

PLANNING, HERITAGE, DESIGN & ACCESS STATEMENT

LAND ADJACENT TO BONHAMS & FLINTS, HOE LANE



Whaleback Planning & Design The Old Bank 257 New Church Road Hove BN3 4EE 01273 234 354 www.whaleback.co.uk	Site	Land adjacent to Bonhams & Flints, Hoe Lane, Flansham PO22 8NP
	Project	Full Planning Application
	Applicant	Victor Coutin
	Our Ref	W1959-a
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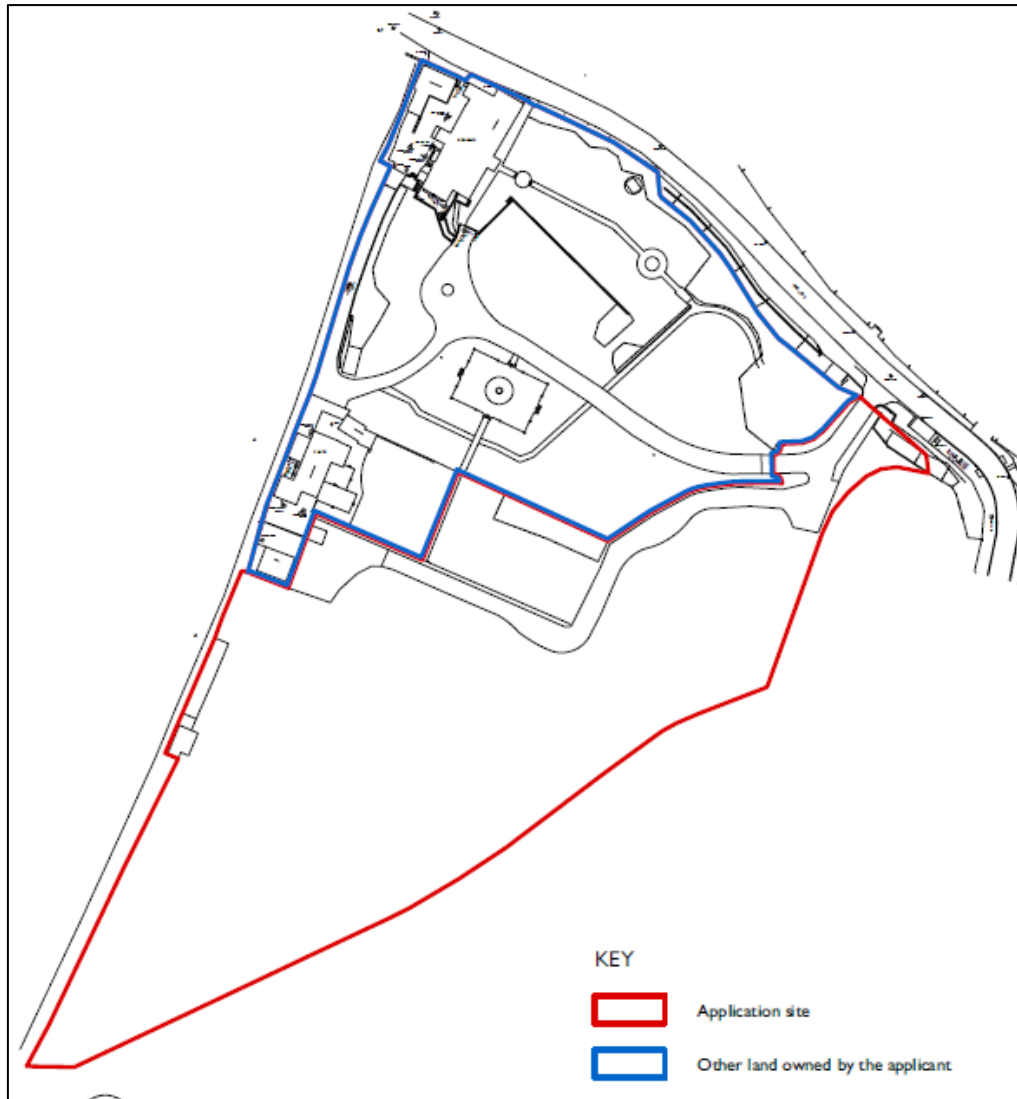
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Introduction

1. Whaleback Planning & Design is instructed by the applicant to prepare and submit a full planning application to Arun District Council for the erection of 4 dwellings to the south of Hoe Lane, Flansham. The application includes a design to widen the site access from Hoe Lane to provide safe and visible access and egress for all users including refuse vehicles and extensive areas of orchard and wildflower meadow planting.
2. The application follows a dismissed appeal (appeal reference APP/C3810/W/19/3236911) and refusal of outline planning permission (application reference Y/77/19/OUT) for the erection of ten dwellings.
3. This Planning, Design & Access Statement describes the application site and its surroundings, the development proposal, the planning history of the site and the relevant planning policy framework. A planning assessment is then provided to consider the merits of the application, including design and access considerations, followed by a conclusion.
4. The application is also supported by a submitted Transport Statement, Flood Risk Assessment and Drainage Statement, Tree Inspection Report and Preliminary Ecological Assessment, which should be referred to for further evidence in relation to each specialist area.

Site and Surroundings

5. The site is located within the southern part of the village of Flansham, a small nucleated settlement to the immediate north of Felpham. It is within the Parish of Yapton and District of Arun.
6. The site area (within the red line) is 1.15 hectares and approximately triangular in shape. The land is flat at a level of about 2.2m above ordnance datum. Prior to the construction of the A259 relief road it was used for grazing but since then it has been unused and only maintained to prevent it from becoming overgrown. Through the development of the road, drainage infrastructure and resultant reduced in size, the site is no longer viable for agricultural use or part of an agricultural unit.



Existing site location plan



Application Site as Viewed from the North-East

7. The site contains no existing dwellings although does contain some dilapidated former stables on its western boundary.



Former Stables along Western Site Boundary

8. The site contains very few trees. The majority of trees along its boundary are outside of the application site and within the curtilage of Bonhams: a dwelling to the north. The whole area is covered by a woodland TPO designation (TPO/Y/1/18).
9. The application site is bordered to the north by Hoe Lane from which it gains access; to the east by the A259 and roundabout infrastructure; to the south and east there is a long linear drainage feature and bund; a field boundary hedgerow to the west and the dwellings of 'Flints' and 'Bonhams' to the north.



Drainage Swale and Hedgerow between site and A259 to the South

10. The relatively short boundary with Hoe Lane and position between the settlement and the A259 ensures that the site is concealed with little or no public views from Hoe Lane. A public footpath, Path Number 2988, follows the line of the western boundary, to the west (outside) of a hedgerow and dense belt of trees, which also limit public views into the site.



Dense Hedgerow and Trees along Northern Section of Western Site Boundary



Dense Vegetation along Southern Section of Western Site Boundary

11. With the land being so flat, hedgerows and trees become prominent features of the landscape. The site is partially enclosed by trees and hedges, with those on its north and eastern boundary contributing to the character of Hoe Lane and helping to conceal the site interior. Apart from these peripheral trees on the boundaries, there are no trees of note within the site itself.
12. The site is 0.9 miles to the northeast of Felpham and 1.2 miles to the northwest of Middleton-on-Sea. There are bus stops on the A259 Flansham Lane just 130 metres east from the site entrance. The No.700 bus provides a service at 20-minute intervals between Chichester and Littlehampton.

13. Beyond this, Bishop Tufnell Church of England Infants & Junior School is 0.8 miles away; Downview Primary School is 1.2 miles; Felpham Community College is 1.3 miles; the University of Chichester (Bognor Regis Campus) is 1.8 miles.
14. In terms of access to jobs and employment sites, Flansham Business Centre, Rookery Farm & Chessels Farm (all in Flansham), Central Felpham; and Central Middleton-on-Sea are all within around 2 kilometres of the site.
15. It would also be possible to take a bus from one of the nearby stops and thus access additional locations within Bognor Regis without the use of a car. Bus routes 700 (Coastliner) are considered to have a regular service throughout the day and allow connections to Chichester, Bognor Regis and Littlehampton.
16. A good range of facilities are also available in the local area within a walking distance of between 400 metres and 1200 metres from the site. These include a local park on the B2259 Flansham Lane, Flansham Park Health Clinic & Pharmacy at 0.7 miles, Tesco Express at 0.6 miles, Southdowns Public House 0.6 miles, Esso Petrol Station 0.75 miles, Middleton Sports Club at 1.15 miles and Bognor Regis Golf Club at 0.9 miles.
17. Beyond this distance there are further shops and services located either in Yapton, Felpham, Bersted, Middleton-on-Sea or Bognor Regis.
18. Historic maps show the degree to which the settlements in this area have expanded and coalesced; Middleton, Felpham, Bognor, Aldwick, Pagham, Nyetimber, Rose Green, and North and South Bersted were all distinct settlements that have become joined by settlement growth. Felpham itself has undergone significant recent expansion to meet the new extension to the A259 (The Bognor Regis Relief Road – BRRR), which provides a link to the A29 to the north of Bognor.
19. The site is located between the road and the southern settlement edge of Flansham. It is the remaining part of a field that was developed for the new road, its embankment and roundabout. The southern part of the field, outside of the application site, accommodates a large swale that sustainably manages the surface water drainage of the housing developments to the south.



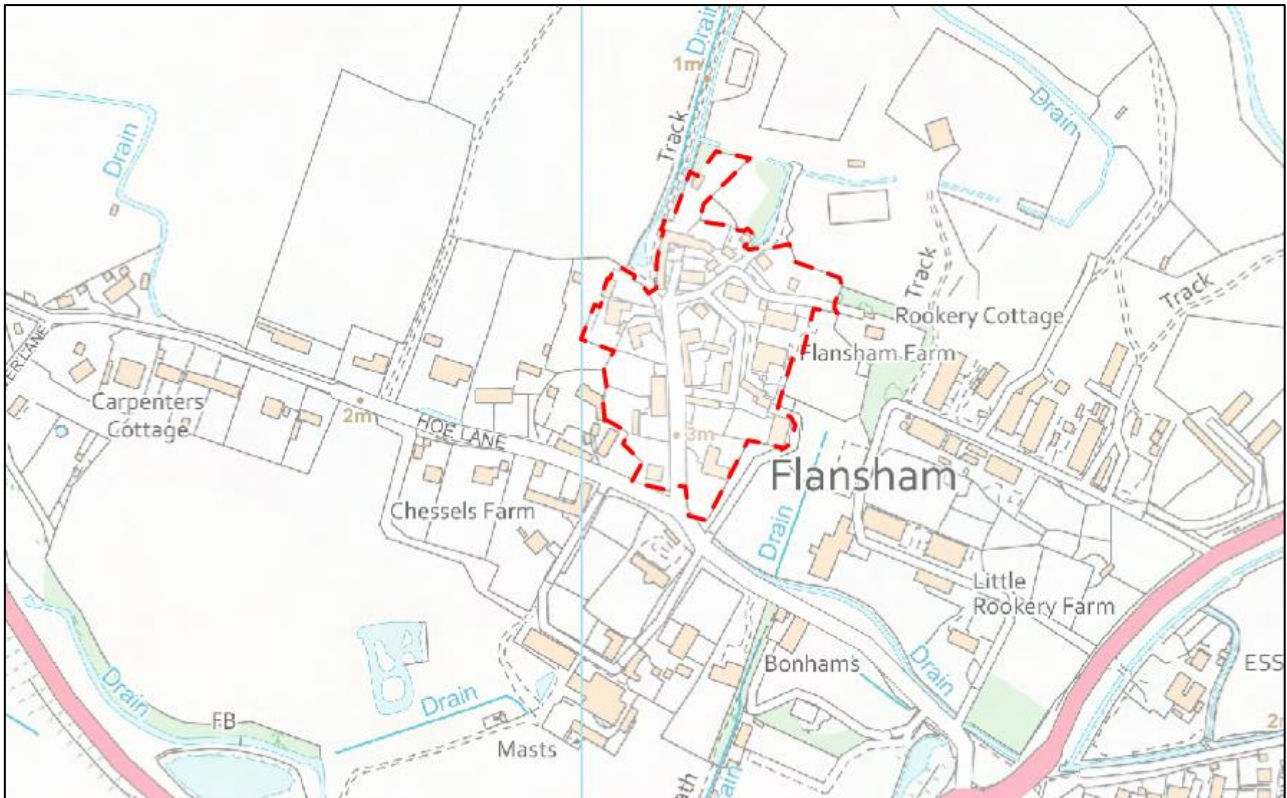
OS map of site context with site area in red

20. It is, however, recognised that the area bears a closer relationship to the rural character of Flansham than it does to the urban expansion to the south. There is potential for the development of the site to respond closely to the layout, scale, density and design characteristics of the village, without leading to a visual amalgamation with the urban area of Felpham to the south.
21. Flansham does not have a Built-Up Area Boundary and is within the countryside for planning policy purposes. The Built-Up Area Boundary of the Bognor Regis conurbation extends as far as the A259 to the immediate south.
22. Historic OS maps show how Felpham has expanded to the north. The OS map of 1910 (Sussex LXXIV.3, Revised: 1910, Published: 1912) shows Flansham as a small settlement arranged around farmsteads at the junction of three country lanes. The historic settlement pattern is distinct in that it is not primarily made up of lanes fronted by cottages and houses, as often the case, but farmhouses and their associated ancillary buildings are the fundamental module of the settlement pattern.

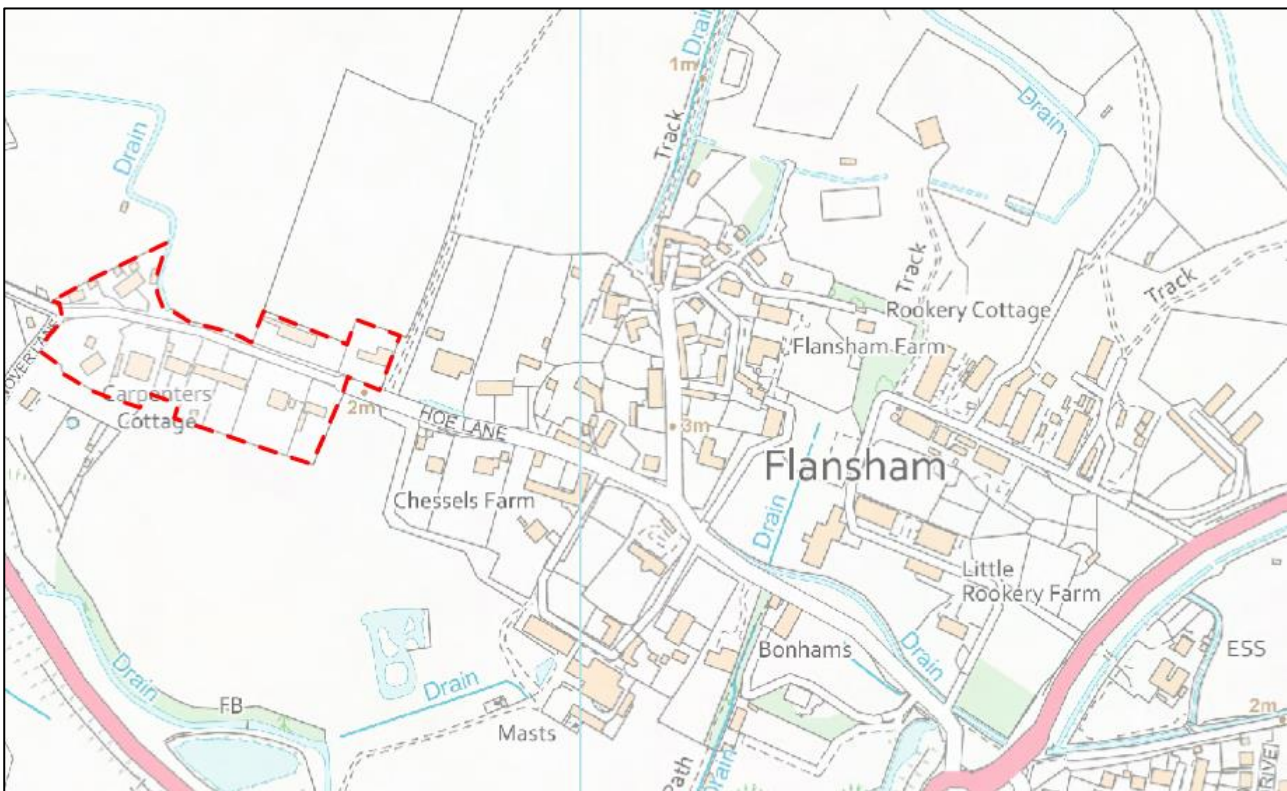


OS map of 1910

23. Flansham now includes 55 address points within a settlement area of about 12 hectares, which equates to a low density of c.4.6 units per hectare. This calculation excludes the business units of Rookery Farm, which is in business use and does not conform to the settlement pattern.
24. Certain areas of Flansham have a significantly higher density of buildings in comparison to Flansham as a whole. There are 21 residential properties with associated gardens surrounding the north-running Hoe Lane. They occupy approximately 2.3 hectares of land, which results in a higher density of c.9.1 units per hectare. Towards the western end of Hoe Lane, the density of buildings equates to c.7.2 units per hectare (based on 13 properties within an area of approximately 1.8 hectares).



Area used to calculate density of development along north-running Hoe Lane



Area used to calculate density of development along west-running Hoe Lane

25. The village includes four properties that are Grade II Listed and Bonhams as a non-designated heritage asset (as concluded within appeal decision APP/C3810/W/19/3236911 relating to the application site). The Grade II Listed buildings are located around the 3-way junction at the core of the village, whilst Bonhams is to the north of the application site. Proposals have been developed with sensitivity to these heritage assets, not only by limiting visual impacts but also by responding to characteristic building layouts, form, types and materials in the design approach.



Bonhams as Viewed from Hoe Lane

26. Although Flansham is a historic settlement, the oldest in the district, it is not afforded the protection of Conservation Area designation. It has a rural, traditional character with the primary typology one of distinct farmstead building groups.
27. Agricultural buildings have been converted to residential use and are arranged along the roadside within Flansham. Properties are predominantly two-storey in height with one-storey service buildings within spacious plots. The prevailing vernacular is one of brick or flintwork with plain clay tiled roofs, although slated roofs are also evident. Roadside ditches, hedges and trees contribute to the green public realm.
28. The closest neighbours to the proposed development are Flints, Bonhams and Jem House to the north of the site.



Two-storey Traditional Dwelling within Flansham



Two-storey Traditional Dwelling within Flansham



Two-and-a-half-storey Traditional Dwelling within Flansham



One-and-a-half-storey Converted Barn within Flansham



One-storey Converted Barn within Flansham



Two-storey Converted Barn with Single Storey Outbuildings



Modern Development within Flansham



Modern Development within Flansham

29. The site lies within the Chichester to Yapton Coastal Plain (SC9) Landscape Character Area as defined in the West Sussex Landscape Land Management Guidelines.
30. The Guidelines describe the character of the landscape and a number of characteristics and issues which are considered relevant to this site:
 - Low lying flat open landscape.

- Meandering rifes and straight drainage ditch systems, with associated unimproved grassland and edged by reed beds. Occasional village ponds and greens provide local havens for wildlife. Semi-natural habitats are scarce due to intensive arable agriculture.
- A low density of hedgerows and hedgerow trees with occasional shelter belts. Fragmentation and loss of hedgerows and connections between hedgerow and woodland. Loss of mature elm trees in the 1970s and 1980s due to Dutch Elm disease. Loss of tree and hedgerow cover from agricultural intensification since World War II.
- Low lying species-rich grasslands adjacent to the rifes, artificial water bodies of Chichester canal (SNCI) and gravel pits together with remnant semi-natural broadleaved woodlands form pockets of high nature conservation importance.
- Scattered, historically nucleated villages with mixed building materials of flint, brick, half timber and stone. Extensive farms with both traditional and modern farm buildings and silos. Large farmsteads along roads, and on dead-end tracks.
- Frequent urban fringe influences of horse paddocks, light industry and disused airfields, with busy minor and major roads.
- Urban development pressures, especially in the gaps between settlements and on the edge of Chichester.

Development Proposal

31. The proposed development is for the erection of 4 dwellings along with means of access from Hoe Lane.
32. The proposed dwellings will be a mix of two-storey and one-and-a-half-storey, arranged in a farmstead pattern facing towards a central courtyard.



Proposed Site Layout accessed from Hoe Lane

33. The two easternmost dwellings (sited where the access road transitions into the central courtyard) will have a rectangular built footprint, whilst the other two dwellings to the west of the courtyard will employ an L-shaped plan form.
34. The dwellings will have clay-tiled barn-hipped or gabled roof forms and windows and doors will be of traditional timber joinery. All elevations will be finished in flintwork with brickwork detailing framing the windows and doors.



Proposed Westernmost Dwelling



Proposed Easternmost Dwelling

35. All dwellings will be four-bed properties, arranged across two floors, and feature double garages for the off-road parking of vehicles. Four car parking spaces are also provided within the central courtyard, one for each house, whilst a further space is provided adjacent to and in association with the easternmost dwelling. Each dwelling will be provided with private outdoor amenity space in the form of rear gardens.



Proposed Ground Floor Plan – Northernmost Dwelling



Proposed First Floor Plan – Northernmost Dwelling

36. The proposed site plan also shows the inclusion of a formal orchard, either side of the access road and along the southern site boundary, with the areas around the tree to be managed as wildflower meadow. The south-eastern corner of the application site has been entirely reserved for flowering meadow planting.
37. The existing site access is to be widened as set out in the Transport Statement to provide safe and convenient access and egress for all users.

Relevant Planning History

38. **Y/77/19/OUT** – Outline planning permission for erection of ten dwellings with access from Hoe Lane. Resubmission of Y/20/18/OUT – Refused 3 April 2020. Reason for refusal was:

The proposal would constitute an over-intensive use of the site and a unsatisfactory form of development which would result in significant and demonstrable harm to the character of Flansham by the change of the existing rural character of the appeal site to an urban area linking Felpham and Flansham and would not satisfactorily recognise and respond to the intrinsic character of the countryside and is thereby contrary to policies D DMI & D SPI of the Arun Local Plan and paragraphs 122, 127 & 130 of the National Planning Policy Framework.

39. **Y/20/18/OUT** – Outline application with some matters reserved for the erection of 10 dwellings with access from Hoe Lane, Flansham – Refused on 11 March 2019. Appeal dismissed on 15 January 2020 for the following reason:

The significant and demonstrable harm to the character of Flansham by the change of the existing rural character of the appeal site to an urban area linking Felpham and Flansham is such that the proposal would not represent sustainable development.

40. **Y/40/17/OUT** – Outline application with some matters reserved (access only) for the erection of 23 No. dwellings with access from Hoe Lane, Flansham – Refused on 9 February 2018. The reasons for refusal were:

- a. *The proposal would constitute an unsatisfactory form of development and an over-intensive use of the site which would adversely affect the low density semi-rural, agricultural and historical character of Hoe Lane, Flansham contrary to policy GEN7 of the Arun District Local Plan (2003), policies D DMI and HER SPI of the emerging Arun Local Plan (Arun Local Plan 2011-2031 – Consultation on the Main Modifications – January 2018) and paragraphs 17, 58, 60, 61, 64, 123 and 135 of the NPPF.*
- b. *Plus three further reasons relating to the absence of a Section 106 agreement at the time.*

Planning Policy Framework

41. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the development plan, unless other material considerations indicate otherwise.
42. The development plan currently in force across the area relevant to the application site currently consists of the following adopted plans:
 - National Planning Policy Framework (2019)
 - Arun District Local Plan 2011-2031 (2018)
 - West Sussex Waste and Minerals Plans
 - Yapton Neighbourhood Development Plan (2014)

National Planning Policy Framework

43. A presumption in favour of sustainable development is found at the heart of the NPPF, for both plan-making and decision-taking, defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
44. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): economic, social and environmental.
45. For decision-taking this means approving applications that accord with up-to-date policies without delay; or where policies are absent, silent or out-of-date, granting permission unless the Framework provides clear reasons for refusing a proposal in a particular location or any adverse impacts of permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
46. Paragraph 60 seeks to significantly boost the supply of homes, with Local Planning Authorities (LPAs) expected to use their planning policies to meet local housing need as assessed using the standard method.
47. NPPF paragraph 74 directs LPAs to annually update a list of specific, deliverable sites sufficient to provide a minimum of five years' worth of housing against their local plan requirement. The LPA's Local

Plan (adopted in July 2018) is not defined as ‘recently adopted’ by paragraph 74(b) and footnote 40 and the LPA is therefore required to produce an annual position statement. The LPA has not published a land supply position for 2020/2021 (the most up-to-date Local Plan position is as at April 2019).

48. Government confirmed in January 2021 that Arun District Council failed to meet its housing targets over the previous three years, achieving only 61% and therefore the presumption in favour of sustainable development applies across the District.
49. Sub-paragraph 11(d) directs decision-makers to apply a presumption in favour of sustainable development if the most important policies for determining the application are found to be out-of-date because the LPA cannot demonstrate a five-year supply of deliverable housing sites. In these circumstances, applications involving the provision of housing should be granted permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
50. In the absence of any up-to-date policies, the relevant policies of the Arun Local Plan are nonetheless listed below.

Arun District Local Plan (2018)

51. Arun Local Plan policies relevant to the application proposal are as follows:

- **Policy SD SPI** – Sustainable Development
- **Policy C SPI** – Countryside
- **Policy LAN DMI** – Protection of Landscape Character
- **Policy SO DMI** – Soils
- **Policy H SPI** – Housing Requirements
- **Policy H DMI** – Housing Mix
- **Policy D SPI** – Design
- **Policy D DMI** – Aspects of Form and Design Quality
- **Policy D DM2** – Internal Space Standards
- **Policy T SPI** – Transport and Development
- **Policy HER DM2** – Locally Listed Buildings or Structures of Character
- **Policy HER DM6** – Sites of Archaeological Interest
- **Policy ENV SPI** – Natural Environment
- **Policy ENV DM4** – Protection of trees
- **Policy ENV DM5** – Development and biodiversity
- **Policy W DM2** – Flood Risk

- **Policy W DM3** – Sustainable Urban Drainage Systems
- **Policy QE SPI** – Quality of the Environment
- **Policy QE DMI** – Noise Pollution
- **Policy QE DM2** – Light Pollution

Yapton Neighbourhood Development Plan (2014)

52. The Yapton Neighbourhood Plan (2014) is currently under review and a modified version of the previously made plan has been submitted to the Arun District Council and the South Downs National Park Authority for consideration. Until the new neighbourhood plan is made, the policies within it hold limited weight in the determination of applications, pending a review of the consistency between individual policies and the development plan
53. The policies within the made neighbourhood plan relevant to the proposal are as follows:
- **Policy BBI** – Built-up Area Boundary
 - **Policy HI** – Housing Requirement
 - **Policy EI** – Protection of High Value Agricultural Land
 - **Policy E4** – Minimising the Environmental Impact of Development
 - **Policy E5** – Enhancement of Biodiversity
 - **Policy E9** – Listed Buildings and Buildings or Structures of Character
 - **Policy EII** – Minimising the Impact of Flooding from Development
 - **Policy PKI** – Parking Standards for New Residential Development

Supplementary Planning Documents

54. The Arun Design Guide SPD was adopted in January 2021 and provides direction on how good design can be achieved on developments in the context of Arun's distinctive landscape character and historic and built environment. The SPD has been extensively referred to during the design of the proposed development's layout, appearance, massing, building distances, private amenity space and public realm improvements.
55. The Arun Parking Standards SPD and Public Open Space, Playing Pitches and Built Facilities SPD have also been consulted during the design phase.

Planning Assessment

Principle of Development

56. The site is located outside of a settlement boundary (also known as a built-up area boundary) as defined on the Local Plan Policies Map and is therefore in an area designated as countryside. Generally, unallocated sites in the countryside are resisted in principle except where material considerations indicate they may be supported – as is the case here.
57. The Appeal Inspector for refused application Y/20/18/OUT determined that the Council could only demonstrate a 2.9-year supply of deliverable housing sites covering the period from April 2018 – March 2019. The Council are yet to publish an up-to-date land supply position for this year (2020/2021), with the latest position of 3.3 years relating to the period between 2019-2020.
58. Although the veracity of the (out-of-date) 3.3-year housing land supply position has not been scrutinised by the applicant for this current application, it nonetheless demonstrates that the Council must make concerted efforts to rectify the substantial size of the housing land supply shortfall. In the determination of planning applications, the lack of a five-year supply results in the relevant NPPF paragraphs 11 and 14 being engaged.
59. NPPF paragraph 11(d) directs decision-makers to apply a presumption in favour of sustainable development if the most important policies for determining the application are found to be out-of-date because the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. In these circumstances, applications involving the provision of housing should be granted permission without delay unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
60. The application site is within Yapton Parish where a made Neighbourhood Plan is in force and the tests of NPPF paragraph 14 also apply. Paragraph 14 enables neighbourhood plans to outweigh the presumption in favour of sustainable development if all four tests, (a)-(d) provided within the paragraph, are met. The Appeal Inspector confirmed that the Yapton Neighbourhood Plan failed the first test (a) as it was made over two years ago and therefore the presumption in favour of sustainable development is unaffected by the Neighbourhood Plan.
61. The made Neighbourhood Plan is currently under review and a modified version of the plan has been submitted to the relevant Local Planning Authorities for consideration. The made Neighbourhood Plan therefore continues to fail the tests of NPPF paragraph 14 and consequently does not outweigh the presumption in favour of sustainable development.
62. The LPA cannot demonstrate a five-year supply of deliverable sites, NPPF paragraphs 11 and 14 are engaged and the policies most important for determining the application including those relating to housing and settlement boundaries are considered out-of-date. The tilted balance of material considerations is therefore engaged and the presumption in favour of sustainable development applies; those out-of-date policies can only be afforded very limited weight in the consideration of this planning application.
63. The substantial size of the housing land supply shortfall is also a material consideration as confirmed in *Phides Estates (Overseas) Ltd v SSCLG [2015] EWHC 827 (Admin)*, with the Local Plan's reliance on delayed strategic sites exposing the LPA to considerable shortfalls now, and in the years to come. The Appeal Inspector attributed very significant weight to the shortfall in land supply and this same weight

must also be applied to the current proposal given that there has only been a 0.4-year improvement on the land supply position for the period 2019-2020 (in comparison to 2018-2019 - the period that the Appeal Inspector determined that the LPA only had a 2.9-year land supply).

64. NPPF paragraph 69 also directs LPAs to support the development of windfall sites, such as the application site, during the decision-making process, acknowledging that small sites can make an important contribution to meeting the housing requirement. The proposed four homes are deliverable within the first five years and would provide a positive contribution to the Council's housing land supply shortfall and can be given additional weight in the planning balance due to the substantial size of the Council's shortfall.

Countryside Location

65. Local Plan Policy C SPI and Neighbourhood Development Plan Policy BBI both seek to direct new residential development to be within existing settlement boundaries, restricting development in principle for the remaining countryside area to a closed list of categories. Policies C SPI and BBI are therefore important for determining the acceptability of the application and is subject to the test of NPPF paragraph 11(d) that decision-makers should apply a presumption in favour of sustainable development and permission be granted if such a policy is found to be out-of-date. Because the LPA cannot demonstrate a five-year supply, this policy must be considered out of date and assigned minimal weight.
66. The effect of Policy C SPI and Policy BBI being out of date is that the location of the application site in the countryside and outside of any built-up area boundary can only be assigned minimal weight, allowing the principle of the development to be accepted in light of its positive merits. The proposed dwellings have nonetheless been designed in response to the rural character of the area (and the traditional appearance of dwellings within Flansham), which is covered in more detail below.

Landscape Character and Design

67. Policy LAN DMI of the Arun Local Plan states that the particular characteristics and natural features of landscape character areas are respected by development proposals and that development should, where possible, reinforce or repair the character of these areas. Local Plan Policy D SPI and D DMI states that development should reflect the character of the application site and the surrounding area in terms of its layout, density, scale, massing, building materials and landscaping, amongst other considerations.
68. The Appeal Inspector dismissed the previous appeal on the basis that the proposed dwellings did not respond to the intrinsic character of the countryside and would link the urban area of Felpham with the rural village of Flansham. The current proposal has responded to this reason for refusal as set out in further detail below.
69. The village of Flansham has grown from groups of farmhouses and their associated agricultural buildings arranged in a farmstead typology and this settlement pattern is still evident today along the north-running Hoe Lane. The proposal employs a layout characteristic of this typology, with four detached dwellings enclosing a central courtyard area.
70. The Appeal Inspector for the dismissed appeal had concerns that this rurally distinctive layout would not be able to be accommodated within the application site due to the number of dwellings proposed and their coverage across the entire site. The reduced number of dwellings as proposed under this

current application has resulted in a farmstead typology that sits comfortably within the site, reading as a natural extension to the village that has evolved from the main farmstead core.

71. The proposal also reflects the density of the existing village. An analysis of development-density has been undertaken to provide robust evidence of the character of the existing village, with the core of Flansham displaying a density of 9.1 dwellings per hectare and 7.2 units per hectare to the western end of Hoe Lane. The proposed four dwellings result in a density of 3.5 units per hectare, significantly lower than the higher density areas of Flansham and more strongly related to the overall density of the village which equates to 4.6 units per hectare.
72. The proposed dwellings will appear as converted agricultural barns within spacious plots, with barn-hipped roofs and utilising traditional materials such as flintwork, brickwork and timber. This not only draws upon the local vernacular, where converted barns of a similar appearance and form to the proposal are commonplace, but also sympathetically reflects the material used in buildings within the wider rural landscape (as outlined in the Chichester to Yapton Coastal Plain (SC9) Landscape Character Area Appraisal).
73. The proposed development would read as two-storey dwellings - appropriate in comparison to the prevailing two-storey scale of development within Flansham - yet would primarily be one-and-a-half-storey in height to sit below the vegetation bordering the south-east of the site and to limit visual links across the BRRR.
74. As is usual with small, rural hamlets, the main part of Flansham does not have street lighting. The omission of lampposts from the development would enable it to conform with the established rural settlement character and help buffer the light pollution from the street lights of the A259 and the large development to its south. This approach will ensure that the development does not harm the quality of dark night skies, which will benefit people and wildlife whilst saving energy.
75. A wildflower meadow is proposed to the south-west corner of the application site. For those leaving Flansham via the footpath to the west, this provides a visually undeveloped break between the rural character of the proposed development and Flansham and the built-up area of Felpham to the south. The existing bund with maturing vegetation and proposed linear tree belt to the south-eastern site boundary provides further separation between the areas, avoiding the visual coalescence of settlements which formed the basis for the previously dismissed appeal.
76. A formal orchard is proposed either side of the entrance to the site to minimise views of the new buildings from Hoe Lane and will consist of native varieties of Sussex apple trees to assimilate with the verdant local landscape. The proposed tree belt to the southern-eastern boundary will comprise riparian species given its proximity to the drainage swale just outside the application site. The introduction of native planting will enhance the landscape value of the site, which is currently vacant, unused land that does not make a positive contribution to the character of the area.
77. It is proposed that drainage ditches and swales are used to drain the residential areas of the site, connecting with the large swale along the southern boundary. Swales are shallow ditches and can be grassed, filled with wetland plants such as common rush, yellow flag iris, meadow sweet, purple loosestrife, or hemp agrimony and trees. The swales can be located along the site's perimeter and internal boundaries between plots around the open space or within grass verges. Planting along swales and ditches will be of native damp ground and wetland species such as those found within surrounding rifes. Landscape design elements and planting will express the integration of water into the built

environment and help contribute to a distinct sense of place that is derived from local environmental characteristics.

78. Further detail on the proposed landscaping and external lighting scheme can be secured by planning condition if necessary.
79. Overall, the proposed development responds positively to the design of dwellings within Flansham and to the rural character of the area in accordance with Policy LAN DM1, Policy D SPI and Policy D DM1 of the Arun Local Plan.

Standard of Accommodation

80. Paragraph 127 of the NPPF states that a high standard of amenity for future users should be achieved in new residential development. Policy D DM2 of the Local Plan states that the LPA will require internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs. The nationally described space standards provide guidance.
81. Each of the proposed residential units would far exceed the nationally described space standard based on their intended occupancy. The proposed floor areas for each dwelling are set out in turn as follows:
 - **Northernmost dwelling** (four bedrooms, eight bedspaces): 220sqm
 - **Westernmost dwelling** (four bedrooms, eight bedspaces): 260sqm
 - **Southernmost dwelling** (four bedrooms, eight bedspaces): 237sqm
 - **Easternmost dwelling** (four bedrooms, eight bedspaces): 190sqm
82. The proposed layout offers an open-plan kitchen, dining and lounge space in each unit, maximising the circulation space within each dwelling. Every habitable room would feature an appropriately sized window, providing ample levels of daylight.
83. All dwellings would feature spacious rear gardens providing private external amenity and play space. The smallest proposed garden (associated with the northernmost dwelling) will have a depth of 11.4m, far exceeding the recommended 10.5m minimum depth as per the Arun Design Guide SPD.
84. The proposed dwellings face towards each other and there is ample separation distance between each unit (at approximately 30m), ensuring that levels of light, outlook and privacy for future occupiers would be sufficient.
85. Overall, the proposal represents an excellent standard of accommodation for future residents in accordance with Policy D DM2 of the Local Plan and the core principles of the NPPF.

Neighbouring Amenity

86. Policy QE SPI of the Arun Local Plan states that new development must not have a significantly negative impact on neighbouring amenity. Policy D DM1(3) of the Local Plan outlines how proposal should have a minimal impact on users of nearby properties by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise/disturbance.
87. The proposed northern and western dwellings would be the closest buildings to Flints and Bonhams to the north-west. There would be significant distance between Flints and the proposed western

dwelling (at 22m) and the northern dwelling (at 30m), in excess of the 21m building separation distances as recommended in the Arun Design Guide SPD. There is an even larger gap between the proposed development and Bonhams, with the shortest separation distance being some 77m.

88. In combination with the limited height of the proposed dwellings, the development would therefore not have a harmful impact on neighbouring amenity in terms of loss of outlook or sunlight.
89. The majority of the glazing on the northern and western dwelling is at ground floor level and therefore views afforded from these windows would be directed towards the boundary treatment enclosing the proposed rear gardens.
90. There would be rooflights within the proposed northern dwelling that would face towards the grounds of Bonhams, However, given that mature trees border the southern boundary of Bonhams and that the proposed rear garden abutting this boundary would have a significant depth of 11.4m (far exceeding the recommended 10.5m minimum depth as detailed within the Arun Design Guide SPD), there would not be a harmful impact on levels of privacy at Bonhams.
91. The western dwelling would have three thin windows at first-floor level serving a bedroom and ensuite, facing towards Flints. These windows are approximately 15m from any usable space at Flints and, by virtue of this substantial distance, the proposed western dwelling would not cause harmful overlooking to these neighbours.
92. Any noise and disturbance associated with the proposed residential development would be commensurate with the residential character of the nearby dwellings and Flansham as a whole. As such, the development would not lead to unacceptable harm to neighbouring amenity.

Heritage

93. Policy HER SPI of the Arun Local Plan outlines that Non-Designated Heritage Assets (NDHA) and their settings must be conserved and enhanced in a way that is proportionate to their significance and contribution to the historic environment. NPPF paragraph 203 states that where a proposal would impact on a NDHA, a balanced assessment is required dependent on the scale of any harm and the significance of the asset.
94. The Appeal Inspector for the previously dismissed appeal determined that Flansham as a whole could not be considered as a NDHA, especially in light of there being no defined boundary to the area of interest. Since the appeal decision, there continues to be no delineation of Flansham as an area of historic significance or character and therefore the impact of the proposed development on any special architectural or historic interest the village may have can only be attributed little to no weight.
95. Bonhams to the north of the site was identified as a NDHA by the Appeal Inspector, who noted that the previously listed dwelling could be classified as a NDHA due to its origins from the seventeenth and eighteenth centuries and its relationship with the development of Flansham. The Appeal Inspector concluded that the proposed development of ten units would cause less than substantial harm to the setting of Bonhams, but that this would be at the lower end of harm as there would only be distant views of the upper storeys / roofs of the buildings over the fencing and through the trees along the southern boundary of Bonhams. This assessment of harm was reflected within the delegated report for refused application Y/77/19/OUT.

96. The dwellings proposed under this current application would have a traditional appearance, reflective of Bonhams which has a distinctive rural character due to its early association with the development of Flansham as small countryside settlement. They are appropriate in height at one-and-a-half or two storeys and their roofs would be perceivable in the context of Bonhams in a similar manner to that noted within the dismissed appeal decision. There is a lesser quantum of development than that proposed under the appeal scheme (significantly reducing from ten to four units) and it is therefore contended that the impact of the currently proposed dwellings is less harmful to the setting of the NDHA than the appeal scheme.
97. The site is designated as an archaeological notification area. If deemed necessary a discovery condition could be applied to ensure that works are carried out appropriately and any finds are recorded.
98. For these reasons, the proposed development would lead to less than substantial harm to the setting of Bonhams, this harm being at the lower end of the scale as similarly concluded within the recently dismissed appeal. When balanced against the public benefits of the scheme in accordance with the tests at NPPF paragraph 203 - such as the provision of housing in light of the Council's 3.3-year housing land supply, the sustainable location and the excellent standard of accommodation - the identified harm is more than outweighed.

Highways and Parking

99. The application is supported by a Transport Statement which should be consulted for full details. The existing site access is being widened to allow two-way traffic to safely and conveniently access and egress the site including refuse vehicles. A full swept-path analysis is provided within the Transport Statement to demonstrate this
100. For the avoidance of doubt, the existing access to the site (between two flint walls) is proposed to be widened by one metre with standard visibility splays along Hoe Lane through the removal of these walls and the Highways Authority was content with this design in the previous application.
101. Parking provision is in line with the anticipated demand as determined by the WSCC's Residential Parking Demand Calculator tool.

Ecology

102. The areas around the proposed orchard trees will not be mown but managed as wildflower meadow to provide species rich grassland area that provides wildlife connectivity with the adjacent swale, the wildflower meadow to the south-east of the site and with the hedgerows and rows of trees on all sides of the site. Large private gardens will provide space for nature, whilst the fruit trees will provide food for wildlife and benefit pollinators.
103. Although outside of the site area, the swale to the south is seen as an asset to the setting of the site as well as to its biodiversity. Wildlife will be able to move between the swale and the site to the benefit of the area as a whole.
104. A Preliminary Ecology Appraisal accompanies the application and concludes that the site has potential for Great Crested Newts (GCN), is a suitable habitat for badgers and hedgehogs and no longer has a traditional orchard habitat present.

- I05. Suggested mitigation measures to offset ecological impacts and achieve biodiversity net gain will be implemented as part of the proposal, including the use of planted swales for drainage, the planting of large areas of native orchard and wildflower meadow, installation of bat boxes and bird nesting features within each new build and the sensitive dismantling of habitats suitable for badgers and hedgehogs.
- I06. Phase II GCN surveys will be undertaken once the optimum survey window commences in mid-April 2022.

Trees

- I07. The Tree Inspection Report that accompanies this application recommends that tree safety works are undertaken to trees within the grounds of Bonhams. The Tree Constraints Plan accompanying the report indicates that the proposed built form would be outside the Root Protection Area of nearby trees.
- I08. Further details regarding the impact of the proposed development on nearby trees can be secured by planning condition.

Flooding / Drainage

- I09. The application is supported by a Flood Risk Assessment and Drainage Strategy, which can be consulted for further information. The report details how the proposed development flood would be at low risk of flooding, foul water discharge will connect to the existing Southern Water network and proposes a variety of measures for the sustainable discharge of surface water runoff (including filter drains, swales and the use of permeable surfaces for the new access route).
- I10. Appendix 5 of the report should be referred to for the Surface Water Maintenance and Management Strategy. Further details on the drainage strategy can be secured by planning condition if necessary.

Open Space / Play Space

- I11. Policy OSR DMI states that housing developments should provide sufficient public open space, playing pitch provision and indoor sport & leisure provision. The Open Space, Playing Pitches, Indoor and Built Sports Facilities SPD outlines how the provision of on-site or off-site public open space, allotments and play space is not required for proposed residential developments of less than 9 dwellings.
- I12. The proposed development is for four residential units and is therefore not required to make a contribution towards public open space, allotments or play space. Nonetheless, the orchard either side of the access road to the proposed development has been proposed and comes with multifunctional benefits including landscape enhancement, biodiversity net gain and use as an open space. Formalised play equipment will not be provided but children will be given the opportunity to engage in natural play, with logs, stepping stones and 'bug hotels'.
- I13. As a result, the proposed development goes beyond the requirements as set out in the Open Space SPD and Policy OSR DMI of the Arun Local Plan.

Loss of Agricultural Land

- I14. Policy SO DMI states that Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted, unless need for the development outweighs the need to protect such land in the long term. Where

development is to be permitted on agricultural land, the applicant must submit sustainability and options appraisals, mitigation measures and a soil resources plan for the site.

- I 15. The application site is classified as Grade I Agricultural Land and therefore the development of the site would usually be resisted unless the need for the residential units outweighs the use of the land for agriculture. The officer report for refused application Y/77/19/OUT identified the land as having limited value for agriculture and its protection would not outweigh the substantial need for additional housing to boost the shortfall in the Council's housing land supply.
- I 16. This assessment remains the case for the current application, where the agricultural land has remained vacant since the decision was issued for application Y/77/19/OUT and the Council continues to have a substantial shortfall in their housing land supply.
- I 17. Sustainability and options appraisals, mitigation measures and a soil resources plan for the development site can be secured through a planning condition to ensure that this particular requirement of Policy SO DMI is met.

Community Infrastructure Levy

- I 18. The application site is located within CIL charging zone 3 (outside built-up area north A259) and the proposal is therefore liable for CIL payments.

Sustainability

- I 19. The proposed development would deliver social benefits in the form of the provision of four new homes. The addition of these homes to the village of Flansham would support the viability and growth of employment centres in the Village, such as the Flansham Business Centre and Rookery & Chessels Farm, and would strengthen the community as a whole.
- I 20. Economic benefits would be delivered during the construction phase, future residents would increase the custom of businesses in the local area and the development would attract substantial CIL payments for reinvestment within Flansham and Bognor Regis.
- I 21. The site is within a sustainable location, with footpath 2998 and bus routes providing access to the wider area in close proximity to the application site. Numerous local amenities and services are within easy walking distance of the site.
- I 22. In environmental terms, the scheme would retain all existing trees and significant additional planting and ecological enhancements are proposed, including the reinstatement of an orchard and wildflower meadow. Whilst the development would change the character of the open land, it would not lead to a harmful landscape impact on the wider area.
- I 23. Overall, the proposed scheme would deliver a highly sustainable development with would deliver substantial social, economic and environmental benefits

Conclusion

- I 24. It has been demonstrated that the council has a significant shortfall in housing land supply, and therefore the tilted balance set out in paragraph 11(d) is activated. There is a presumption that planning permission will be granted for the proposed development of four dwellings, unless it can be

demonstrated that any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme, when assessed against the policies in the NPPF taken as a whole.

- I25. The application site is in a sustainable location and provides an opportunity to deliver a natural extension of the village of Flansham. The character of the village would be preserved by virtue of the proposed farmstead typology, traditional appearance of the dwellings and the visual separation between the proposed development and the urban area of Felpham to the south. The site is outside of defined settlement boundaries, however the applicant has concluded that the council cannot demonstrate an up-to-date housing land supply, and cannot demonstrate that the strict application of policies which restrict development in the countryside will allow for the quantum of new homes to come forward which is required to meet the identified local need.
- I26. It has been demonstrated that the less than substantial harm caused to Bonhams as a NDHA does not outweigh the critical need for housing across the District. The standard of accommodation would be of high quality and there would be no harm caused to neighbouring amenity as a result of the development.
- I27. The application site is sustainable in economic, social and environmental terms. The site is unconstrained and has been tested for suitability through all necessary evidence base reports, surveys and consultations.
- I28. The Council is therefore respectfully requested to support the proposal and issue the approval of planning permission without undue delay.

Engagement with the Local Planning Authority

- I29. This planning statement has been prepared to assist the Local Planning Authority in the determination of the application with regard to national and local planning policy. However, in the event that the Local Planning Authority should wish to discuss any element of the scheme, including potential amendments, the applicants would welcome a discussion prior to the determination of the application. Correspondence can be sent to Whaleback Ltd via the contact details set out below.

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