

PLANNING APPLICATION REPORT

REF NO: BE/1/23/RES

LOCATION: Nursery Fields
Land North of Chalcraft Lane
Bersted

PROPOSAL: Approval of reserved matters following BE/148/20/OUT for 225 No dwellings. This site affects a Public Right of Way and falls within Strategic Site SD3 CIL Zone 1 (Zero Rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks approval of reserved matters (layout, landscaping, scale and appearance,) following the approval of the Outline application BE/148/20/OUT . This development affects a Public Right of Way and falls within Strategic Site SD3 CIL Zone (Zero Rate).

The Outline Application was allowed on Appeal for 225 residential units, associated infrastructure, open space, vehicular and pedestrian access at Nursery Fields. The Appeal Decision, reference APP/C3810/W/21/3275040, issued on 8th April 2022, included a Schedule of Conditions and made reference to the fact that whilst the development affected a public right of way that did not relate to the development of the site itself, reference to it was deleted from the description of development (paragraph 3). The Decision is also subject to a Planning Obligation by way of a Unilateral Undertaking pursuant to Section 106 of the Town and Country Planning Act 1990.

This Reserved Matters application is accompanied by plans relating to Storey Heights, Tenure, Parking, Refuse Strategy, Fire Strategy, Materials, Open Space Proposals, Landscape Proposals, Junction Arrangements, Engineering and Drainage details, Housing and Garage Types - Elevations and Plan, and Street Sections.

Supporting Statements include a Planning Statement Design and Access Statement, Heritage Statement, Transport Statement, Transport PROW Improvement Note; Drainage Statement, Arboricultural Impact Assessment (AIA) and Method Statement, Noise Impact Assessment, Schedule of Accommodation, Soft Landscape Management and Maintenance Plan, Soft Landscape Specifications and Biodiversity Net Gain Assessment.

Updated Information was submitted by the applicant in response to comments made by the Housing Officer, Drainage, WSCC ProW, Highways and Case Officer. The changes included reallocation of affordable housing across the site, some design amendments to provide an entrance statement and wayfinding to assist with legibility including moving through to the adjacent site to the north that falls under the same policy designation roofscape interest and reduce the dominance of the car where practicable. The play areas within the scheme were also reviewed and updated play equipment provided.

As a package of information, this Reserved Matters Application seeks to reflect the Inspector's findings and the decision to grant Outline Planning Permission. The determining Inspector confined the decision to access and the details shown in drawing no. ITV14224-GA-009 Rev B relating to the proposed junction with Chalcraft Lane and the proposed road into the south western portion of the site. Conditions were imposed with this in mind.

The access approved under the Outline Application is also intended to serve the development of the current Chalcraft Nursery site, approved for Outline Planning Permission under reference BE/81/20/OUT for 20 residential dwellings, 2,240 sqm of commercial space (Use Class A1, B1(b), B1(c) and B8 with landscape, access, parking and associated infrastructure. This application is also the subject of a Section 106 Planning Agreement. The approved 'access' plans indicate that the existing entrance serving Chalcraft Nursery would be occupied by 2 no. dwellings with two new access points provided off the 'access' approved under BE/148/20/OUT between Chalcraft Nursery and the cemetery.

This Reserved Matters application builds upon the 'illustrative' and 'indicative' drawings provided at the Outline stage. Full detailed plans are provided to include a range of single storey, two-storey and two-and-a-half storey dwellings arranged as either detached, semi-detached or terraces of three and four units as well as Flats over Garages (FoGs). Affordable Housing is provided in accordance with policy requirements and the S106 Agreement as well as the appropriate percentage of Self Build serviced plots (subject to a Deed of Variation to the S106 Planning Agreement).

The development provides an internal movement network for vehicles, pedestrians and cyclists taking advantage of the existing Public Rights of Way Network. It also includes provision for a future connection to the adjacent site that is currently being considered under Outline Planning Application reference BE/134/22/OUT which also includes a north-south link road.

Infrastructure including surface water drainage and foul sewerage disposal has been revised to take account of the amendments to the layout. The quantum of public open space and play space including LAPS's, LEAP's and NEAP's complies with the requirements for a development of this scale and the provisions of the S106 Planning Agreement pursuant to the Outline permission granted. The level of detail in terms of the proposed planted areas, planting schedule and tree protection measures are also considered to be suitable.

SITE AREA	13.46 hectares
RESIDENTIAL DEVELOPMENT DENSITY	16.6 dwellings per hectare
TOPOGRAPHY	The southern third of the site is predominantly flat with levels varying by only about 0.5m. The northern two thirds of the site gently slope northwards with levels varying by up to 2.5m between the bottom and top parts of this section. There are ditches bordering the three parcels of land.
TREES	<p>The site consists of three parcels of land which are bounded by hedgerows and trees.</p> <p>There is a blanket Tree Preservation Order (TPO) across the entire Strategic Site identified under Policy SD3 West Bersted, reference TPO/BE/3/20. This includes some notable trees such as:</p> <p>T1 Oak on southern boundary with Chalcroft Nurseries site Cluster of Oaks (T2, T3, T4) on edge of PRow 136 T5 Ash on eastern boundary of western parcel T6 Oak in northern corner of western parcel T7, T8 and T9 along eastern boundary of site</p> <p>And on the adjacent Chalcroft Nurseries site: T1 Pedunculate Oak on northern boundary with Nursery Fields T2 Pedunculate Oak on western boundary with Nursery Fields</p>
BOUNDARY TREATMENT	Bounded by trees, hedgerows, ditches and some post and wire fencing. In certain locations, the ditches/boundaries are crossed by Public Footpaths as noted in the Public Right of Way (PRow) mapping.
SITE CHARACTERISTICS	<p>The site comprises three parcels of agricultural land known as 'Nursery Fields', which are contained by trees, hedgerows, ditches and some fencing. There is an existing agricultural access from Tara Perry Close. Part of the site comprises Grade 2 Best and Most Versatile agricultural land.</p> <p>The site borders and wraps around the north and west of the Chalcroft Nurseries (horticultural nursery) site, and is located to the west of Chalcraft Lane, Bersted.</p> <p>There are a number of TPOs on the site as well as adjoining it.</p>

PRoW 136 path passes through the centre of the site with PRoW 137 passing to the west of the site and PRoW 134 passing to the north of the site. PRoW 136 and 137 merge with PRoW 134 providing an east-west pedestrian route between the Chichester Road (B2259) to the east and the Lower Bognor Road (B2166) to the west.

The site is within Flood Zone 1 (low risk) but experiences ground water flooding and pooling during winter months and during periods of sustained and heavy rainfall.

The site is within an Archaeological Notification Area for an Iron Age, Roman and Medieval Settlement Site at Bersted.

The site is within the Built-Up Area Boundary, and forms part of a wider strategic allocation, Policy H SP1 and SP1a, SD3 - West of Bersted, which was allocated in the Arun Local Plan for at least 2,500 new dwellings, education, healthcare, community, employment and commercial uses, and open space. Although separated by field boundaries and ditches, the undeveloped landscape is read and experienced as a large expanse of agricultural/horticultural land.

CHARACTER OF LOCALITY

The site is located to the west of Bersted, on the northern outskirts of Bognor Regis. The land to the immediate north, west and south west of the site is agricultural in nature. To the immediate north is a parcel of land off New Barn Lane which has been built out and now provides 99 dwellings approved under references BE/29/19/PL & BE/37/19/PL - Linden Homes. A further site for 50 dwellings is well advanced and nearing completion by Bellway Homes under references BE/77/16/OUT, BE/40/18/PL and BE/103/19/RES, on the north-eastern boundary of the site and south side of New Barn Lane. There is also a mobile phone mast enclosure on this boundary.

Also located to the north is an area of playing fields known as Jubilee Recreation Ground and Bersted Community Centre which are accessed off Chalcraft Lane and then Tara Perry Close. Bersted Parish Council Offices, a carpark and childrens' play area are also located in this area. PRoW 136 leads from Chalcraft Lane crossing through Tara Perry Close to the application site with Chalcraft Nurseries (horticultural nursery) located to the immediately to the southeast. The site wraps around the boundaries of Chalcraft Nursery with Chalcraft Lane Cemetery forming the south and south-western boundary with the strip of land accommodating the access road approved junction with Chalcraft Lane. As noted, this approved access would serve the application site as well as the development approved on the Chalcraft Nursery site.

Beyond the application site and aside from the Chalcraft

Nursery site, land in the immediate vicinity to the southern part of the area (northern and southern parts of Chalcraft Lane) are predominantly residential in nature including a Care Home, with development ranging from single storey to two storeys, with some rooms in the roof.

The wider area to the south and east of the site is built up in nature. Bognor Regis town centre and railway station are located approximately 2km to the southeast of the site.

The nearest statutory designation to the site is the Bognor Reef Site of Special Scientific Interest (SSSI) located approximately 2km to the south of the site. The Solent and Dorset Coast Special Protection Area (SPA) is also located approximately 2km to the south of the site. The Pagham Harbour Ramsar/SPA/SSSI is located approximately 5km to the southwest of the site.

RELEVANT SITE HISTORY

BE/81/20/OUT	Outline application with all matters, except for access, reserved for the development of up to 20 residential dwellings, 2,240 sqm of commercial space (Use Class A1, B1(b) B1(c) and B8), landscaping, access, parking and associated infrastructure.	App Cond with S106 23-03-21
BE/37/19/PL	Erection of 99 No. dwellings together with landscaping, open space & associated works. Access to be taken from New Barn Lane (alternative scheme to BE/29/19/PL).	App Cond with S106 23-08-19
BE/29/19/PL	Erection of 99 No. dwellings together with landscaping, open space & associated works. Access to be taken from New Barn Lane.	App Cond with S106 23-08-19
BE/18/17/PL	Variation of condition 3 for approved plans & 23 for vehicular access imposed under BE/142/15/OUT. This application is a Departure from the Development Plan.	App Cond with S106 05-05-17
BE/148/20/OUT	Outline application with all matters, except for site access, reserved for the development of up to 225 residential units with associated infrastructure, open space and vehicular and pedestrian access. This application affects a Public Right of Way.	Refused 01-04-21

Appeal: Allowed+Conditions

BE/113/17/RES Approval of reserved matters following outline consent ApproveConditionally
BE/18/17/PL for appearance, landscaping, layout & scale 12-12-17
for a mix of up to 90No. residential units, associated
open space, landscaping, access & car parking

REPRESENTATIONS

BERSTED PARISH COUNCIL - OBJECTION (16.02.2023 and 08.03.2023):

Members require the provision of a green buffer at certain points including between proposed plots 75 - 84 and existing properties. Development has been proposed in line with the approved parameters plan and gardens have been positioned to the east of the properties to maximise the back-to-back distances between existing and proposed development.

08.03.2023: Comment further, to previous comments and the objection raised:

- Would like to see hedge planting and trees as part of a buffer between plots 75 to 84 that back onto nos. 48 to 68 Chalcraft Lane to integrate with the surroundings.
- Even up the distribution of green/open spaces on this part of the site giving the site a rural feeling of space for walking, cycling and dog walking.

THIRD PARTIES: OBJECTIONS

10 objections were received raising the following points:

- Loss of seclusion and peace of an area of remembrance
- Harm to character of site and wider area, due to impact on landscape and highways
- Greenbelt affected between Pagham and Bersted Brooks
- Additional homes not required with more housing meaning more traffic and queuing
- Traffic Gridlock on routes into Bognor including the A259, roads at capacity and cannot accommodate additional housing
- The 'simple' priority junction for the access to the site is totally inadequate and dangerous for this type of development. Traffic exiting the site will not be able to turn right safely due to high vehicle volumes in Chalcraft Lane
- Cycle path to Chichester could do with an upgrade
- The form of development and its location are not sustainable
- Impact on water quality and sewage system cannot cope
- Flooding has increased since the last development just finished in North Bersted
- Increased pollution - noise, dust, light
- Ecological impact and loss of wildlife and habitats
- Loss of arable / food producing land
- Lack of services - Hospitals, GPs, NHS Dentists, School Places,
- Increase in crime
- Important area for dog walkers and hikers
- Developer back tracking. Contradictory information between the initial application BE/148/20/OUT in respect of construction and operational impacts (noise, dust, light, water quality) would last for 5 years with some impacts being permanent.
- Need adequate landscape buffers as per outline
- Lack of privacy between back gardens
- Mitigation for existing residents?

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted and addressed in full in the Conclusions section of this report. In addition, Officer comments as follows:

LOSS OF GREEN BELT - Officer comment: Although this is a greenfield site, it is not located within the Green Belt nor does it carry any national landscape designations. It has been allocated for development as part of Strategic Allocation under Policy SD3 within the adopted Arun Local Plan 2011-2031 and falls within the defined Built-Up Area Boundary as indicated in the Arun Local Plan.

LOSS OF AGRICULTURAL LAND - Matters relating to the loss of agricultural land were considered when the site was allocated in the Arun Local Plan. The issue of loss of agricultural land was also considered at the Outline application stage.

PRINCIPLE OF THE DEVELOPMENT FOR RESIDENTIAL PURPOSES - The principle of the development of the site for residential purposes has already been established by its designation under Policy SD3 of the adopted Arun Local Plan 2011-2031 and the grant of Outline Planning Permission on Appeal. The site also falls within the Built-Up Area Boundary as indicated in the Arun Local Plan.

RESIDENTIAL AMENITIES - All existing residential amenity matters were taken into account by the Planning Inspectorate in the decision to allow the appeal. The residential amenities of the proposed new dwellings in terms of private residential amenity, privacy and outlook will be assessed under this Reserved Matters Application.

LANDSCAPE BUFFERS - The landscaping scheme has been revised to take account of comments received.

HIGHWAY MATTERS - The Planning Inspector, in allowing the Appeal, took account of all representations regarding traffic generation, road and junction capacity, pedestrian safety, public footpaths and connectivity, parking provision. The S106 Planning Agreement sets out the contributions required in respect of transport and highways and imposed further controls through conditions.

CONDITIONS TO CONTROL THE DEVELOPMENT - The Planning Inspector, in allowing the Appeal, imposed a number of conditions to control the development. It is only in exceptional circumstances that conditions would be recommended.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC AFFORDABLE HOUSING (31.05.2023, 12.06.2023 and 28.06.2023)

The Housing Officer raised no objection to affordable housing provision but did raise concerns in an email of 31.05.2023 in relation to the unit mix, lack of 1-bedroom units, and clustering of Affordable Housing across the site referring to planning policy.

12.06.2023: The applicant amended the layout and location of affordable housing in response to the comments. The Housing Officer recognised this is a small improvement but would welcome more 1 bed units, as supported by Policy HDM1.

28.06.2023: The Housing Officer referring to the policy for the preferred range of homes and remains of

the view that smaller units should be provided. The applicant made changes to include 2 more 1 bed units.

Case Officer response: This is reviewed in the Housing section below and the planning balance.

ADC CONSERVATION OFFICER: NO OBJECTION (16.03.2023)

The application Site is situated beyond the Bersted CA and Listed Morells Farmhouse, it is screened from view by the mature vegetation and buildings within the farmstead as well as the intervening field boundaries. As a result no impacts to the setting or harm to the overall significance of heritage assets in the site vicinity will result.

ADC DRAINAGE ENGINEER:Holding Objection (12.06.2023):

Flood Risk Assessment and Drainage Strategy do not meet detailed design requirements to avoid conditions being applied. If minded to approve, the FRA should not be listed or any of its appendices as approved plans.

To overcome the 'Holding Objection' additional information is requested to assess the drainage and flood risk attenuation proposals on the site.

The Applicant provided additional information provided as high-level review of the drainage information to inform the later detailed design. Comments were provided with no action required at this stage.

Officer Note: The Outline Permission included conditions (12-14 and 20) in relation to relation to approval of details for drainage and foul water. The Applicant has provided a Drainage Strategy Response and amended plans. Further consultation responses are awaited and the issues including the need for additional conditions.

ADC ECOLOGY (Essex Ecology): NO OBJECTION (11.06.2023)

No objection subject to securing biodiversity mitigation and enhancement measures - conditions to be applied to landscape strategy to secure BNG.

ADC ENVIRONMENTAL HEALTH: NO OBJECTION (22.05.2023)

Environmental Health has no further comments, and therefore has no objection to this planning application.

ADC LEISURE AND GREEN SPACE: RECOMMEND PART APPROVAL (27.04.2023)

Recommend Approval of the soft landscaping details

Notes that the landscape details has been submitted within the Coloured Site Layout 221001/SL09 which includes details of the location of LEAP, NEAP, 2 no. LAPs, POS areas, SuDS features and Community Orchard.

Details for NEAPS, LEAPS and LAPS and open space furniture require amendments to be resubmitted for approval.

The Applicant has submitted updated plans for the play areas for consideration of the Green Space Team, with a view to removing the objection to the play area equipment. (Schedule 3 of the s106 Legal Agreement). An update will be reported to the Committee.

ADC TREE OFFICER: No comments provided. The Outline permission included Condition 18, the condition required the submission and approval of the Arboricultural Impact Assessment and measures

to protect retained trees on the site.

NATURAL ENGLAND: NO COMMENTS (09.06.2023)

No comments to make on the reserved matters case. Natural England has not assessed this application or impacts on protected species and refers to Standing Advice. The lack of comment does not imply 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. It is for the local authority to consider

SOUTHERN WATER: NO OBJECTIONS (21.03.2023)

No objections to the reserved matters application for access, appearance, landscaping, layout and scale.

SUSSEX NHS COMMISSIONER: COMMENTS AWAITED

No comments received, provision within the s106 for £33,953.37 (Index Linked) towards additional resources for policing within the vicinity.

SUSSEX POLICE (SECURED BY DESIGN): NO OBJECTION (28.02.2023)

No objection on design grounds raised, provision within the s106 for £259,522 (Index Linked) towards expansion. Design specific advice made in relation to application scheme design.

WSCC EDUCATION:

No formal comments received. Provision within the s106 Planning Agreement for contributions toward Early Years Nursery places and land costs; Primary School places and land costs; Secondary School places; Sixth Form Places and SENDs including land costs contributions. All sums are Index Linked.

WSCC FIRE AND RESCUE: NO OBJECTION (28.02.2023)

Recommends a planning condition is imposed for the provision of fire safety hydrants to ensure dwellings are within 150m of a fire hydrant for the supply of water for firefighting.

Evidence also required that Fire Service vehicle access meets the requirements identified in Approval Document B Volume 1 2019 Edition: B5 Section 13, including Table 13.1 and diagram 13.1.

The s106 Planning Agreement includes contributions toward Fire and Rescue capacity and infrastructure.

WSCC HIGHWAYS: NO OBJECTION / ADDITIONAL INFORMATION REQUIRED (09.03.2023)

Provision within the existing s106 towards highways mitigation works in the vicinity. Acknowledges that outline planning permission has been approved and this application seeks approval for outstanding matters.

The following comments have been made in relation to the layout of the proposal:

- Given the possibility for a bus servicing routing through the site and into the neighbouring development given the 6.3m width of the carriageway. Whilst, there is no certainty that this link would ever be provided, tracking should be provided to demonstrate that the layout can accommodate a bus service.
- There seems to be no reason why the access road between plots 28 and 29 could not be linked up and provided as a through road.
- It is not apparent why the access road between plots 60 and 65 was not provided as a through road, this would remove the need for a turning head.
- The layout between plots 129 and 140 would prevent a road link, but a footpath should still be provided as in its absence it is not possible to walk between these properties without crossing the landscaped

area.

- The branches from the active travel corridor between plots 1-5 (which link with the 3 metre wide shared surface route leading to Chalcraft Lane) and northwards past plots 29-31 should be widened to be consistent with the main east-west corridor. Likewise, the branch of the active travel corridor that runs outwards past plot 100 to Tara Perry Way should be widened. A consistent width would make the active travel route more legible for users.
- The active travel route should also be extended northwards past plots 29-31 rather than terminating outside plot 42.

Travel Plan

A Travel Plan has been submitted as part of the current application. The requirement to submit a travel plan is covered by a condition on the outline planning application that would be the subject of a separate discharge of condition application. The Travel Plan has not been reviewed.

ADDITIONAL COMMENTS: (12.05.2023)

Further information has been submitted in the form of a Transport Assessment Addendum dated 3rd May 2023. Whilst this includes a number of updated drawings, the highway layout otherwise appears identical to that originally commented upon by WSCC Highways (on the 8th March 2023). Those comments remain applicable. No further comments would be offered in connection with the TAA.

WSCC LEAD LOCAL FLOOD AUTHORITY: OBJECTION (21.03.2023 and 18/07/2023)

Following a review of the information submitted, including the Drainage Statement prepared by Abley Letchford Partnership (Document Reference: PLN-1-4104 (A437- R001), 20th December 2022), the application is not in accordance with NPPF Paragraph 167 and 169, WSCC LLFA SuDS Policies and Policy W DM Flood risk in the Arun Local Plan 2011-2031 (July 2018).

The applicant supplied updated SuDS and drainage drawings to address the concerns raised.

Officer Note: The Outline Permission included conditions (12-14 and 20) in relation to relation to approval of details for drainage and foul water. The Applicant has provided a Drainage Strategy Response and amended plans. Further consultation responses are awaited and the issues including the need for additional conditions. In any event, a number of these issues would require agreement through the discharge of condition process.

WSCC PUBLIC RIGHTS OF WAY:

No comments received. The s106 Planning Agreement includes provision for a scheme for phased improvement of Public Rights of Way including a section of FP136.

WSCC INFRASTRUCTURE TEAM: NO COMMENTS MADE

Contributions agreed as part of the s106 Monetary Contributions / IDP.

ADC ECOLOGY - Condition 15 imposed on the grant of the Outline Planning Permission BE/148/20/OUT refers to the respect of biodiversity, mitigation and enhancement.

ADC DRAINAGE ENGINEER - A number of planning conditions are included as part of the grant of Outline Planning Permission BE/148/20/OUT allowed on appeal including details of phasing

WSCC FIRE AND RESCUE - Condition 16 has been imposed to the grant of the Outline Planning Permission BE/148/20/OUT requiring details of a scheme showing of the position of fire hydrants for the

supply of water for the firefighting.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and considered under Conclusions section of this report.

POLICY CONTEXT

Designation applicable to site:

Strategic Housing Allocation - West of Bersted (SD3)

Built-Up Area Boundary Bersted Neighbourhood Plan

Grade 2 (very good quality) Agricultural Land

Morells Farmhouse (Grade II listed) to north west of site separated by Morells farmland Archaeological Notification Area

Provisional Tree Protection Orders (TPOs) Pagham Harbour Zone B

CIL Zone 1 (Zero Rated)

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

AHSP2	AH SP2 Affordable Housing
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ENVSP1	ENV SP1 Natural Environment
HDM1	H DM1 Housing mix
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
HSP1	HSP1 Housing allocation the housing requirement
HWBSP1	HWB SP1 Health and Wellbeing
LANDM1	LAN DM1 Protection of landscape character
QESP1	QE SP1 Quality of the Environment
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development

<u>Bersted Neighbourhood Plan 2014 Policy ES1</u>	Design of new development
Bersted Neighbourhood Plan 2014 Policy ES2	Surface water management
Bersted Neighbourhood Plan 2014 Policy ES4	Buildings and structures of character
Bersted Neighbourhood Plan 2014 Policy ES5	Building design
Bersted Neighbourhood Plan 2014 Policy ES6	Protection of trees
Bersted Neighbourhood Plan 2014 Policy GA1	Pedestrian and Cycle Connections
Bersted Neighbourhood Plan 2014 Policy HDQ2	Integration of new housing
Bersted Neighbourhood Plan 2014 Policy HDQ4	Housing mix
Bersted Neighbourhood Plan 2014 Policy HDQ5	Design of new housing development
Bersted Neighbourhood Plan 2014 Policy HDQ7	Attention to detail

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

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

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLEASE ENSURE THAT THIS TEXT IS RELEVANT TO THE DEVELOPMENT BEING PROPOSED.

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 complies/conflicts with relevant Development Plan policies in that

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

BACKGROUND:

The application follows an appeal in respect of application reference BE/148/20/OUT (APP/C3810/W/21/3275040) which was allowed in April 2022. Outline planning permission was therefore granted for up to 225 residential units, establishing the principle of the development of the site. Although the description of the development referred to associated infrastructure, open space and vehicular and pedestrian access, apart from 'Access' all matters were 'reserved'.

Within the appeal decision the Inspector gave a number of pertinent comments that have relevance to the 'reserved' matters, summarised below:

Access and Infrastructure

- 'Access' goes much further than the details shown on Drawing ITB14224-GA-009 Rev B which relates to the proposed junction with Chalcraft Lane and the proposed road into the southwestern portion of the site.

- Information contained within the 'parameters plan'; "Land Use and Access Parameters Plan" is effectively replicated in the Planning Obligation but entitled "Plan 2 S106 Access Road Phasing Plan" that contains additional information considered pertinent to the outline decision.

- The site forms part of one of three planned urban extensions to Greater Bognor Regis in the Arun Local Plan, as designated "SD3 West of Bersted" which is intended to provide 2,500 dwellings over the plan period up to 2031.

- Policy H SP2 is a general policy setting out the approach to the strategic allocations, includes key requirements that developments provide for the required infrastructure that relates to that particular allocation, in accordance with Policy INF SP1 and the Infrastructure Delivery Plan, and enables strategic District wide infrastructure to be delivered at strategic sites if the location is appropriate for the District.

- Policy H SP2a states that SD3 will need to meet key design and infrastructure requirements including, insofar as relevant to this appeal: a Community Hub for shops, health care and library, and improvements to the A259 between Bersted and Drayton (essentially the single carriageway section of this road between Bognor Regis and a section of dual-carriageway leading to the Chichester by-pass to the north). The Community Hub facilities would be accommodated in two hubs in the north and south areas of the main part of the SD3 allocation outside the appeal site.

- Policy INF SP1 explains how planning obligations and financial contributions would be used to provide off-site infrastructure to mitigate development impacts.

- The proposal represents sustainable development, and that safe and suitable access to, from and within the site for all users can be provided.

- The provision of the 'Spine Road' under Policy H SP2a SD3 is an integral part of the site allocation as a whole; all development within the wider site would benefit from its provision

- Contributions to the 'Spine Road' and other road / junction improvements are on a proportionate basis.

- The provision for an area of land in the north-western part of the site adjacent to the boundary with the remainder of the SD3 allocation to allow for an access through to that site, facilitating direct access between the two sites is a necessary part of this proposal.

- Appropriate conditions were imposed to further control the development

- The S106 Planning Agreement sets out the contributions toward infrastructure improvements, road improvements, Public Rights of Way improvements, community facilities, education, health, affordable housing.

MATERIAL CONSIDERATIONS

1.1 Principle of development

This application seeks approval of reserved matters following grant of outline planning permission under reference BE/148/20/OUT, granted on Appeal 8th April 2022. Therefore, the principle of development has already been established and only the reserved matters are to be considered in the assessment of this application.

Policy H SP2 (ALP) requires development proposals within the Strategic Site Allocations to be comprehensively planned and have regard to a master plan endorsed by the Council. Policy H SP2 sets

out a 17-point criteria (a-q) for the design and infrastructure requirements for Strategic Site allocations.

The West of Bersted (WEB) Framework Masterplan was endorsed by the Council in September 2020 and provides high level development principles for the Strategic allocation which have been endorsed by the Council. Policy H SP2a (SD3 - West of Bersted) sets out a 10-point criteria which details key design and infrastructure requirements for that particular Strategic Allocation.

The main issues in the determination of this 'reserved' matters application are as follows:

- Whether the proposed development for this site supports place-making objectives and allows for the entire strategic allocation site to be comprehensively planned and to accord with the endorsed Masterplan and associated design principles.
- Delivery of required infrastructure provision including affordable housing provision.
- Acceptability of the proposed scheme in respect of drainage, trees, ecology, landscape, visual and residential amenity.
- Impact of the proposals on the Integrity of a European protected site (Pagham Harbour SPA/Ramsar).

These matters are considered in detail under the sub headings below:

1.2 DESIGN: LAYOUT, APPEARANCE AND SCALE:

General

The approved outline permission included reference to an indicative masterplan layout. The detail within the Reserved Matters proposed layout must reference and build upon this, any major diversion from it must be justified by the applicant.

The following sections in this report consider the proposals against these development criteria, the endorsed Framework Masterplan and Policies H SP2a (SD3 - West of Bersted), D DM1 (Aspects of form and design quality) and D SP1 Design of the Arun Local Plan. The requirement for high quality development and the promotion of local distinctiveness is addressed further in the Arun District Design Guide (2021) (ADG).

The ADG requires buildings and spaces be carefully arranged and take priority over roads and car parking so that highways do not dominate. New development should respond to the surrounding pattern of buildings in terms of building sizes, block sizes and patterns of plot division in order to create a natural extension to existing built up area. Open spaces should be clearly integrated in the scheme and be safe and accessible for all users. New development must ensure the existing character and sense of place of an area is respected and enhanced.

National policy considerations are contained in the NPPF, Chapter 12 as well as the National Design Guide which refers to both how developments are considered contextually and from within.

The NPPF and other supporting national guidance emphasises high quality design, respecting character, creating a sense of place, safety, accessibility, inclusivity and striving for beauty. It states, "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes."

As with the Local Plan and District Design Guide, there is a strong emphasis on positive place-making and a sense of place; promoting local distinctiveness including through architectural forms, features, details and materials, and sustainable development not only in terms of location but also fabric and sourcing materials

Design in its broadest sense also considers how places function and promotes a holistic approach to the creation of quality places where people want to live and where homes should be provided. This intention is reflected in criteria a - m of Policy H SP2 of the Arun Local Plan.

The proposed layout of the development is influenced by the Framework Masterplan and the approved Outline Application Illustrative Masterplan. Whilst the fundamentals remain grounded in the Framework Masterplan and the decision of the Planning Inspector, the scheme has clearly progressed between the Outline and Reserved Matters detailed stage. The Outline Illustrative masterplan provided an indication of how the site could be developed and the fact that it was capable of accommodating up to 225 residential units.

The key features of the proposed layout include:

- A clear street order with a main 'avenue' into and across the site that serves the new residential dwellings and connects with the adjacent strategic development site on the northern boundary. From the main road spine are connecting drives with loop road forms that provide clear structural form to the residential development.
- A network footpath/cycle route with connections to the PRoW /local cycle network are provided across the site with links to the Jubilee Fields to the north-east, Chalcroft Lane to the south and the wider strategic area to the north and west. Footpath FP126 runs north-south across the site and will be retained and enhanced, footpath 137 is located on the western boundary and will be linked to the adjoining newly created open space as will footpath FP134 just beyond the retained hedgerows to the northern edge of the site.
- The proposed residential streets will have a logic layout with clear primary and secondary road hierarchy and residential development blocks with strong frontages and traditional building patterns. The built form will be predominantly 2-storey with some 2.5-storey elements introduced to add variety to the street and roof-scape.
- A overall site layout is influenced and determined by existing field patterns and landscape features that are retained including field margins.
- The open spaces within the development are located along the site boundaries and contained by trees and hedgerows and footpath routes surrounding each original fields, they open spaces are connected via existing and new footpath links. The main open and recreation space is located at the apex of the two fields where main movement routes converge for maximum accessibility
- A network of SuDs, swales and attenuation basins are located within Open Spaces at the edges of the site, connecting to existing drainage features - this will help ensure the open spaces feels more generous and enhances the habitat value of the spaces.
- The building design is of a more traditional Sussex vernacular with a mix of red brick, tile hung and flint facade, the roofs are red tile and slate effect to provide variety within the roof form. Chimneys have been added at key corner locations to provide interest to the roof forms.
- Locations for public art at the main entrance to the development

The proposed development incorporates refinements to the 'Development Framework'.

The proposed layout has as its basis a spine-road that is accessed from Chalcroft Lane via the previously approved access point; this reflects the structure that was included within the indicative masterplan and there is minimal divergence from this. Secondary access is provided to individual areas off the spine road (approximately 6.3m with 3m footpaths) with a variation of road layout and dimensions (approximately 5m with 2m footpaths). Tracking for refuse vehicles has been undertaken and is acceptable. The applicant is to submit a drawing showing tracking for buses along the main spine route and once this is received an update will be prepared for the Planning Committee with comments from

WSSC Highways.

The approved Outline Illustrative Masterplan placed great importance on the provision of a Spine Road and with that, land for the provision of a connection at the north western boundary of the site to enable provision of a link into the adjacent site to the north. The proposed link to the larger strategic site to the northwest is provided for cars, cyclists and pedestrian in accordance with the strategic site strategy. WSSC Highways have advised that a pedestrian route is supported at this point.

There are several north-south and east-west pedestrian routes within the landscape zones on the edge of the site and within the central areas. This provides a legible and clear structure to the development with a mix and variety of housing types and visible public areas to help create a clear sense of place and arrival points within the development. The retained hedge and trees on the site boundaries are to be enhanced as a landscape feature and the existing field patterns reflected in the layout.

The proposal would create a residential development with defined street frontages, all buildings face onto the road network within the site, which provide a clear street pattern and encourages natural surveillance. Some dwellings have specifically been designed to have a presence on corners and ensure these are animated. All of the house types would be provided with private gardens of an acceptable size that provide useable amenity space to meet the evolving needs of future occupants. The flatted units have access to individual private amenity space.

Affordable rented and shared ownership units would be provided at various locations within the site, in a mix of semi-detached and terraced dwellings, discussed in more detail below. The design of the development is tenure neutral, with no differentiation across the tenure types. The self-build plots will offer the opportunity for individuality of housing design to come forward.

The layout includes areas of public open space (POS) totalling 1.79ha, with a linear amenity area on the boundary of the site that includes a Locally Equipped Area for Play (LEAP), Local Area of Play (LAP) x 2 and a NEAP. The SuDS areas and their associated maintenance areas are approximately 1.5ha, these areas are not included within the overall areas of POS.

The amenity space connects with the footpaths beyond the site which includes amenity/ecological areas. Additional amenity space is provided along the main pedestrian links. These areas are appropriately positioned near to dwellings which would afford a good degree of overlooking and natural surveillance. Table 4.1.2 on page 13-14 of the Open space SPD 2020 sets out requirements per 1,000 population. The projected population on the site is 2.2 persons per dwelling x 225 = 496 people. The open space requirements are defined below and are accommodated within the proposed scheme layout:

Public Open Space:

Parks and Gardens	0.4 ha
Amenity Space	0.3 ha
Nat and semi natural	0.8 ha
POS Total	1.5 ha

Play Space:

LAPs and LEAP	0.12 ha
NEAP	0.15 ha
Play Total	0.25 ha

Overall Total 1.75 ha

The policy requirement is for Allotments of 0.13ha are to be provided either on site, or off site via a s106

payment (£4,331.25). The Inspector did not make provision for Allotments within the Outline Permission, as a result this cannot be added as part of the Reserved Matters application consideration. Officers note each property has private amenity space and the adjoining strategic development area is to include allotment provision so the needs of new residents in terms of allotments are likely to be accommodated. It should be noted that the Public Open Space includes provision of a 'communal orchard'.

The soft landscaping and boundary buffers would help interface with the public amenity areas and would be a strong and positive feature within the development. The naturalistic landscape is envisaged with semi-mature planting and use of native species to promote the bio-diversity net gain across the site. SUDS ponds are also provided at various locations within the open space network on the site, this is discussed in more detail below.

Pedestrian links to the existing community sports facilities immediately to the east of the application site will be provided to encourage use of these facilities. Pedestrian, cycle and vehicle links to the wider strategic development area to the north and west will be provided and will give future residents of the Nursery Fields site immediate access to additional open space and play environments.

As identified within the consultation response summary above, WSCC as Highway Authority have raised a number of relatively minor amendments which would enhance the layout and improve usability by future occupiers. These comments were as follows:

- Given the possibility for a bus servicing routing through the site and into the neighbouring development given the 6.3m width of the carriageway. Whilst, there is no certainty that this link would ever be provided, tracking should be provided to demonstrate that the layout can accommodate a bus service.
- There seems to be no reason why the access road between plots 28 and 29 could not be linked up and provided as a through road.
- It is not apparent why the access road between plots 60 and 65 was not provided as a through road, this would remove the need for a turning head.
- The layout between plots 129 and 140 would prevent a road link, but a footpath should still be provided as in its absence it is not possible to walk between these properties without crossing the landscaped area.
- The branches from the active travel corridor between plots 1-5 (which link with the 3 metre wide shared surface route leading to Chalcraft Lane) and northwards past plots 29-31 should be widened to be consistent with the main east-west corridor. Likewise, the branch of the active travel corridor that runs outwards past plot 100 to Tara Perry Way should be widened. A consistent width would make the active travel route more legible for users.
- The active travel route should also be extended northwards past plots 29-31 rather than terminating outside plot 42.

These changes are relatively minor but would improve the layout of the development. However, despite the request from WSCC it is disappointing that the developer has chosen not to amend the layout in order to accommodate these suggestions.

Scale

The details submitted accord with the parameter plans. The application proposes a mix of 2 and 2.5 storey dwellings with some variation to house types and their overall scale; this is a direct relationship with the footprint of the respective house type.

Taking height and scale separately from external appearance and materials, as illustrated by the street scenes /sections originally submitted with the application, Officers identified that there was scope to amend certain house types and placements to improve legibility and wayfinding particularly at key entry/gateway points, and junctions. These amendments would also provide opportunities to frame views

through from one section of the development to another. In certain locations, this would assist in creating better articulation of roofscapes in key locations.

The applicant took these views on board and has amended some of the street frontages and updated house types and forms to provide a more robust design response, with clearer enclosure for key junctions and views, greater variety in roof forms and an enhanced sense of place. Public art at key points has also been introduced, the detail of which is to be conditioned, this will help reinforce the sense of place for the scheme and build connections with the Bersted area.

Appearance

The Design and Access Statement submitted with the application explains that proposed development looks to create a distinctive development in the 'Sussex' style, that sits harmoniously with the immediate context and site conditions.

Dwelling types and designs are influenced by traditional forms, including roof types, elevational treatments and materials. The Applicant has explained that the house types, including windows and doors, detailing and palette of materials including render, brick and brick bonds, flint, slate and tile, are reflective of materials typically found in village locations, historic cores and countryside edges in this part of West Sussex.

A number of dwelling types are proposed, with varied architectural detailing that is in keeping with the design language in the area. Detailing includes corner windows, bays and fenestration of different sizes. Roof forms also vary across the site, including gable ended elevations and pitched roof forms, the use of both clay and slate tile roof materials is proposed. The inclusion of such features is considered to add interest and variety to the scheme as a whole.

The proposed appearance and architectural design of the units would be of a more traditional nature but with elements such as red brick, clay hanging and flint within the elevations,

Officers are of the opinion that such appearance would be acceptable as the design references more traditional form and materials and helps provide a varied pallet across the site area that will help provide interest and reinforce a sense of place.

It is acknowledged that the use of appropriate materials and their quality would be of great importance. As such, it is considered that it would be reasonable to require samples of materials to be submitted for approval. This would enable control over the quality and detail of the intended materials (Condition 3).

SELF-BUILD & CUSTOM BUILD PROVISION:

Arun Local Plan policy H DM1 states that 'the Council will particularly encourage the development of self-build homes' on appropriately sized, serviced/or capable of being serviced sites, and that 'such sites can be provided either as part of a development scheme or on an individual basis'. Policy H SP2 which relates to strategic site allocations states that a key requirement is to (p) consider inclusion of an area of the sites for Self-Build and Custom-Build. In addition, Principle SDP 6 of the endorsed Masterplan states "Opportunities should be considered for inclusion of an area of the site for self-build and custom build homes and community led housing such as Community Land Trusts".

Based on the number of persons on the Council's Self-Build Housing Register, this part of the strategic allocation would need to contribute 5% of its units (11 dwellings) as being provided for Self-Build/Custom-Build. This provision is included as Schedule Five within the S106 agreed as part of the Outline permission. The S106 legal agreement required the submission of a site plan denoting the location of the Self-Build plots and a Statement confirming how these will conform with the regulations.

The S106 also place a legal obligation on these units to be retained as such.

The applicants have agreed in principle to provide 5% of the total units on site as self-build plots. The self-build plots are identified on Dwg. No. SL13.

The Applicant has submitted a Deed of Variation application to amend the existing s106 (App No.BE/12/23/PO), Schedule 5 Self Build Housing. The Deed of Variation seeks to introduce plot passports, whereby the storey-height, number of bedrooms and materials pallet can be set, in so doing providing more control and guidance over what type and form of properties can come forward on the self/custom build plots. The benefit to the applicant is the new dwellings will be more in-keeping with the wider development than they may otherwise may have been. Due to other outstanding matters at the time of assessing the application and preparing the report, this S106 has not been concluded and therefore the self-build provisions within the existing s106 have not been amended at this time. In the absence of an amended S106 legal agreement, the application does make adequate provision for Self-Build/Custom-Build plots, in accordance with policies H DM1 and H SP2 part (p) of the Arun Local Plan and policy SDP 6 of the endorsed Masterplan. The self-build sites are to be provided as individual serviced plots and the new owner would then apply to construct a dwelling of their own design.

The self-build plots are to be marketed for an agreed period to members of the public on the self-build register, as set out within an 'Agreed Marketing Plan'; minimum 9 months identified in the Legal Agreement. If after this period, the plot had not been sold it can then be removed from the self-build register and built out as market housing by the applicant or an assigned developer. To facilitate the either/or scenario the custom build site plots are included as part of the detailed design build within the Reserved Matters application to enable the plot to be built out and therefore avoid the need for a new planning application for that plot.

HOUSING MIX AND AFFORDABLE HOUSING

Policy HDM1 of the Local Plan 2018 requires new housing to make provision for an appropriate range of housing types and sizes, reflecting the most up to date evidence in the Strategic Housing Market Assessment (SHMA), GL Hearn Updated Housing Needs Evidence (Sep 2016). Policy AH SP2 sets out the requirement for a minimum of 30% affordable housing of which 75% is to be social rent and 25% intermediate housing.

The development proposed for the development would provide for the following housing mix (this includes the self-build units):

	Market Housing Requirement	HDM1 Policy Requirement	Affordable Housing	AH SP2 Policy Requirement	Total
1Bed	0	5-10%	4 (6%)	35-40%	4 (2%)
2 Bed	23 (15%)	40-45%	23 (34%)	35-40%	46 (20%)
3 Bed House	33 (21%)	35-40%	36 (54%)	15-20%	69 (31%)
4 Bed +House	102 (64%)	10-15%	4 (6%)	5-10%	106(47%)
Total	158 (70%)		67 (30%)		225

At the outline stage the provision of a 30% share of affordable housing, of which 75% was for affordable rent and 25% Intermediate Housing/Shared Ownership, was secured as part of a Section 106 Agreement as identified in Schedule 2, Part 1 of the Agreement dated 7th September 2021.

The proposed development provides for 67 affordable dwellings, 30% so meet the requirement of the Outline Permission. The 67 affordable units comprise:

Social rent	Intermediate	Total Affordable
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1Bed	4	0	4 (6%)
2 Bed	19	4	23 (34%)
3 Bed House	26	10	36 (54%)
4 Bed House	2	2	4 (6%)
Total	51(76%)	16(24%)	67

The tenure split in this phase is 76% affordable rented and 24% intermediate housing for shared ownership. This complies with Policy AH SP2 and the terms of the S106 agreement.

As noted above, the Housing Team raised concern with the distribution of affordable housing across the site, as in two locations the affordable housing was unacceptably clustered. In response to this the applicant has amended the site layout to provide an improved distribution of affordable housing across the site and reduce the larger clustering.

The Housing Team have confirmed that the location of affordable housing, following the amendment to the overall layout, is acceptable. Officers are of the view that the amendment to affordable housing distribution is acceptable and no change in unit form in terms of design has occurred.

Officers acknowledge that the proposed unit mix is not in accordance with the mix suggested in policy HDM1, with under provision of 1-bed units and particularly in the affordable housing offer provided. Officers reviewed the provision with the applicant, who confirmed the social housing provider expressed a preference for larger family units in this location. The site is on the edge of Barnham with the locality of the site predominantly featuring detached, semi and terraced family housing. Therefore, the proposed mix of dwellings would reflect the established character of the locality.

The provision of 1 bed units is necessary but the application site forms part of a larger strategic allocation. Therefore, with the neighbouring site (BE/134/22/OUT) featuring a new neighbourhood centre, larger apartment buildings through which smaller 1 and 2 bedroom units could be accommodated as part of this, ensuring that the housing mix requirements were addressed across the allocation as a whole. Due to these factors Officers are of the view that a more flexible approach to the housing mix can be accepted on this occasion (with the application site forming part of the wider strategic allocation) and therefore the overall housing mix across the Strategic Site area (Policy H SP2) would ensure the requirements of policy AH SP2 and HDM1 of the Arun Local Plan are met.

LANDSCAPING

The reserved matters application was accompanied by a Landscape Master Plan, a Soft Landscape Management and Maintenance Plan, a Soft Landscaping Specification, a Biodiversity Net Gain Assessment and an Arboricultural Impact Assessment (AIA) & Management Statement as well as a Manual for Managing Trees.

Together the reports and plans provide a robust landscaping approach to the site, which as explained by the DAS, is heavily influenced by existing field patterns, boundary hedgerows and trees. The Landscape Master Plan indicates that development would be set behind proposed open space, contained by trees and hedgerows. The positioning of development is positioned outside of Root Protection Zones of existing trees and at the same time, incorporates additional planting, adding to the greening of the site, its ecological and biodiversity value.

A hierarchy of open space allows for the provision of a network of SUDs, swales and attenuation basins located around the edges of the site with pedestrian/cycle routes providing safe linkages through the development with connections to the existing public footpath network.

A central open and recreation space is provided at the apex of the two fields where main movement routes converge for maximum accessibility. The LEAPs, LAPs, NEAPs and NAPs and are in locations where they are overlooked by dwellings and as such benefit from natural surveillance.

In response to concerns raised by Bersted Parish Council, the issue of buffer planting has been addressed through the provision of amended plans. This relates to land between Plots 75 - 84 that back onto nos. 48 to 68 Chalcraft Lane to better integrate with the surroundings

Overall, the landscaping details accord with Policies LAN DM1 (Protection of landscape character), QE SP1 (Quality of the Environment) and ENV DM4 (Protection of trees) of the Arun Local Plan. Some concerns have been raised in respect of the play equipment within the NEAPS, LEAPS and LAPS. Amended plans have been submitted by the applicant in relation to LAPs, LEAPs and NEAPs and further consultation has been undertaken with the Council's Greenspace Team. Should confirmation be received that the proposals are acceptable then this will be reported as part of the report update. However, so as not to delay the progress of this application to determination, a suitably worded conditions has been proposed to secure details of the play equipment. This will be deleted should Greenspace confirm that the submitted details are acceptable.

Conditions are also recommended in respect of hard landscaping, as well as soft landscaping and management. Subject to the imposition of these conditions the development would accord with the Development Plan.

IMPACT ON RESIDENTIAL AMENITY

Policies D DM1 and QE SP1 Quality of the Environment of the Arun Local Plan seek to ensure that new dwellings are provided with satisfactory levels of residential amenity, including private garden areas, outlook, daylight/sunlight and privacy. At the same time, policies seek to ensure that residential amenities of existing dwellings are respected and not adversely affected. The Arun Design Guide provides additional advice on the provision of satisfactory separation distances which are adhered to and no loss of privacy or overlooking will arise for adjoining residents as a result of the new development.

The Design Guide is not a prescriptive document but an informative document that provides advice on various design issues including residential amenity. Guidance is provided in respect of distances between dwellings and on the whole, provides a sound baseline to ensure adequate levels of residential amenity.

In general, the proposed development meets the above guidance with some garden depths falling slightly short of the recommended minimum of 10.5 metres. Overall, the siting and arrangement of dwellings would provide satisfactory private amenity.

STANDARD OF ACCOMMODATION AND PROVISION OF AMENITY/PLAY SPACE

Policy D DM1 seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through the provision of appropriate private, communal and public amenity space, appropriate internal space standards for new dwellings, on site playspace provision, appropriate facilities for the storage of waste and private clothes drying facilities.

The Government Technical Housing standards - Nationally Described Space Standards (2015) require dwellings to meet certain internal space standards to ensure that an appropriate internal standard of accommodation has been provided for future occupiers. Policy D DM2 requires development to be in accordance with the Nationally Described Space Standards.

The proposed residential internal layouts and proportions have been assessed using the Nationally Described Space Standards, all of the units comply with the space standards, and most are comfortably within the suggested space requirements.

Homes and streets are designed to meet Part M of the building regulations, allowing wheelchair access, with gardens and routes being designed to be as usable as possible. This includes a minimum of 50% homes designed to meet M4(2) standards and a further 10 homes to meet M4(3) standards for wheelchair accessible homes.

Environmental Health commented on the application are raised no Objection. In reference to the Noise Impact Assessment (report R6769-1 Rev 0) Environmental Health are satisfied with the conclusions of the Assessment.

Overall, the proposal is considered to provide a good standard of accommodation and to make appropriate provision for amenity space and play areas.

WASTE, RECYCLING AND CYCLE STORES LAYOUT

A Refuse Strategy drawing has been submitted with the application (Drawing No.SL06/G) which sets out the refuse vehicle route and refuse collection points. Refuse tracking for the site is shown on Drawing ITB18395-GA-003, demonstrating that all parts of the site can be suitably accessed in accordance with ADC waste collection guidance. The tracking demonstrates that suitable turning provision is made for the shared driveways and cul-de-sacs, where the refuse vehicle is required to leave the main carriageways through the site to undertake collection and turning can be undertaken in no more than three movements.

The Council's Waste and Recycling Team recommend that the distance which residents would need to walk to drop their bins off for collection being a maximum of 30m. Guidance on the cost of refuse bin purchase is provided as an informative.

In terms of refuse and recycling storage, this is proposed within a defined area of the private garden spaces serving the dwellings, identified on Drawing SL06/G, Site Layout Refuse Strategy. Details of the refuse and recycling storage will be secured through the inclusion of a suitably worded condition.

The Parking Standards SPD also requires provision for 1 cycle parking space per dwelling up to 3 bedrooms and 2 spaces per dwelling over 3 beds. In terms of cycle parking stores, these are proposed to be located within private spaces serving the dwellings, identified on Drawing SL05/J, Site Layout Parking. Details of the cycle storage within the proposed garden shed is to be conditioned.

CAR PARKING PROVISION

Paragraph 107, NPPF supports the adoption of local parking standards for both residential and non-residential development. Arun District Council has adopted a Parking Standards SPD (2020) and also provides further guidance on how car parking can be satisfactorily accommodated within a development, and at the same time, provide a high-quality residential environment. The Arun Design Guide correlates with the advice contained in Manual for Streets and provides guidance on parking provision including layout.

All residential units are provided with parking either within the curtilage of units, forecourt or spaces to the side and includes a combination of garages and parking courts. On the whole spaces are set back sufficiently from the edge of the pavement bounding the plot to avoid conflict with other road users including pedestrians. The car parking requirements of ADC Car Parking standard are for two car parking

spaces for each 1-3 bed unit and three car parking spaces for 4-5 bed units. In total the requirement is therefore for that 556 car parking spaces are provided for the new dwellings and 110 visitor car parking spaces (20% of total units), 601 spaces in total.

Table 4.3 of the TA sets out the overall car parking provision, there are 602 spaces for the dwellings and 88 unallocated visitor spaces, 623 spaces in total. The unallocated spaces are located at several locations spread across the wider development area. The applicant has confirmed that at least 5% of overall car parking provision both on private land and visitor spaces are suitable for use and conversion to disabled parking spaces.

An additional plan (M4(2) and M4(3) Parking) has been submitted by the applicant which sets out the location of the disabled/accessible parking provision on site. The plan confirms that 10 disabled parking spaces are to be provided on parking forecourts of 10 dwellings, with 6 of these dwellings including an additional accessible parking space. In addition a number of the visitor bays have been identified as accessible and capable of adaptation when required.

Policy QE DM3 of the Arun Local Plan seeks to encourage the use of electric vehicle charging points. The Parking Standards require 30% of the overall parking provision to be fitted with Electric Vehicle Charging (EVC). This equates to 181 spaces (rounded up).

Based on Table 4.4 of the Applicants Transport Statement, and in accordance with current Building Regulations Approved Document S, all dwellings with a driveway or garage will be provided with fast charge socket infrastructure. All the properties have off street parking so an EVCP for each unit should be provided. A condition is recommended to ensure the provision of the EVC prior to the first occupation of the dwelling.

West Sussex County Council, Highways have confirmed that the level of parking provision is acceptable and as noted above, recommends a condition to secure the installation of EVCs.

FLOOD RISK AND DRAINAGE

The matter of flood risk and drainage were considered under the Appeal and specific conditions imposed to secure the submission of a surface water drainage strategy (Condition 12) and details of a site-specific maintenance manual to be submitted and agreed (Condition 13) and the requirement that future appropriate records are provided of the surface water drainage system for future maintenance with the submission of 'as built' drawings (Condition 20). The Inspector also added a condition requiring Condition 14 requires details of the proposed means of foul surface water drainage and its appropriate disposal.

At this stage, these issues are to be the subject of further consideration under application/s to discharge conditions. It was recognised and it remains the case that there are four surface water catchments draining to the ditches and watercourses that surround the site. The ground conditions and geology which has very limited infiltration, evaporation and greenfield runoff that the ground can become waterlogged with water pooling evident. As noted, Condition 12 attached to the grant of the outline permission the hierarchy of preference for different types of disposal to be taken.

The updated Drainage Statement dated 15th May 2023, does not present a surface water drainage or foul schemes but seeks to explain the approach for the proposed developed site. It also seeks to address the consultation comments made by WSCC as the Local Lead Flood Authority (LLFA) dated 21 March 2023 who considered that the information submitted in the original statement was not in accordance with NPPF Paragraph 167 and 169, WSCC LLFA SuDS Policies and Policy W DM Flood risk in the Arun Local Plan 2011-2031 (July 2018).

The Updated Drainage Statement and SUDS drawings explains that the Surface Water Drainage Strategy has been developed to manage and reduce the flood risk posed by surface water runoff from the site and are in accordance with best practice as stipulated in the ES Report SC030219. The report explains the hierarchy contained in the strategy including SuDs features including a mixture of online basins and swales designed to 'fill' in times of excess storms and in low flows, the control of water with hydrobrakes and piping our routing through low-flow channels in the online basins. In storm conditions, once a storm has subsided, flow will drain out through the pipe systems into control manholes and the hydrobrake flow and subsequent outfall.

Officers are satisfied that the Drainage System detail and Management arrangements are to be dealt with by condition discharge and that the landscape and drainage plans show adequate capacity and land allocation in terms of the SuDS requirements for the wider site.

ARCHAEOLOGY

The site is located within an Archaeological Notification Area. A Historic Environment Desk-based Assessment has been submitted with the application. At the outline stage the Council's Archaeological Advisor confirmed that they agree with the conclusions of the Assessment with regard the archaeological potential and significance of the site and its recommendation that the archaeological interest of any remains that are present could be secured by a staged programme of archaeological works. The Inspector imposed a condition on the grant Outline Planning Permission (Condition 10) to secure a written scheme of investigation and the implementation of a programme of archaeological work in accordance with the approved scheme. No additional conditions are required on this subject matter.

SUMMARY:

The principle of development has already been established through the granting of outline permission for the erection of 225 dwellings on the site and associated infrastructure and open space under reference BE/148/20/OUT.

The proposed development features an appropriate layout, scale and appearance with appropriate landscaping details which ensures an appropriate layout which comfortably accommodates 225 dwellings. Officers are of the view that there would be sufficient separation between dwellings to avoid any unacceptably adverse overbearing, overshadowing or overlooking impacts.

The level of car parking to be provided on site is acceptable and would meet the Council's Parking Guidelines; Disabled Car Parking spaces can be accommodated both within private and visitor spaces across the site if and when required. The benefits of the proposal would be the provision of 225 dwellings on site, the delivery of affordable housing, and dwellings of a visually acceptable design suitable to the site and surrounding area. There is no identified harm arising from the proposal. Officers therefore consider that, subject to conditions, the Reserved Matters of layout, scale, appearance and landscaping should be approved subject to the proposed conditions.

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.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan - 221001/LP Rev A - Received 16/01/2023
- Schedule of Units - 221001 Rev Z - Received 18/07/2023
- Site Layout - 221001/SL01 Rev Z - Received 18/07/2023
- Coloured Site Layout - 221001/SL09 Rev G - Received 18/07/2023
- Site Layout Storey Heights - 221001/SL02 Rev J - Received 18//07/2023
- Site Layout Dwelling Types - 221001/SL03 Rev J - Received 18//07/2023
- Site Layout Tenure - 221001/SL04 Rev L - Received 18//07/2023
- Site Layout Parking - 221001/SL05 Rev J - Received 18//07/2023
- Site Layout Refuse Strategy - 221001/SL06 Rev G - Received 18/07/2023
- Site Layout Fire Strategy - 221001/SL07 Rev H - Received 18/07/2023
- Site Layout Materials - 221001/SL08 Rev J - Received 18/07/2023
- Sales Arena Location Plan - 221001/SL10 Rev J - Received 18/07/2023
- Boundary Treatment Plan - 221001/SL11 Rev. J - Received 18/07/2023
- Phasing Plan - SL12 Rev. F - Received 18/07/2023
- Site Layout Self Build - SL13 Rev. E - Received 18/07/2023
- House Types Floorplans & Elevations listed - 221001/ Sheets 1-41 - Received 18/07/2023
- House Types BEC Floor Plans & Elevations Plot No's: AS: 19, 82, 85, 86, 87, 88, 125; OPP: 16, 18, 83, 123, 124, 130, 134 - 221001/BEC/EP Rev E - Received 18/07/2023
- House Types BER Floor Plans & Elevations Plot No's: AS: 7, 8, 9, 10 - 221001/BER/EP Rev A - Received 18/07/2023
- House Types BER Floor Plans & Elevations Plot No's: AS: 33, 34; OPP: 69, 70 - 221001/BER/EP Rev E - Received 18/07/2023
- House Types BYS Floor Plans & Elevations Plot No's Brick: AS: 117; OPP: 114 - 221001/BYS/EP Rev A - Received 18/07/2023
- House Types CON Floor Plans & Elevations Plot No's Brick: AS: 153; OPP: 84, 107, 133, 149 - 221001/CON/EP - Received 18/07/2023
- House Types CON Floor Plans & Elevations Plot No's Flint: AS: 5, 20, 26, 29, 81, 108, 129,

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- 141, 162; OPP: 1, 13, 28, 80, 89, 96, 121, 157 - 221001/CON FLINT/EP Rev E - Received 18/07/2023
- House Types CON Floor Plans & Elevations Plot No's Boarding: AS: 55, 68, 90; OPP: 37, 60, 166 - 221001/CON BOARD/EP - Received 18/07/2023
- House Types COO Floor Plans & Elevations Plot No's: AS: 46, 48, 49, 97, 99, 101, 115; OPP: 47, 50, 98, 100, 102, 116 - 221001/COO/EP Rev E - Received 18/07/2023
- House Types FAI Floor Plans & Elevations Plot No's Brick: AS: 2, 6, 17, 21, 22, 25, 30, 122, 151, 158, 167; OPP: 31, 93, 131, 132, 150, 152, 161 - 221001/FAI/EP Rev E - Received 18/07/2023
- House Types FAI Floor Plans & Elevations Plot No's Tile: AS: 23, 24, 79, 92, 95, 139, 145; OPP: 91, 126, 128, 142 - 221001/FAI TILE/EP Rev E - Received 18/07/2023
- House Types PEN Floor Plans & Elevations Plot No's: AS: 136, 137, 147, 148; OPP: 27, 140 - 221001/PEN/EP Rev E - Received 18/07/2023
- House Types POR Floor Plans & Elevations Plot No's Brick: AS: 4, 15, 35, 51, 53, 56, 58, 143; OPP: 3, 14, 36, 52, 54, 57, 59, 144 - 221001/POR/EP Rev F - Received 18/07/2023
- House Types POR Flint Floor Plans & Elevations Plot No's Flint: OPP: 11 - 221001/POR FLINT/EP Rev D - Received 18/07/2023
- House Types STA END Flint Floor Plans & Elevations Plot No's Flint: AS: 12 - 221001/STA-END FLINT/EP Rev D - Received 18/07/2023
- House Types WOO Floor Plans & Elevations Plot No's Brick: AS: 94; OPP: 135 - 221001/WOO/EP Rev E - Received 18/07/2023
- House Types WOO Flint Floor Plans & Elevations Plot No's Flint: AS: 138, 159; OPP: 32, 127, 146, 160 - 221001/WOO FLINT/EP - Received 18/07/2023
- House Types ALL Floor Plans & Elevations Plot No's Brick: OPP: 177, 187, 190 - 221001/ALL/EP - Received 18/07/2023
- House Types ALL Boarded Floor Plans & Elevations Plot No's Boarded: AS: 184, 188 - 221001/ALL BOARD/EP Rev E - Received 18/07/2023
- House Types ALL Tile Floor Plans & Elevations Plot No's Tile Hung: OPP: 211 - 221001/ALL TILE/EP Rev D - Received 18/07/2023
- House Types LAV Board Floor Plans & Elevations Plot No's Boarded: AS: 200; OPP: 182, 193 - 221001/LAV BOARD/EP Rev D - Received 18/07/2023
- House Types LAV Tile Floor Plans & Elevations Plot No's Tile Hung: AS: 189, 191; OPP: 208 - 221001/LAV TILE/EP Rev D - Received 18/07/2023
- House Types LIN Brick Floor Plans & Elevations Plot No's Brick: AS: 192, 202; OPP: 201, 207 - 221001/LIN/EP Rev A - Received 18/07/2023
- House Types Lin Tile Floor Plans & Elevations Plot No's Tile Hung: AS: 203 - 221001/LIN TILE/EP Rev A - Received 18/07/2023
- House Types MAR Brick Floor Plans & Elevations Plot No's Brick OPP: 168 - 221001/MAR/EP Rev C - Received 18/07/2023
- House Types MAT Brick Floor Plans & Elevations Plot No's Brick: AS: 170, 209; OPP: 169, 210 - 221001/MAT/EP Rev E - Received 18/07/2023
- House Types ROW Floor Plans & Elevations Plot No's Brick: OPP: 183, 204, 206 - 221001/ROW/EP Rev D - Received 18/07/2023
- House Types ROW Tile Floor Plans & Elevations Plot No's Tile Hung: AS: 185; OPP: 186, 205 - 221001/ROW TILE/EP Rev D - Received 18/07/2023
- House Types SHE Floor Plans & Elevations Plot No's Brick: AS: 179, 181; OPP: 178, 180 - 221001/SHE/EP Rev D - Received 18/07/2023
- House Types T54 Floor Plans & Elevations Plot No's : AS: 196, 212; OPP: 197, 215 - 221001/T54/EP Rev E - Received 18/07/2023
- House Types SH55 Floor Plans & Elevations Plot No's : AS: 163; OPP: 38, 106, 156 - 221001/SH55/EP Rev E - Received 18/07/2023
- House Types T52 Floor Plans & Elevations Plot No's : AS: 213, 223; OPP: 171, 214, 222,

- 224 - 221001/T52/EP Rev F - Received 18/07/2023
- House Types SH52 Floor Plans & Elevations Plot No's: AS: 40, 41, 43, 65, 66, 72, 74, 76, 113, 155, 165 OPP: 39, 42, 44, 62, 63, 67, 71, 73, 75, 112, 154, 164 - 221001/SH52/EP Rev E - Received 18/07/2023
- House Types T51 Floor Plans & Elevations Plot No's : AS: 174; OPP: 172, 173 - 221001/T51/EP Rev A - Received 18/07/2023
- House Types SH51 Floor Plans & Elevations Plot No's: AS: 104, 105, 110, 120; OPP: 103, 109, 118, 119 - 221001/SH51/EP Rev E - Received 18/07/2023
- House Types 2B FOG Floor Plans & Elevations Plot No's: OPP: 64 - 221001/2BFOG/DW/EP Rev E - Received 18/07/2023
- House Types 2B FOG Floor Plans & Elevations Plot No's: AS: 219 - 221001/2BFOG/EP Rev D - Received 18/07/2023
- House Types T75A 1BM Floor Plans & Elevations Plot No's: AS: 220; OPP: 221 - 221001/T75A/1BM/BAR/EP - Received 18/07/2023
- House Types T75A 1BM Floor Plans & Elevations Plot No's: AS: 176; OPP: 175 - 221001/T75/1BM/BAR/EP Rev A - Received 18/07/2023
- House Types 2B WC Floor Plans & Elevations Plot No's: AS: 61, 78; OPP: 45, 77, 111 - 221001/2BWC/DW/EP Rev E - Received 18/07/2023
- House Types 2B WC Floor Plans & Elevations Plot No's: AS: 194, 198; OPP: 195, 199, 225 - 221001/2BWC/EP Rev D - Received 18/07/2023
- House Types T53 Floor Plans & Elevations Plot No's: AS: 216, 217; OPP: 218 - 221001/T53/EP Rev B - Received 18/07/2023
- Single Garage Elevations & Floor Plans - 221001/AB/SG/EP Rev. A - Received 23/06/2023
- Double Garage Elevations & Floor Plans - 221001/AB/DG/EP Rev. A - Received 23/03/2023
- Twin Garage Elevations & Floor Plans - 221001/AB/TG/EP Rev. A - Received 23/03/2023
- Substation Garage Elevations & Floor Plans - 221001/AB/SUB/EP - Received 23/03/2023
- Street Scenes Sheet 1 of 2 - 221001/SS1 Rev. E - Received 18/07/2023
- Street Scenes Sheet 2 of 2 - 221001/SS/2 Rev. E - Received 18/07/2023

- Aboricultural Impact Assessment Appraisal and Method Statement - 22193-AA4-CA (13.07.2023) - Received 18/07/2022
- Tree Protection Plan - 22193-4 - Received 18/07/2023
- Landscape Masterplan - BDWS24069 10 Rev. D - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 1 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 2 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 3 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 4 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 5 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 6 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 7 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 8 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 9 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 10 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 11 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 12 - Received 18/07/2023
- Landscape Proposals - BDWS24069 11D - Sheet 13 - Received 18/07/2023
- Open Space Proposals -BDWS24069 20C - Sheet 1 - Received 18/07/2023
- Open Space Proposals -BDWS24069 20C - Sheet 2 - Received 18/07/2023
- Open Space Proposals -BDWS24069 20C - Sheet 3 - Received 18/07/2023
- Open Space Proposals -BDWS24069 20C - Sheet 4 - Received 18/07/2023
- Open Space Proposals -BDWS24069 20C - Sheet 5 - Received 18/07/2023
- Open Space Proposals -BDWS24069 20C - Sheet 6 - Received 18/07/2023

- Open Space Proposals -BDWS24069 20C - Sheet 7 - Received 18/07/2023
- Open Space Proposals -BDWS24069 20C - Sheet 8 - Received 18/07/2023
- Open Space Proposals -BDWS24069 20C - Sheet 9 - Received 18/07/2023
- Open Space ProposalsBDWS24069 22A - Received 18/07/2023
- NEAP Proposals - BDWS24069 21A - Received 18/07/2023

- General Arrangement Engineering Sheet 1 of 3 - A437-RM-11 D General Arrangement Sheet 1 - Received 19/07/2023
- General Arrangement Engineering Sheet 2 of 3 - A437-RM-12 D General Arrangement Sheet 2 - Received 19/07/2023
- General Arrangement Engineering Sheet 3 of 3 - A437-RM-13 D General Arrangement Sheet 3 - Received 19/07/2023
- Long Section Sheet 1 - A437-RM-21 C - Received 19/07/2023
- Long Section Sheet 2 - A437-RM-22 C - Received 19/07/2023
- Long Section Sheet 3 - A437-RM-23 C - Received 19/07/2023
- Long Section Sheet 4 - A437-RM-24 C - Received 19/07/2023
- Long Section Sheet 5 - A437-RM-25 C - Received 19/07/2023
- Long Section Sheet 6 - A437-RM-26 C - Received 19/07/2023

- Site Layout Forward Visibility - ITB18395-GA-001 Rev. HH - Received 18/09/2023
- Site Layout Junction Visibility - ITB18395-GA-002 Rev. HH - Received 18/07/2023
- Swept Path Analysis Fire Appliance - ITB18395-GA-004 Rev. HH - Received 18/07/2023
- Swept Path Analysis Refuse Vehicle - ITB18395-GA-003 Rev. HH - Received 18/07/2023

- Planning Statement (Affordable Housing Statement) - Received December 2022
- Drainage Strategy - PLN-1-4101 (A437-R001 Rev. A), 15th May 2023 - Received 15/05/2023
- Reserved Matters Transport Assessment - DS/ITB18395-001 - Received 23 December 2022
- Transport Assessment Addendum - ITB18395-004B TAA, 14 July 2023 - Received 18/07/2023
- PROW Improvement Note - ITB18395-003 TN - Received 13 January 2023
- Barrell Tree Consultancy Manual for Managing Trees on Development Sites V3.0 - Dated 12 January 2023
- Soft Landscape Management and Maintenance PlanBDWS24069 man, 03/01/2023
- Soft Landscape Specification - BDWS24069 spec - Dated December 2022
- Biodiversity Net Gain (BNG) Assessment - 20221912 425.064617.00001, 09/02/23, Rev. 1.0
- Dated 09/02/23,

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

- 2 The residential units at the entrance to the proposed scheme, identified on Plan No. SL10/F Sales Arena Location Plan, shall be permitted to be used as Sales Homes only for the purpose of direct sales of dwellings on the application site. The use as a sales unit is restricted to a period of no longer than 3 years from its completion or to cease with immediate effect on the final sale, whichever is sooner. The units will then revert to residential use.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/and character and appearance of the area by endeavouring to achieve a development of visual quality in accordance with policies D DM1 & D SP1 of the Arun Local Plan.

- 3 The Self Build/Custom Build plots shall be provided in accordance with the details as shown in Dwg No. SL13 Rev. E received on 18th July 2023 and the Schedule of Accommodation

received on 18th July 2023 in compliance with the S106 Planning Agreement dated 7th September 2021 pursuant to Application Reference BE/148/20/OUT and Appeal Reference APP/C3810/W/21/3275040 allowed on 8th April 2022, unless otherwise agreed by way of a Deed of Variation.

Reason: For the avoidance of doubt and to clearly identify those plots that are designated for Self Build/Custom Build only and shall be the subject of individual applications in respect of 'reserved matters' having regard to Policies H SP2 and D DM1 of the Arun Local Plan.

- 4 Notwithstanding the details submitted, no development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls (and roofs) of the proposed dwellings/buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dwellings/buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenity of the development and the surroundings, by endeavouring to achieve a building of visual quality in accordance with Policies D DM1, D SP1 and QE SP1 of the Arun Local Plan.

- 5 Notwithstanding the submitted drawings and details, no development above damp proof course (DPC) level shall take place unless and until full details of the design, frame materials and finish of the proposed windows and doors of the dwellings have been submitted to and approved by the Local Planning Authority, and the windows and doors of the dwellings shall accord with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenity of the development and the surroundings, by endeavouring to achieve a building of visual quality in accordance with Policies D DM1, D SP1 and QE SP1 of the Arun Local Plan.

- 6 No dwelling shall be first occupied until the internal roads and footways/ paths serving that dwelling have been provided in accordance with the details approved in accordance with Dwg No. 221001/SL01 Rev Z received on 18th July 2023 including access arrangements to the adjacent development site approved under reference BE/148/20/OUT.

Reason: In the interests of road safety and to ensure a satisfactory standard of access or the development in accordance with policies D SP1 Design and T SP1 of the Arun Local Plan.

- 7 The turning spaces / heads shown on Dwg No. 221001/SL01 Rev Z received on 18th July 2023 shall be provide and thereafter retained for their designated use before the completion of the dwellings hereby approved.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with policy T SP1 of the Arun Local Plan.

- 8 No dwelling shall be first occupied until the car parking serving the respective dwelling, including garages, have been constructed in accordance with the following approved plans:

- Site Layout Parking - 221001/SL05 Rev J - Received 18//07/2023;
 - Single Garage Elevations & Floor Plans - 221001/AB/SG/EP Rev. A - Received 23/06/2023;
 - Double Garage Elevations & Floor Plans - 221001/AB/DG/EP Rev. A - Received 23/03/2023;
- and
- Twin Garage Elevations & Floor Plans - 221001/AB/TG/EP Rev. A - Received 23/03/2023.

Once provided the spaces and garages shall thereafter be retained at all times for their designated purpose.

Reason: To provide car parking space for the use and in accordance with policy T SP1 of the Arun Local Plan, and Adopted Parking Standards SPD.

- 9 No dwelling shall be first occupied until details of the covered secure cycle storage serving the respective dwelling has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Once provided the cycle storage shall be provided in accordance with the approved details and shall thereafter be retained at all times for their designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with policy T DM1 of the Arun Local Plan, the Arun Design Guide and Adopted Parking Standards SPD.

- 10 Prior to occupation of any of the approved dwellings details of the manufacturer/model and position of the electric vehicle charging points (EVC) for each dwelling, as stated in the submitted Transport Statement, shall be submitted to and approved in writing by the local planning authority and thereafter permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, 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 Parking Standards SPD and the National Planning Policy Framework.

- 11 Prior to the occupation of the final residential unit of an individual parcel/phase (as approved under Condition 6 of outline planning permission BE/148/20/OUT and Appeal Reference APP/C3810/W/21/3275040 allowed on 8th April 2022) the visitor parking spaces within that phase shall be provided in accordance with Dwg No. 221001/SL05 Rev J received on 18th July 2023 and shall thereafter be retained at all times for their designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with policy T DM1 of the Arun Local Plan, the Arun Design Guide and Adopted Parking Standards SPD.

- 12 Prior to first occupation of the approved dwellings details for the refuse and recycling storage serving each dwelling shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained at all times.

Reason: To ensure that each dwelling has satisfactory refuse and recycling storage in accordance with policy WM DM1 of the Arun Local Plan.

- 13 All planting, seeding and turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the last dwelling contained within a phase (as approved under Condition 6 of outline planning permission BE/148/20/OUT and Appeal Reference APP/C3810/W/21/3275040 allowed on 8th April 2022), and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 14 Prior to the occupation of the first residential unit, full details of hard landscape and street furniture (including benches and bins) which shall include details of all fencing, lighting, walling

and other boundary treatments, steps, retaining walls and surface finishes shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping and street furniture relevant to each phase shall be implemented in full prior to the occupation of the last residential unit of the relevant phase and thereafter retained.

REASON: In the interests of visual and residential amenity and the provision of a high quality environment in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan.

- 15 Prior to the commencement of development a 5m buffer strip which features protective fencing around the existing hedging and trees which are to be retained must be installed and maintained in situ for the duration of the construction works in that phase in accordance with the Tree Protection Plan Dwg No. 22193-4r the Arboricultural Impact Appraisal and Method Statement ref 22193-AA4-CA (13/07/2023) received on 21st July 2023, Barrell Tree Consultancy Manual for Managing Trees on Development Sites V3.0 received on 12th January 2023.

Reason: To ensure adequate protection of trees and hedgerows on or near the site, in the interests of amenity and local wildlife including protected species, and in accordance with policies ENV 4 and ENV DM5 of the Arun Local Plan. It is necessary for this to be a pre-commencement condition to ensure that trees and hedgerows and local wildlife are protected as necessary prior to construction works commencing.

- 16 All activities at the site shall be carried out in strict accordance with the measures and methods included in the "Arboriculture Implications Appraisal and Method Statement (Ref: 22193_AA-CA) received on 18th July 2023 and the 'Manual for Managing Trees on development Sites' V3.0 received on 12th January 2023 including the Tree Protection details, excavation, installing services and utilities in Root Protection Areas/Zones

Reason: To comply with BS5837 and policy ENV DM4 of the Arun Local Plan, to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

- 17 Notwithstanding the details submitted, and prior to first occupation of any dwelling on site, details of play equipment and surfaces to be used in the LEAPs, LAPs and NEAPs shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

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

- 18 No development above damp proof course shall take place on any phase until such time as full details of the lighting strategy, for that phase, including roads, paths and play areas, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of siting, light standard, luminaires, luminance, light spread and measures to avoid light spill and shall comply with the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations (GN01:2011). The lighting scheme should take into consideration the presence of bats in the local area and the scheme should 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 approved lighting installations shall be implemented before the occupation of the last dwelling in the phase, and shall be maintained and operated at all times in accordance with the approved scheme.

Reason: To control and protect residential amenities, the local environment and protected

species in accordance with Policies QE SP1, QE DM2 and ENV DM5 of the Arun Local Plan.

- 19 INFORMATIVE: The Applicant is advised that the Flood Risk Assessment including its Appendices do not form part of the decision to grant planning permission for the 'Reserved Matters'.
- 20 INFORMATIVE: The Applicant is advised that the Flood Risk Assessment including its Appendices do not form part of the decision to grant planning permission for the 'Reserved Matters'.
- 21 INFORMATIVE: The Applicant is reminded of the need to address conditions attached to the grant of Outline Planning Permission under Appeal Reference APP/C3810/W/21/3275040 allowed on 8th April 2022 and the Obligations contained in the S106 Planning Agreement dated 7th September 2021.
- 22 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 23 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 24 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

BACKGROUND PAPERS

The documents relating to this application can be viewed on the Arun District Council website by going to <https://www.arun.gov.uk/weekly-lists> and entering the application reference or directly by clicking on this link.

BE/1/23/RES - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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