

PLANNING, DESIGN & ACCESS STATEMENT

Outline: Proposed Residential and Commercial Development



Land at Little Meadow, Yapton

On behalf of Ann Taylor

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1. Introduction

- 1.1 Nova Planning has been instructed by Ann Taylor (the Applicant) to prepare and submit an outline planning application for:

Outline: The erection of up to 73 residential dwellings and 405 sqm of light industrial units, allotments and children's play space, with all matters reserved except for access, on land at Little Meadow, Yapton, West Sussex, BN18 0JY.

- 1.2 The Planning Statement should be read together with the plans and illustrative material, as well as the technical reports, which have been prepared in support of the application:

Biodiversity Survey and Report	Phillips Ecology
Surface Water Drainage Strategy	Geo Smart
Landscaping Strategy	Terra Firma
Noise Assessment	Anderson Acoustics
Air Quality Assessment	Anderson Acoustics
Transport Statement	Nick Culhane Highway Consultant

- 1.3 The following 1APP Requirements are also addressed in the Planning Statement:

- Affordable Housing Statement
- Planning Conditions and Obligations

2. Site Description

- 2.1 The site sits outside of the settlement boundary of Yapton, in the Countryside of Arun District. The site is partly land associated with the dwelling, Little Meadow, partly an industrial estate and partly grassland, used to keep horses. Access to the dwelling is via a private driveway, with a junction onto Bilsham Road to the west. This access provides the route to the industrial units, but the main access is via Grevatts Lane West to the south.
- 2.2 Situated in a semi-rural location, the site is bordered by residential dwellings to the west, with the land to the north and south being used for agricultural or equestrian use. A crematorium (Y/103/18/PL) has recently been permitted on land to the east of the site.



Figure 1: Site Location Plan

3. Planning History

3.1 There is a limited planning history on the site:

Table 1: Planning History

Reference	Description	Decision	Date
Y/16/13	Workshop/storage unit building	Dismissed at appeal	Feb 2014
Y/53/08	Retention of existing stables and change of use of the land to equine use	Approved	Oct 2008
Y/33/08	Change of use of existing workshop buildings and land to B1/B8 use, with external alterations to existing buildings	Allowed at appeal	Feb 2009

3.2 More recently (November 2020), an outline application (Y/70/20/OUT) was refused for the following reasons:

1. The proposal results in the loss of open countryside, in an unsustainable & isolated location and this, coupled with the loss of best & most versatile agricultural land, significant & demonstrable harm to the character of the locality results in conflict with Arun Local Plan Policies C SP1, SO DM1, EMP DM1, D DM1 & D SP1; YNDP policies BB1, H1 & E1 and the guidance in the National Planning Policy Framework.
2. Insufficient information has been provided to enable the Local Planning Authority to consider the impact on protected species (dormice & reptiles) and whether the proposal results in a net gain in biodiversity. The proposal fails to accord with Arun Local Plan policy ENV DM5 and with the National Planning Policy Framework.
3. Insufficient information has been provided to enable the Local Planning Authority to consider the air & noise pollution impacts on the new dwellings arising from the industrial site and the approved Crematorium on adjacent land to the east. The proposal is in conflict with Arun Local Plan policies QE DM1 and QE DM3 and with the National Planning Policy Framework.
4. Insufficient information has been provided to adequately demonstrate whether the proposal would not have an unacceptable impact on highway safety, or whether the residual cumulative impacts of the development on the road network would not be severe. The proposal is in conflict with Arun Local Plan Policies T SP1 & T DM1 and with the National Planning Policy Framework.
5. Insufficient information has been provided to adequately demonstrate that proposed development in the land south of Grevatts Lane West will not be at risk from future flooding. The proposal is in

conflict with Arun Local Plan policy W DM2 and with the guidance in the National Planning Policy Framework.

6. Insufficient information has been provided to adequately demonstrate that there is foul drainage capacity available to serve the proposed development. The proposal is in conflict with Arun Local Plan policy W DM1.
7. In the absence of a signed S.106 Legal Agreement containing provision for the affordable housing requirements, the development fails to comply with policy AH SP2 of the Arun Local Plan and the National Planning Policy Framework.

3.3 These reasons for refusal primarily relate to insufficient information submitted with the application, which is discussed in relation to the proposed development in Section 6.

4. Planning Policy Framework

4.1 The policy framework relevant to the determination of the application consists of the National Planning Policy Framework (2019) (NPPF) and the Yapton Local Plan (2018), the relevant policies of which are listed in the following subsections and discussed in further detail in relation to the proposal in Section 6.

i. National Planning Policy Framework

4.2 The February 2019 NPPF replaces both the first NPPF, published in March 2012 and the second, published in July 2018 and sets out the Government's current planning policies for England.

4.3 Paragraph 7 sets out the purpose of the planning system as being the contribution to achieving sustainable development. The objective of sustainable development is to meet the needs of the present, without compromising the ability of future generations to meet their needs. In achieving sustainable development there are three, interdependent objectives: economic; social; and environmental. Whilst these objectives should be used to guide development towards sustainable solutions, local circumstances should be considered to reflect the character, need and opportunities of each area.

4.4 At the heart of the NPPF is the presumption in favour of sustainable development, where Paragraph 11 advises that in decisions, a presumption in favour of sustainable development should apply. For decision-taking, this means that development proposals should be approved without delay, if they are in accordance with an up-to-date development plan. Where there are no relevant development plan policies, or they are out of date, permission should be granted unless:

- 1) The application of policies in the NPPF that protect areas or assets of importance provide clear reason for refusing development.
- 2) The adverse impacts of granting permission would significantly or demonstrably outweigh the benefits when assessed against the NPPF as a whole.

4.5 Section 4 of the NPPF advises authorities to approach decisions on applications, in a positive and creative way and that applications for sustainable development should be approved where possible. Paragraphs 77 and 78 promote sustainable development in rural areas, particularly where it responds to local needs and enhances or maintains the vitality of rural communities. Policies should identify opportunities for villages to grow and thrive. Section 12 of the NPPF (2019) highlights the importance of achieving well-designed places, stating that it is fundamental to what the planning process should achieve.

4.6 Section 15 reinforces the importance of conserving and enhancing the natural environment, giving great weight to conserving and enhancing the landscape and scenic beauty of National Parks, as well as creating and maintaining good quality habitats for the protection and recovery of priority species.

- 4.7 The 2019 NPPF continues to reinforce the Government's emphasis on significantly boosting the supply of housing and is intended to prompt significant change in the delivery of housing, to rectify the housing crisis. The emphasis on the delivery of housing in sustainable locations remains.
- 4.8 The Arun Local Plan was adopted in July 2018 and is the current Plan for Arun District. The Local Plan establishes the framework of detailed policies and proposals for the control, development and use of land, with which planning decisions will be assessed. The strategic and development management policies relevant to the determination of this application are:

Table 2: Local Plan Policies Relevant to the Determination of the Application

Policy	Description
SD SP1	Sustainable development
C SP1	Countryside
EMP DM1	Employment land: development management
D DM1	Aspects of form and design quality
D SP1	Design
ECC SP1	Adapting to climate change
ECC SP2	Energy and climate change mitigation
ENV SP1	Natural environment
ENV DM4	Protection of trees
ENV DM5	Development and biodiversity
H DM1	Housing mix
HS P1	Housing allocation, the housing requirement
AH SP2	Affordable housing
HER SP1	The historic environment
HER DM1	Listed buildings
HER DM2	Locally listed buildings or structures of character
HER DM6	Sites of archaeological interest
HWB SP1	Health and wellbeing
INF SP1	Infrastructure provision and implementation
LAN DM1	Protection of landscape character
OSR DM1	Protection of open space, outdoor sport, community and recreational facilities
QE DM1	Noise pollution
QE DM2	Light pollution
QE DM3	Air pollution
QE SP1	Quality of the environment
SO DM1	Soils
T DM1	Sustainable travel and Public Rights of Way
T SP1	Transport and development

W DM1	Water supply and quality
W DM2	Flood risk
W DM3	Sustainable Urban Drainage Systems
W SP1	Water

ii. Yapton Neighbourhood Plan

4.9 The Yapton Neighbourhood Plan was made in November 2014 and establishes the vision for the future of the parish, providing guidance on land use and development. The policies relevant to the determination of this application include:

Table 3: Yapton Neighbourhood Plan Policies Relevant to the Determination of the Application

Policy	Description
BB1	Built-up Area Boundary
E1	Protection of high value agricultural land
E3	Protection of natural habitats
E4	Minimising the environmental impact of development
E5	Enhancement of biodiversity
E6	Green infrastructure and development
E9	Listed Buildings and Buildings or Structures of Character
E11	Minimising the impact of flooding from development
H1	Housing requirement
H3	Dwellings appropriate for the needs of older people
PK1	Parking standards for new residential development
KS2	Retention of community facilities

4.10 It is noted that Yapton Parish Council are in the process of reviewing their Neighbourhood Plan, the Reg 14 version having been consulted on between 22nd January and 19th March 2021. Given the early stage in the modification of the Neighbourhood Plan, little weight is given to the policy amendments.

iii. Other Planning Policy Considerations

Supplementary Planning Documents

4.11 In addition to the policy context set out above, the Council has produced a range of Supplementary Planning Documents (SPDs) to supplement the policy details. Those relevant to this application include:

- Open Space & Recreation Standards
- Arun Parking Standards 2020
- Buildings or Structures of Character

National Planning Practice Guidance

4.12 The Government has also published a series of National Planning Practice Guidance (NPPG), which reflects the continuing emphasis on the planning system to deliver growth as part of the sustained recover of the economy. The Applicant has given due consideration to the guidelines set out, in each relevant, subject-specific element of the NPPG.

5. Application Proposal

- 5.1 The application is made in outline, with all matters reserved except access, for up to 73 residential dwellings and three additional light industrial buildings. The proposal also includes amenity space and an area of public open space, measuring 405 sqm, containing LEAP/NEAP. Enhancement to blue and green infrastructure is also proposed through the inclusion of surface water attenuation features, a new access from Bilsham Road and 34 allotments.



Figure 2: Illustrative Masterplan

6. Planning Considerations

i. Principle of Development

- 6.1 The first reason for the refusal of the previous application (Y/70/20/OUT) was due to the loss of open countryside, in an unsustainable and isolated location, together with the loss of agricultural land and harm to the character of the locality. This last point is discussed further in Section 6 v. below.
- 6.2 In considering the principle of development, Policy H SP1 (Housing Requirement) identifies the need for 20,000 new homes over the Plan Period (up to 2031), including 847 dwellings delivered through windfall sites. The Authority Monitoring Report (April 2019 – March 2020), published in December 2020, highlights that there is a shortfall in the delivery of housing, with just a 3.3-year supply of housing land. There is an urgent need to deliver housing.
- 6.3 The Arun District Council Housing Delivery Test – Action Plan (June 2019) makes several recommendations to assist in improving housing delivery. One of these recommendations includes reliance on the ‘presumption in favour of sustainable development’, until the Council is able to demonstrate a five-year housing land supply. Through this recommendation, the Council acknowledge that sites located outside of the built-up area boundary must come forward for residential development.
- 6.4 The Officer’s report concurs with this line of reasoning, stating:

“This application should therefore not be determined as being unacceptable in principle and the development of this countryside site could be considered acceptable subject to assessment of the other issues and also, crucially, whether the proposal represents sustainable development and whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.”

- 6.5 With these points in mind, the principle of residential development is considered acceptable.

Industrial Development

- 6.6 Policy EMP DM1 (Employment Land: Development Management) supports the enhancement of existing employment sites and seeks to maintain the supply of good-quality commercial sites to meet the needs of businesses and the local economy, with Criteria 1a. supporting proposals that make more efficient use of underused employment premises.
- 6.7 With reference to economic growth outside of the settlement boundary, Criteria 6 supports development providing it is of an appropriate size; would not intensify the use to the detriment of public routes and highways; it is of high-quality design; well served by public transport; access and parking is provided in accordance with the adopted standards; a sympathetic relationship to the surrounding areas and neighbouring uses; and crime prevention measures incorporated where appropriate.

6.8 The application scheme proposes three new light industrial buildings, totaling 405 sqm of floorspace. The addition of these buildings makes efficient use of the site, generating valuable employment potential. The Landscape Impact Assessment concludes that the proposed development would result in neutral effects on the landscape, which is discussed further in Subsection v. below. It is not considered that the use would be intensified to have an impact on the local highway network and all parking is to be provided in line with the adopted standards at Reserved Matters stage. The site is served by a frequent bus service, which travels from Chichester in the south and Littlehampton from the north every twenty minutes and is approximately ten and fifteen minutes from Barnham and Ford Train Stations, respectively, by bicycle. The proposed development is considered compliant with this policy.

Loss of Agricultural Land

6.9 The site is classified as Grade 2 Agricultural Land, which is protected by Policy SO DM1 (Soils) unless the need for the development outweighs the need to protect the land in the long-term. As discussed in the Officer's Report (Y/70/20/OUT), an appeal at Clays Farm, which involved the loss of Grade 2 Agricultural Land, concluded that, although the site was adjacent to agricultural land in use, there was no evidence to support that the appeal site would be used as such in future and as such, its development represented moderate harm. The Inspector concluded that the economic and social benefits, together with the contributions towards the housing land supply shortfall outweighed this moderate harm and the appeal was allowed.

6.10 To outweigh the loss of agricultural land, Criteria (a), (b), (d) and (g) must be met. The accompanying Soils Sustainability and Options Appraisal highlights:

- The soil is underutilised and not been used for agriculture or horticulture for over 12 years.
- Given the size and current ownership of the site, agricultural or horticultural use is no viable.
- There is no shortage of high-quality soil for farming opportunities in the local area.
- Being in a future flood zone (2111) could cause grave damage to agricultural/horticultural land and as such, there is limited agricultural value in future.
- The Soil Analysis Assessment of the adjacent site (Y/103/18/PL) concluded that there were no alternative sites available of lower agricultural quality.
- The site is at risk of ground and surface water flooding, where it is necessary to raise the finished floor levels of residential dwellings. Levels of agricultural/horticultural land cannot be raised.
- Allotments will be provided to the southwest of the site to maximise the good soil.

6.11 The Officer's Report confirms that this fulfils the requirement to provide a Sustainability and Options Appraisal and that the current lack of five-year housing land supply justifies the need for new housing, which has the potential to outweigh the need to protect agricultural land if the site is in a sustainable location.

6.12 As set out in Section 2, the site sits outside of the settlement boundary, in a transitional location, between existing residential and commercial development and countryside. The approval of the crematorium (Y/103/18/PL) to the east, which covers a substantial area to the east of the site, provides a more developed context for the application site than that of the previously refused application. These relationships are illustrated in Figure 2.

6.13 The first reason for refusal of the previous application cited an isolated location. This term is considered by the court in *Braintree District Council v Secretary of State for Communities and Local Government, Greyread Limited & Granville Developments Limited* [2017], where Lang J agreed with the Secretary of State that in the NPPF, 'isolated' should be given its ordinary and objective meaning of "far away from other places, buildings or people; remote" (Oxford Concise English Dictionary). Lang J goes on to state:

"... [NPPF 79] cannot be read as a policy against development in settlements without facilities and services since it expressly recognises that development in a small village may enhance and maintain services in a neighbouring village, as people travel to use them. The PPG advises that "all settlements can play a role in delivering sustainable development in rural areas", ... "and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided....". Moreover, in rural areas, where public transport is limited, people may have to travel by car to a village or town to access services... [NPPF 103] recognise that the general policy in favour of locating development where travel is minimised, and use of public transport is maximised, has to be sufficiently flexible to take account of the differences between urban and rural areas."

6.14 In upholding the decision of Lang J in the High Court, McCombe LJ and Lindblom LJ in the Court of Appeal stated:

"In my view, in its particular context in ... [paragraph 79] of the NPPF, the word "isolated" in the phrase "isolated homes in the countryside" simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed new dwelling is, or is not, "isolated" in this sense will be a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand ... What constitutes a settlement for these purposes is also left undefined in the NPPF. The NPPF contains no definitions of a "community", a "settlement", or a "village". There is no specified minimum number of dwellings, or population. It is not said that a settlement or development boundary must have been fixed in an adopted or emerging local plan, or that only the land and buildings within that settlement or development boundary will constitute the settlement. In my view a settlement would not necessarily exclude a hamlet or a cluster of dwellings, without, for example, a

shop or post office of its own, or a school or community hall or a public house nearby, or public transport within easy reach.”

6.15 In applying this to the application site, it is evident that the site cannot be defined as isolated within the definition of the NPPF. It is in close proximity to an existing cluster of residential and commercial development and as such, does not constitute an isolated location in the context of Paragraph 79. Whilst the judgement confirms that access to public transport is not definitive in an assessment of isolation for the purposes of Paragraph 79, the application site has access to excellent public transport services offering high frequency services to facilities and services.

6.16 Yapton can be reached on foot and there are two bus stops to the south of the site on Bilsham Road, which is served by a frequent bus service running north and south. The 700 Coastliner Service runs between Littlehampton, Yapton, Felpham, Bognor Regis, Chichester and Portsmouth, where it is possible to connect to mainline trains running to London Waterloo and London Victoria. This service operates Monday to Sunday, approximately every twenty minutes during the day. The 141 Compass Travel Service runs between Yapton and Chichester, to Bishop Luffa School, via Elmer, Felpham and Bersted on school days. It stops in Yapton at 06:42 and 15:30. There is a dedicated cycle path running along the northern side of the A259, which connects Littlehampton to Bognor Regis. Bilsham Road is a defined cycle route connecting to the A259. In addition, the Yapton Contextual Appraisal and Design Guide (December 2020) highlights that there has been an agreed new cycle route to provide a cycle route linking Yapton and Barnham.

6.17 The excellent public transport provision and good access to cycle infrastructure are considered to offer a realistic alternative to travel by car and provide access to the local services and facilities in the area. With this in mind, the application site is not isolated and the provision of alternative means of travel to the private car, will allow a development of the scale proposed to operate sustainably. With this in mind, it is considered that the presumption in favour of sustainable development applies, subject to all other relevant and material planning considerations, which are discussed in the following subsections.

ii. Affordable Housing

6.18 Policy AH SP2 (Affordable Housing) sets out a requirement for 30% onsite affordable housing on developments of eleven units or more. This generates a requirement for 22 affordable dwellings on site, the details of which will be determined at Reserved Matters stage and secured through S106 in this application. The proposal is compliant with Policy AH SP2 of the Local Plan (2018).

iii. Highways and Access

6.19 The accompanying Transport Statement, prepared by the Applicant's highway consultant, Nick Culhane, demonstrates that the site is an appropriate walking distance to facilities and services, there are cycling connections to local and national cycle routes, as well as good levels and frequencies of bus connectivity and train services.

6.20 The Transport Statement illustrates that, through the use of TRICS data, the development will not result in a material increase in vehicular traffic in the AM and PM peak periods, nor will it have any significant impact on the Bilsham Road, A259 junction. The proposed development will be served by a new priority access junction onto Bilsham Road, where visibility is in accordance with Manual for Streets and supported by an independent Stage 1 Safety Audit.

6.21 The development is considered compliant with Policies T SP1 and T DM1 of the Local Plan (2018) and will not result in any demonstrable harm to the safe operation of the adjoining public highway. Please refer to the accompanying report for full details.

iv. Ecology

6.22 The second reason for refusal of the previous application (Y/70/20/OUT) was due to a lack of information to allow the Council to adequately assess the impact of the proposed development on protected species, in particular dormice and reptiles, and whether the proposal resulted in a net gain in biodiversity.

6.23 The Applicant's ecologist, Phillips Ecology, has prepared an extended Phase 1 Ecological Assessment and Phase 2 Survey Reports to support the application. The assessment concluded that the site has the potential to support protected and priority species, including dormice, breeding birds, great crested newts and reptiles.

6.24 As a result of this, further survey work was undertaken to confirm the presence/absence of reptiles, great crested newts and dormice to ascertain the potential impact of the proposed development and finalise the necessary mitigation. The surveys confirmed that the site supports a low population of common lizards and slow worms and a mitigation strategy has been designed to ensure that the proposed development does not harm the lizards or slow worms. Neither dormice nor great crested newts were found on the site.

6.25 The overall conclusion drawn by the ecologist is that, providing the recommendations set out in the report are followed, the proposed development is compliant with Policy ENV DM5 of the Local Plan (2018), as well as the requirements of the NPPF (2019). Please refer to the accompanying surveys for full details.

v. Landscape

6.26 Tied to Reason for Refusal 1 of the previous application (Y/70/20/OUT) was the concern that the proposed development would cause significant and demonstrable harm to the character of the locality. The Applicants landscape consultant has undertaken both a Landscape and Visual Evidence and Impact Appraisal (LVE&IA), which identifies what is important with reference to the site and its setting, used to inform the proposal, and an assessment of the landscape and visual effect of the final proposal.

6.27 The Impact Appraisal concludes that the primary visual impact arising from the development will be experienced from the north and northeast and from the properties overlooking the development. The development will not be seen from Yapton's local green spaces and the view corridor towards Chichester Cathedral, extending from the South Downs National Park will remain unharmed.

6.28 The proposed development will have a 'Neutral' visual effect on views that are a key component to the LCA C1 Chichester to Shoreham Coastal Plain, LCA 20 Flansham/Middleton Fringe Coastal Plain and LCA 30 Bilsham Coastal Plain landscape character. At a local landscape level, the moderate scenic beauty will be protected and in places enhanced by new planting. Overall, there will be a minor beneficial landscape effect on the wider LCA C1 and local LCA 20, with a minor adverse effect within the LCA 30 Bilsham Coastal Plain, due to the loss of characteristic paddocks.

6.29 The overall conclusion is that the proposed development would be compliant with Policy LAN DM1 of the Local Plan, partially protecting the highest-grade agricultural land and historic field hedgerows. The proposal would have minor beneficial and neutral, with no significant adverse landscape effects, on the wider landscape character.

6.30 Similarly, the development proposal would result in beneficial and neutral visual effects, with limited number of significant visual effects, identified from Footpath 144 to the north (which cannot be mitigated further) and significant visual effects, reducing after five years, for five of the closest properties overlooking the development.

6.31 The proposal is, as a result, compliant with Policy LAN DM1 of the Local Plan (2018), as well as the requirements of the NPPF (2019). Please refer to the accompanying report for full details.

vi. Flood Risk and Drainage

6.32 GeoSmart Information has prepared a surface water and foul water drainage strategy, which assesses the feasibility of a various SuDS options. A SuDS strategy is proposed to ensure surface water runoff can be managed effectively over the lifetime of the development and a foul water strategy to ensure foul water is drained effectively.

6.33 Given the size of the site and the proposed development across four distinct areas, separate drainage schemes are proposed for each area, with separate SuDS features in each. The site has moderate potential for infiltration, associated with the underlying river terrace superficial deposits and chalk bedrock.

6.34 GeoSmart's Phase 1 Land Contamination report indicates that there is potential for contamination in the area of the proposed commercial estate extension. Infiltration to ground is, as a result, not considered appropriate in this section of the site. There are multiple surface water features within close proximity to the site that may be feasible to discharge into, where infiltration to ground is not feasible. GeoSmart has undertaken an assessment of the location of sewer features within the vicinity and found that the site is further than 100m from a sewer, therefore discharge of surface water runoff to sewer is unlikely to be appropriate. However, the discharge of foul water to the public sewer is considered acceptable.

6.35 With reference to foul drainage, a gravity drained network to a pumping station is proposed. The pumping station will pump the foul drainage to the nearest public sewer network, situated 970 m to the northwest of the site.

6.36 The proposed development is therefore considered compliant with Policies W DM2 and W DM3 of the Local Plan (2018). Please refer to the accompanying report for full details.

vii. Acoustics and Air Quality

Acoustics

6.37 A Noise Assessment has been prepared by Anderson Acoustics to assess the impact of noise on the proposed development. Noise generation is primarily dominated by road traffic on Bilsham Road, cultivation of the surrounding agricultural land, and commercial activities at the existing light industrial estate. Predicted noise levels across the proposed development demonstrate that guideline internal noise levels, described within BS8233, can be achieved with windows partially open for ventilation. Noise levels in external private amenity areas are expected to comfortably comply with the relevant guidance values.

6.38 The assessment makes recommendations to control the noise impact and concludes that, if these measures are followed, the proposed development will meet the relevant BS8233 standards. The proposal is considered compliant with Policy QE DM1 of the Local Plan (2018).

Air Quality

6.39 Anderson Acoustics also undertook an air quality assessment, dust risk assessment and air quality neutral assessment for the proposed development, where the impact on existing receptors is considered negligible and the effect 'not significant'.

6.40 The modelled annual mean NO₂ and PM₁₀ concentrations for 2020 indicate that concentrations on the site are below the annual mean objectives. The hourly mean NO₂ objective is unlikely to be exceeded. The effect of the introduction of human health receptors is considered as 'not significant', as the areas are not in exceedance of the annual or daily mean NO₂ or PM₁₀ objectives.

6.41 The dust risk assessment shows the site to be 'medium risk' for dust soiling effects and 'low risk' for human health effects, prior to the consideration of mitigation. With mitigation in place the dust effect is considered 'not significant'.

6.42 The emissions mitigation assessment shows that the development can be considered 'Air Quality Neutral' for both transport and building emissions. The proposed development is compliant with Policy QE DM1 of the Local Plan (2018).

viii. Heritage and Archaeology

Heritage

6.43 The site is adjacent to two locally listed Buildings of Character (84/85 Bilsham Road) and is in close proximity to the Grade II Listed Hobbs Farmhouse, as well as the Grade II Listed Buildings within Hobbs Court. Policies HER SP1 (The Historic Environment), HER DM1 (Listed Buildings) and HER DM2

(Buildings or Structures of Character) seek to protect listed buildings and their setting, only allowing proposals that maintain and enhance their character and setting.

6.44 In determining applications, the Local Planning Authority (LPA) must consider the level of harm associated with the proposal, weighing the direct or indirect impact with the benefits of providing the proposal. The accompanying Heritage Assessment sets out that Hobbs Farmhouse was originally part of Bilsham Farm and there is very little information with reference to the reason for the listing. However, it is likely due to its architectural interest.

6.45 The proposed development is 165m away from Hobbs Farmhouse and will not be seen by either the farmhouse or development. The setting of the listed building will also be retained and as such, the Heritage Assessment concluded no adverse impact on the heritage asset.

6.46 It is noted that the Council's Conservation Officer concluded less than substantial harm to the previously refused proposal (Y/70/20/OUT) and as such, it was necessary to consider the public benefits of the proposed development. The Officer's Report concluded that the benefits of the proposal were enough to outweigh the less than substantial harm and that the proposal was compliant with Policies HER SP1, HER DM1 and HER DM2 of the Local Plan (2018). The same is considered to apply to the current proposal.

Archaeology

6.47 The site does not sit within a designated archaeological notification area and it is noted that the Council's Archaeology Officer did not object to the previous proposal (Y/70/20/OUT), subject to a condition requiring archaeological investigation. It is considered that the same can be applied to the current proposal.

ix. Contamination

6.48 GeoSmart Information has prepared an EnviroSmart report to provide advice regarding the nature and potential of contaminated land hazards that may be present on site. The report considers the likelihood of sources of contamination being present and the consequence or severity of the impact on potential receptors. The assessment concludes that there is a low probability of contamination on the site, which would have a medium level of severity if present. However, the overall land quality risk is considered moderate to low.

x. Planning Conditions and Obligations

Planning Conditions

6.49 Nova Planning will liaise with Officers on behalf of the Applicant, to agree appropriately worded planning conditions.

Planning Obligations

6.50 The Applicant has reviewed the proposal in the context of the obligations highlighted in the Local Plan (2018), as well as the requirements of Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (As Amended).

6.51 The following draft Heads of Terms for a S106 Agreement address the necessary planning obligations to ensure that the scheme meets the needs generated and is acceptable in planning terms.

Highway Works: The Applicant will undertake the necessary junction works at the point of access to the site in accordance with the details set out in the Transport Statement and access proposal plans.

Affordable Housing: Affordable housing will be provided in compliance with Policy AH SP2 of the Local Plan (2018).

6.52 The Applicant will liaise with Officers over the course of the application to identify and agree the financial contributions to be included within the final S106 Agreement, in accordance with the requirements of Regulations 122 and 123.

7. Conclusion

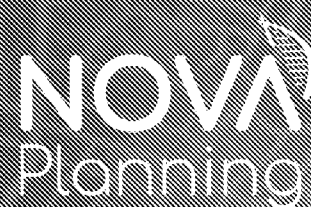
7.1 The application is made in outline for the erection of up to 73 residential dwellings and 405 sqm of light industrial buildings, together with allotments and children's play space – all matters reserved except for access.

7.2 The proposal will deliver a range of material planning benefits, including:

- Provision of up to 73 residential dwellings.
- 30% onsite affordable housing equating to 22 dwellings.
- Provision of 405 sqm of light industrial buildings, which provide valuable employment opportunities.
- An appropriate mix of dwelling types and sizes.
- Provision of onsite, publicly accessible open space, including 34 allotments.
- Provision of landscaping, including substantial tree planting and ecological enhancement.
- Provision of a managed, positive surface water drainage, which improves the surface water regime in the locality.
- Delivery of short-term economic benefits in terms of construction.
- Delivery of long-term economic benefits in terms of CIL, New Homes Bonus and Council Tax revenue.

7.3 The technical reports that accompany the application demonstrate that there are no overriding technical constraints that would prevent the site from being delivered, and it is with these points in mind, that the Applicant considers the planning balance to rest firmly in favour of granting consent.

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