

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO:	Y/82/20/RES
LOCATION:	Land to the south of Ford Lane and East of North End Road Yapton BN18 0DS
PROPOSAL:	Approval of reserved matters following outline consent Y/80/16/OUT for 4.5ha of residential development comprising of 3.4ha of land for the erection of 100 No. dwellings (up to 30 (30%) affordable housing) together with 1.1ha of land set aside for public open space, strategic landscaping, 2.2ha of public open space, green corridors with vehicular access from Ford Lane & pedestrian/cycle access only from North End Road (resubmission following Y/19/20/RES). This application may affect the setting of listed buildings, affects the character & appearance of the Church Lane, Yapton Conservation Area & affects a Public Right of Way. This site falls within Strategic Site SP2 (Zero Rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks approval of Reserved Matters for 100 dwellings and associated works following Y/80/16/OUT on land to the south of Ford Lane and east of North End Road, at Yapton. The reserved matters that are being applied for comprise appearance, scale, layout and landscaping. Separate discharge of condition (DOC) applications will be submitted which cover surface water drainage and foul water drainage, ecology, archaeology, energy, noise, tree protection measures and the submission of a construction management plan.
SITE AREA	6.7 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	29 dwellings per hectare.
TOPOGRAPHY	Predominantly flat
TREES	The Lime tree and the Oak trees make a significant impact in the landscape and are subject of a Tree Preservation Order (TPO/Y/2/17).
BOUNDARY TREATMENT	The site includes hedgerows and trees around the periphery of the site. The applicant has constructed contractor fencing to secure and enclose the site.
SITE CHARACTERISTICS	A field between North End Road, Ford Lane and footpath FP358. The site is arable farmland with relatively large fields across a relatively flat landform. The southern boundary borders businesses at the Orchard

Business Park and rear gardens to several houses along Church Lane. Roughly half the site perimeter adjoins existing development and the other half is next to fields. To the west is North End Road and to the north Ford Lane. To the east is open arable farmland.

CHARACTER OF LOCALITY

Essentially ribbon development along North End Road, while most of Ford Lane runs between fields. St. Mary's Church is to the south-east, is listed at Grade I. The churchyard is surrounded by trees which provide dense cover to the rear between the church and the site. The church tower can be seen above the trees from the site and beyond. Two other listed buildings on the south of Church Lane are Church House and Park Lodge, further west on Church Lane.

RELEVANT SITE HISTORY

Y/19/20/RES	Approval of reserved matters following outline consent Y/80/16/OUT for 4.5ha of residential development comprising of 3.4ha of land for the erection of 100 No. dwellings (up to 30 (30%) affordable housing) together with 1.1ha of land set aside for public open space & strategic landscaping & 2.2ha of public open space & green corridors with vehicular access from Ford Lane & pedestrian/cycle access only from North End Road. This application may affect the setting of listed buildings, affects the character & appearance of the Church Lane, Yapton Conservation Area & affects a Public Right of Way.	Refused 12-05-20
Y/80/16/OUT	Outline application with some matters reserved for 4.5 hectares of residential development comprising 3.4 hectares of land for up to 100 dwellings (up to 30 (30%) affordable housing) together with 1.1 hectares of land set aside for public open space & strategic landscaping & 2.2 hectares of public open space and green corridors with vehicular access from Ford Lane & pedestrian/cycle access only from North End Road. Resubmission of Y/60/14/OUT. This application is a departure from the development plan, affects the character & appearance of the Church Lane Yapton Conservation Area & affects the setting of a listed building.	Refused 16-02-17 Appeal: Allowed+Conditions 15-01-18
Y/106/20/PL	Construction of 3 dwellings as temporary sales area & sales office including access, parking and landscaping. This application affects a Public Right of Way.	

Y/80/16/OUT for up to 100 dwellings was allowed on appeal on 15th January 2018. A pre-application enquiry (PAA/85/19/) was submitted relating to a reserved matters application which would be based on Y/80/16/OUT.

A reserved matters application (Y/19/20/RES) was refused for the following four reasons:

1. The applicant has failed to submit information to demonstrate how the development accords with the draft Arun Design Guide Supplementary Planning Document (SPD) which promotes good design in new development.
2. The proposed layout concentrates higher density development in the western part of the site. The apartment buildings are not provided with sufficient private amenity space. The rows of car parking lack any tree planting to break up the negative visual impact of the parking spaces, which is visually unacceptable. The quantum of visitor parking spaces is unacceptably low. The housing mix is not SHMA compliant.
3. Insufficient surface water drainage details have been submitted to fully determine the viability of the proposed surface water drainage scheme, which is incorporated into the proposed layout plan.
4. The layout is unacceptable as it includes large groupings of affordable dwellings. Affordable dwellings should be pepper potted in small clusters.

REPRESENTATIONS

No objection.

- The housing mix should align with the NP providing family homes and houses for the elderly;
- The 3 storey homes on North End Road should be reduced to 2 storey to be in keeping with the area;
- The LEAP should be re-sited away from the attenuation basin;
- All street lighting must be designed to ensure minimum light pollution;
- All garages must be used for parking so as to prevent street / verge parking.

Further to the re-notification which ended on 28th October 2020, Yapton Parish Council made the following comment:

- It is acknowledged that the height of the flats fronting North End Road have been reduced marginally. YPC remain concerned with the impact high buildings fronting this section of road would have on the streetscape of predominantly open fields and dwellings of no more than 2 storeys in height. Yapton has very few buildings over 2 storeys in height excepting historic buildings such as Bonhams, Berricourt and St Mary's Church.

Four letters of representation have been received from local residents objecting to the development on the following grounds:

- The height of the apartment buildings would be out of keeping with the surrounding area.
- The apartment buildings introduce an urban form altering the charm and character of the area.
- The 2 houses to the rear of Pippin Cottage on North End Road should be re-located.
- The house adjacent to Harptree Cottage on North End Road should be re-located.
- There are trees in the garden of Harptree Cottage which will shed leaves into adjacent properties.
- Solid fuels are burnt at Harptree Cottage and logs are cut which will disturb the adjacent residents.
- The pumping station is too close to the house at Orchard Nursery on Church Lane.
- Mitigation measures are required to prevent travellers accessing the large public open space on site.

The Arun District Bridleway Group objected to the development on the following grounds:

- Footpath FP358 should be upgraded to a bridleway.
- FP358 could be surfaced with crushed stones to provide a surface suitable for year round use.

Arun District Conservation Area Advisory Panel supported the development:

- The principle of development has already been established.

- The design of the dwellings is satisfactory but will depend on materials, detailing and finishes.
- Open space separates the housing from the Conservation Area which would lead to a neutral impact on its setting.
- The houses are set back on the Ford Lane frontage which will help to preserve the rural character of the street scene.
- Special care is required in the choice of materials/finishes of dwellings visible from the Conservation Area & the roads.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and issues addressed in the Conclusions section below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND: No comments to make on this reserved matters application and await the submission of the discharge of condition application for the A27/Yapton Lane junction improvement.

LOCAL HIGHWAY AUTHORITY:

No objection. The road widths (5.5 to 4.8m) comply with guidance in Manual for Streets. Conditions should be imposed regarding the provision of car parking spaces and cycle parking for each dwelling.

LOCAL HIGHWAY AUTHORITY - PUBLIC RIGHTS OF WAY TEAM

No objection. Footpaths 357,358 and 359 would remain unaltered in their definitive line within the boundary of the site and so no diversion application under S.257 Town & Country Planning Act would be required. The southern section from Church Lane (50m approx.) falls outside the site and would require further discussion to secure the upgrade of this section.

WSCC FIRE & RESCUE SERVICE:

No objection. A condition is required regarding the proposed location of the required fire hydrants.

NATURAL ENGLAND:

No objection. Natural England considers the development would not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

ADC ECOLOGY:

No objection. Following a review of the Ecological Mitigation and Enhancement Strategy (October 2020), the mitigation proposed is suitable. In line with Policy ENV DM5 of the Local Plan, information on Biodiversity Net Gain has been provided, prior to determination and can be conditioned.

SPORT ENGLAND:

No comment to make on this application.

ADC HOUSING:

No objection to the housing mix nor to the location of the affordable housing submitted with the amended reserved matters application.

SOUTHERN WATER:

No objection. Southern Water recognises its obligations under the new charging regime to provide capacity in the existing sewerage system to accommodate the needs of the development. Southern

Water and the developer will need to work together to review if delivery of the network reinforcement aligns with proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

ADC DRAINAGE:

No objection. Drainage information has been submitted in support of the proposed layout demonstrating that there is adequate space within the site layout for surface water drainage. A 3.0 metre easement has been provided to the watercourse on the southern part of the site. Further drainage details will be provided in a separate discharge of conditions application.

ENVIRONMENTAL HEALTH:

No objection. Conditions are required regarding the provision of electric vehicle charging points, the submission of a construction management plan, limiting the working hours for construction, the submission of details of the external lighting and a precautionary condition if contamination is discovered on the site.

HISTORIC ENGLAND:

Do not wish to offer any comments on this reserved matters application.

ADC ARCHAEOLOGY:

No objection. The archaeological evaluation of this site and any subsequent mitigation measures will be secured via the archaeology condition imposed on Y/80/16/OUT.

ADC CONSERVATION OFFICER:

The site is located in the vicinity of St Mary's Church (Grade I), Church House (Grade II), Park Lodge (Grade II) and The Old Cottage (Grade II); the following Locally Listed Buildings: 1 & 2 Church Cottages, Little Orchard and Yapton Lodge; and Church Lane Conservation Area. The heritage statement assesses the significance of the heritage assets and the potential impact of the development upon them. The development would have a neutral impact upon the various heritage assets and their settings; due to the location of the open space and the considered design of the properties. The proposal would not cause harm to the significance of the heritage asset or their setting.

ADC GREENSPACE:

No objection. The layout includes 1.1ha of land for public open space and strategic landscaping and 2.2ha of public open space and green corridors and is supported. It is refreshing to see such a well thought out and well detailed landscape setting for this development proposal. Thought has gone into providing usable POS areas, integrated and well chosen play provision, connectivity and an overall quality landscape proposal. Condition 16 of the outline planning permission requires the submission of details for the LEAP and LAPs.

ADC ARBORICULTURE:

Object. The applicant has submitted a Tree Survey and an Arboricultural Impact Assessment which includes a Tree Protection Plan proposing mitigation measures. The tree survey data is comprehensive and the category ratings are supported. The line of the PRow Footpath 357 runs through the root protection area (RPA) of a Lime Tree; the line of PRow Footpath 358 runs through the RPA of trees along the eastern boundary of the site; and a swale to the east of the site intrudes on the RPA of an important tree.

SUSSEX POLICE:

No objection. The development should be designed to Secured by Design standards. The apartments should be fitted with access controls. Communal parking must be within view of an active room within a property. Ground planting should not be higher than 1.0m, with tree canopies no lower than 2 metres.

Bollard lighting is not appropriate as it does not project sufficient light at the right height. The public footpaths should be overlooked.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and issues addressed in the Conclusions section below.

POLICY CONTEXT

Designation applicable to site:

Within the Built-up Area Boundary (BUAB) in the Local Plan.

DEVELOPMENT PLAN POLICIES

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

AHSP2	AH SP2 Affordable Housing
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
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
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
SODM1	SO DM1 Soils
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

[Yapton neighbourhood plan 2014 Policy BB1](#)

Built-up Area Boundary

Yapton neighbourhood plan 2014 Policy E1

Protection of high value agricultural land

Yapton neighbourhood plan 2014 Policy E11	Minimising the impact of flooding from development
Yapton neighbourhood plan 2014 Policy E4	Minimising the environmental impact of development
Yapton neighbourhood plan 2014 Policy E5	Enhancement of biodiversity
Yapton neighbourhood plan 2014 Policy H1	Housing requirement
Yapton neighbourhood plan 2014 Policy H2	Dwelling size
Yapton neighbourhood plan 2014 Policy PK1	Parking standards for new residential development

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD12	Open Space, Playing Pitches & Indoor & Built Sports Facilities

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 Yapton Neighbourhood Plan (NP) 2014-2029 was made on 5th November 2014. Relevant Yapton NP policies have been taken into account and are addressed in the 'Conclusions' section of this report.

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 development is located inside the built-up area boundary (BUAB) of Yapton 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 Church Lane 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 on the site was established when Y/80/16/OUT was allowed on appeal on 15th January 2018 for up to 100 dwellings, including up to 30 affordable dwellings.

ASSESSMENT

This reserved matters application seeks to deliver detached and semi-detached houses, terraced houses (town houses) and two apartment buildings. Key issues to be considered are ones of detail and relate to the layout, scale, appearance and landscaping.

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".

Paragraph 124 of the National Planning Policy Framework (NPPF) says: "the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".

Paragraph 16 of the National Design Guide states: "well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept and how it has evolved into a design proposal. This explains how the concept influences the layout, form, appearance and details of the proposed development. It may draw its inspiration from the site, its surroundings or a wider context. It may also introduce new approaches to contrast with, or complement, its context. This 'story' will inform and address all ten characteristics. It is set out in a Design and Access Statement that accompanies a planning application."

The Arun Design Guide Supplementary Planning Document (SPD), is a draft with consultation undertaken in early 2020 with adoption expected later in the year. The guide promotes good design through setting out key design objectives including the development of a design rationale which should draw upon the results of a site appraisal in order to justify the reasoning behind key design decisions for the proposed development.

A Design Response has been submitted with the application which demonstrates how the development accords with the 10 characteristics set out in the National Design Guide and the draft Arun Design Guide. The design rationale for the development, together with the layout - which is predicated on the indicative layout approved at the outline planning stage, the massing and the form of the development are set out in the Design Response.

The Design Response sets out how the "form and massing of the development responds to the residential character of the surrounding area. The houses are closer together along the western boundary, sitting close to and fronting onto North End Road; continuing the existing streetscene along the road. In contrast to this, the houses moving out towards the eastern and northern boundary are larger and more spread out. This along with both the green corridor and the pockets of strategic landscaping running along the existing PROW 357, aid in breaking up the development". (Section 12 of the Design Response, 2020)

It is considered that the Design Response sets out the design rationale for the development focussing on an arts and crafts style development that is characteristic of an inter war residential development. The Design Response identifies the layout of the development and how the form and massing of the

development is predicated on the parameter plans listed in the conditions imposed by the Inspector on the outline planning permission. The information in the Design Response addresses and overcomes the first reason for refusal of the previous reserved matters application (Y/19/20/RES).

DENSITY

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".

Paragraph 122(a) of the new NPPF (February 2019) states "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".

The net density is 29 dwellings per hectare, which accords with Condition 4 imposed on Y/80/16/OUT. The density of the development is important in the consideration of the impact on the character of Yapton and its relationship with the adjacent listed buildings, on a site on the edge of the village.

SITE LAYOUT AND CHARACTER

Policy D DM1(1) of the Local Plan requires the 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 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.

Site Access Layout

The layout plan (Drawing No. 065 Rev. A) is based on and accords with the Site Access Drawing Number 130431-10 Rev. A, which is listed in Condition 3 imposed on the outline permission (Inspector's Decision letter (APP/C3810/W/17/3170059)). Drawing Number 130431-10 Rev. A includes approved visibility splays along Ford Lane, i.e. 4.5m x 63m to the west and 4.5m x 160m to the east.

Following on from the refusal of Y/19/20/RES, the new reserved matters application includes a number of changes to the layout. The access road serving Plots 6, 7, 15-18, 36-45 and 54-58 on the previously refused reserved matters application measured between 4.1 and 4.8m wide, which was unacceptable. The road widths (5.5 to 4.8m) on the layout plan (Drawing No. 065 Rev. A) in the new reserved matters application comply with guidance in Manual for Streets and they have footways provided on both sides. The internal road hierarchy is acceptable as it measures 4.8m in width and complies with Policy T SP1 of the Local Plan.

The layout plan (Drawing No. 065 Rev. A) does not include the provision of emergency access into the site from North End Road. The ideal location for an emergency access into the site from North End Road would be next to Plot 61; and it is considered that there is space in this location, for the emergency services to access the site from North End Road.

Layout of Public Open Space and Play Areas

The layout plan (Drawing No. 065 Rev. A) includes the provision of 1.1 hectares of ancillary public open space and strategic landscaping and 2.2 hectares of public parkland and green corridors, which is

acceptable as it accords with Proposed Indicative Layout/open space proposals Drawing: 201 Rev. C listed in Condition 4 imposed on Y/80/16/OUT.

Condition 16 of Y/80/16/OUT requires the submission of details of the laying out of a minimum 400 square metres area designated as a Local Equipped Area of Play (LEAP) and the Local Areas of Play (LAP), each of at least 100 square metres, and all other amenity areas (other than private gardens) to be provided together with their defined boundaries, means of enclosure, proposed use and items of equipment and other structures to be installed. The condition includes a trigger point for delivery. The drawings submitted with this application have been submitted for information purposes only at this stage and the details will be formally agreed under a discharge of condition application for Condition 16.

The layout plan (Drawing No. 065 Rev. A) and the Detailed Play Provision Plans include the location of the LEAP and the 2 LAPs; together with the details of the play equipment proposed to be provided in the LEAP and LAPs. The LAPs are detailed in Detailed Play provision Lap 1 0502 Rev PL05 and LAP 2 0503 Rev PL05 which provide two well thought out and imaginative schemes for this development. The LEAP is located in the large area of green space in the southern part of the site. Information has been submitted on the defined boundaries and means of enclosure of the LEAP and the two LAPs. Careful consideration has been given to the siting of the play features ensuring they are safe and appropriately located and that the play equipment provides a range of play experiences for children and young people.

The outline application 'Proposed Indicative Layout & Open Space Proposals Plan' (Drawing No. 201 Rev. C) identified a 32m wide open space buffer along the eastern boundary and an 85m wide buffer along the southern boundary, adjacent to rear gardens of houses on Church Lane. The layout plan (Drawing No. 065 Rev. A) which accompanied this reserved matters application (Drawing no. 065 Rev. A) includes a 32m wide open space buffer along the eastern boundary and an 85m wide buffer along the southern boundary. Part of the 32m wide open space buffer along the eastern boundary accommodates the site access road and a swale, but this is considered to be acceptable.

The layout plan (Drawing No. 065 Rev. A) shows a good amount of public open space along the eastern part of the development, which would allow the retention of significant trees along this boundary; together with the provision of a central area of public open space (i.e. Green Corridor). Provision has been made on the layout plan (Drawing No. 065 Rev. A) for connecting pathways in the public open space in the southern and eastern parts of the site for internal movement, which would link into the existing footpath network beyond, providing good access for pedestrians and cyclists.

The layout plan shows a larger area of open space (i.e. the Green Corridor) on either side of the existing footpath that runs through the site than was shown on Drawing 201 Rev. C: "Proposed Indicative Layout/open space proposals" referred to in Condition 4 in the outline permission. The larger area of open space is considered to be acceptable, as it would create both a sense of place and a sense of arrival for anyone walking or cycling through the site on the existing footpath.

The layout plan (Drawing No. 065 Rev. A) shows the majority of houses fronting onto areas of public open space. The proposed layout of the dwellings on plots 33, 34, 41 and 42 is considered to be acceptable; the houses are set back from the footpath; and the siting of the houses provides a vista from the LEAP in the southern part of the site towards the LAP and the green space in the middle of the site.

Landscape Layout

The 'Illustrative Strategic Landscape & Open Space Proposals' (Drawing No. 202 Rev B), which was listed in Condition 3 of the outline planning permission sets out the indicative framework for the location of the strategic landscaping on the site. The 'Illustrative Strategic Landscape & Open Space Proposals' (Drawing No. 202 Rev. B) included the planting of strategic landscaping along the boundary of the site

with Orchard Business Park, and along the eastern boundary of the development, which would help to screen views of the proposed housing when viewed from Church Farm and St Mary's Church.

The strategic landscaping along the northern, western and southern boundaries of the site and along the eastern boundary of the proposed housing as identified on the 'Illustrative Strategic Landscape & Open Space Proposals' plan (Drawing No. 202 Rev. B), which was approved at the outline planning stage has been followed through, wherever practicable, and is considered to be acceptable.

A full landscape scheme has been submitted with this application in the form of a Coloured Landscape Plan, Boundary Treatment Plans, Tree Setting Out Plans, Detailed Planting Plans and Plant Schedule and Maintenance Specification Details, detailing species choice, position, densities and size at time of planting. The planting has been plotted in plan and list form showing the location of the trees and shrubs with quantities proposed, densities and size at time of planting and in relation to the trees and vegetation to be retained and enhanced. Landscaping details ensure the setting is not compromised visually and the proposed residential development is appropriate to its setting. The planting would be sufficient in height with a mix of tree and shrub species that are sufficiently fast growing to provide a year' round interest. The screening to adjacent dwellings would provide a good mix of native species, which when planted would establish quickly to form a balanced and appropriate planting scheme, which is considered to be in accordance with Policy D DM1 of the Local Plan.

Layout of Houses and Apartments

The layout plan (Drawing No. 065 Rev. A) ensures that the houses and apartments are located in the areas identified for residential development on the 'Indicative Layout/open space proposals' (Drawing 201 Rev. C) which was listed in Condition 4 which was imposed on the outline permission.

Previously refused layout (Y/19/20/RES) appeared to focus the higher density developments on the west part of the site, towards North End Road; with the lower densities comprising detached houses focussed towards the south and east of the site. The layout of the western part of the site has been reconfigured in the current reserved matters application through the re-orientation of the semi-detached houses on Plots 61-62 to face onto North End Road. There is a reduced number of terraced properties along the boundary with the Orchard Business Park (now Plots 47-54). The terraced and semi-detached properties (Plots 86-91 and 96-99) have been re-located to the western side of the centrally located area of public open space. Smaller properties (Plots 19-23) have been re-located to the eastern part of the application site. Alterations have been made to the tenure / mix of the affordable housing; and alterations to the locations of some of the affordable homes as a result of re-locating some of the smaller terraced properties; all of which has led to an improved and more balanced layout to the residential development on the site.

The range of house types on Plots 24 to 33 has been increased to ensure that the street-scene is varied and not uniform or regimented, creating a visually attractive residential development fronting onto the open space that bounds the south and east parts of the site and towards the adjacent farmland. Houses on Plots 15, 16, 17 and 18 have been re-aligned in the current reserved matters application (Y/82/20/RES) from the layout on the previously refused application (Y/19/20/RES), so as to ensure that they form an inherent part of the larger block of housing comprising Plots 1 to 14 inclusive. There is now vehicular and pedestrian access around the whole block of houses in this location, which is considered to be acceptable in terms of accessibility and permeability. A new road has been created around Plot 18 towards Plot 100, together with additional footpath links, creating increased permeability within the application site.

The layout plan (Drawing No. 065 Rev. A) turns its back on residential development on the Crayfern development of 10 houses on Orchard Business Park to the south and west of the site. No connectivity is shown between the site and the housing on Orchard Business Park. However, there was never any

connectivity between the two sites shown on the layout plan approved at the outline planning stage.

The layout plan (Drawing No. 065 Rev. A) includes 2 apartment buildings (accommodating Plots 63 to 70 and Plots 71 to 78 respectively) on the western boundary of the site. The apartment buildings are located in a prominent gateway position, visible from North End Road. The 2 apartment buildings have been reduced from 3 storeys to 2.5 storeys and the western elevations of both buildings include active frontages facing onto North End Road. These apartment buildings would enhance the visual appearance of the western part of the development, and constitute gateway buildings into the site from North End Road; as the two buildings would have sufficient scale and height next to the highway. Private amenity space has been provided in the layout plan (Drawing No. 065 Rev. A) for the 2 apartment buildings, which is considered to be acceptable.

The layout plan (Drawing No. 065 Rev. A) includes details of refuse collection points for each house and the 2 apartment buildings, together with details of the refuse vehicle tracking within the site, which are also considered to be acceptable. The 2 apartment buildings (Plots 63 to 70 and plots 71 to 78) are provided with bin and cycle stores that are attached to the apartment buildings, which is considered to be acceptable. Consequently the residential development complies with Policy D DM1 of the Local Plan.

Root Protection Areas of Trees

A Tree Survey and an Arboricultural Impact Assessment have been submitted. All of the trees on the site that are protected by a Tree Preservation Order (TPO/Y/2/17) have been incorporated into open space or landscape buffer zones on the proposed layout plan (Drawing No. 065 Rev. A). The layout plan includes the reconfiguration of the road and footpath in the vicinity of the retained Lime tree in the middle of the public open space. The Lime tree is a category A tree of potential veteran status. The PRow Team at West Sussex County Council would not allow Footpath 357 to be re-routed. To overcome the issue of the PRow Footpath 357 running within the RPA of the Lime Tree, a non-dig surfacing method should be used for the footpath. This should be conditioned to ensure that the roots of the tree are protected and allows for a surfacing material to prevent the grass becoming muddy and unsightly in the future. This would also prevent any deviation of the route which in itself brings legal complications and introduces the possibility of people creating their own desire lines on the ground.

The houses on plots 95-100 which incurred into the root protection area (RPA) of the Lime tree on the layout plan in the previously refused reserved matters application have been re-located outside the RPA of the Lime tree in the layout plan in the current application, which is acceptable.

The PRow Footpath 358 runs through the RPA of numerous trees growing near the eastern boundary of the site and the proposal is to increase the width of this footpath and to create a 3.0m wide bridleway, to ensure people are not riding under trees, removing the pressure to crown lift the TPO'd trees. The impact has been considered within the Arboricultural Impact Assessment which describes the footpath as 'highly unlikely to harm live roots'. A swale is proposed to run north-south through the eastern part of the site. The proposed swale is in an area of land that is currently ploughed, and therefore it is unlikely to harm live roots from the trees growing along the eastern boundary of the site; and there are no drainage runs within the RPAs of the retained trees on the eastern side of the site. It is considered, on balance, that the impact of the footpaths on the RPAs of the trees is acceptable.

There are a considerable amount of trees and hedgerow about the perimeter of the site, including substantial linear groups of Leyland cypress which provide valuable screening. Any trees in particular along the boundaries, which adjoin neighbouring land could provide potential valuable screening and should be retained. The established Leylandii hedge in the south west part of the site adjoining Orchards Business Park has the potential for shading and could in time cause high hedge issues with the location of the housing shown on Drawing No. 065 Rev. A, but it is considered that this would be a maintenance issue for the residents of the new houses on both sides of the Leylandii hedge.

Layout of Surface Water Drainage Features

The surface water drainage features shown on the layout plan (Drawing No. 065 Rev. A) include an attenuation basin in the southern part of the site, incorporating a 3.0m wide maintenance strip, and a large swale (a rill) running along part of the eastern boundary. ADC Drainage Engineers consider that sufficient detail has been submitted in support of the reserved matters application demonstrating that there is adequate space within the site layout to accommodate the surface water drainage. Consequently, the proposed development complies with Policy W DM3 of the Local Plan and Policy E11 of the Yapton Neighbourhood Plan and the National Planning Policy Framework.

Pumping Station Layout

Layout plan (Drawing No. 065 Rev. A) includes the provision of a pumping station in the south west part of the site adjoining Orchards Business Park. The pumping station is located 15m from the nearest dwelling at Orchard Nursery, as required by the Sewers for Adoption (SFa7) guidelines and is located 9m from the site boundary. The pumping station is submerged which helps to protect the surrounding area from air and noise pollution. The area is to be enclosed by timber fencing, with additional planting and soft landscaping proposed between the pumping station and the site boundary. Noise from the pumping station when fully submerged is generally negligible and is unlikely to have an effect on the amenity of surrounding dwellings and open spaces, particularly with the fencing and landscaping providing additional protection. It is expected that the pumping station would be visited by a tanker 2-3 times per annum as standard for general maintenance and upkeep. The location of the pumping station has been chosen in accordance with the Sewers for Adoption Guidelines and for vehicle turning requirements when the tanker is required to visit the site.

Layout of Footways / Cycleways

Three Public Rights of Way (FP357, FP358 and FP359) run through the site and are incorporated in the layout plan (Drawing No. 065 Rev. A). The layout plan includes a green corridor which runs diagonally across the site from north west to south east, following the line of one of the public footpaths; and another footpath runs under the trees along the eastern boundary of the site. The LEAP in the southern part of the site includes shared-use paths for a choice of users.

Condition 8 of Y/80/16/OUT requires details to be submitted and approved prior to the commencement of development for the retention and improvement of PROW FP357, FP358 and FP359. All public footpaths should be widened to measure a minimum of 3.0m wide for shared foot and cycle use and be surfaced; and this will be achieved through the submission of a discharge of condition application. Footpath 357 would remain as such, with a hard standing agreed with the developer and in consultation with WSCC PROW Team. Dropped curbs would be required at any crossing points / raised platform on the section of roadway to indicate the presence of the PROW and pedestrian traffic. Footpath 358 on the eastern boundary of the site is to be upgraded to Bridleway status, with a minimum 3.0m width and surfacing specification to be agreed with WSCC PROW team, the details of which would be included in a discharge of condition application. The PROW FP359 which leaves the site in the south east corner would remain a grassed surface with ground reinforcement to ensure the ground remains firm and useable all year round, whilst maintaining its rural aspect.

The submitted Movement Plan (Drawing No. 80) shows the line of a cycleway running east-west across the site from North End Road in the west to Ford Lane in the north east. The line of the proposed cycleway would link-up with the cycle link that would run from the new school in Ford and on through the strategic housing sites in Yapton and on southwards to the strategic allocation at Barnham / Eastergate / Westergate (known as BEW). The provision of this cycleway running east-west across the application site is supported by the Local Planning Authority and would be provided in a separate discharge of condition application for Condition 8 which would be submitted following the determination of this reserved matters application.

The Local Highway Authority requested access protection barriers both within the site and on the public highway at the new sections of footway alongside Ford Lane and the pedestrian connection on North End Road which, in turn, leads to off-site footway improvements along this road; to protect users and be designed to cater for those who are mobility impaired and those with pushchairs. The details and the delivery of the access protection barriers would be provided in a separate discharge of condition application for Condition 8.

Parking Layout and Provision

The car parking layout is predominantly on plot, but with courtyard parking serving the two apartment buildings in the western part of the site.

The revised layout plan (Drawing No. 065 Rev. A) and the landscaping plans submitted with the current reserved matters application (Y/82/20/RES) include the provision of increased tree planting and landscaping in the parking courts serving the 2 apartment buildings and in the rows of car parking spaces in the western part of the development shown on Drawing No. 065 Rev. A, serving the terraced houses (town houses) on Plots 47-50; 51-54; 79-82; 86-90; 96-99. The proposed development includes the planting of 214 trees, together with hedging and shrubs. The provision of additional tree planting breaks up the visual impact of the parking spaces, and enhances the appearance of the parking areas.

The parking plan (Drawing No. 076 Rev. A) shows 2 car parking spaces per 1, 2 and 3 bed dwellings and 3 car parking spaces per 4 bed dwellings. In addition to the on-plot parking spaces per house, there are 60 garages in the proposed development, comprising 37 detached garages and 23 integral garages. Consequently, the quantum of car parking proposed on the parking plan (Drawing No. 076 Rev. A) is in line with the recommendations in Table 3.1 of the Arun District Parking Standards, approved January 2020. The dimensions of the garages measure 6.0m by 3.0m, and the size of the garages is therefore considered to be acceptable.

The number of visitor parking spaces has been increased in this application to 20 parking spaces. The previously refused application only provided 7 visitor parking spaces. The number of visitor spaces required on site are recommended in paragraph 3.3 of the Arun District Parking Standards SPD which states "visitor parking will be required to be provided at a ratio of 20% of the total number of residential units. For example, if there were 100 dwellings proposed, in addition to the allocated residents parking, 20 visitor spaces should be provided". Consequently, the number of visitor parking spaces proposed in the current reserved matters application complies with the Arun District Parking Standards SPD, January 2020.

Cycle parking is provided for the two apartment buildings in secure cycle stores which would be located in single storey buildings attached to the apartments. The layout plan (Drawing No. 065 Rev. A) does not include provision of garden sheds in rear gardens for the storage of bicycles; only the provision of garages. The proposed levels of cycle parking for properties is unacceptable. The submission of details regarding the provision/appearance of garden sheds for the storage of bicycles could be conditioned.

The quantum of residential parking spaces is acceptable and complies with the Arun District Parking Standards SPD, January 2020; but visitor parking spaces are unacceptably low, contrary to the District Parking Standards SPD and Policy T SP1(d) of the Local Plan; and that secure cycle storage provision should be conditioned

Layout to deter unauthorised access

Unauthorised access by to the large open space at the southern end of the site would be restricted by the bollards and the presence of the surface water drainage feature (the swale) which runs along the eastern side of the site.

APPEARANCE

The residential development would have the appearance of a typical inter-war housing estate, with houses incorporating splayed bay windows incorporating tile hanging and projecting gables on the front elevations with whitewashed render. A number of the houses have integral garages.

The materials palette for the houses and the 2 apartment buildings would comprise 3 types of facing brick, together with the use of render and / or tile hanging and / or timber boarding on specific dwellings, together with 3 types of roof tiles. The 2 apartment buildings measure up to three storeys in height and include pitched roofed dormers and Juliet balconies. The site frontage along North End Road would be enhanced by the provision of a feature brick entrance wall. The gardens of houses in prominent locations and at road junctions within the site would be enclosed by brick walls. The houses facing onto the attenuation basin along the southern side of the application site would front onto an attractive landscaped area surrounding the attenuation basin. It is considered that the proposed appearance of the houses and the 2 apartment buildings would enhance the built environment at the northern end of the village of Yapton and provide the design benchmark for the development on land to the west of North End Road site which is directly opposite the application site.

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 predominance of two storey dwellings is in keeping with the character of existing development including the two storey houses facing outwards towards Ford Lane to the north and ensures that the development reflects the built form and massing, in this part of Yapton. The two apartment buildings on the western boundary of the site are 2.5 storeys high on the western wings and go down to 2 storeys. It is considered that the 2.5 storey elements of the apartment buildings would enhance the visual appearance of the western boundary of the development, and provide prominent buildings that function as gateway buildings into the site from North End Road; as the two buildings would have sufficient scale and height next to the highway.

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

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.

The siting of the houses and apartments would ensure that there would be no materially adverse overlooking or overbearing impacts on existing houses along North End Road including Pippin Cottage and Harptree Cottage. The development would be acceptable on the residential amenities of neighbouring properties because there would be no materially adverse overlooking or overbearing impacts given the distance to the site boundary and the siting of the houses and apartments along North End Road.

The proposed development complies with Policy D DM1(3) of the Local Plan in terms of impact on neighbouring residential amenity along North End Road.

AFFORDABLE HOUSING

The provision of affordable housing is not set out in the Section 106 Unilateral Undertaking which

accompanied Y/80/16/OUT. It was recommended at the time that the outline planning application was presented to the Development Control Committee that the provision of affordable housing should be dealt with by means of a condition, rather than in a Section 106 Agreement.

To meet the requirements of the Council's Affordable Housing Policy AH SP2 of the Local Plan, the terms of the Affordable Housing Statement and Condition 6 imposed on the outline stage, provision must be made for 30 affordable dwellings, of which 80% (24 dwellings) are to be social rented and 20% (6 dwellings) are to be shared ownership (intermediate).

The affordable dwelling mix, which has been agreed with the ADC Housing Officer comprises:

12 x 1 bed flats (all social rented);
4 x 2 bed flats (all social rented);
8 x 2 bed houses (4 = social rented and 4 = shared ownership);
4 x 3 bed houses (all social rented); and
2 x 4 bed houses (all shared ownership).

To ensure affordability of rented accommodation the rent should not be set higher than 90% of Local Housing Allowance (LHA) levels. In addition to ensure sufficient dwellings are accessible for those on the Council's Housing Register we would anticipate that 50% of the rented units are set at rent levels of no higher than 65% of open market value.

Policy AH SP2 says: "affordable housing must be visually indistinguishable from market housing with large groupings of single tenure dwellings or property types avoided. Affordable housing units shall be permitted in small clusters throughout development schemes". The development needs to comply with Policy AH SP2 of the Local Plan in terms of pepper potting the affordable dwellings.

The layout of the affordable dwellings on Drawing No. 068 Rev. B includes the provision of affordable dwellings in the 2 apartment buildings on the western boundary of the site facing onto North End Road. There are 2 semi-detached houses that are affordable dwellings (Plots 61 and 62) fronting onto North End Road; together with terraced houses / town houses on Plots 47-50, 86-89 and 96-99 which have been pepper potted on land to the west of the public open space which runs through the middle of the residential development on the site.

Bearing in mind that registered social landlords do not like layouts that pepper pot affordable dwellings sparingly around site for management reasons, it is considered that the affordable dwellings are sited in smaller clusters than the previously refused reserved matters application (Y/19/20/RES), and that they are pepper potted more effectively throughout the western part of the residential development.

Consequently, the proposed provision of affordable dwellings is considered to be acceptable and it complies with Policy AH SP2 of the Local Plan and the NPPF, which require affordable housing units to be provided in small clusters pepper potted throughout the development.

HOUSING MIX

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 in 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 paragraph 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.

The development comprises the following market (70 dwellings) and affordable (30 dwellings) mix:

- 12 x 1 bed dwellings;
- 16 x 2-bed dwellings;
- 32 x 3-bed dwellings;
- 40 x 4-bed dwellings.

The number of 1-bed dwellings (12%) complies with Policy H2 of the Yapton NP (i.e. 10-15% of all dwellings); however, the number of 2-bed dwellings (16%) is less than the percentage quota for 2-bed dwellings in Policy H2 (i.e. 25-35% of all dwellings); the number of 3-bed dwellings (32%) is less than the percentage quota for 3-bed dwellings in Policy H2 (i.e. 45-55% of all dwellings); and the number of 4 bed dwellings (40%) is considerably higher than percentage quota for 4+ dwellings in Policy H2 (i.e. 5-10% of all dwellings). The number of 2-bed and 3-bed dwellings would need to be increased and the number of 4-bed dwellings would need to be reduced considerably to comply with Policy H2 of the NP.

An appeal decision (APP/Z1510/W/19/3222599 for Land adjacent to Colne House, Station Road, Earls Colne, CO6 2LJ) has been submitted in the planning statement to justify why the housing mix should be developed in non-compliance with Policy H2 of the NP. This is a very helpful appeal decision when dealing with the housing mix. The Inspector found "matters to be determined in respect of this appeal relating to scale and appearance cannot be considered to be synonymous with housing mix" and "there is no planning condition or legal obligation attached to the outline permission which could manage the mix of market homes. In order to manage housing mix it would have been necessary for the Council to impose a specific condition on the outline planning permission". The LPA acknowledges that there was no condition imposed on Y/80/16/OUT to manage the mix of market homes on the Land to the south of Ford Lane and east of North End Road, in Yapton.

Whilst the market and affordable housing is disaggregated, Policy HDM1 of the Local Plan makes reference to the delivery of both tenures in the creation of a balanced community. The development comprises detached, semi-detached and terraced houses and 2 apartment buildings which provide for variety not only in housing size but type. The overall market and affordable mix provide for a range of dwelling sizes from 1, 2, 3 and 4 bed flats and houses. The proposed development delivers just under half of the overall scheme as 2 and 3 bed dwellings (i.e. 48 dwellings). 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 current proposal includes 40% 4 bed units compared to the 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 Conservation Area to the south, on a site on the edge of the village of Yapton. The use of detached dwellings is important in creating larger more dense areas in the western part of the site and the use of detached dwellings to blend out to the eastern and northern edges of the site.

Consequently, it is considered that the 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 and Policy H2 of the Yapton NP, the mix proposed is needed to provide lower density development in sensitive eastern and northern parts of the site.

HERITAGE ASSETS

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 E8 of the Yapton NP says: "within the Church Lane and Main Road / Church Road Conservation Areas development proposals will be required to preserve or enhance the character of those areas. Development proposals and extensions and alterations to existing buildings and structures will be expected to be suitably designed for the context within which they are set; and ensure that the scale and massing of buildings relate sympathetically to the surrounding area; and use traditional and vernacular building materials to respect the context of the development concerned."

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"

A heritage statement has been provided with this reserved matters application. There are 3 types of designated heritage assets which are located adjacent to this site:

- 1) St Mary's Church (Grade I), Church House (Grade II), Park Lodge (Grade II) and The Old Cottage (Grade II) Listed Buildings;
- 2) 1 & 2 Church Cottages, Little Orchard and Yapton Lodge Locally Listed Buildings; and
- 3) Church Lane Conservation Area.

There are a number of heritage assets in close proximity to the site. Of specific interest to this application are St Mary's Church (Grade I) and the Conservation Area. Church Lane Conservation Area covers a small and tightly defined area around the church and contains a limited number of houses. The layout of the conservation area means that the older buildings within the conservation area are located close to some more modern houses and bungalows on the north side of Church Lane, which provide some separation between the conservation area and the site. The other heritage assets which have been identified based on a map-based assessment are located so as to not be directly affected by the proposed development.

The new houses would be set back from the Church Lane Conservation Area and the associated heritage assets through the creation of a new area of open space. The open space continues into the site following the route of one of the existing footpaths so as to make a feature of it. Such a proposal would have the benefit of moving the housing further away from the conservation area, whilst also forming a pleasant transition area between it and the main part of the development. It allows for the church tower to remain a feature of views from within the site, whilst not harming the setting of the church which is contained more within the churchyard and surrounding Conservation Area. The intention to include a number of areas of open space within the development will have a positive impact upon its

character, which will better attempt to reflect this part of the village. The design of houses closest to the Conservation Area and the church appear to be based on the designs of properties constructed in the early to mid twentieth century. At present, the dwellings along the northern side of Church Lane are of a similar age in terms of their construction date, so this approach would appear to be acceptable. The designs are suitable for the character of the wider village.

The development would have a neutral impact upon the various heritage assets and their settings. This is in part due to the location of the area of open space in the southern section of the site, along with a more considered design of the properties. The application does not cause harm to the significance of the heritage asset or their setting.

Having had regard for the principles established in the outline permission together with the layout of the development on the site and the location of the Yapton Conservation Area, the design of the buildings and their proximity; it is considered the development would continue to have no 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.

The 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 E8 of the Yapton NP, the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), in that it protects the setting of Listed Buildings and Church Lane Conservation Area.

BIODIVERSITY

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 E5 of the Yapton NP says: "in order to retain and encourage biodiversity, flood attenuation ponds should, where possible, be included in the design of development proposals and these should incorporate links and corridors for wildlife. If this is not possible, then other forms of Sustainable Urban Drainage Systems (SuDS) should be provided."

Condition 17 imposed on the outline required the submission of updates to the existing Phase 1 Habitat Survey and any necessary protected species surveys undertaken no less than 12 months prior to the commencement of development and measures to avoid or mitigate ecological impacts. Details of ecological enhancements are required to be submitted to the LPA and approved in writing prior to the commencement of development, in accordance with Condition 17.

Due to the size and location of the development it is recommended that the updates to the existing Phase 1 Habitat Survey are undertaken by a trained ecologist to determine the presence of protected species within the site and the impact the residential development would have on the surrounding environment. It was recommended that all of the above points be addressed in an application for the Discharge of Conditions (DOCs).

The Council's Ecological Advisor has withdrawn the initial objection following the submission of the Ecology Mitigation and Enhancement Strategy. In line with Policy ENV DM5 of the Local Plan, information has been provided on Biodiversity Net Gain in the Ecology Mitigation and Enhancement Strategy. The proposed ecological enhancements include: any trees removed should be replace at a ratio of 2:1; wildflower meadow planting used; wildlife pond; filling any gaps in tree lines or hedgerows with native species; bat bricks / tiles are integrated into the buildings onsite facing south/south westerly

positioned 3-5 metres above ground; bird box to be installed on the buildings / and or tree within the garden of the property; grassland areas managed to benefit reptiles; log piles on the site; gaps are included at the bottom of the fences to allow movement of small mammals across the site; and hedgehog nesting boxes are included on the site. The ecological enhancements are considered to be acceptable as they would constitute a biodiversity net gain on this site; and these will be dealt with in the discharge of conditions application.

It is understood that the protected species surveys will be submitted in a discharge of conditions application, following the determination of this reserved matters application, which is considered to be acceptable.

NOISE POLLUTION

Policy QE DM1 of the Local Plan and the NPPF emphasise that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses.

In terms of noise pollution, Environmental Health have requested that conditions be imposed regarding the submission of a construction management plan and limiting the working hours for construction. These conditions were imposed by the inspector on the outline planning permission, in compliance with Policy QE DM1 of the Local Plan and the NPPF.

Environmental Health have requested the submission of details of the external lighting and a precautionary condition if contamination is discovered on the site. These conditions were imposed by the inspector on the outline planning permission.

AIR POLLUTION

Policy QE DM3(c) of the Local Plan requires all major development proposals to assess the likely impacts of the development on air quality and mitigate any negative impacts by encouraging the use of cleaner transport fuels on site, through the inclusion of electric car charging points.

Information on electric vehicle charging points should have been submitted with the reserved matter application. Consequently, it is considered that a condition should be imposed on the reserved matters approval requiring the submission of an Electric Vehicle (EV) Charging Strategy and the delivery of EV charging points within the development prior to first occupation, in accordance with Policy QE DM3 (c) of the Local Plan.

EXTERNAL SPACE STANDARDS

The layout plan (Drawing No. 065 Rev. A) shows all houses with rear gardens that measure at least 10.5 metres in length, which is acceptable to ensure adequate amenity space is provided and is in compliance with the Arun Design Guide. The two apartment buildings are provided with sufficient private amenity space on the layout plan (Drawing No. 065 Rev. A), which is acceptable in terms of residential amenity. The site layout includes 20 metre back to back stand-off distances and 11 metre side-on-back distances, 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 house and apartment 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 2 apartment buildings on the application site comply with Policy D DM2 and meet the NDSS requirements.

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".

All of the dwellings on the site would incorporate up-to-date building regulations (i.e. fabric first). A condition should be imposed on the reserved matters approval requiring the submission of the detailed Standard Assessment Procedure (SAP) calculations (once detailed construction design has been undertaken) together with a timetable for how the 10% decentralised energy will be achieved on the site, in accordance with Policy ECC SP2 of the Local Plan.

The proposed east/west orientation of houses on Plots 1, 8, 15-18, 25-31, 37-40, 79-82 and 86-100 inclusive would ensure maximum solar gain and would comply with Policy ECC SP1 of the Local Plan. The north/south orientation of the remaining houses and the two apartment buildings on the site would not ensure maximum solar gain and would not comply with Policy ECC SP1 of the Local Plan.

The layout of the houses and apartments on the application site was predicated on the indicative framework which was set out in Condition 3 which was imposed on the outline planning permission Y/80/16/OUT and comprised the 'Proposed Indicative Layout & Open Space Proposals' (Drawing No. 201 Rev. C) and 'Illustrative Strategic Landscape & Open Space Proposals' (Drawing No. 202 Rev. B). The majority of dwellings are orientated north/south and therefore, on balance the layout makes all reasonable endeavours to achieve maximum solar gain.

PROTECTION OF SOILS

Policy SO DM1(d) of the Local Plan says: "where development is permitted it should, as far as possible, use the lowest grade of land suitable for that development. Development will not be permitted unless the applicant has submitted a soil resources plan for the development".

The Inspector at the appeal into the outline planning application (Y/80/16/OUT) did not impose a condition regarding the submission of a soil resources plan, in accordance with Policy SO DM1. However, it is considered appropriate to impose a condition at this reserved matters stage as the site is currently in agricultural use and to enable the Local Planning Authority to control the development and protect the soil resources on the site.

SUMMARY

This reserved matters application seeking approval for appearance, scale, layout and landscaping is considered to be acceptable. The proposed development is architecturally acceptable and a Design Response has been submitted to demonstrate how the development accords with the draft Arun Design Guide Supplementary Planning Document (SPD), which promotes good design in new development. The affordable housing has been pepper potted around the western part of the development site. The impact of the proposed development on the trees can be mitigated by no-dig condition. It is considered that the proposed residential development would result in a well designed, high quality scheme which seeks as far as possible to integrate itself with the other proposed new developments that are planned for Yapton including the Redrow scheme on the western side of North End Road. 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

There were two Unilateral Undertakings imposed at the outline planning stage.

The first Unilateral Undertaking dated 22nd December 2016 contains planning obligations regarding fire hydrants, highways contribution, a library contribution, primary education contribution, sports hall contribution, swimming pool contribution and a contribution to artificial pitches.

The second Unilateral Undertaking dated 14th December 2017 contains planning obligations regarding a fire and rescue contribution, secondary education contribution and further education contribution.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved drawings and submitted materials:
 - Drawing No. 037 Rev. A - Site Location Plan
 - Drawing No. 065 Rev. A - Planning Layout (Colour)
 - Drawing No. 065 Rev. A - Planning Layout (B&W)
 - Drawing No. 068 Rev. B - Affordable Housing with 80% rented / 20% shared ownership
 - Drawing No. 071 Rev. A - Enclosures Plan
 - Drawing No. 072 Rev. B - Materials Plan
 - Drawing No. 074 Rev. A - Massing Plan
 - Drawing No. 075 Rev. A - Hard Surfacing Plan
 - Drawing No. 076 Rev. A - Parking Plan
 - Drawing No. 077 Rev. A - Refuse Plan

- Drawing No. 80 - Movement Plan
- Drawing No. 70 Rev. A - Street Scenes A-D
- Drawing No. 12 - Bakewell / Buxton (4 Block) Floor Plans
- Drawing No. 13 - Bakewell / Buxton (4 Block) Elevations
- Drawing No. 25 - Letchworth Special Floor Plans
- Drawing No. EF_LETC_SM.5 Rev. A - Letchworth Elevations
- Drawing No. 18 - Oxford Lifestyle Elevations and Floor Plans
- Drawing No. 19 - The Oxford Lifestyle "2017 Edition" Elevations and Floor Plans
- Drawing No. 20 - Leamington Lifestyle Elevations and Floor Plans
- Drawing No. 21 - Leamington Lifestyle Elevations and Floor Plans
- Drawing No. 46 - Stratford Elevations and Floor Plans
- Drawing No. 47 - Stratford Elevations and Floor Plans
- Drawing No. EF_CAMB_DM.8 - Cambridge Elevations and Floor Plans
- Drawing No. EF_CAMB_DM.8 - Cambridge Elevations and Floor Plans
- Drawing No. 45 - Harlech Elevations and Floor Plans
- Drawing No. EF_SHAF_DM.8 - Shaftesbury Elevations and Floor Plans
- Drawing No. EF_CANT_DM.7 Rev. C - Canterbury Floor Plans
- Drawing No. EF_CANT_DM.7 Rev. B - Canterbury Elevations
- Drawing No. EF_HARR_DM.8 Rev. B - Harrogate Elevations and Floor Plans
- Drawing No. EF_HARR_DM.8 Rev. A - Harrogate Elevations (Render) and Floor Plans
- Drawing No. EF_SUND_DM.7 Rev. A - Sunningdale Floor Plans
- Drawing No. EF_SUND_DM.7 Rev. A - Sunningdale Elevations
- Drawing No. EF_HENL_DM.6 Rev. A - Henley Floor Plans
- Drawing No. EF_HENL_DM.6 Rev. A - Henley Elevations
- Drawing No. EF_TT3_M.4 - Tavy (Four Block) Floor Plans
- Drawing No. EF_TT3_M.4 - Tavy (Four Block) Elevations
- Drawing No. EF_DD4_M.3 - Dart (Four Block) Floor Plans
- Drawing No. EF_DD4_M.3 - Dart (Four Block) Elevations
- Drawing No. EF_TEME_SM.10 - The Teme "2014 Edition" Elevations and Floor Plans
- Drawing No. 038 Rev. F - Apartment A Floor Plan and Elevations
- Drawing No. 34 - Single Garage "2017 Edition" Floor Plan and Elevations
- Drawing No. 35 - Twin Garages "2017 Edition" Floor Plan and Elevations
- Drawing No. 045 Rev. A - Proposed Residential Development Plan
- Drawing No. 046 - Feature Brick Entrance Wall
- Drawing No. 0100 Rev. PL09 - Coloured Masterplan
- Drawing No. 0301 PL07 - Detailed Planting Plan - Sheet 1 of 8
- Drawing No. 0302 PL09 - Detailed Planting Plan - Sheet 2 of 8
- Drawing No. 0303 PL09 - Detailed Planting Plan - Sheet 3 of 8
- Drawing No. 0304 PL09 - Detailed Planting Plan - Sheet 4 of 8
- Drawing No. 0305 PL09 - Detailed Planting Plan - Sheet 5 of 8
- Drawing No. 0306 PL09 - Detailed Planting Plan - Sheet 6 of 8
- Drawing No. 0307 PL05 - Detailed Planting Plan - Sheet 7 of 8
- Drawing No. 0308 PL05 - Detailed Planting Plan - Sheet 8 of 8
- Drawing No. 0309 PL09 - Plant Schedule and Maintenance Specification
- Drawing No. 0501 PL09 - Boundary Treatment Plan
- Drawing No. 0601 PL07 - Tree Setting Out Plan - 1 of 8
- Drawing No. 0602 PL09 - Tree Setting Out Plan - 2 of 8
- Drawing No. 0603 PL09 - Tree Setting Out Plan - 3 of 8
- Drawing No. 0604 PL09 - Tree Setting Out Plan - 4 of 8
- Drawing No. 0605 PL09 - Tree Setting Out Plan - 5 of 8
- Drawing No. 0606 PL09 - Tree Setting Out Plan - 6 of 8
- Drawing No. 0607 PL04 - Tree Setting Out Plan - 7 of 8

- Drawing No. 0608 PL05 - Tree Setting Out Plan - 8 of 8
- Drawing No. 18-344/100 Rev. F - Refuse Vehicle Swept Path Analysis
- Drawing No. 18-344/101 Rev. E - Fire Tender Swept Path Analysis
- Drawing No. 18-344/102 Rev. E - Private Car Swept Path Analysis
- Drawing No. 18-344/103 Rev. E - General Arrangement
- Drawing No. 18-344/105 Rev. D - Pumping Station Tanker Swept Path Analysis
- Drawing No. 18-344/111 Rev. A - Substation Maintenance Vehicle Tracking
- Drawing No. 0401 Rev. PL02 - Sections through Infiltration Basin
- Drawing No. 0502 Rev. PL06 - Detailed Play Provision - LAP 1
- Drawing No. 0503 Rev. PL06 - Detailed Play Provision - LAP 2
- Drawing No. 0505 Rev. PL05 - Detailed Play Provision - LEAP

- House Type Brochure, prepared by Geoff Perry Associates Limited
- Landscape Maintenance & Management Specification, prepared by Fabrik, dated November 2019, Rev. PL08.
- Design Response, Ford Lane, Yapton.
- Tree Survey & Arboricultural Impact Assessment: Ford Lane, Yapton V1 (Ref. JSL3292_772), June 2020.
- Ecology Mitigation and Enhancement Strategy, Ford Lane, Yapton, West Sussex (ECO00395) 28th October 2020, prepared by RPS Group.

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 No dwelling shall be occupied until the road(s), footways, and parking areas serving it have been constructed, surfaced and drained in accordance with the approved plans and details.

Reason: To secure satisfactory standards of access for the proposed development, in accordance with Policy D DM1 the Arun Local Plan.

- 3 No dwelling shall be occupied until the garage for that dwelling shown on the approved plans has been constructed and provided for the dwelling to which it relates. The garage shall not be used for any purpose other than the parking of vehicles and for domestic storage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in accordance with Policy D DM1 of the Arun Local Plan.

- 4 No dwelling shall be first occupied until covered and secure cycle parking spaces serving that dwelling has been provided.

Reason: To provide alternative travel options to the use of the car in accordance with Policy D DM1 and Policy T DM1 of the Arun Local Plan.

- 5 Prior to commencement of works to footpath 357, details of a non-dig surfacing method to be used for the surface treatment of PRoW Footpath 357 running within the Root Protection Area (RPA) of the Lime Tree, which is a category A tree of potential veteran status, should be submitted for approval in writing by the Local Planning Authority. The approved details should be implemented during the surfacing of PRoW Footpath 357 and as part of any maintenance works on the footpath within the RPA of the Lime Tree.

Reason: To ensure that the roots of the Lime Tree are protected and allows PRoW Footpath 357 to be surfaced in robust materials in accordance with Policy D DM1 and Policy ENV DM4 of the Arun Local Plan.

- 6 Prior to the export of any material from site, or within six months of commencement of development, whichever is earlier, a soils management plan shall be submitted for approval in writing by the Local Planning Authority. The soil handling measures and the proposed use of on-site soils as set out in the approved soils management plan will be implemented on site to ensure that the soil resource is preserved.

Reason: To enable the Local Planning Authority to control the development and protect the soil resources on the site, in accordance with Policy SO DM1 of the Local Plan

- 7 Notwithstanding the provisions of Class A, A.1, (g) within Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no rear extensions to the dwelling houses shall be erected within the curtilage of the dwellings hereby permitted unless planning permission is first granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policy D DM1 of the Arun Local Plan.

- 8 No development above damp proof course (DPC) level shall take place until an Electric Vehicle Charging Strategy has been submitted and approved in writing by the Local Planning Authority which identifies the nature, form and location of electric charging infrastructure to be provided across the development. The electric vehicle strategy shall then be implemented in accordance with the approved details, prior to first occupation.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with Policy D DM1 and Policy QE DM3 (c) of the Arun Local Plan and the NPPF. It is considered necessary for this to be a pre-commencement condition to ensure that the requisite charging infrastructure is designed into the housing development and it is implemented.

- 9 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved in writing by the Local Planning Authority the detailed Standard Assessment Procedure (SAP) calculations (once detailed construction design has been undertaken) together with a timetable for how the 10% decentralised energy will be achieved on the site.

Reason: In order to seek to achieve high levels of energy efficiency in accordance with the aims of the NPPF and Policy ECC SP2 of the Arun Local Plan.

- 10 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.