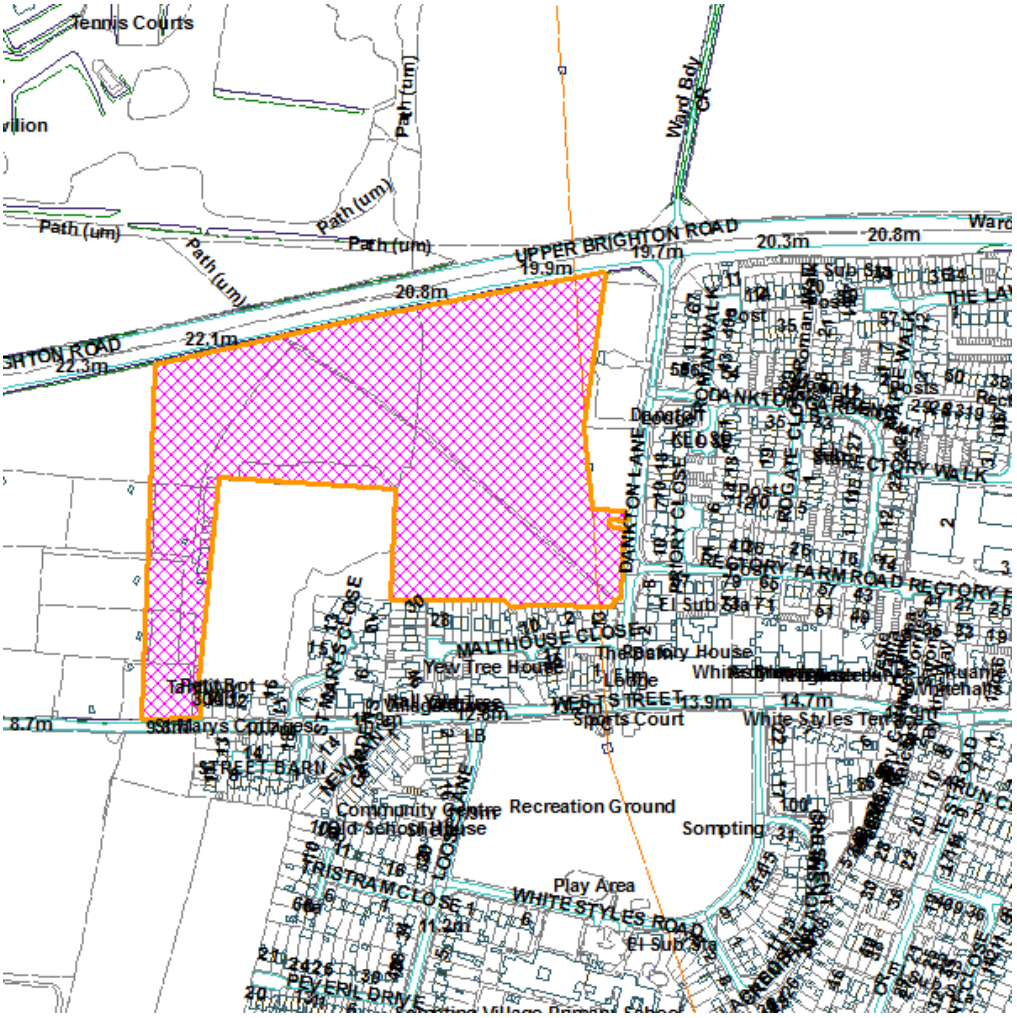
| | | |
|---|---|---|
| **Application Number:** | **AWDM/1322/24** | **Recommendation - Approve, subject to s106 variation** |
| **Site:** | **Land South Of West Street And West Of Loose Lane, Sompting** | |
| | | |
| **Proposal:** | **Application for Approval of Reserved Matters for Phase 2 following hybrid planning permission AWDM/0323/19. Details regarding the scale, layout, appearance, access and landscaping for the erection of 91 dwellings (including 30% affordable housing), a pocket park, car parking, a pumping station, a community orchard and community storage and welfare building (Phase 2 relates to land west of Dankton Lane and north of West Street).** | |
| Applicant: | Persimmon Homes Thames Valley | Ward: Peverel |
| Agent: | Persimmon Homes Thames Valley | |
| Case Officer: | Peter Barnett | |




**Not to Scale** Reproduced from OS Mapping with the permission of HMSO © Crown Copyright Licence number LA100024321

## Introduction

This is an application for the approval of reserved matters for Phase 2 of the development site on the western edge of Sompting, known as Malthouse Meadows. It seeks detailed approval for 91 dwellings, a pocket park, landscaping, car parking, a pumping station, a community orchard and orchard building on the northern parcel of land to the west of Dankton Lane, south of the A27 and north of West Street.

It follows the grant of permission for a hybrid planning application for up to and including 469 homes comprising:

(1) Outline planning permission (all matters reserved with the exception of access) for the erection of up to and including 373 dwellings, community orchard/growing space, non-vehicular links between the site and Worthing, traffic calming measures, associated landscaping, open space/recreation areas, ecological enhancements including improvements and extension to Cokeham Brooks Local Wildlife Site, and all other associated development works.

(2) Full planning permission for 96 dwellings (part of the overall 469 dwellings comprising 2 no. 1-bed, 37 no. 2-bed, 40 no. 3-bed and 17 no. 4-bed homes, including 30% affordable housing) and all other associated development works, provision of formal playing pitches (Phase 1).

(3) Change of use of land south of Hamble Recreation Ground to community/education and agricultural/horticultural uses associated with a new Community Farm (AWDM/0323/19).

Phase 1 is currently under construction.

The application seeks reserved matters approval for Access, Appearance, Landscaping, Layout and Scale. It also seeks to discharge a number of planning conditions attached to the outline permission. These are:

16 (bat sensitive lighting strategy)
18 (noise)
20 (cycle parking)
23 (Refuse and waste details
31 (Nature Conservation)
32 (materials)
35 (tree protection)
36 (boundary treatments)

## Site and Surroundings

Phase 2 has a site area of 2.65ha. It is physically separated from Phase 1 and the rest of the proposed development to the south by West Street. The development is on the western edge of Sompting adjacent to the Local Green Gap between Sompting and Worthing. The South Downs National Park boundary extends to the northern edge of the A27 (Sompting Bypass), which forms the northern boundary of

the application site. A Public Right of Way runs diagonally across the site from Dankton Lane to the A27.

There is existing residential development to the east of Dankton Lane and to the south of the site (Malthouse Close). To the west is Malthouse Meadows.

**Proposal**

The application is proposing 91 dwellings, including 30% affordable housing, at the following mix:

*Open Market*

2 x 1 bed
27 x 2 bed
22 x3 bed
13 x 4/5 bed

**Total** 64

*Affordable*

*Affordable Rent*

3 x 1 bed
11 x 2 bed
6 x 3 bed

*Affordable Intermediate*

3 x 2 bed
4 x 3 bed

**Total** 27

The site is to be accessed from Dankton Lane in the SE corner of the site with a pocket park provided directly to the south of the access. A buffer to Dankton Lane is provided through the retention of paddocks/grazing land to the north of the access. On the northern edge of the development a further landscaped buffer is provided, together with a 4m high acoustic fence to provide protection from traffic noise for new residents. Land is also reserved for a potential landing point for a pedestrian footbridge over the A27.

Pedestrian connections to the proposed community orchard to the west of the new housing are provided and these continue through to link with West Street and the open space in Phase 1.

The orchard includes a storage and welfare building for use as an equipment store and community facility.

**Relevant Planning History**

**AWDM/0323/19** - Hybrid planning application for up to and including 469 homes comprising: (1) Outline planning permission (all matters reserved with the exception of access) for the erection of up to and including 373 dwellings, community orchard/growing space, non-vehicular links between the site and Worthing, traffic calming measures, associated landscaping, open space/recreation areas, ecological enhancements including improvements and extension to Cokeham Brooks Local Wildlife Site, and all other associated development works. (2) Full planning permission for 96 dwellings (part of the overall 469 dwellings comprising 2 no. 1-bed, 37 no. 2-bed, 40 no. 3-bed and 17 no. 4-bed homes, including 30% affordable housing) and all other associated development works, provision of formal playing pitches (Phase 1). (3) Change of use of land south of Hamble Recreation Ground to community/education and agricultural/horticultural uses associated with a new Community Farm. (Development site includes Land West of Dankton Lane leading from the East of Upper Brighton Road Sompting). Approved.

**Consultations**

***West Sussex County Council: Original comments:***

Parking
The application proposes a total of 211 car parking spaces on site consisting of 177 allocated spaces, 23 garage spaces (counting as 11.5) and 22 visitor spaces.
The number of spaces is acceptable, however, the visitor spaces are poorly distributed across the site with a significant supply in the northern element of the site and under provision in the southern section. It is recommended that the distribution of the spaces is modified.
All dwellings are to be provided with EV charging facilities.

Cycle Parking
Cycle parking is to be provided within garages or cycle stores within rear gardens. The development also proposes the provision of visitor Sheffield stands spread around the site.

Vehicle Tracking
Tracking has been provided for a refuse vehicle, fire tender and waste vacuum tanker, all of which are acceptable. Opportunities would exist within the development for private vehicles to pass these vehicles.

Visibility
Junction visibility splays are shown to a 20mph design speed. In a number of locations, the splays would be partially obstructed by parking. In accordance with guidance within manual for streets this is to be expected and would be acceptable. The applicant has also shown the splays in accordance with a 16mph design speed where they would be free of obstruction. Forward visibilities at the bends are also shown, these can be provided in accordance with speeds of 16mph. The WSCC preference would be for these to be provided in accordance with a 20mph design speed and as such a covenant is suggested on the dwellings affected to restrict planting above 0.6m. (no 42,43 and 80)

***Second comments***: Happy with the location of the car club space in a prominent position within the phase. The addition of 2 visitor parking spaces being provided in the south west corner and the removal of 2 on the northern boundary are noted and address the concerns raised in my previous formal response

***West Sussex Fire and Rescue***: Suggest condition for the requirement of additional fire hydrant(s) for the proposed development. This is to ensure that all dwellings on the proposed site are within 150 metres of a fire hydrant for the supply of water for firefighting.
Evidence will also be required that Fire Service vehicle access meets with the requirements identified in Approved Document B Volume 1 2019 Edition: B5 Section 13, including Table 13.1 and diagram 13.1.

The fire appliance access to within 45m of all points inside all dwellings, is to be measured along the hose lay route, and not a direct line or arc measurement, as these are rarely achievable due to obstructions, and a measurement not accepted by West Sussex Fire & Rescue Service. The measurements will need to be taken from the location of the fire appliance to the furthest point inside each dwelling, in accordance with the requirements of Approved Document B (AD-B) Volume 1: B5 section 13, not to the front door, as shown on the plans submitted.

***Local Lead Flood Authority***: No objection to this application. We expect an acceptable drainage strategy to be submitted at the discharge of condition stage

***Adur & Worthing Councils:***

***Environmental Health*** officer comments that the acoustic report and proposals for noise mitigation for the various homes are satisfactory and there are no objections.

***Trees and Landscape***: There does not appear to be any felling of sound / healthy trees. There will need to be a protection plan and details of size and species of new trees, but it does appear to be acceptable overall

***Waste Services***: No objection

***Environment Agency:*** No objection

***Southern Water:*** There is currently adequate capacity in the local sewerage network to accommodate a foul flow of 6 l/s for the above development at manhole reference TQ16057401 and Water flow rate of 0.72 l/s. Please note that no surface water flows (existing or proposed) can be accommodated within the existing foul sewerage system unless agreed by the Lead Local Flood Authority in consultation with Southern Water, after the hierarchy Part H3 of Building Regulations has been complied with.

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. Request that final details of foul and surface water drainage be reserved by condition.

***South Downs National Park***: When commenting on the hybrid application AWDM/0323/19 we noted that the land within the SDNP to the north rises, with the ability to see into this northern part of the development site. It was therefore important that the open space and landscape buffer to the north was landscape-led, of a sufficient depth and planted with appropriate species so as to provide a transitional buffer between the site and the National Park. We also requested consideration of a safe means of crossing the A27 to better connect the footpath within the site to those to the north within the National Park, and that a lighting appraisal be sought with regard to impacts upon the adjacent International Dark Skies Reserve.

The landscape buffers and open space provided at the north and open space to the western part of this site appear to be reflective of those indicated in the masterplan. We note that a mixture of native species are proposed and we would support any conclusions of your ecological and landscape advisors with regard to the species selected.

A lighting strategy has been prepared and submitted as part of the application. No reference is made within it to the International Dark Skies Reserve, but the lighting design has nevertheless been put together on the basis of the site falling within Environmental Zone E2, which is appropriate for a peripheral location such as this. Subject to any comments from your ecological consultees with regard to nocturnal species (and in particular bats), we have no objection to the submitted strategy.

It is regrettable that there is no mechanism for delivery of a safe crossing of the A27 as part of the proposals.

***National Highways***: We are satisfied that the proposals in this reserved matters application will not materially affect the safety, reliability and/or operation of the strategic road network. Therefore we do not object to this reserved matters application

***Sompting Parish Council:*** No objection to this application

***UK Power Networks***: Note there are overhead cables on the site running within close proximity to the proposed development.

**Representations**

7 objections received:

- Lack of infrastructure locally
- Local roads are gridlocked
- Construction traffic will worsen traffic conditions
- Extra traffic will worsen congestion and increase safety risk
- Church Lane and Dankton Lane should be made one way for joining the A27 only
- Impact on environment, wildlife and biodiversity
- Loss of privacy
- Increased noise and pollution

- Infrastructure should be improved first, before new houses are built
- Position of pumping station is unneighbourly
- Concern at vibration from heavy lorries causing damage to homes
- Find an alternative route to Dankton Lane for construction traffic

**Relevant Planning Policies and Guidance**
Adur Local Plan 2017
Policy 1: The Presumption in Favour of Sustainable Development
Policy 2: Spatial Strategy
Policy 3: Housing Provision
Policy 4: Planning for Economic Growth
Policy 6: West Sompting
Policy 10: Sompting
Policy 13: Adur's Countryside and Coast
Policy 14: Local Green Gaps
Policy 15: Quality of the Built Environment and Public Realm
Policy 16: A Strategic Approach to the Historic Environment
Policy 17: The Historic Environment
Policy 18: Sustainable Design
Policy 19: Decentralised Energy and Standalone Energy Schemes
Policy 20: Housing Mix and Quality
Policy 21: Affordable Housing
Policy 22: Density
Policy 28: Transport and Connectivity
Policy 29: Delivering Infrastructure
Policy 30: Green Infrastructure
Policy 31: Biodiversity
Policy 32: Open Space, Recreation and Leisure
Policy 33: Planning for Sustainable Communities
Policy 34: Pollution and Contamination
Policy 35: Water Quality and Protection
Policy 36: Flood Risk and Sustainable Drainage

'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Planning Contributions for Infrastructure Provision (ADC 2013)
WSCC Guidance on Parking at New Developments (Sept 2020)
National Planning Policy Framework (December 2024)
Technical Housing Standards – nationally described space standard (DCLG 2015)

**Relevant Legislation**

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies,

any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

**Planning Assessment**

The main issues for consideration are:

1. Design, Layout, Scale and Appearance
2. Housing Mix/Affordable Housing
3. Trees and Landscaping
4. Access & Highways
5. Residential amenity for proposed occupiers
6. Impact on existing residents
7. Drainage
8. Energy and Sustainability
9. Ecology and biodiversity
10. Community orchard and open space
11. Infrastructure Provision and s106
12. Approval of outline conditions
13. Other Matters

***Design, Layout, Scale and Appearance***

The Design and Access Statement and Planning Statement submitted in support of the application set out the principles for the Phase 2 layout. These include the following:

- A clearly defined street hierarchy, with a tree-lined central spine road running through the site, and secondary streets and private drives coming off the spine road.
- Pedestrian connections to the community orchard and other phases of the development
- Provision of green infrastructure and an area of informal open space at the site entrance (pocket park)
- An overall density of 35dph, based on an approved parameter plan which breaks density down into low (20-30dph) and medium (30-45 dpa) density areas. The layout has a medium density in the centre with lower density housing on the edges, averaging out at 35dph overall.




There is a ‘green flowing edge’ to the western side of the development with lower density housing and focal buildings defining corner plots and key locations on the development edge.



The layout incorporates the existing public footpath that runs SE-NW through the site and proposed orchard from Dankton Lane to the A27 and the Downs beyond.

A pumping station is located in the SW corner of the site.

The layout and design principles were established at the time of the outline application when the quality of the housing design was lifted after discussion with Officers. Units reflect local vernacular and include barn hipped roofs, full hips, chimneys, flint, quoins, tile hanging, weatherboarding and contrasting brickwork. There is a mixture of detached, semi-detached and terraced houses, plus maisonettes and small flats. There are no flatted blocks or dwellings higher than 2.5 storeys.

## Building Heights




The new housing is set back from Dankton Lane, separated by the proposed pocket park and existing paddocks, which helps to retain a sense of openness along Dankton Lane at this edge of countryside location. There are focal buildings and sufficient design interest within the layout at this point to provide an acceptable ‘gateway’ entrance to this phase.



Frontage landscaping helps to break up car parking, with much of it provided to the sides of the houses.

An electrical substation is shown located close to the entrance. It is located there so as to be separated from the new housing. It is to be housed within a brick built structure 4.4m high, with landscaping to improve and soften its appearance. It will be 15m from Dankton Lane and is not considered to be unduly intrusive.

Overall, the design and layout of the development is considered to be acceptable.

***Housing Mix/Affordable Housing/Variation of s106***

The housing mix overall is broadly in line with that required by the Adur & Worthing Strategic Housing Market Assessment (SHMA) published in 2020. Policy 20 of the Adur Local Plan requires market housing to provide family sized housing that is primarily 2-3 bedrooms in size. 75% of the proposed dwellings are to be 2 and 3 bedroom houses to accord with this policy requirement.

The affordable dwellings are located predominantly at the northern and southern ends of the development. The mix complies with the s106 agreement in that there will be 30% overall provision, with 75% affordable rent and 25% intermediate (shared ownership). However, there is an element of contradiction in the s106 which needs to be rectified.

The s106 specifies a total number of affordable units to be provided, along with a breakdown of mix and size. The total number of affordable units comes from the original Masterplan assumption that Phase 2 would deliver 95 dwellings and Phase 3 278 dwellings.

However, this does not take account of a situation where the phases deliver more or less than the quantum of development suggested within the Masterplan and is very prescriptive. Phase 2 is delivering 91 units, not 95 and it is proposed to amend the s106 to allow the mix to be shown as a percentage rather than refer to a total number of dwellings.

There are other minor anomalies relating to size of units due to changes with the housetypes to comply with updated Building Regulations.

As a result, the affordable mix provided for in the current application will require a Deed of Variation to the original s106 in order to regularise the changes.

The changes are:

<u>Rented</u>
1Bed - S106 schedule shows 6 x 1b2p maisonettes. It is now proposed to provide 3 x 1b2p ground floor maisonettes. The 3 first floor maisonettes are large enough at 843 sqft to be 2 bed units. The s106 schedule incorrectly shows the first-floor units to be 718sqft.

2 bed - S106 schedule shows 10 x 2b4p houses. However, due to the inaccurate inclusion of the first-floor maisonettes as being 1 bed units, when in fact they are 2 bed units, the total number of 2 bed units overall is 11. These are split between 3 x 2p3p maisonettes and 8 x 2b4p houses.

3 bed - S106 schedule shows 6 x 3b4p houses, while the current application is for 6 x 3b5p houses (with an increase in sqft).

Intermediate
2 bed - S106 shows 3 x 2b4p units and the same number is proposed but the units proposed have a slightly smaller floor area.
3 bed - S106 shows 4 x 3b4p units and the current application shows 4 x 3b5p units

In summary, the affordable units will provide family housing predominantly focused on 2 and 3-bedroom units in accordance with the Council's SMHA and Policy 20: Housing Mix and Quality which seeks a higher proportion of smaller family housing. There will be no reduction in the total percentage of affordable units to be provided.

It is considered that these amendments can be dealt with through a Deed of Variation, to be completed before permission is granted for Phase 2.

***Trees and Landscaping***

A landscape masterplan was approved at the outline stage and this phase adopts those principles. A number of trees have already been removed along Dankton Lane as part of the outline approval. The remaining trees along Dankton Lane are to be largely retained, with the exception of a small group of ash and elm close to the footpath entrance in the SE corner of the site. Trees and hedgerow along the northern boundary with the A27 are to be retained, as well as the hedgerow within the site adjacent to the public footpath. A tree retention and protection plan has been submitted.

Within the site several small trees are to be removed to accommodate the housing layout but this will be compensated for by comprehensive new planting throughout the development, as well as the new orchard proposed to the west of the housing. The Council's Tree and Landscape Officer is satisfied with the proposals.

***Access and Highways***

The main objections to this development, as they were with the outline application, are traffic and access related. This includes strong concerns locally about the impact of additional traffic on the local road network, given the current congestion on the A27 and the use of West Street for 'rat running' by drivers travelling to and from Worthing. As part of the outline permission, a number of transport measures were agreed including traffic calming and a new access from West Street with change of priority (which has been completed). Vehicles travelling east along West Street now have to give way to traffic entering or exiting the development while vehicles travelling west follow the new alignment of the road southwards before turning right

back onto West Street.

As part of Phase 2, Dankton Lane is to be widened and a number of trees have already been removed in advance of these works. A new line of trees are to be planted as replacement. At the A27/Dankton Lane junction an improved deceleration lane is to be provided. Residents have expressed some concern that this would increase the level of traffic 'rat running' down the Lane to avoid queues into Worthing. Whilst, this concern is appreciated both Highways England and WSCC have resisted calls to close off Dankton Lane and the proposed traffic calming measures along West Street are designed to deter traffic using West Street as a shortcut.

These works have been previously agreed and are secured in the s106 legal agreement accompanying the outline permission.

Within the s106 the main off-site highway improvements are to be provided by the 100th dwelling occupation which is likely to coincide with the implementation of Phase 2. Other works, not mentioned above, include:

· A new vehicular connection along the southern end of Loose Lane;
· New traffic calming proposals along Loose Lane (in consultation with West Sussex County Council);
· Off-site improvements, such as dropped kerbs.

The necessary technical approvals are either in place or are being finalised through the s278 Highway approval process with WSCC. The 100th occupation trigger will therefore be complied with.

As part of the s106 Agreement, financial contributions will also be made for improvements to the local highway network and towards pedestrian and cycleway facilities for improving connectivity generally.

The estate roads follow the principles established at the outline stage as previously mentioned. 211 car parking spaces are to be provided within Phase 2 comprising 177 allocated spaces, 23 garage spaces, 22 visitor spaces and 5 unallocated motorcycle spaces. 12 visitor cycle spaces are also provided together with cycle sheds for each dwelling. The majority of the car parking spaces are allocated on-plot with 1 space per 1 bed dwelling, 2 spaces for each 2 bedroom dwelling and some 3 bed units and 3 car parking spaces for most 3 bed and all 4 bedroom dwellings. Parking is generally provided to the sides of dwellings to avoid 'street clutter.' All plots are provided with active electric vehicle charging points.

West Sussex Highways have no objection to the parking and access proposals as revised. The applicant will provide a final fire hydrants plan once the planning layout has been approved and this is proposed to be reserved by condition. All units will meet the 45m route from the adopted highway to the furthest point of the house as required.

Condition 8 of the outline permission requires the submission of a Construction Management Plan for each phase of the development and this will need to be submitted and approved by WSCC before work commences on Phase 2.

**Residential amenity for proposed occupiers**

Condition 18 of the outline permission states:

*"No Phase of the development except remediation, demolition, archaeological and drainage works for which planning permission is hereby granted shall take place until a scheme for protecting the proposed dwellings from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed before the permitted dwellings are occupied and shall specifically include the provision of mechanical ventilation heat recovery units and acoustic glazing."*

An Environmental Noise Impact Assessment has been submitted to assess noise levels for those dwellings nearest to the A27 to the north of the site. They are to be positioned approximately 34m from the edge of the road and will have their rear gardens to the south, protected from the road by the houses themselves.

The report recommends that acoustic glazing and a mechanical ventilation heat recovery system is proposed for the plots facing the A27. A 4m high acoustic fence is also to be installed on the edge of the A27 to be screened from the road by the existing hedgerow along the roadside. These measures will achieve the required daytime noise levels of 35dB for habitable rooms and night time levels of 30dB for bedrooms. External amenity spaces will also achieve acceptable noise levels.

The Environmental Health Officer has no objections to the findings of the assessment and it is considered that a satisfactory living environment will be provided.

***Impact on existing residents***

Phase 2 is to the north and west of the existing built up area boundary and there are a number of existing dwellings that will abut the boundary with the new development to the south, in Malthouse Close. The layout plan shows that the rear of the new houses will be in excess of 22m away from the rear of existing dwellings, with distances of between 22-26m, in compliance with the Council's standards. Nos. 2 and 4 Malthouse Close will be over 14m from the side of Plot 1, which also meets the Council's standards. Plot 1 has two small side windows on the ground and first floors which can be required to be obscurely glazed by condition.

To the east, existing houses in the streets off Dankton Lane are separated from the development by Dankton Lane and the buffer that is to be provided on the eastern edge of the development. A distance in excess of 60m will be maintained.

A foul drainage pumping station is to be constructed in the SW corner of the site, north of the side of 30 Malthouse Close. Noise emissions are expected to be very

low as the pumps are sited below ground in a concrete manhole and are not discernible at ground level. There will be no smells either as the tanks are underground and airtight. There will be a minimum 15m separation from any habitable building to further reduce any potential for nuisance (as per industry regulations).

It is considered that the layout of Phase 2 has been carefully designed to minimise the impact on existing residents.

***Drainage***

A Drainage Strategy for the whole development was submitted at the outline stage. It combines infiltration and sustainable drainage systems, (SUDs), for surface water attenuation and makes use of these infrastructure systems to create greenery and amenity spaces across the whole site. Final details of surface and foul surface water drainage are required to be submitted for approval before the commencement of development in each phase.

A draft drainage strategy for Phase 2 has been submitted with the application which states that surface water from Phase 2 will be wholly drained by infiltration methods, using permeable paving, individual or shared house soakaways. Further details are required to be submitted in order to satisfy the Local Lead Flood Authority (LLFA) and the applicant has confirmed that this will be dealt with after the Reserved Matters application has been determined but before commencement, in accordance with the outline conditions.

Foul drainage will connect to an existing sewer in Dankton Lane, with assistance from a new pumping station to be installed in the SW corner of the site. Southern water has no objection, subject to the submission of further details which can be submitted post decision.

***Energy and Sustainability***

An energy and sustainability statement has been submitted with the application. Condition 27 of the outline permission states:

*“The dwellings in Phase I shall meet the Councils Sustainability requirement of 31% CO2 reduction as set out in the 31% CO2 reduction specified in the Council's adopted Planning and Climate Change Checklist June 2020 and all dwellings in Phase II shall meet the Government's Future Homes Standard for energy efficiency and renewable energy.”*

It is the applicant’s intention to deliver a greater than 10% reduction in energy demand and to reduce CO2 emissions below that specified in the Building Regulations. All heating and hot water is to be fuelled by electricity and the applicant intends to deliver a ‘zero carbon ready’ scheme as renewable electricity provision is increased throughout the UK. The development will therefore align with the Future Homes Standard, as required by Condition 27.

The energy report goes on to state that the applicant intends to install ASHPs in all 91 dwellings together with limited allocations of solar PV panels on affordable apartments which is expected to result in a 62% reduction Co2 emissions and energy demand across the development. Water usage will be restricted by installing devices limiting consumption to not more than 110 litres per person per day and EV charging points will be installed to serve all dwellings.

The energy and sustainability strategy is considered to be acceptable.

***Ecology and biodiversity***

An ecological mitigation and enhancement strategy has been submitted pursuant to Condition 31. The condition states:

*"No development, other than archaeology and drainage works, of the residential dwellings hereby granted outline planning permission shall take place until a scheme for nature conservation enhancement has been submitted to and approved by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details and retained as such thereafter."*

The submitted strategy states that new tree planting is to be provided across the site, especially within the new orchard area. Any tree works that are necessary will contribute towards the provision of log piles. New habitat creation will be undertaken through new tree, shrub and grassland provision, plus the installation of new bird and bat boxes. The majority of hedgerows will be retained to maintain connectivity and corridors for wildlife.

In terms of the wider ecological strategy, the earlier permission shows an area of land to the south of the Cokeham Brooks Local Wildlife Site (LWS), to the south of the development off Loose Lane, which is to be used as an extension to the LWS and will link with and complement the Teville Stream Restoration project to the south of the site.

With regard to bat sensitive lighting (Condition 16), a lighting impact assessment was submitted with the application which identified the most light sensitive locations on the site, such as tree lines and hedgerows. The site contains a large amount of green space and the boundaries are relatively dark so lighting columns have been designed to be oriented inwards towards the site and with downward direction and back shields to minimise light spill. Light columns are to be no higher than 6m in some of the cul de sacs which are within the more sensitive edge of development locations. The strategy will also help to reduce sky glow on the edge of the National Park.

***Community Orchard and open space***

Across the wider / neighbourhood scheme, there is a significant amount of open space being provided (over 29 acres), to which Phase 2 has convenient access. The Public Open Space components are as follows:

- Community Orchard: 9.11 acres
- Peripheral Open Space: 17.5 acres
- Sports Pitches (2 junior football pitches): 1.89 acres
- LEAP: 0.64 acres

The community orchard, which forms part of this Phase 2, will be retained and managed by the Sompting Estate and the remaining open space areas will be transferred to and managed by either a Management Company or the Council.

The orchard is to the west of the residential development in Phase 2 and wraps around Malthouse Meadows which does not form part of the site. Footpaths will link the Phase 2 housing development through the orchard to the development south of West Street. A number of picnic benches are to be provided.

A substantial number (> 2000) of trees and shrubs will be planted, comprising fruit trees, plus thicket, hedgerow and woodland mixed planting.

A welfare and equipment building is to be built near to the eastern edge of the orchard. It is to be a pitched roof timber clad building measuring 5m tall, 8.5m long and 9.7m wide. It will comprise two buildings separated by a central covered void to be used for fruit storage. The buildings will contain an equipment store and toilet on one side and a kitchenette and seating area on the other and will be a meeting place for the local community.

Overall, the orchard proposals are considered to be of great benefit in terms of biodiversity and community engagement and will provide a soft, green edge to Phase 2 which will enhance its setting.

***Variation to s106 legal agreement***

In addition to the amendments relating to the affordable housing provision, outlined earlier in this report, there are a number of other issues that need amending in the agreement, relating to the open space provision. The Council no longer wishes to take on the cost of management of the open space and therefore is only prepared to adopt the area of land containing the sports pitches within Phase 1. The remaining open space will be transferred to the Management body for the development.

Furthermore, within Phase 1, a referee changing facility is no longer required to be provided as it is unnecessary to have this given that the football pitches can only accommodate children's football where a parent will usually act as referee.

These changes will be included in the Deed of Variation.

***Planning Conditions approval***

As set out above, the details submitted to satisfy the planning conditions on the outline approval are considered to be acceptable.

16 (bat sensitive lighting strategy)
18 (noise)
20 (cycle parking)
23 (Refuse and waste details)
31 (Nature Conservation)
32 (materials)
35 (tree protection)
36 (boundary treatments)

**Summary**

The proposed development of Phase 2 largely follows the parameters established at the outline stage and continues the successful design approach of Phase 1. The layout achieves a reasonable balance between green space and built development, and provides a looser, low density edge to the development as it sits alongside the countryside.

The application can therefore be supported subject to the completion of the Deed of Variation and the conditions listed below.

**Recommendation**

**Approve, subject to the completion of a Deed of Variation to deal with amendments relating to affordable housing provision and open space,**

**subject to conditions:-**

1. Approved Plans

2. Prior to the commencement of the development details showing the proposed location of the required fire hydrants shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. Prior to the first occupation of any dwelling or units forming part of the proposed development that they will at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting. Prior to the first occupation of any dwelling forming part of the proposed development they will notify the West Sussex County Council's Fire and Rescue Service that the fire hydrant(s) have been installed and are operational, to ensure that the Fire and Rescue Service are aware that the hydrant(s) is now a usable asset in the event of a fire.

3. Details of PV panels and ASHP location, type and noise levels

4. Obscure glaze south windows Plot 1

5. Garages to remain for the parking of vehicles only

6. Welfare and storage building shall be used in connection with the community orchard only

7. No development within Phase 2 until all existing trees and hedges identified for retention have been protected