

REPORT UPDATE

Application No: Y/83/19/OUT

Reason for the Update / Changes

Reason for Update/Changes:

A new informative (no. 37) has been added to the recommendation to state that: "The reserved matters submission shall include details of how pedestrian and cycle access is to be achieved into the adjoining development sites to the north and south."

Page 69 of the agenda states under "Other Material Considerations" that there is a 4.7-year Housing Land Supply. This is incorrect as the Housing Land Supply is currently only 3.7 years and this lower figure is given elsewhere in the report (such as on page 71).

Officers Comment:

The additional informative results in only a slight change to the recommendation and so it is not appropriate to provide a new copy of the recommendation with this update but any recommendation to approve should be made with reference to the additional informative.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Outline Consent

REF NO: Y/83/19/OUT

LOCATION: Clays Farm
North End Road
Yapton
BN18 0DT

PROPOSAL: Outline application with some matters reserved for the erection of 33 No. dwellings, access roads, landscaping & associated works (resubmission following Y/62/18/OUT). This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Outline application seeks approval of the principle of development and access arrangements. An indicative layout plan has been provided but layout is a reserved matter. The indicative plan shows 33 dwellings - a mix of 2 beds, 3 beds and 4 beds. An area of public open space (POS) is shown in the south west corner, it is indicated that children's play space would be located there. A smaller area of POS is between plot 28 and the north boundary. The layout suggests a link to an existing footpath to the west as well as two potential links

into neighbouring developments to the north and south. A landscaped buffer is shown to the north, south and west boundaries. Access would be via the existing but with improved bell mouth, road width and visibility splays.

This application clarifies that the site is Grade 2 agricultural land (not grade 1 as suggested on the previous application).

The applicant states this resubmission provides the Council with the opportunity to grant permission and save unnecessary appeal preparation time.

SITE AREA	1.67 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	19.8 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	Trees are to site boundaries and not affected by the proposal.
BOUNDARY TREATMENT	Mixed - 1m high post & rail and a 2m hedge to "The Steddles".
SITE CHARACTERISTICS	Grassed paddock, overgrown to the edges. Two timber pitched roof buildings - one a double barn (around 1.5 storeys high) and a single storey stable building. Single width access to North End Road.
CHARACTER OF LOCALITY	The land to the west is arable farmland. To the east are two large residential dwellings ("The Steddles" and "St Mary's Vicarage"). The Steddles is the closest of these and is part single, part two storey (the northern half has a first floor within the roof). The land to the north and south is discussed below. Yapton has two GP surgeries, a pharmacy, two churches, a village hall and playing fields, a primary school and a small selection of shops. Barnham railway station is 2 miles west (as the crow flies). Yapton has a regular bus service.

RELEVANT SITE HISTORY

Y/62/18/OUT	Outline application with some matters reserved (appearance, landscaping, layout & scale) for 33 No. residential dwellings, access, landscaping & associated works. This application is a Departure from the Development Plan.	Refused 27-06-19
Y/88/18/OUT	Outline application with some matters reserved for the erection of 38 No. dwellings. This application affects a Public Right of Way.	App Cond with S106 26-11-19
Y/49/17/OUT	Outline application with some matters reserved for the	App Cond with S106

15-02-18

demolition of all existing structures & redevelopment of the site with up to 45 dwellings (30% affordable (up to 14)) & 0.3 hectares of landscaped open space with vehicular access from Maypole Lane & pedestrian/cycle access only from North End Road. This application is a Departure from the Development Plan & may affect the setting of a listed building.

Y/52/16/HH	Two storey front extension, two storey rear extension, replacement dormer window to rear, new hipped roofs to front dormer windows, new garage/carport, replacement greenhouse & revised fenestration (resubmission following Y/24/16/HH).	ApproveConditionally 02-09-16
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This application is a resubmission of Y/62/18/OUT, refused in June 2019 for the following reason:

"The proposal results in a loss of high grade agricultural land in conflict with policies SO DM1 of the Arun Local Plan, H1 of the Yapton Neighbourhood Development Plan and paragraph 170 of the National Planning Policy Framework."

This site is subject to a written representation appeal for which the Councils appeal statement is due by the 24th December 2019 and the appeal will be determined in 2020.

To the south of the site lies land to the north of the Yapton Primary School which is allocated in the Yapton Neighbourhood Development Plan for residential development and benefits from outline permission for 38 dwellings (Y/88/18/OUT). To the north lies land known as "Land at Street Buildings, North End Road" which has an outline permission for 45 dwellings (ref Y/49/17/OUT).

The applicant states the site was acquired by the present landowner in 1978, since when it has been used continuously for training and grazing horses. Prior to 1978, it was occupied by a garden centre but no produce was grown on the site.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Continue to object to the development. Full comments (07/11/19) are on the website.

- (1) The Clays Farm site has never been designated as an area within Yapton for future housing growth;
- (2) The site remains outside the Built Up Area Boundary (BUAB) and is not identified as an agreed Non-Strategic Site Allocation within the Parish's agreed allocation numbers.
- (3) YPC has met its new Parish housing allocation as part of ADC's Non-Strategic Site Allocations Development Plan Document (NSS DPD) process and Yapton's current work on modifying its Neighbourhood Development Plan;
- (4) Yapton's original allocation of 120 has been increased by 90 and this has been achieved;
- (5) The previous objections to the scheme still remain;

- (6) The scheme is presented as an isolated site with only an indication as to how it might relate to adjoining sites and how links into adjoining sites will work;
- (7) YPC requires that a full connectivity masterplan is produced for this western edge of Yapton with one way access through all of the sites;
- (8) No details as to how the loss of agricultural land will be compensated for with extensive landscaping to compensate for the loss of biodiversity and green space;
- (9) Increased traffic movements will conflict with traffic flows and Primary School parking and traffic;
- (10) Safety concerns regarding access - creation of a 4th busy residential access point within a 150m stretch of North End Road and within 250m of Yapton Primary School's entrance point;
- (11) Visibility levels are insufficient;
- (12) The development must contribute to improving education and medical infrastructure; and
- (13) The Village also needs a new community building to cater for demand.

2 letters of objection:

- (1) The application lacks sufficient detail on how it will support sustainable transport;
- (2) Need interconnected cycle routes & paths across this site;
- (3) Need for provision for cycle storage and this should not be in back gardens;
- (4) Loss of agricultural land; and
- (5) Road safety issues due to junction on a bend and opposite a new housing site.

COMMENTS ON REPRESENTATIONS RECEIVED:

PARISH COUNCIL:

- (1) This is accepted;
- (2), (3) & (4) The site lies outside the BUAB. The emerging replacement Yapton Neighbourhood Development Plan has not yet reached a stage where the Council is required to make reference to it;
- (5) Noted;
- (6) The application is an outline and layout is not for approval at this time. The Council is unable to force the applicant to show such level of detail on this scheme;
- (7) This is not an appropriate objection to this application as all other sites on the western edge of Yapton already have planning permission;
- (8) Landscaping is a reserved matter. The application is accompanied by a Soil Resource Plan which sets out how the high grade agricultural land will be managed and protected during construction;
- (9), (10) & (11) These comments are considered in the Conclusions section of the report and with regard to the advice of WSCC Highways;
- (12) The application will contribute to education and medical infrastructure in the local area; and
- (13) Noted but there are no policies in either the Arun Local Plan or Yapton Neighbourhood Plan to require that this application contribute to a new community facility.

OBJECTORS:

- (1) The application contributes to a scheme for a new cyclepath between Barnham and Littlehampton;
- (2) & (3) The application is an outline and layout is not for approval at this time. The Council is unable to force the applicant to show such level of detail at this time;
- (4) This will be considered in the Conclusions section; and
- (5) Road safety is considered in the Conclusions and with regard to the advice of WSCC Highways.

CONSULTATIONS

Natural England

Ecology Advisor
Archaeology Advisor
Parks and Landscapes
WSCC Strategic Planning
Planning and Housing Strategy
Engineering Services Manager
Engineers (Drainage)
NHS Coastal West Sussex CCG
Sussex Police-Community Safety
Southern Water Planning
Arboriculturist
Parks and Landscapes
Environmental Health
Surface Water Drainage Team
Highways England
WSCC Strategic Planning
WSCC Strategic Planning
WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

NATURAL ENGLAND - no comments. Lack of comment does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

HIGHWAYS ENGLAND - no objection subject to conditions to secure a construction management plan and phasing to require no more than 17 dwellings are occupied before the A27/Yapton Lane improvement works have been implemented.

NHS - no objection subject to financial contribution of £41,957 which will most likely be allocated to assist with the creation of a new integrated community hub facility at Croft Medical Centre on Barnham Road, Eastergate which will then serve the catchment population of this proposed development.

SOUTHERN WATER - no objection subject to a condition to require approval of details of foul sewerage disposal.

SUSSEX POLICE - no objections but list a number of advisory notes regarding improving security.

WSCC HIGHWAYS - State no real change to their previous advice which was no objection subject to conditions to secure the vehicular access, the necessary visibility and a construction management plan. The only thing to note is the updated parking standards. The previous response stated that:

- The proposal will result in a new vehicle access onto North End Road which is a single carriage way "B" class local distributor road designated as the B2132 and subject to a 30mph speed limit;
- The application is supported by a Transport Statement (TS); this includes TRICS data and a Stage 1 Road Safety Audit (RSA) with Designer's Response.
- Access to the site via new 4.8m bellmouth which will become a simple two way priority junction;

- The access road will be a shared surface arrangement.
- The applicant has based vehicular visibility splays on Manual for Streets (MfS) Parameters of 2.4 by 43m in line with 30 mph speed limits.
- No recorded injury accidents in the vicinity of the site access onto North End Road;
- No evidence to suggest the road is operating unsafely or that the proposal would exacerbate an existing safety concern;
- Access road should take the form of a 4.8m wide shared surface arrangement and this would be suitable as this will be a low speed, low traffic environment;
- Refuse collection will take place from within the site and swept path diagrams demonstrate that larger vehicles can turn within the site;
- Trip generation data suggests 19 two way movements in the morning and 17 in afternoon peak hours;
- Whilst the development would give rise to intensification in use of North End Road, the proposal accords with the NPPF in that it cannot be demonstrated the development would have a severe impact on the operation of the local road network;
- There are several bus services operating in the vicinity and bus stops located along North End Road;
- The nearest Rail service is 1.6 miles North West of the site in Barnham. This is reachable via bus (16 minute journey) and on foot approximately 32 minutes.
- Yapton is a sustainable area, with shops and amenities within walking distance. There is a nearby school (Yapton Primary) located in close proximity. This is linked via street lit pedestrian footpaths;
- There is an existing footpath leading to Barnham and Yapton fronting the site.

In response to the suggestion on the previous application that the developers provide a pedestrian crossing on North End Road, WSCC commented that as Clay's Farm is on the same side of the road as the primary school, this cannot be requested. The application to the east of North End Road (Y/80/16) did not request specific pedestrian improvements to North End Road rather Ford Lane therefore it would be hard to justify on this application.

WSCC INFRASTRUCTURE - request contributions (calculated by a formula) to the following projects:

- internal alterations and reconfiguration to accommodate additional pupils and increase classroom provision at Yapton C of E Primary School (or its successor);
- on phase 1 of the new secondary school serving Arun;
- additional facilities at St Phillip Howard Catholic High School Sixth Form;
- additional stock at Arundel Library; and
- towards new anti-ventilation and UHP (ultra-high pressure) equipment which allows the Fire Service to control access and smoke penetration within the Southern area serving the parish of Yapton.

Requests a contribution of £52,107 towards the implementation of cycling improvements between Barnham and Littlehampton (scheme ID 82).

WSCC FLOOD RISK MANAGEMENT - no objection subject to a surface water drainage condition. Note:

- Site is at a low risk of surface water flooding;
- Any existing surface water flow paths across the site must be maintained;
- Site is at high risk of groundwater flooding;
- No historic records of flooding; and
- No ordinary watercourses present.

COUNCIL ARCHAEOLOGIST - the site lies on a part of the coastal plain that has been demonstrated to have been intensively exploited from at least the late prehistoric period, so it should be expected to contain structures and deposits of archaeological interest that might be harmed by development. Requests a standard archaeological condition.

COUNCIL ECOLOG IST - no objection and requests conditions to secure various protection, mitigation and enhancement measures.

ADC LANDSCAPE OFFICER - previously raised no objections and commented that:

- On-site public open space (POS) is required of at least 2534.4m² (based on 33 dwellings) to include an on-site local area play (LAP) facility;
- The indicative layout suggests an over provision of on-site public open space;
- The buffer planting areas are welcomed;
- Local Area for Play (LAP) and Local Equipped Area for Play (LEAP) would be required on the site;
- Existing boundary trees should be protected and retained;
- An indication of future management responsibility and regime for open space should be provided; and
- A Multi Use Games Area (MUGA) contribution should be sought as it was for other nearby approved schemes. The evidence based work suggests that there is already sufficient MUGA provision within suitable distance and therefore a contribution would not be necessary.

ADC DRAINAGE ENGINEER - no objection subject to standard drainage conditions.

ADC HOUSING STRATEGY & ENABLING MANAGER - states no change to the previous comments which were: "no objection subject to 10 affordable houses being secured with a tenure split of 75% rented and 25% intermediate housing and within the following mix: 5 x 2 bed and 2 x 3 bed rented; 2 x 2 bed and 1 x 3 bed shared ownership."

ADC TREE OFFICER - No response received.

ADC ENVIRONMENTAL HEALTH - no objections subject to conditions: Construction Management Plan, electric vehicle charging, construction hours, internal noise levels, contamination, asbestos registration, lighting and air quality.

COMMENTS ON CONSULTATION RESPONSES:

Noted. Agreed except for the Environmental Health request for conditions on internal noise levels, air quality and asbestos certification, which are not relevant to the site which is set well back from the road.

POLICY CONTEXT

Designations applicable to site:

Outside of the Built Up Area Boundary;
Agricultural Land (Grade 2);
Lidsey Treatment Catchment Area; and
Area of Special Control of Adverts.

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees

ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
HDM1	H DM1 Housing mix
HSP1	HSP1 Housing allocation the housing requirement
INFSP1	INF SP1 Infrastructure provision and implementation
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
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SODM1	SO DM1 Soils
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WSP1	W SP1 Water

Yapton neighbourhood plan 2014 Policy BB1

Yapton neighbourhood plan 2014 Policy E1	Built-up Area Boundary
Yapton neighbourhood plan 2014 Policy E3	Protection of high value agricultural land
Yapton neighbourhood plan 2014 Policy E4	Protection of natural habitats
Yapton neighbourhood plan 2014 Policy E5	Minimising the environmental impact of development
Yapton neighbourhood plan 2014 Policy E6	Enhancement of biodiversity
Yapton neighbourhood plan 2014 Policy E11	Green infrastructure and development
Yapton neighbourhood plan 2014 Policy H1	Minimising the impact of flooding from development
Yapton neighbourhood plan 2014 Policy H3	Housing requirement
Yapton neighbourhood plan 2014 Policy PK1	Dwellings appropriate for the needs of older people
	Parking standards for new residential development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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.

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for

the relevant designated neighbourhood area.

The relevant policies within the Yapton Neighbourhood Development Plan have been considered in the preparation of this report. Yapton Parish Council are currently working on a review of their Neighbourhood Plan, but they have not yet reached the Regulation 14 stage in this process.

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 proposal is considered to conflict with the relevant development plan policies in that it would result in development in the countryside outside of the defined settlement boundary within the Arun Local Plan (ALP) and the Yapton Neighbourhood Development Plan (YNDP). The development would also lead to the loss of high grade agricultural land.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as detailed in the Conclusion section. These are as follows:

- The result of the Governments 2018 Housing Delivery Test which states Arun have underdelivered on its housing targets and recommends that an Action Plan be published to set out how delivery rates will be improved (this was published in June 2019);
- The Council's Authority Monitoring Report (AMR) as considered at the Planning Policy Local Plan Sub-Committee on 17th December showed the Council can no longer demonstrate a 5 year Housing Land Supply (HLS) as required. The AMR shows there is 3.7 year supply.
- The National Planning Policy Framework (NPPF) and associated guidance particularly in respect of the presumption in favour of sustainable development;
- The Councils' 2018 HELAA (updated March 2019) assessed the site (NEWY23) as being deliverable and noted it was considered suitable with no major constraints to overcome; and
- The site is between parcels of land which have outline permission for dwellings (Y/49/17/OUT & Y/88/18/OUT).

CONCLUSIONS

PROPOSAL & PRINCIPLE:

This is an outline application with means of access details only. Although an indicative site layout plan has been submitted which demonstrates 33 dwellings can be provided together with access roads, footpaths, public open space (including a play facility), parking and landscaping; siting is not a matter for determination at this time.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the plan unless material considerations indicate otherwise. The development plan for the Arun District currently comprises the Arun Local Plan 2011-2031, the Yapton Neighbourhood Development Plan (November 2014) and the West Sussex Waste and Minerals Plans.

However, section 38 (5) states: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document". Any conflict between the YNDP and the Arun Local Plan, should therefore be resolved in favour of the latter.

All development policies that relate to the supply of housing in the Local Plan (policies C SP1, SD SP2) have reduced weight because Arun cannot demonstrate an adequate supply of housing land (only 3.7 years). Policies in the Yapton Neighbourhood Development Plan that relate to the supply of housing (BB1, H1) have greater reduced weight because they relate to out of date housing needs as the policies were based on the 2003 Local Plan.

Paragraph 14 of the NPPF states that in situations where the 'presumption in favour of sustainable development' applies to applications involving the provision of housing, then the adverse impact of allowing development that conflicts with the neighbourhood plan will not significantly and demonstrably outweigh the benefits if four specific criteria apply. In this case, criteria (a) to (d) are not all applicable because the Neighbourhood Plan was made over two years ago. Therefore, the presumption in favour of sustainable development is unaffected by the Neighbourhood Plan.

The Arun Local Plan:

The key policy considerations in the determination of this application are considered to be H SP1, SD SP1, SD SP2 and C SP1 of the Arun Local Plan (ALP) 2011 - 2031.

Policy H SP1 "The Housing Requirement" sets out an overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes a reference to additional non-strategic allocations being made across the District through reviews of Neighbourhood Plans and in cases where there is no up-to-date Neighbourhood Plan, through the publication of a "Non-Strategic Site Allocations Development Plan Document" (NSS-DPD).

This document will fulfil an identified deficit of 1,250 houses from smaller sites (under 300 units each) in the Local Plan. The NSS-DPD has not yet been published for Regulation 18 and it is currently anticipated that an Issues/Options document will be available in early spring 2020. Yapton Parish Council are currently working on a review of their Neighbourhood Plan, but they have not yet reached the Regulation 18 stage in this process.

Yapton Parish Council have indicated that this site will not be proposed for the NSS-DPD or the review of the Neighbourhood Plan.

Policy SD SP1 "Sustainable Development" states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work to secure development that contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland).

The site is in a sustainable location in walking and cycling distance of a range of local shops, services, health and education facilities. There are bus services which enable access to nearby Barnham which has a railway station. Whilst the private car could be required for longer distances, future residents would not need to rely on a car to be able to live comfortably.

Policy SD SP2 "Built up Area Boundary" states that the Built-Up Area Boundary (BUAB) is defined for the main towns and villages in the District and shown on the Policies Maps. Development should be focused

within the BUAB and will be permitted, subject to consideration against other policies of the Local Plan.

The site lies adjacent and in between two defined edges of the BUAB but is outside of the designation. The site does not form part of any proposed Local or Neighbourhood Plan allocation and does not accord with another policy in the ALP.

Policy C SP1 "Countryside" states that residential development in the countryside outside the BUAB will not be permitted unless in accordance with policies in the Plan which refer to a specific use or type of development. It is noted that none of these relate to the appeal proposal

As this site lies outside the nearest BUAB, it is categorised as being within the countryside and the scheme would therefore conflict with ALP policies SD SP2 and C SP1.

Yapton Neighbourhood Development Plan (YNDP):

The YNDP was made in November 2014 on the basis of the saved policies in the 2003 Arun Local Plan and the draft policies in the 2014 publication version of the then emerging Arun Local Plan.

Figure 4.1 on page 13 of the YNDP includes a BUAB drawn round the edge of the settlement of Yapton which, save for proposed allocations within the YNDP, broadly compared with that provided by the 2003 Local Plan. The BUAB in the ALP is different having been amended to include Yapton strategic allocation SD7, the approved development on the corner of North End Road & Yapton Road (Y/1/17/OUT), the approved development on North End Road towards Maypole Lane (Y/49/17/OUT) and the approved development on land east of North End Road (Y/80/16/OUT). Nevertheless, the application site remains outside of the BUAB and is classified as countryside.

Policy BB1 states development outside of the BUAB will not be permitted unless in accordance with 4 listed criteria. Criteria 1-2 & 4 are not relevant to the proposal but number 3 is where the development relates to additional allocations for housing land in accordance with policy H1.

Policy H1 allows for a buffer of up to an additional 20% of the ALP housing requirement of 100 dwellings for the Yapton Neighbourhood Plan area. It is considered that this 20% has already been achieved through recent applications in the village such as Y/1/17/OUT (56 dwellings), Y/44/17/OUT (70 dwellings), Y/49/17/OUT (45 dwellings) and Y/80/16/OUT (100 dwellings).

Above and beyond this 20%, the policy states any further housing development will only be permitted if it can be demonstrated that either the expected child yield would not result in the Yapton CE Primary School exceeding the maximum number of children permitted or that appropriate modifications and/or extensions to the School can be delivered at the developer's expense. The applicant has not provided any justification in respect of this matter but any approval would be subject to contribution towards the expansion of Yapton CE Primary School which would be gain some support from policy H1.

Other Material Considerations:

The following sets out whether there are any material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

(1) The Councils Housing Land Supply as set out in the ALP

Members should note that the housing land supply target set out within the ALP includes a provision of at least 1,250 homes to be identified through both the review of Neighbourhood Plans and through a Non-Strategic Site Allocations Development Plan Document (NSS-DPD). The NSS-DPD is not yet out for

consultation and whilst there remains potential for the site to also be promoted through this document, only limited weight can be attributed to this consideration at the current time.

(2) The Councils Current Housing Land Supply Data

In February 2019, the Government published results of its Housing Delivery Test. This shows that Arun have underdelivered on its housing targets (achieving only 91%). The Test recommends that all Councils achieving less than 95% prepare an Action Plan to set out how delivery rates will be improved.

The Council's Authority Monitoring Report (AMR) was considered at the Planning Policy Local Plan Sub-Committee on the 18th June and showed that the Council could no longer demonstrate a 5-year Housing Land Supply (HLS) as is required by the NPPF. Indeed, the AMR showed there was currently only a 4.7 year supply. There is a new AMR for 2018/19 which is to be presented at December's Planning Policy Sub Committee and which shows that the HLS is now only 3.7 years.

The reasons for the lower projected delivery include recent planning refusals/delays on some Strategic Allocations (particularly the Pagham sites); poor quality schemes delaying approvals; developers unable to meet stated and committed timescales; strategic site applications not coming forward as anticipated and developer/market factors outside of local authority control.

The Council's Action Plan was published in June 2019 and makes a series of recommendations in order to boost housing delivery. This includes use of the 'presumption in favour of sustainable development' until such time as the 5-year housing land supply re-established. It recommends that applications be invited from landowners/developers on 'deliverable' HELAA sites to re-establish 5 year HLS.

The release of further land for housing will help to maintain delivery rates. This may have to include sites outside the built up area boundary and it would be preferential if such sites were located close to the edge of the BUAB and in sustainable locations which minimise the need to use the private car.

(3) 2017 HELAA Report:

To boost housing land supply in advance of the adoption of the current Local Plan, in early 2017, the Council invited applications on sites identified as 'deliverable' by the HELAA where they were considered sustainable and would not prejudice the emerging local plan and/or infrastructure delivery.

The 2017 HELAA report assessed the site (NEWY23) as deliverable with a yield of 42 dwellings. The report stated: "Considered to be a suitable site as no major constraints to overcome. A site to the southern boundary has recently gained planning permission for housing development." It was on this basis Y/62/18/OUT was submitted.

(4) The NPPF & the Presumption in Favour of Sustainable Development;

The National Planning Policy Framework (NPPF) 2019 is a material consideration in determining planning applications. As the Council cannot currently demonstrate a 5-year HLS, paragraph 11 (d) of the NPPF and the application of the 'presumption' for sustainable development is triggered.

This means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (such as where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), planning permission should be granted unless (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against

the policies in the NPPF as a whole.

There is no question that (i) does not apply to this determination as the site does not lie in a protected landscape. In respect of (ii), the remainder of this report will show that there are no adverse impacts associated with the proposal. The presumption in favour of sustainable development would apply.

Paragraph 8 of the NPPF states that in order to achieve sustainable development; economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The following is an analysis of the sustainable nature of the site and proposal:

The site is environmentally sustainable as it lies on the northern edge of Yapton and it will be possible for residents to use non-car means of transport to access schools, shops and other services. Pedestrians would have the benefit of street lit pavement to access services to the south of the site.

The proposal could help to support the local community by providing 33 dwellings with a mix of bedrooms (and 11 affordable homes) to meet future needs. If approved the development would be required to contribute towards local schools, libraries, the local health service and to contribute to a new local footpath route. As such, there would be a further benefit to the local community.

The development will likely result in economic benefits to the local area in the form of the following:

- * An increase in Council Tax receipts;
- * Potential 'New Homes Bonus' payments from the Government;
- * The creation/maintenance of construction jobs; and
- * Additional spending by new residents on local goods & services.

There is potential for an economic cost due to the loss of Grade 2 Agricultural Land. The land is not currently used for agriculture and there is no immediate prospect of this taking place.

(5) Site Location:

The application includes a location plan on which the site is shown in comparison to recently permitted residential developments and one of the YNDP residential allocations. This shows the application is between the neighbourhood plan allocation (land north of the School) which has the benefit of outline planning permission (Y//88/18/OUT) and land with permission for residential development to the north (Land at Street Buildings - ref Y/49/17/OUT). The BUAB in this part of Yapton is drawn around these two sites but excludes the application site and as a result, the application site has BUAB to the north and south and existing residential development outside of the BUAB to the east.

With the development of the two sites north and south, there would be limited harm to the character of the countryside if the application site was developed. If development on this site was allowed it would be possible to secure an alternative pedestrian/cyclist route through all of the residential developments on land west of North End Road between Main Road to the south and Maypole Lane to the north.

It is not enough to simply refuse an application on the grounds of being in the countryside without there being some form of demonstrable harm to the character or beauty of the countryside.

Conclusion on Matters of Principle:

The principle of development on this site is clearly contrary to the policies within the development plan. However, the policies of the Arun Local Plan (ALP) that relate to the supply of housing have reduced weight due to the Council not being able to demonstrate an adequate supply of housing land. In

addition, policies in the Yapton Neighbourhood Development Plan (YNDP) that relate to the supply of housing have greater reduced weight because they relate to out of date housing needs as the policies were based on the 2003 Local Plan.

The proposal represents sustainable development and the NPPF 'presumption in favour of sustainable development' is engaged. This and the other material considerations set out above combine to outweigh the conflict with the policies of the development plan and serve to allow for the principle of the application to be supported.

AGRICULTURAL LAND:

As figure 2 of the YNDP, the site is classified as Grade 1 agricultural land. Policy E1 of the YNDP states "Planning permission will be refused for development on grade 1 and grade 2 agricultural land unless: (1) it involves the granting of planning permission for the development of the housing allocations identified in this Plan (Policy SA1 and Policy SA2); or (2) it involves the granting of planning permission for any additional housing sites required by Policy H1 to meet objectively assessed housing needs in the Plan area."

The Figure 2 map is based on data provided by the national Provisional Agricultural Land Classification Grading system (ALC). This data is not based on site specific surveys but instead is assessed using various criteria including temperature, rainfall, aspect, exposure, frost risk, gradient, micro-relief, flood risk, soil depth, soil structure, soil texture, ground based chemicals and stoniness. The ALC uses a grading system to assess and compare the quality of agricultural land at national, regional and local levels. It assesses the potential for land to support different agricultural uses, such as growing crops for food. It doesn't consider the land's current use and intensity of use.

The applicants have submitted an Appraisal of Agricultural Land Quality by Reading Agricultural Consultants. This states the site and other land to the west and east of North End Road were subject to a detailed survey carried out on behalf of MAFF in 1998 which identified the site as Grade 2. This survey provides the definitive source of information of agricultural land classification (ALC) at the site. The report states that there has been no agricultural production at the site for over forty years and that there are no opportunities to use areas of poorer quality land to those of a higher quality around Yapton.

ALP policy SO DM1 considers soils and states: "Unless designated by this Plan or a Neighbourhood Development Plan, the use of 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." It should be noted that where there is conflict between policies that make up the development plan, the conflict must be resolved in favour of the most recent policy (in this case the ALP).

The need for this housing development to boost the Council's Housing Land Supply and to ensure a seamless alternative pedestrian route west of North End Road overrides the loss of this grade 2 agricultural land which has not been used for agricultural production for some time (and has no immediate prospect of being used for such either).

Policy SO DM1 then states that if development is permitted by the policy, the applicant should submit mitigation measures and a soil resources plan for the development site. The applicant has submitted a Soil Resource (Management) Plan which sets out a strategy and procedures for stripping, handling, storing and reinstating soils throughout the construction of the proposed development. Adherence to the Plan will ensure that the physical soil properties are maintained throughout construction, such that undisturbed and reinstated soil profiles will be able to support healthy root growth and successful plant establishment thereafter.

This satisfies the remaining parts of policy SO DM1 and as such there is no longer any conflict with the policy. This necessitates an additional condition to ensure that the soil mitigation measures are followed in order to ensure that the best soils on the site are retained.

It is recognised that the previous application was refused on the grounds of loss of high grade agricultural land and that although the grading of the agricultural land has changed, it remains best and most versatile agricultural land. However, it remains the opinion of officers that the agricultural value of the site is limited and that the need for residential development clearly outweighs the limited harm particularly as the high grade soils will be retained on site.

There is no conflict with ALP policy SO DM1 but there does remain some conflict with YNDP policy E1 although this policy has low weight due to it being based on the 2003 Local Plan.

CHARACTER AND DESIGN:

Policy D DM1 of the Arun Local Plan requires that the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. In terms of density, D DM1 requires that housing makes 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. The policy requires the scale of development keep within the general confines of the overall character of a locality.

ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character. There are no relevant design policies in the YNDP.

Paragraph 127 of the NPPF states that "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)." Para. 122 states that planning decisions should support development that makes efficient use of land but the desirability of maintaining an area's prevailing character and setting should be taken into account.

The National Design Guide (September 2019) forms part of the Government's collection of planning practice guidance. Paragraphs 20-21 of the Design Guide explain how good design should pay regard to place and context and that 'a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. Part 2 of the Guide sets out ten characteristics for good design, namely Context, Identity, Built form, Movement, Nature, Public spaces, Uses, Homes and buildings, Resources and Lifespan.

The application is outline and does not seek the approval of layout, external appearance, scale or landscaping. Although an indicative layout is provided it is not possible to determine the application on the basis of this. However, it would be appropriate to make an assessment of whether residential development in this location would be acceptable in the context of the character of this part of Yapton.

The site sits on the western edge of the settlement with farmland beyond. Houses to the east are large buildings set in large plots and are appropriate to the rural edge of a settlement. Regard should be had to the approval for 56 dwellings on land immediately to the north (Y/49/17/OUT) and the neighbourhood plan allocation for houses on the land north of the school (Y/88/18/OUT for 38 dwellings) which abuts the

southern edge of the site. It is clear the character of this part of Yapton will change as a result of residential development which has been accepted by the Council.

Within this context, it is not appropriate to conclude the development of this site with houses would harm the character and appearance of the locality. It is noted the indicative layout shows a buffer planted area to the western boundary which reflects that shown on approved indicative layouts Y/44/17/OUT and Y/49/17/OUT and on indicative layout for Y/88/18/OUT. The indicative layout suggests a spacious scheme with good provision of open space and landscaping and this reflects what might be appropriate on the edge of a settlement.

The proposal complies with the ten characteristics of good design in the National Design Guide in that:

1. Context - The site is in a sustainable location and a part of Yapton already considered suitable for new residential development. The proposal will respect surrounding built development in terms of density, layout, form, scale, appearance, details, and materials;
2. Identity - The proposed scheme will be developed at the detail stage to ensure that it respects and harmonises with the surrounding built development;
3. Built Form - The proposed scheme will be developed at the detail stage to facilitate linkages with the surrounding developments, have a legible layout and reflect basic 'secure by design' principles;
4. Movement - The proposed scheme will be developed at the detail stage to respect surrounding footpath networks and provide a pedestrian link between the committed development sites to the south and north. It will also deliver a clear pattern of streets that is safe and accessible for all;
5. Nature - The existing trees and landscape planting will be retained and reinforced with new planting wherever possible. Bat boxes will be available to encourage on site biodiversity;
6. Public Spaces - Public open space will be provided on the site and the development will include a range of dwellings and tenures including affordable housing to ensure the development is socially inclusive;
8. Homes & Buildings - The dwellings will be well-related to external amenity and public space and built to the national space standards;
9. Resources - The layout will pay regard to the need to maximise solar gain and prevent overlooking & overshadowing. The houses will also be built to a high standard of sustainable construction; and
10. Lifespan - The houses will be built to last using high quality materials and will allow for future home working/other changes in personal circumstances. There will also be some lifetime homes in the overall mix.

The proposal would not result in significant harm to the character of this part of Yapton and, on the grounds of density and character, the proposal would not conflict with development plan policies. Character was not a refusal on the previous application.

HIGHWAYS AND PARKING:

ALP policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport. In respect of highway safety, it states: "The Council will support transport and development which: explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, T SP1 states: "The Council will support transport and development which: Incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking". In addition, policy T DM1 requires that new development be located within easy

access of established non-car transport modes/routes, contribute to the improvement of such routes & facilities and contribute towards the provision of a joined up cycle network and Public Rights of Way network.

Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The advice of WSCC Highways is summarised above and it is clear they have comprehensively assessed the proposals and do not consider there will be severe harm to the safety or convenience of the local highway network either solely or in combination with other developments. WSCC Highways do have concerns regarding the indicative parking provision but this is an issue to be resolved at reserved matters stage.

Unlike with the previous application, WSCC Highways have requested a developer contribution (to be secured by the Section 106 agreement) of £52,107 towards cycling improvements between Barnham and Littlehampton (scheme ID 82). This would provide a valuable link from the site via Yapton Road to Barnham station and Main Road, Burndell Road and Yapton Road towards Littlehampton. It would facilitate sustainable transport. WSCC request this contribution in line with the policies of the ALP, YNDP and the NPPF. This contribution is in accordance with the CIL regulations.

The proposal accords with relevant development plan policies and with the NPPF on highway safety.

BIODIVERSITY:

ALP policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on 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 (whether designated or not)."

YNDP policy E3 seeks to prevent loss of natural habitat but states it may be acceptable where mitigation measures ensure the integrity of the habitat or where the habitat is relocated to a site within 500m. Policy E4 states sites should retain well-established features of the landscape, including mature trees and species-rich hedgerows, new tree planting will be required to mitigate significant loss.

Para 175 of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;"

The application is accompanied by a Preliminary Ecological Appraisal Report including a daytime Bat Roost survey. The Councils Ecologist has accepted the development will not result in harm to local bat populations. The applicant has also provided a Reptile Presence/Absence Survey which found that:

- A single slow-worm was recorded in the same location on the south-eastern boundary on two of the seven visits in May 2019; and
- A number of spot searches of the site were undertaken on the same days as refugia surveys. These involved searching piles of debris and rubbish on the site which were deemed suitable for reptiles. These searches uncovered no reptiles or evidence of reptiles.

The report then sets out the following mitigation strategy:

- Clearance of any suitable reptile vegetation shall be reduced by hand strimmer first to a height of 15cm before being cut with hand mower or strimmer to <5.0 cm height and kept low throughout the construction phase;
- Clearance of suitable vegetation shall be carried out under ecological supervision; and
- It is recommended that at least half of the proposed buffer zone shown on the indicative plans is enhanced for reptiles, through allowing the grass to grow longer, seeding with additional wildflowers, planting of a hedge along the northern boundary and provision of reptile hibernacula and refugia such as log and compost piles.

The proposed condition 05 will seek to secure a detailed ecological mitigation and enhancement scheme which will seek to address the requirement in policy ENV DM5 for a net gain in biodiversity.

The Council's Ecologist has no objections to the scheme and there is no conflict with NPPF para 175 or with ALP policy ENV DM5 or policy E3 of the YNDP.

FLOODING AND DRAINAGE:

The site does not lie in an area at risk from flooding from rivers or from surface water flooding.

Policy W DM2 of the ALP ("Flood Risk") is therefore not relevant. Policy W DM3 (Sustainable Urban Drainage Systems) states: "To increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process." YNDP Policy E11 requires developments be designed and constructed to minimise the overall level of flood risk in the parish; and provide appropriate surface water drainage.

WSCC and ADC Drainage Engineers do not object to the principle of development subject to mitigation by planning condition. The proposal accords with relevant development plan policies.

FOUL DRAINAGE:

Part 3 of Arun Local Plan policy W DM1 states: "Major development within this area must also be accompanied by a full Drainage Impact Assessment which must take account of surface water disposal and foul water disposal." And: "Where surface water and foul water drainage systems are approved as part of the consideration of a planning application, conditions may be imposed upon the permission relating to dates for implementation or other detailed technical requirements."

Southern Water do not object. They note there is an issue with sewer infrastructure but consider this can be improved to coincide with development. Although there is concern locally as to the impact of this application on the foul sewer network, in the absence of an objection from Southern Water it is not considered a refusal on foul water drainage grounds can be justified and the proposal accords with relevant development plan policy.

RESIDENTIAL AMENITY:

Arun Local Plan policy D DM1 requires the Council have regard to certain aspects when considering new development including: (3) Impact - "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." Policy QE SP1 states the Council will ensure that development does not have a significantly negative impact upon residential amenity. It is necessary to have regard to para 127 (f) of the NPPF which states that planning policies and decisions should ensure that developments create

places that have a high standard of amenity for existing and future users.

It is not possible to make a detailed assessment of residential amenity as layout, scale and appearance are reserved matters. The indicative layout sets all houses in from boundaries and shows landscaping to these boundaries.

Subject to more detailed consideration of privacy issues at a reserved matters stage, it is not considered there would be conflict with policies D DM1, QE SP1 or para 127 of the NPPF.

AFFORDABLE HOUSING:

Developments over 11 residential units require minimum provision of 30% affordable housing on site as per Policy AH SP2 of the Arun Local Plan and the Interim Affordable Housing Policy (2010).

The Planning, Design & Access Statement states 7 no. 2 bed and 3 no. 3 bed houses would be provided to meet affordable housing requirements. The affordable housing provision will be secured by a S.106 agreement and the proposal accords with policy AH SP2.

PUBLIC OPEN SPACE & PLAY:

The Councils supplementary planning document (SPD) "Open Space & Recreation Standards" sets out standards for public open space. This guidance is out of date and reference is made instead to the Fields in Trust (FIT) standards (32 square metres per person) set out in "Guidance for Open Sport and Play: Beyond the Six Acre Standard" (October 2015). A revised Open Space & Recreation Standards SPD has recently undergone public consultation but until this has been adopted regard must be had to the current standards.

The requirements in respect of this proposal are for public open space of at least 2534.4 sqm in accordance with the 32sqm per person FIT standard and on-site play facilities in the form of a Local Area for Play (LAP). The indicative layout is considered to show more than the required amount of public open space as confirmed by the Councils Landscape Officer and indicates the location of a LAP in the largest area of public open space. This is acceptable. The applicant must enter into a legal agreement to secure the provision of public open space and the play area and to secure the relevant management plan or maintenance contributions.

The applicant has agreed to these provisions and they will be in the S106 Agreement. The proposal accords with ALP policy OSR DM1.

SUPPORTING INFRASTRUCTURE:

Arun Local Plan policy INF SP1 states: "The Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development to meet the needs of occupiers and users of the development and the existing community" and "Any on-site provision or financial contribution required to address unacceptable impacts must meet the statutory tests for planning obligations required by Regulation 122 of the Community Infrastructure Regulations 2010."

WSCC have requested financial contributions in respect of primary education, secondary education, 6th form education, libraries and fire & rescue. The level of these contributions is based on a formula to allow the contribution amounts to be calculated using the housing mix at the reserved matters stage. The contributions will be spent on the following projects:

- (1) Internal alterations and reconfiguration to accommodate additional pupils and increase classroom provision at Yapton C of E Primary School (or its successor);
- (2) Phase 1 of the new secondary school serving Arun;
- (3) Additional facilities at St Phillip Howard Catholic High School Sixth Form;
- (4) Additional stock at Arundel Library; and
- (5) New anti-ventilation and UHP (ultra-high pressure) equipment which allows the fire service to control access and smoke penetration in the Southern area serving the parish of Yapton.

The NHS requested £41,957 to assist the creation of a integrated community hub facility at the Croft Medical Centre on Barnham Road in Eastergate to serve the catchment population of this development.

All the contributions/provisions are necessary to make the development acceptable in terms of ALP policy INF SP1, are directly related to the needs of the development (with the contributions required to meet the demands of - and mitigate the impacts of - the development), and are fairly & reasonably related in scale and kind (the level of contributions are/will be calculated in accordance with a formula so as to be proportional to the amount of new development).

These contributions will be secured by a S106 Legal Agreement which is in the process of being completed and as such, there is no conflict with ALP policy INF SP1.

SUMMARY:

This outline application considers the development of this site with 33 residential dwellings. Access is to be as per the existing with some improvements to its width and the junction with North End Road. Other matters regarding design, layout, appearance, scale and landscaping would be the subject of a reserved matters application.

The principle of development on this site is contrary to the policies in the development plan. These policies have reduced weight as the Council are not able to demonstrate an adequate supply of housing land. The proposal represents sustainable development and the NPPF presumption in favour of sustainable development is engaged. It is vital to consider additional sustainable housing developments to contribute to housing land supply and maintain/improve housing delivery rates.

This site was previously considered to be deliverable in the HELAA and is surrounded on three sides by built or committed residential development and is in close proximity to other recent approvals for residential development. The development will not result in harm to character of the countryside. The development would ensure a seamless pedestrian route as an alternative to the use of North End Road.

There is additional conflict with the development plan in respect of the loss of grade 2 agricultural land. The land has not been used for food production for over 40 years and there is no guarantee that it will in the future be used to grow crops. The application is accompanied by a Soil Resource Plan which sets out measures to ensure the valuable soils are retained on the site.

The material considerations set out in this report are such that in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, a decision can be taken other than in accordance with the development plan.

There are not any other issues as highlighted above which warrant a refusal on grounds of principle or access. Matters of design will be considered at reserved matters stage.

The recommendation to approve with conditions is subject to a S.106 agreement which at the time of writing, has not yet been signed. It is requested delegated authority is granted for the approval of

planning permission, to the Group Head of Planning for a decision to be issued once the legal agreement has been signed.

If the Section 106 Legal Agreement is not signed within 4 months, it is agreed that the application shall be refused for the following 4 reasons:

(1) In the absence of a signed Section 106 legal agreement, the development fails to make an adequate contribution towards local infrastructure (education, libraries, healthcare and fire & rescue) and is thereby contrary to the aims and objectives of the National Planning Policy Framework (in particular paragraphs 8 & 72) and policy INF SP1 of the Arun Local Plan.

(2) In the absence of a signed Section 106 legal agreement, the development fails to make any affordable housing provision and is thereby contrary to the aims and objectives of the National Planning Policy Framework (in particular paragraphs 62-64) and policy AH SP2 of the Arun Local Plan.

(3) In the absence of a signed Section 106 legal agreement, the development fails to make a contribution towards local cycling improvements as required and is contrary to the aims and objectives of the National Planning Policy Framework (in particular paragraphs 102 & 108) and policies T SP1 and INF SP1 of the Arun Local Plan.

(4) In the absence of a signed Section 106 legal agreement, the development makes no contribution towards the provision and maintenance of on-site public open space and children's play equipment and is thereby contrary to the aims and objectives of the National Planning Policy Framework (particularly paragraphs 96-101), policy OSR DM1 of the Arun Local Plan and the Council's supplementary planning guidance "Open Space and Recreation Standards".

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

INFORMATIVE: This decision has been granted in conjunction with a Section 106 agreement relating to the following:

AFFORDABLE HOUSING

30% (10 units) of affordable housing (tenure split of 5 x 2 bed & 2 x 3 bed social rented; and 2 x 2 bed and 1 x 3 bed shared ownership).

PUBLIC OPEN SPACE/PLAY

On site public open space (POS) of at least 2534.4m² (based on 33 dwellings) to include an on-site local area play (LAP) facility. This will be subject to one of the following:

- (a) a management plan for the forward maintenance of the POS & LAP which details the management regime and responsibility; or
- (b) where the POS & LAP is to be handed over post practical completion, a maintenance contribution of £13.51 per m².

A play area maintenance contribution of £1500 per annum x 16 years.

WSCC INFRASTRUCTURE CONTRIBUTIONS

The use of a formulaic approach to calculate future contributions to be spent on the following projects:

- (1) Internal alterations and reconfiguration to accommodate additional pupils and increase classroom provision at Yapton C of E Primary School (or its successor);
- (2) Phase 1 of the new secondary school serving Arun;
- (3) Additional facilities at St Phillip Howard Catholic High School Sixth Form;
- (4) Additional stock at Arundel Library; and
- (5) New anti-ventilation and UHP (ultra-high pressure) equipment which allows the fire service to control access and smoke penetration within the Southern area serving the parish of Yapton.

NHS

£41,957 towards the cost of the creation of an integrated community hub at the Croft Medical Centre on Barnham Road in Eastergate to serve the catchment population of this proposed development.

HIGHWAYS

£52,107 to be put towards the implementation of cycling improvements between Barnham and Littlehampton (scheme ID 82).

A provision to state where the developer intends to keep some of the estate roads private, a provision to ensure that they are properly built, never offered for adoption and that a certificate from a suitably qualified professional is provided confirming their construction standard.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 2 years beginning with the date of this permission:-

(a) Layout;
(b) Scale;
(c) Appearance; and
(e) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development permitted shall be begun either before the expiration of 3 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 The development approved shall be carried out in accordance with the following approved plans:

"Site Location Plan" Dwg. 100 Rev P01;
"Visibility Splays at Junction with North End Road" (Figure 4.1 in the Transport Assessment dated 11 July 2018); and
"Tree Constraints Plan" Dwg. LLD1472-ARB-FIG-002 Rev 00.

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

- 4 The preparation and development of the site must be carried out in accordance with the protection and mitigation measures as set out within the submitted Soil Resource Plan by Reading Agricultural Consultants dated November 2019. The soil protection/mitigation measures shall be implemented as per the document and then permanently adhered to throughout the construction process.

Reason: In accordance with Arun Local Plan policy SO DM1 and the National Planning Policy Framework.

- 5 Prior to the commencement of any site clearance or preparation works, a detailed ecological mitigation and enhancement scheme, including timing for implementation, shall be submitted to the Local Planning Authority for approval. The scheme shall be based on the mitigation and enhancement details set out in sections 7.0 and 8.0 of the Preliminary Ecological Appraisal by Lizard Landscapes ref LLD1472 Rev 00 (July 2018) and on the comments/recommendations of the Councils Ecologist as set in the published comment dated 16/10/19. The development shall then be carried out in full accordance with the approved scheme and timetable with no deviation other than with the written approval of the Local Planning Authority.

Reason: To ensure adequate protection and enhancement of protected wildlife species and their habitats in accordance with the guidance within the NPPF and policy ENV DM5 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the commencement of development could result in harm to wildlife species including those already identified by the Council.

- 6 No development shall commence until the vehicular access serving the development has been provided constructed in accordance with the approved planning drawing "Visibility Splays at Junction with North End Road" (Figure 4.1 in the Transport Assessment dated 11 July 2018).

Reason: To secure satisfactory standards of access for the proposed development in accordance with policies D DM1 and T SP1 of the Arun Local Plan and paragraphs 108-110 of the NPPF. This is required to be a pre-commencement condition because it is necessary to have the access road in place prior to access by construction traffic.

- 7 No development shall take place, including any works of demolition, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with West Sussex County Council, Highways England and the Councils Environmental Health Officers). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- An indicative programme for carrying out of the works,
- Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s),
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination,
- Measures to control the emission of dust and dirt during construction,
- A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenity of nearby residents & occupiers of any nearby noise sensitive premises, the general amenities of the area, in the interests of highway safety and in particular the free flow of the A27 Trunk Road in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

- 8 Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To ensure that the development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. It is necessary for this to be a pre-commencement condition because it would not be possible to implement a foul drainage scheme once development had been completed.

- 9 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference

for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 10 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 11 No development shall commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun Local Plan Policy HER DM6. This is required to be a pre-commencement condition because it would not be possible to carry out a survey once construction work had commenced.

- 12 Prior to the occupation of 17 dwellings within the development, the improvement works at the A27 / Yapton Lane junction shall be completed and open to the travelling public as shown on i-Transport's drawing number ITB11324-GA-014 Revision C "Proposed extension to A27 Yapton Lane right turn" dated 30/8/17 (available on the Council's website within the Highways England consultation response).

Reason: To ensure the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

- 13 No part of the development shall be first occupied until visibility splays of 2.4m by 43m have been provided at the proposed site vehicular access onto North End Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6m above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with policies T DM1 and T SP1 of the Arun Local Plan.

- 14 Prior to the occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

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 QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework.

- 15 Prior to the occupation of any part of the development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1 and Yapton Neighbourhood Plan policy BE1.

- 16 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall be maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 17 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, in accordance with policy ECC SP2 of the Arun Local Plan.

- 18 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed.

Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.

Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended and in accordance with policy ENV DM5 of the Arun Local Plan.

- 19 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 20 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy QE DM4 of the Arun Local Plan.

- 21 The landscape details referred to in Condition 1 shall include details of all existing trees and hedgerows on the land indicating which are to be retained and which removed. Development shall be carried out in accordance with the approved details. No hedge or tree shall be felled, uprooted or otherwise removed before, during or after the construction period except where removal is indicated on a plan approved by the local planning authority.

Reason: In the interest of amenity and the quality of the environment of the development in accordance with policies D DM1 and ENV DM4 of the Arun Local Plan.

- 22 The landscape details referred to in Condition 1 shall include full details of the position, design, materials, height and type of boundary treatments to be provided. The boundary treatments shall be provided to each dwelling before the dwelling is occupied or in accordance with the approved phasing plan. Development shall be carried out in accordance with the approved details and permanently retained in a useable condition thereafter.

Reason: In the interest of amenity and the quality of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

- 23 The landscape details referred to in Condition 1 shall include a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas other than privately owned domestic gardens. The landscape management plan shall be implemented in accordance with the approved details.

Reason: In the interest of amenity and the quality of the environment of the development in accordance with policies D DM1 and LAN DM1 of the Arun Local Plan.

- 24 As part of the approval of the reserved matters application, the applicant shall include details of security measures to the development layout and to buildings and boundary treatments in accordance with the consultation advice of Sussex Police available on the Councils website. The details to be submitted shall include siting, design and appearance of any measures as well as associated technical details. The approved measures shall then be implemented in full and permanently retained and maintained in good working order.

Reason: In the interests of crime prevention and deterrence and in accordance with policy D DM1 of the Arun Local Plan.

- 25 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to condition 1 shall ensure that 25% of any 1, 2 or 3 bed dwellings included as part of the development are delivered to Lifetime Home Standards (or the equivalent current standard).

Reason: To ensure that part of the development allows for residents to remain in their own homes over the course of their lifetime in accordance with policy H3 of the Yapton Neighbourhood Plan.

- 26 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan.

- 27 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 28 INFORMATIVE: The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.

- 29 INFORMATIVE: The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

- 30 INFORMATIVE: This decision is granted in conjunction with a Section 106 agreement relating to the following provisions:

AFFORDABLE HOUSING

30% (10 units) of affordable housing (tenure split of 5 x 2 bed & 2 x 3 bed social rented; and 2 x 2 bed and 1 x 3 bed shared ownership).

PUBLIC OPEN SPACE/PLAY

On site public open space (POS) of at least 2534.4m² (based on 33 dwellings) to include an on-site local area play (LAP) facility. This will be subject to one of the following:

- (a) a management plan for the forward maintenance of the POS & LAP which details the management regime and responsibility; or
- (b) where the POS & LAP is to be handed over post practical completion, a maintenance contribution of £13.51 per m².

Also, a play area maintenance contribution of £1500 per annum x 16 years.

WSCC INFRASTRUCTURE CONTRIBUTIONS

The use of a formulaic approach to calculate the future contributions to be spent on the following projects:

- (1) on internal alterations and reconfiguration to accommodate additional pupils and increase classroom provision at Yapton C of E Primary School (or its successor);
- (2) on phase 1 of the new secondary school serving Arun;
- (3) on additional facilities at St Phillip Howard Catholic High School Sixth Form;
- (4) on additional stock at Arundel Library; and
- (5) on new anti-ventilation and UHP (ultra-high pressure) equipment which allows the fire service to control access and smoke penetration within the Southern area serving the parish of Yapton.

NHS

A contribution of £41,957 towards the cost of the creation of a new integrated community hub facility at the Croft Medical Centre on Barnham Road in Eastergate to serve the catchment population of this proposed development.

HIGHWAYS

£52,107 towards the implementation of cycling improvements between Barnham and Littlehampton (scheme ID 82).

A provision to state that where the developer intends to keep some of the estate roads private, a provision to ensure that they are properly built, never offered for adoption and that a certificate from a suitably qualified professional is provided confirming their construction standard.

31 **INFORMATIVE:** A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the SW New Connections Services Charging Arrangements documents which is available to read on the SW website via the following link

<https://beta.southernwater.co.uk/infrastructurecharges>.

- 32 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.
- 33 INFORMATIVE: If during construction works, it becomes apparent that implementation cannot be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.
- 34 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on 01903 737555.
- 35 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A 'Statutory Nuisance' may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.
- 36 INFORMATIVE: In accordance with H2 of the Yapton Neighbourhood Plan & H DM1 of the Arun Local Plan, there is a requirement that the reserved matters submission conform to the following range of dwellings: 1-bed dwellings: 10-15% of all dwellings; 2-bed dwellings: 25-35% of all dwellings; 3-bed dwellings: 45-55% of all dwellings; and 4+-bed dwellings: 5-10% of all dwellings. This mix will take precedence over any suggested housing mix in the Section 106 Legal Agreement.
- 37 INFORMATIVE: The reserved matters submission shall include details of how pedestrian and cycle access is to be achieved into the adjoining development sites to the north and south.