

DEVELOPMENT CONTROL COMMITTEE

8 AUGUST 2018

OFFICER REPORT UPDATES

REPORT UPDATE

Application no: FG/39/18/PL
Page no: 24
Location: Worthing Peugeot Littlehampton Road Ferring
Description: Demolition of existing property & outbuildings; erection of new Motor Dealership with Showroom, Offices & Motor Vehicle Workshop (including MOT) & new Head Office Facility adjoining the existing Peugeot building on site including associated hard & soft landscaping & associated supporting facilities. This application is a Departure from the Development Plan.

UPDATE DETAILS

Reason for Update/Changes:

A new version of the National Planning Policy Framework was published after the preparation of this officer report. Where reference to the NPPF is made in the report any consequential changes have been identified.

Officers Comment:

Page 24 of the report refers to the now superseded NPPF. Paragraph 7 is reiterated in paragraph 8 of the new guidance. Paragraph 11 is reiterated in paragraph 2 of the new guidance. Paragraphs 17 & 18 are reiterated in paragraph 81 of the new guidance.

There are therefore no changes required to the officer report following the publication of the NPPF.

REPORT UPDATE

Application no: FG/105/18/PL
Page no: 33
Location: Land at Asda Superstore Littlehampton Road Ferring
Description: Installation of a six-pump (12 filling position) automated petrol filling station ('PFS') & associated works. Resubmission of FG/206/17/PL

UPDATE DETAILS

Reason for Update/Changes:

The National Planning Policy Framework has been revised since the officer report was written. The reference to paragraph 32 of the NPPF in the transport section now refers to para 109 of the 2018 NPPF.

The policy context section on page 37 should refer to the site being within the Built Up Area Boundary and the reference to siting within the Strategic Gap should be deleted.

It should also be noted that officers incorrectly reported in the previous planning application (FG/206/17/PL) that the application site was outside of the defined Built Up Area Boundary. This was factually incorrect as it applied to the Ferring Neighbourhood Plan which includes the site within its defined Built Up Area.

The Engineers have recommended that a drainage condition be imposed.

Additional comments from West Sussex Highways raising no objection to the additional details they requested (a Stager One following their original comments

A further letter of objection has been submitted expressing the view that even without the jet wash facility the 24hr petrol filling station (PFS) will cause unacceptable detriment to adjoining residents by way of noise and light pollution. Objection is also raised regarding the forward location of the PFS and how this will have a negative impact on the semi rural nature of this area. It is also claimed that there will be highway safety implications from tailbacks likely to be generated by the PFs at a dangerous junction with the A259.

Officers Response:

New paragraph 109 of the NPPF reiterates what was included in previous version in paragraph 32. New paragraph 109 does add that planning applications can be refused where 'there would be an unacceptable impact on highway safety.' In this case given the advice by County Highways there is not considered to be an unacceptable impact on highway safety.

The report has been written within the policy context that the site is within the built up area boundary and not part of the Strategic Gap.

The attached updated recommendation sheet shows the drainage condition suggested (condition number 13).

There are no new issues raised by the additional objection that have not already been addressed in the Conclusions section of the report.

Installation of a six-pump (12 filling position) automated petrol filling station ('PFS') & associated works.
Resubmission of FG/206/17/PL

Land at Asda Superstore
Littlehampton Road
Ferring

RECOMMENDATION

Approve Conditionally

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Site Location A-17-31-fw 100 01 revE
Landscape Plan 200 06 revE,
Proposed Drainage Plan 100 REV 4
Proposed Site Plan 200 02 rev E
Site Sensitivity Information 200 08 rev C
Geo Environmental Appraisal 400-02 revC (received 17-07-2018)
Tank Farm General Arrangement 05.16049-ACE-00-XX-DR-S-20-0201-P02
Proposed PFS Plan 200 04 rev E
Proposed Forecourt Sections 400 01 revD
Proposed Site Elevations A 17 31 FW 300 01 revC
PFS Standard Details plan A-17-31 FW 500 01 rev C
Control Room Details 500-02 C
Fuel Tanker Tracking 200-07 E
External Lighting 17/2827/ex/0001 revD

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy QESP1 of the Arun District Local Plan.

- 3 The Petrol Filling Station shall only operate within the times 07:00 to 22:30 hours Monday to Saturday and 10:00 to 17:00 on any Sunday, Public or Bank Holiday as stated in the CA Design Environmental Risk Assessment revB. No part of the approved scheme, including the air/water unit shall operate outside of these hours.

Reason: In the interests of amenity in accordance with Arun District Local Plan policies QE SP1, QE DM1 and QEDM2 .

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- 4 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDs Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason : To ensure that the proposed development is satisfactory drained in accordance with policies QE SP1 and WDM3 of the Arun District Council Local Plan and policy 10 of Ferring Neighbourhood Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the surface water disposal scheme is agreed before construction commences.

- 5 External lighting in association with this development shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E3, Suburban. Such external lighting to operate not earlier than 15 minutes before opening and 15 minutes after closing of the petrol filling facility. Special consideration to be given in respect of housing to the immediate east of this proposed development

Reason: To control the residential amenities of the local environment in accordance with Arun District Local Plan policies QE SP1 and QE DM2.

- 6 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
1. A preliminary risk assessment which has identified:
 - All previous uses.
 - Potential contaminants associated with those uses.
 - A conceptual model of the site indicating sources, pathways and receptors.
 - Potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Where demolition is required 1. and 2. above should be submitted prior to demolition. Parts 3. and 4. can take place post demolition if necessary.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Local Plan policies QE SP1 and QE DM4. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 7 Should contaminative substances be revealed as in 1) above then prior to occupation of any part of the permitted development, a verification report demonstrating completion of necessary works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To protect and prevent the pollution of the water environment from potential pollutants associated with the proposed land uses policies QE SP1 and QE DM2.

- 8 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To protect and prevent the pollution of the water environment in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, and Environment Agency Groundwater Protection Position Statements (2017) A4 - A6, J1 - J7 and N7 and to ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Plan policies QE SP1 and QE DM4.

- 9 Landscaping (hard and soft) shall be carried out in accordance with the submitted details shown on plan (200 06 revD). All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, 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 QE SP1 of the Arun District Local Plan.

- 10 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved by, the Local Planning Authority. The Approved Plan shall demonstrate precautions to be taken to minimise the potential disturbance to neighbouring residents during the construction phase of the development, particularly in respect to noise, vibration and dust and be adhered to throughout the construction period. The Plan shall provide for :

- a. An indicative programme for carrying out the works.
- b. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method since foundation piling is likely to occur, the careful selection of plant and machinery and use of noise mitigation barriers.
- c. The parking of site operatives and visitors.
- d. Loading and unloading of plant and materials.
- e. Storage of plant and materials used in construction and development.
- f. Wheel washing facilities.
- g. Measures to control the emission of dust and dirt during construction.

Reason: In order to safeguard amenity in accordance with Arun District Local Plan policies QE SP1, QE DM1 and QE DM2.

- 11 Operation of any tannoy, or alarm system shall be inaudible at the site of the nearest residential boundary.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with policies QE SP1 and QE DM1.

- 12 Fuel Tanker Delivery times shall be restricted to 06:00 to 23:00 hours Monday to Saturday and 07:00 to 23:00 hours on any Sunday, Public or Bank Holiday as detailed in the ACP Acoustic Consultancy Report, Ref 11036, Revision C, 5th March 2018 with the exception that the delivery vehicle shall vacate the site by no later than 23:00 hours.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun District Local Plan policies QE SP1 and QE DM1.

- 13 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDs Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No development works hereby approved shall commence until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with polices W DM1 and W DM3 of the Arun Local Plan 2011-2031. It is considered necessary for this to be a pre-commencement condition to ensure that the surface water disposal scheme is agreed before construction commences.

- 14 INFORMATIVE: This permission does not purport or be deemed to grant consent for any advertisements for which a separate application for advertisement consent is required.
- 15 INFORMATIVE: The proposed development is on a site whose activity will require a Permit under the Environmental Permitting (England and Wales) Regulations 2010. Full details must be provided in writing to the Environmental Health Department (including plans and diagrams where appropriate) through a separate application. A petroleum license will be required from WSCC. Please liaise with WSCC re the layout etc before work commences.
- 16 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.

REPORT UPDATE

Application no: A/142/17/PL
Page no: 47
Location: Land at Barn Farm Dappers Lane Angmering
Description: Change of use of land from storage (B8 Storage or Distribution) to a car sales yard (Sui Generis).

UPDATE DETAILS

Reason for Update/Changes:

A new version of the National Planning Policy Framework (NPPF) was published after the preparation of this officer report. Where reference to the NPPF is made in the report any consequential changes have been identified.

Officers Comment:

The officers report does not make any reference to the predated NPPF.

REPORT UPDATE

Application no: AW/71/18/HH
Page no: 57
Location: 36 Kingsway Aldwick
Description: Demolition of existing ground floor extensions to front of property, construction of a single storey rear extension & reworking of existing external hard & soft landscaping including new vehicular access onto Kingsway. This application affects the character & appearance of the Craigweil House Conservation Area.

UPDATE DETAILS

Reason for Update/Changes:

FURTHER TREE OFFICER ADVICE

The Council's Tree Officer provided additional comment on the 30th July and this is summarised below:

- The Tree Officer had not previously considered the impact of the new gate pillars on the RPA of T5;
- Excavation to facilitate construction of the eastern pillar will occur within the amended RPA;
- Therefore, the Arboricultural Method Statement needs to refer to methodology and the inclusion of soil/root protection measure to limit the effects on tree health;
- There will be a risk of harmful soil contamination if as expected concrete is used to form an adequate footing for the pillar; and
- It is recommended that the following addition be sought to the Arboricultural Method Statement:

"The excavation for and construction of; footings for the eastern pillar (driveway access) within the RPA of T5, will be undertaken with care so as to avoid unnecessary damage to tree roots. Only hand-digging is permitted, and of sufficient depth and width so far as is necessary. Leachate from curing concrete can be toxic to tree roots therefore all pits are to be lined with impervious membrane before pouring concrete."

In response to this, the applicant submitted a revised Arboricultural Method Statement on the 31st July and this includes the additional paragraph. It is therefore necessary to amend condition 03 to refer to the Rev D Arboricultural Method Statement.

SUPPORTING PHOTOGRAPHS:

The applicant has provided a series of interior & exterior photographs to demonstrate (a) the existing appearance of the two single storey front extensions to be removed; and (b) how passionate the applicants are about Art Deco. These images can be viewed on the Council's website. It is not considered that the interior photographs are material to this determination.

NEW NPPF:

A new version of the National Planning Policy Framework (NPPF) was published after this officer report was finalised. However, there is no need to change the report as a result of the changes to the previous NPPF.

ADDITIONAL LOCAL RESIDENT OBJECTIONS

Since the finalisation of the officer report on the 19th July, 4 additional objections have been received from raising the following points:

- (1) Craigweil Private Estate Limited should not be allocated any weight in this determination as they do not take any professional advice before making comment;
- (2) Objections raised to the Arboricultural Method Statement and the impact of its requirements on the grass verge;
- (3) The verge will have a ramp on it - where are there other examples of this in Craigweil;
- (4) The submitted existing elevations do not correctly show the height of the existing hedge to the front. A photo is supplied to illustrate this point;
- (5) Removal of this hedge will have a drastic impact on the streetscene;
- (6) Unacceptable for the Conservation Officer to only provide verbal comments;
- (7) Replacement hedge is low in comparison to other properties in the streetscene;
- (8) Tree Officer is wrong that T11 (to be felled) makes no contribution to the character of the area;
- (9) The proposal does neither preserve or enhance the Conservation Area;
- (10) Objections within letter despatched on 26/07 do not appear in the officer report;
- (11) The width of the road surface within the property will be wider than Queensway thus making the verge appear as a central reservation;
- (12) Only reason for hedge to be removed is to facilitate two way traffic in/out of the site;
- (13) This should be refused as per AW/150/13 on grounds of excessive hard surfacing, new opening, loss of grass. The officers comment about there being no precedent from this decision due to the different frontage lengths is misdirected;
- (14) The number of trees in the hedge to be felled has not been clarified;
- (15) The Article 4 has not been considered and therefore the pre-application advice given in January 2018 was wrong;
- (16) An attachment to an email from the officer to the agent dated 23/04/18 is not provided on the website;
- (17) No details of Conservation Officer advice received at the time of the 23/04/18 email exchange;
- (18) No mention of removed trees in the application description;
- (19) The building is not an architectural gem waiting to be revealed to the world;
- (20) The submitted photos by the applicant are not material to the application and should not have been accepted; and
- (21) The revised Tree Plan has not been made available to the public and the tree officer was not re-consulted on this.

The comments are noted. The bulk of these points have already been considered within the officer report or by the consultees. However the following comments are made in respect of new points:

- (1) The comments of the Private Estate are considered to be a local resident representation with the same weight as other representations;
- (10) These objections were received after the report was finalised and are instead summarised above;
- (15) The Article 4 has been considered but only insofar as it removes permitted development rights and requires that planning permission be sought;
- (16) The attachment was a notice of service form taken from the Councils website;
- (17) There was no conversation with the Conservation Officer at this time;
- (20) We are required to upload anything submitted by an applicant in support of their proposal (or indeed anything submitted by third parties in connection with an application). It is then the role of the planning officer to determine whether the information submitted is material or not;
- (21) The Councils Tree Officer requested a further addition to the Arboricultural Method Statement and the applicants have provided a new version including this additional text (this is referred to elsewhere in this report update). The Arboricultural Method Statement was added to the website on the 3rd of August. The Tree Officer was informed of this but there was no reason for him to make further comment.

CORRECTION TO "OFFICERS COMMENTS ON REPS" SECTION OF THE REPORT:

A local resident had commented that a ramped access from the road would detract from the streetscene. In response, the officer had stated: "(18) Noted however, there are other ramped or level accesses on local roads which are not considered to detract from the character of the streetscene;"

However, we are unable to give examples of other ramped accesses within the Craigweil Estate.

There are existing and proposed section drawings within the Tree Survey report which illustrate that there will be a slightly greater gradient on the slope between the site and the road.

Officers Comment:

The recommendation has been amended to amend condition 03 to refer to the Rev D Arboricultural Method Statement. This change is reflected by the attached amended replacement recommendation sheet.

Demolition of existing ground floor extensions to front of property, construction of a single storey rear extension & reworking of existing external hard & soft landscaping including new vehicular access onto Kingsway. This application affects the character & appearance of the Craigweil House Conservation Area.

36 Kingsway
Aldwick

RECOMMENDATION

Approve Conditonally

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

C0019-P001 Location Plan Rev B;
C0019-P004 Proposed Site Plan Rev I;
C0019-P111 "Proposed Ground Floor Plan" Rev E;
C0019-P112 "Proposed First Floor Plan" Rev B;
C0019-P211 "Proposed South Elevation" Rev B;
C0019-P212 "Proposed West Elevation" Rev B;
C0019-P213 "Proposed North Elevation" Rev B;
C0019-P214 "Proposed East Elevation" Rev B;
C0019-P215 "Proposed North Elevation - Context" Rev G;
C0019-P216 "Proposed East Elevation - Context" Rev C;
C0019-P218 "Proposed Section through drive"; and
C0019-SK028 "3D Model - Proposed" Rev B.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun District Local Plan 2011-2031.

- 3 All construction works are to be carried out in strict accordance with the Tree Survey; Arboricultural Impact Assessment; and Arboricultural Method Statement Report all prepared by the Landscape Partnership (REV D - 03/08/18) including the Tree Protection Plan dwg.no. AIA/AMS drawing no.602 - Rev B. and Cellweb Section - Tree Root Protection dwg no. GS-CW-BP-75.

Reason: To comply with BS5837 and the National Planning Policy Framework to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality are not compromised so they can continue to enhance the landscape and amenity of the area. This is required to be a pre-commencement condition because it is necessary to ensure that the trees are protected prior to commencing any building works.

- 4 Prior to any construction works taking place or the introduction of any machinery and plant to the site, the following issues must be resolved to our satisfaction:-

A Pre-Commencement Site Meeting is to take place between the Arun District Council Tree Officer and the Arboricultural Expert representing the site owners - at this meeting all protective fencing will be inspected along with ground protection measures - they will be assessed to verify that they are 'Fit for Purpose' as required under British Standard 5837 and have been erected and positioned exactly as shown on the Tree Protection Plan ref: AIA/AMS drawing no.602 - Rev B.

A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the site meeting to the satisfaction of the Arun District Council Tree Officer.

Reason: To comply with BS5837 and the National Planning Policy Framework to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality are not compromised so they can continue to enhance the landscape and amenity of the area. This is required to be a pre-commencement condition because it is necessary to ensure that the trees are protected prior to commencing any building works.

- 5 No development in respect of the new driveway/new hard surfacing shall take place unless and until a schedule of materials and finishes to be used for the new proposed hard surfacing/driveway have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the new hard surfacing/driveway.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the Conservation Area in accordance with policies D DM1 & HER DM3 of the Arun District Local Plan 2011-2031.

- 6 The materials and finishes of the external walls of the extension hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 & HER DM3 of the Arun District Local Plan 2011-2031.

- 7 The materials and finishes of the new gates and gate posts shall match in colour, style and texture with those of the existing vehicle & pedestrian gates on the Kingsway frontage.

Reason: In the interests of amenity in accordance with policies D DM1 & HER DM3 of the Arun District Local Plan 2011-2031.

- 8 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.

REPORT UPDATE

Application no: AW/130/18/OUT
Page no: 77
Location: Land to the rear of 34, 36, 38, 40 & 44 Carlton Avenue Aldwick
Description: Outline application with some matters reserved for the erection of 8 No. dwellings with new access between 34 & 36 Carlton Avenue.

UPDATE DETAILS

Reason for Update/Changes:

NEW NPPF:

A new version of the National Planning Policy Framework (NPPF) was published after this officer report was finalised. There is a reference to the NPPF within the third new paragraph on page 84 of the agenda. This refers to paragraph 17 of the NPPF. This has now been replaced by paragraph 127 which states that:

"Planning policies and decisions should ensure that developments: (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

FURTHER WSCC HIGHWAYS ADVICE:

The applicant provided swept path analysis drawings on the 27th July. These show that an ADC refuse vehicle and a fire appliance vehicle can make the turn into or out of the site and these vehicles can exit the site in a forward gear (having turned within the site). West Sussex Highways responded on the 1st August to state that they are satisfied with these arrangements. They do request an additional information plus a condition to require double yellow lines to be included at the new access to ensure no parking can take place at any time on either side.

The applicant has agreed to the yellow lining condition. The applicant also provided a new indicative layout plan on the 31st July which incorporates a revised drive to accommodate large appliance vehicles. The additional condition and informative are as follows:

CONDITION - No development shall be commenced until such time as a Traffic Regulation Order, or revision to an existing order, securing the provision of no waiting at any time restrictions in accordance with details to be submitted has been approved by the Highway Authority and written confirmation of this approval has been made available to the Local Planning Authority. REASON - It is considered necessary for this to be a pre-commencement condition as this goes to the heart of the planning permission.

INFORMATIVE - Section 278 Agreement of the 1980 Highways Act - Works within the Highway
The applicant is advised to enter into a legal agreement with West Sussex County Council, as

Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

MISSING POLICIES:

Policies ENV DM5 (Pagham Harbour) and SD SP1 (Sustainable Development) of the Arun District Local Plan 2011-2031 were omitted from the original report and should be considered within the determination of this application.

MISSING TEXT IN CONDITION REASONS:

No reasons were given for the pre-commencement nature of conditions 08 (Construction Environmental Management Plan) and 10 (Wheel Washing). The following text is to be added to the reasons for both of these conditions:

"It is considered necessary for this to be a pre-commencement condition as these details must be agreed before the impacts of construction begin."

Officers Comment:

The recommendation has been amended to include the additional condition, the additional informative the additional text within the reasons for conditions 08 & 10 and the Plans condition (03) has been amended to reference the swept path plans and the revised layout drawing. These changes are reflected by the attached amended replacement recommendation sheet.

Outline application with some matters reserved for the erection of 8 No. dwellings with new access between 34 & 36 Carlton Avenue.

Land to the rear of
34, 36, 38, 40 & 44
Carlton Avenue
Aldwick

RECOMMENDATION

App Cond with S106

- 1 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (d) Landscaping.

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

- 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

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

"Site Location Plan" dwg. 1 Revision A;
"Feasibility Site Plan" dwg. 2.01 Rev P4;
"Swept path analysis refuse truck" dwg. 1645-001; and
"Swept path analysis fire appliance" dwg. 1645-002.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun District Local Plan 2011-2031.

- 4 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDs Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactory drained in accordance with policies D DM1 and W DM3 of the Arun District Council Local Plan 2011-2031. It is considered necessary for this to be a pre-commencement condition to ensure that the surface water disposal scheme is agreed before construction commences.

- 5 The development shall not proceed until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run off values.

Reason: To ensure that the proposed development is satisfactory drained in accordance with policies D DM1 and W DM3 of the Arun District Council Local Plan 2011-2031. It is considered necessary for this to be a pre-commencement condition to ensure that the surface water disposal scheme is agreed before construction commences.

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

Reason: To ensure that the proposed development is satisfactory drained in accordance with policies D DM1 and W DM3 of the Arun District Council Local Plan 2011-2031. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 7 The development layout shall not be agreed until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason: To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion, in accordance with policies D DM1 and W DM3 of the Arun District Council Local Plan 2011-2031.

- 8 No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a. An indicative programme for carrying out of the works;
- b. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- c the anticipated number, frequency and types of vehicles used during construction;
- d. the parking of vehicles of site operatives and visitors;
- e. loading and unloading of plant, materials and waste;
- f. storage of plant and materials used in constructing the development;
- g. measures to control the emission of dust and dirt during construction; and
- h. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety and the amenities of the area particularly nearby sensitive residential properties in accordance with policies D DM1, T SP1, QE DM1, QE DM2 and QE DM3 of the Arun Local Plan 2011-2031. It is considered necessary for this to be a pre-commencement condition as these details must be agreed before the impacts of construction begin.

- 9 No development shall be commenced until such time as a Traffic Regulation Order, or revision to an existing order, securing the provision of no waiting at any time restrictions in accordance with details to be submitted has been approved by the Highway Authority and written confirmation of this approval has been made available to the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policies D DM1 and T SP1 of the Arun Local Plan 2011-2031. It is considered necessary for this to be a pre-commencement condition as this goes to the heart of the planning permission.

- 10 No development shall be carried out on the site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with details provided by the Local Planning Authority and such facility shall be retained in working order and throughout the period of work on site to ensure the vehicles do not carry mud and earth on to the public highway, which may cause a hazard to other road users.

Reason: In the interests of road safety and the amenities of the area in accordance with policies T SP1, QE DM3 and D DM1 of the Arun Local Plan 2011-2031. It is considered necessary for this to be a pre-commencement condition as these details must be agreed before the impacts of construction begin.

- 11 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with policies T SP1 and T DM1 of the Arun Local Plan 2011-2031.

- 12 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

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 2011-2031.

- 13 No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Carlton Avenue in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety in accordance with policy T SP1 of the Arun Local Plan 2011-2031.

- 14 The garage buildings shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety in accordance with policy T SP1 of the Arun Local Plan 2011-2031.

- 15 Should any sewer be found during construction works then all development activities within 5m of the external edge of the sewer shall cease and they shall not recommence until full details of the proposed measures to be undertaken to protect the existing public sewer have been submitted to and approved in writing by the local planning authority (in conjunction with Southern Water) and then implemented in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to the existing foul sewer in accordance with policy W SP1 and W DM1 of the Arun District Council Local Plan 2011-2031.

- 16 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 17 INFORMATIVE: Drainage Engineers advise that Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also available on request.
- 18 INFORMATIVE: The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.
- 19 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on 01903 737500
- 20 INFORMATIVE: Section 278 Agreement of the 1980 Highways Act - Works within the Highway
The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

- 21 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to financial contributions covering children's play equipment at Avisford Recreation Ground (£12,800) and Pagham Harbour Access Management Mitigation Measures (£6,968)
- 22 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link:

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

REPORT UPDATE

Application no: AL/38/18/PL
Page no: 95
Location: The Gospel Hall Nyton Road Aldingbourne
Description: Construction of additional car parking, with lighting, to serve existing Gospel Hall.

UPDATE DETAILS

Reason for Update/Changes:

NEW NPPF:

A new version of the National Planning Policy Framework (NPPF) was published after this officer report was finalised. There is a reference to the NPPF under "Principle" on page 98 of the agenda. The text refers to paragraphs 70 and 171 regarding support for places of worship. These paragraphs have now been replaced by new paragraphs 83 (d) and 92 (a). The policy text however remains the same.

ADDITIONAL DRAINAGE PLAN:

The applicant recently provided a Drainage Plan (received 06/08/18) which shows the use of permeable paving across the site. They have submitted this in order to avoid the need for the agreement of details post decision in accordance with condition 03. This plan has been assessed by our Drainage Engineers who state that: "The condition will still be required as they have not completed winter groundwater monitoring, and the percolation tests were completed too deep." However, it is recommended that the proposed condition (03) be amended to say "Development of the parking area shall not commence" instead of "Development shall not commence".

AMENDMENT TO CONDITION 05:

It is considered that this condition should be amended to say instead:

"The approved car parking spaces shall be retained at all times for their designated purpose."

The first part of the condition (which is to be deleted) is not considered to be redundant as the development to be occupied is the car parking.

AMENDED RECOMMENDATION:

The report provides a recommendation on page 101 of "APPROVE CONDITIONALLY". However, it has been necessary in accordance with Section 2 of the Neighbourhood Planning Act 2017, to notify the Aldingbourne Parish Council of both the Lighting Statement and the Drainage Plan.

For this reason, it is not possible to make a decision on this application until after the 27th August.

Therefore, it is recommended that should members resolve to approve the application, that this final decision then be delegated back to the Head of Planning to issue the decision.

Officers Comment:

The officer recommendation is to change as follows:

IT IS RECOMMENDED THAT SHOULD MEMBERS RESOLVE TO APPROVE THE APPLICATION, THEN THE FINAL DECISION WILL BE DELEGATED BACK TO THE HEAD OF PLANNING TO ISSUE THE DECISION AFTER THE 27th AUGUST 2018.

A replacement recommendation sheet is attached and includes the proposed revised wording of conditions 03 and 05.

Construction of additional car parking, with lighting, to serve existing Gospel Hall.

The Gospel Hall
Nyton Road
Aldingbourne

RECOMMENDATION

Approve Conditonally

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

(1) "Location Plan"; and

(2) "Site Layout with Proposed additional Hard Surfaced Parking Areas" drawing BG.8.03.M Rev N.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun District Local Plan 2011-2031.

- 3 Development of the parking area shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDs Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No part of the extended car park shall be used until the complete surface water drainage system serving the site has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactory drained in accordance with polices D DM1 and W DM3 of the Arun District Council Local Plan 2011-2031. It is considered necessary for this to be a pre-commencement condition to ensure that the surface water disposal scheme is agreed before construction commences.

- 4 No part of the development shall be first occupied until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of 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 of the Arun District Local Plan 2011-2031.

- 5 The approved car parking spaces shall be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with policy T SP1 of the Arun District Council Local Plan 2011-2031.

- 6 The lighting levels shall be in accordance with the submitted Lighting Statement (July 2018) and the limitations for Zone E2 of the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light for Exterior Lighting Installations.

Reason: In the interests of the visual amenities of the locality in accordance with policies D DM1 and QE DM2 of the Arun District Council Local Plan 2011-2031 and policy EH10 of the Aldingbourne Neighbourhood Development Plan.

- 7 The external lighting hereby approved shall only be used when services are being conducted and at no time other between the hours of 0700 hours and 2200 hours.

Reason: In the interests of the amenities of the locality in accordance with policies D DM1 and QE DM2 of the Arun District Council Local Plan 2011-2031 and policy EH10 of the Aldingbourne Neighbourhood Development Plan.

- 8 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 9 INFORMATIVE: Drainage Engineers advise that Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. Drainage Engineers have also stated that: "I note that percolation test results and drainage designs have been included with the planning submission. However, no winter groundwater monitoring has been recorded and the test pits have been dug far too deep. We would expect winter groundwater levels to be far higher than 3m. Therefore shallower infiltration structures will need to be used. Percolation tests should be conducted at the base of the proposed structure. The use of permeable paving could also be investigated for this site." The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.
- 10 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance (artificial lighting et al) action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on 01903 737500.

REPORT UPDATE

Application No: AL/115/17/OUT - Page 105

Reason for the Update / Changes

Reason for Update/Changes:

A new version of the NPPF was published following to the preparation of this officer report. The new guidance has been assessed and the following changes are applicable:

107:-

The Parish Council make comments on various parts of the previous NPPF on page 106. The Conclusions section of the report addressed the relevant issues.

108

The reference to para 109 and flooding is now considered at para 163.

113

Para 11 is replaced by para 2 and 12. Para 12 states:-

Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

113

Para 112 is now 170 and footnote 53

114

Paras 56, 58, 60, and 64 have been replaced by 110, 124 and 130

115

Para 32 has been replaced by 109

117

See comments re page 113.

Officers Comment:

The recommendation remains unchanged.

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

REPORT(ODB)