 in 100 year event including climate change.

Groundwater monitoring was completed January 2017- April 2017 and further monitoring is currently being undertaken with monitoring starting in December 2018. Monitoring will continue until the end of the month. However, given groundwater data across the district, ADC Drainage Engineers do not anticipate that ground water levels would increase beyond peaks already observed and it is considered that the surface water drainage design adequately takes account of groundwater. Further infiltration testing has been completed in the winter and in accordance with BRE365 at the proposed locations of infiltrating basins. ADC Drainage Engineers consider that adequate information is available to finalise the surface water drainage design in the near future.

The layout proposes a new link on to Tye Lane, this proposal requires a short section of ordinary

watercourse to be culverted. Preliminary designs have been provided for this. ADC Drainage Engineers are confident that ordinary watercourse consent would be obtainable in due course.

It is considered that there is sufficient space in the proposed site layout submitted with this reserved matters application to accommodate the surface water drainage scheme for the housing development.

This reserved matters application has been accompanied by more detailed surface water drainage information submitted in a separate Discharge of Condition application (WA/99/18/DOC), which will be determined separately.

FOUL WATER DRAINAGE

Policy W DM1 of the Local Plan deals with foul water drainage: development which will materially increase foul water discharges will be refused unless the LPA is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development.

The foul drainage strategy is to discharge to the Southern Water public sewers with two connection points located in Avisford Park Road and in Tye Lane, respectively.

This reserved matters application has been accompanied by more detailed foul drainage information which is submitted in a separate Discharge of Condition application (WA/99/18/DOC), which will be determined separately.

CLIMATE CHANGE

Policy ECC SP1 of the Local Plan says: "The Council will support development which is located and appropriately designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding; water stress; health impacts as a result of extreme temperatures and a decline in the quality of habitats and richness in biodiversity". Policy ECC SP2 of the Local Plan says: "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".

The proposed east/west orientation of the houses and apartments on the indicative layout plan submitted with the outline planning application would ensure maximum solar gain and would comply with Policy ECC SP1 of the Local Plan. The proposed residential development complies with Policy ECC SP2 through the imposition of a condition requiring 10% on-site generation from renewable or low carbon energy generation imposed on the outline planning permission (WA/44/17/OUT) and submitted separately in a Discharge of Condition application.

ELECTRICITY SUB STATION

The proposed residential development includes the provision of an electricity sub station on the site. The sub station is proposed to be accommodated in a brick building with a tile covered pitched roof. The design and appearance of the electricity sub station is considered to be acceptable in visual terms.

SUMMARY

The reserved matters application seeking approval for appearance, scale, layout and landscaping is considered to be acceptable.

It is considered that the proposed residential development on Land to the East of Tye Lane would result in a well designed, high quality scheme which seeks as far as possible to integrate itself with the village, the Walberton Conservation Area and reflects the local vernacular. It is therefore recommended that this application for reserved matters is approved and the following conditions be imposed.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

SECTION 106 DETAILS

The Section 106 Agreement which accompanied the outline planning permission included the provision of affordable housing and land for a Multi Use Games Area (MUGA).

The revised mix of affordable housing as set out in the Affordable Housing Statement, 2018 proposes a change from one 1 bedroom flat to an additional 2 bedroom flat (affordable rented) and a change from a 2 bedroom flat to a 2 bedroom house (shared ownership). The Section 106 Agreement allows for the affordable housing mix to be agreed through the reserved matters.

The applicant has submitted a Deed of Variation to amend the Section 106 Agreement to remove the reference to the provision of land for a MUGA and replace it with the provision of land for Tennis Courts, together with the surfacing and laying out of the Tennis Courts and the provision of fencing and gates.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved drawings and submitted materials:

Drawing No. IND171208LP01 Rev. A - Site Location Plan

Drawing No. LIND171208SL.01 Rev. E - Site Layout Plan

Drawing No. LIND171208AHL.01 Rev. B - Affordable Housing Layout Plan

Drawing No. LIND171208DBML Rev. D - Dwelling Boundary Materials Layout Plan

Drawing No. HT.414.p Rev A
 Drawing No. HT.414.1e Rev A
 Drawing No. HT.414.2e Rev A
 Drawing No. HT.414.3e Rev A
 Drawing No. HT.414.4e Rev A
 Drawing No. HT.A24L-S.e Rev. B - HT-A24L - Elevations
 Drawing No. HT.A24L-S.p Rev. B - HT-A24L - Floor Plans
 Drawing No. HT.A24L-T.e Rev. C - HT-A24L - Terrace Affordable - Elevations
 Drawing No. HT.A24L-T.p Rev. B - HT-A24L - Floor Plans
 Drawing No. HT.A32L.p Rev. B - HT-A32L - Floor Plans
 Drawing No. HT.A32L-1.e Rev. B - HT-A32L - Elevations
 Drawing No. HT.A32L-2.e Rev. B - HT-A32L - Elevations
 Drawing No. HT.BEC.p Rev. B - Becket - Floor Plans
 Drawing No. HT.BEC-1.e Rev. B - Becket - Elevations
 Drawing No. HT.BEC-2.e Rev. B - Becket - Elevations
 Drawing No. HT.COT.p Rev. B - Cottingham - Floor Plans
 Drawing No. HT.COT-1.e Rev. B - Cottingham - Elevations
 Drawing No. HT.COT-2.e Rev. B - Cottingham - Elevations
 Drawing No. HT.COT-3.e Rev. B - Cottingham - Elevations
 Drawing No. HT.ELM-D.p Rev. B - Elmsile - Floor Plans
 Drawing No. HT.ELM-D1.e Rev. B - Elmsile - Elevations
 Drawing No. HT.ELM-D2.e Rev. B - Elmsile - Elevations
 Drawing No. HT.ELM-S.p Rev. B - Elmsile - Floor Plans
 Drawing No. HT.ELM-S1.e Rev. B - Elmsile - Elevations
 Drawing No. HT.ELM-S2.e Rev. B - Elmsile - Elevations
 Drawing No. HT.LEV.p Rev. B - Leverton - Floor Plans
 Drawing No. HT.LEV-1.e Rev. B - Leverton - Elevations
 Drawing No. HT.LEV-2.e Rev. B - Leverton - Elevations
 Drawing No. HT.LEV-3.e Rev. B - Leverton - Elevations
 Drawing No. HT.LEV-4.e Rev. B - Leverton - Elevations
 Drawing No. HT.MYL.p Rev. B - Mylne - Floor Plans
 Drawing No. HT.MYL-1.e Rev. B - Mylne - Elevations
 Drawing No. HT.MYL-2.e Rev. B - Mylne - Elevations
 Drawing No. HT.MYL-3.e Rev. B - Mylne - Elevations
 Drawing No. HT.PEM.p Rev. B - Pembroke - Floor Plans
 Drawing No. HT.PEM-1.e Rev. B - Pembroke - Elevations
 Drawing No. HT.PEM-2.e Rev. B - Pembroke - Elevations
 Drawing No. HT.PEM-3.e Rev. B - Pembroke - Elevations
 Drawing No. HT.PEM-5.e Rev. B - Pembroke - Elevations
 Drawing No. HT.PEM-6.e Rev. B - Pembroke - Elevations
 Drawing No. HT.WAL.e Rev. C - Walberton - Elevations
 Drawing No. HT.WAL.p Rev. C - Walberton - Floor Plans
 Drawing No. P.66-67.e Rev. B - Plots 66-67 - Elevations
 Drawing No. P.66-67.p Rev. B - Plots 66-67 - Floor Plans
 Drawing No. FB-A.e Rev. B - Flat Block A - Elevations
 Drawing No. FB-A.p1 Rev. A - Flat Block A - Ground Floor Plan (Sheet 1 of 2)
 Drawing No. FB-A.p2 Rev. A - Flat Block A - First Floor Plan (Sheet 2 of 2)
 Drawing No. FB-B.e1 Rev. B - Flat Block B - Elevations (Sheet 1 of 2)
 Drawing No. FB-B.e2 Rev. B - Flat Block B - Elevations
 Drawing No. FB-B.P Rev. A - Flat Block B - Floor Plans
 Drawing No. FB-C.e1 Rev. B - Flat Block C - Elevations (Sheet 1 of 2)
 Drawing No. FB-C.e2 Rev. B - Flat Block C - Elevations (Sheet 2 of 2)

Drawing No. FB-C.p1 Rev. B Flat Block C - Floor Plans (Sheet 1 of 2)
 Drawing No. FB-C.p2 Rev. B - Flat Block C - Floor Plans (Sheet 2 of 2)
 Drawing No. FB-D.e1 Rev. C - Flat Block D - Elevations (Sheet 1 of 2)
 Drawing No. FB-D.e2 Rev. B - Flat Block D - Elevations (Sheet 2 of 2)
 Drawing No. FB-D.p1 Rev. B - Flat Block D - Floor Plans (Sheet 1 of 2)
 Drawing No. FB-D.p2 Rev. B - Flat Block D - Floor Plans (Sheet 2 of 2)
 Drawing No. FB-E.e1 Rev. B - Flat Block E - Elevations (Sheet 1 of 2)
 Drawing No. FB-E.e2 Rev. B - Flat Bock E- Elevations (Sheet 2 of 2)
 Drawing No. FB-E.p1 Rev. B - Flat Block E - Floor Plans (Sheet 1 of 2)
 Drawing No. FB-E.p2 Rev. B - Flat Block E - Floor Plans (Sheet 2 of 2)
 Drawing No. SHED_01.pe Rev. A - Shed Elevations
 Drawing No. GAR-01.pe Rev. A - Garage Elevations
 Drawing No. GAR-02.pe Rev. A - Garage Elevations
 Drawing No. SUB01 Rev A - Substation
 Drawing No. 3823_101 Rev. E - Soft Landscaping Sheet 1 of 3
 Drawing No. 3823_102 Rev. B - Soft Landscaping Sheet 2 of 3
 Drawing No. 3823_103 Rev. B - Soft Landscaping Sheet 3 of 3
 Drawing No. 3823_104 Rev. E - Hard Landscaping Sheet 1 of 3
 Drawing No. 3823_105 Rev. B - Hard Landscaping Sheet 2 of 3
 Drawing No. 3823_106 Rev. B - Hard Landscaping Sheet 3 of 3
 Drawing No. 3823_107 Rev. E - Public Open Space Design
 Drawing No. 3823_109 Rev. C - Public Open Space Design
 Drawing No. 3823_110 Rev. B - Public Open Space Design
 Drawing No. 3823_111 Rev. F - Landscape Masterplan
 Drawing No. 3823_112 - LEAP Rev. A - Play Area 1
 Drawing No. 3823_113 - LEAP Play Area 2
 Drawing No. 3823_116 - Entrance Wall Feature
 Drawing No. 3823_117 - Boundary Design Details 1 of 2
 Drawing No. 3823_118 - Boundary Design Details 2 of 2
 Drawing No. 3823_03 Rev. A - Landscape Management Plan
 Drawing No. BHA_C_2636 - Tree Schedule
 Drawing No. 183240-004 Rev. C - Preliminary Levels Strategy

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy D DM1 and Policy D SP1 of the Arun Local Plan.

- 2 Prior to the construction of the proposed tennis courts, further details of their design and specification to include a cross section of their construction to sub-base level shall be submitted and approved in writing by the Local Planning Authority (after consultation with Sport England). The tennis courts shall not be constructed other than in accordance with the approved details.

Reason: To ensure that the development is fit for purpose and sustainable and to accord with Policy D DM1 of the Local Plan.

- 3 No floodlights or other forms of external lighting shall be installed or used at the tennis courts.

Reason: To protect neighbouring residential amenity in accordance with Policy D DM1 of the Local Plan.

- 4 The pedestrian, cyclist and emergency access point onto Tye Lane shall be constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.

Reason: To ensure accessibility for cyclists and pedestrians to Tye Lane, in accordance with Policy D DM1 of the Local Plan.

- 5 Prior to any development of a dwelling above damp proof course level, a scheme setting any on-site or off-site mitigation measures necessary to minimise the ingress of golf balls onto the application site shall be submitted to and be approved in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation and use of the dwellings to which the mitigation measures relates and any mitigation measures (e.g. ball stop fences) shall be maintained in good condition thereafter.

Reason: In the interests of health and safety and to protect the residential amenity of the development, in accordance with Policy D DM1 of the Local Plan.

- 6 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.