



Public Document Pack

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2 December 2020

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held **virtually** on **Wednesday 2 December 2020 at 2.30 pm** and you are requested to attend.

Members: Councillors Bennett (Chairman), Ms Thurston (Vice-Chair), B Blanchard-Cooper, Bower, Charles, Coster, Edwards, Mrs Hamilton, Kelly, Lury, Mrs Pendleton, Roberts, Tilbrook, Mrs Warr and Mrs Yeates

PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE ALTERED AT THE DISCRETION OF THE CHAIRMAN AND SUBJECT TO THE AGREEMENT OF THE MEMBERS OF THE COMMITTEE

PLEASE ALSO NOTE THAT PLANS OF THE APPLICATIONS DETAILED IN THE AGENDA ARE AVAILABLE FOR INSPECTION AT THE COUNCIL'S PLANNING RECEPTION AT THE CIVIC CENTRE AND/OR ON LINE AT www.arun.gov.uk/planning<<http://www.arun.gov.uk/planning>>

AGENDA

OFFICER REPORT UPDATES

Are attached.

Note : Reports are attached for all Members of the Committee only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager.

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

Note : Filming, Photography and Recording at Council Meetings - The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link – [Filming Policy](#)

These meetings are webcast live.

To watch recorded webcasts use the following link - Development Control [Webcast Page](#)

REPORT UPDATE

Application no: M/68/20/PL
Page no: 6
Location: Poultry Farm 87 Yapton Road Middleton-On-Sea
Description: Demolition of the existing structures & redevelopment to provide a new 66-bedroom care home arranged over two storeys together with associated access, car & cycle parking, structural landscaping & amenity space provision (resubmission following M/80/19/PL). This application is in CIL Zone 4 (Zero Rated) as 'other development'.

UPDATE DETAILS

Reason for Update:

Members are advised that the contributions requested by County are still being sought and a completed unilateral undertaking is expected to be submitted shortly. This is notwithstanding that following the appeal hearing into M/80/19/PL evidence was submitted to show that Inspectors considering appeals for two other care homes in the District found that library and fire contributions did not meet the tests and were struck out.

The agent has advised the following:

- The ground floor level is the same as the previous scheme - it is not dug into the site.
- The height is reduced only by lowering roof ridge lines.
- The basement is served by extract air and make up air via risers to air handling plant in the empty roof void above.
- Air in will be tempered for temperature control. Additional cassette "a/c" units will be provided in the staff lounge and laundry.
- Air out will be filtered from laundry and kitchen extracts and expelled via acoustically baffled roof vent cowls.

Officers Comment:

An additional condition (condition 22) has been added requiring details of the extraction system to be submitted to the Local Planning Authority for approval prior to occupation.

Note: The changes to recommendation, conditions and/or reasons are attached on the amended replacement recommendation sheet.

Demolition of the existing structures & redevelopment to provide a new 66-bedroom care home arranged over two storeys together with associated access, car & cycle parking, structural landscaping & amenity space provision (resubmission following M/80/19/PL). This application is in CIL Zone 4 (Zero Rated) as 'other development'.

Poultry Farm
87 Yapton Road
Middleton-On-Sea

RECOMMENDATION

AC - 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:

2017/PA/001 Site Location Plan
2017/PA/002 Site Plan as Existing
2017/PA/004 Proposed Site Layout Plan
2017/PA/011 Proposed Ground Floor Plan
2017/PA/012 Proposed First Floor Plan
2017/PA/013 Proposed Roof Plan
2017/PA/020 Proposed Elevations Sheet 1
2017/PA/021 Proposed Elevations Sheet 2
2017/PA/002 Proposed Site Sections
2017/PA/025 Street Scenes Sheet 1
2017/PA/026 Street Scenes Sheet 2
2017/PA/10 Basement Plan Proposed
402.6594.0008_RC_001 General Arrangement Plan
2017/PA/003 Site Plan (Footprint Comparison)
2017/PA/030 Site Survey

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

- 3 No development shall commence until a detailed Construction 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,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy T SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition

because any works on the site could result in congestion or impede access onto a classified road which could compromise highway safety.

- 4 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 ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy TSP1 of Arun Local Plan.

- 5 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. The spaces so approved shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with policy TSP1 of Arun Local Plan.

- 6 No part of the development shall be first occupied until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport in accordance with policy T SP1 of Arun Local Plan.

- 7 No part of the development shall be first occupied until such time as plans, details and construction specification showing the proposed surfacing works for Right of Way no. 160 have been submitted to and approved in writing by the Local Planning Authority and the details so approved shall be completed within 3 months of first occupation of the home.

Reason: To ensure that suitable materials are used for the surfacing works and to safeguard users in accordance with T SP1 of the Arun Local Plan.

- 8 The development shall proceed in accordance with the Ecological Impact Assessment dated August 2020 and the Reptile, Bat and Hedgehog Mitigation Measures and Enhancement Strategy detailed within the report. The mitigation provided shall be retained in perpetuity.

Reason: To safeguard the ecology of the area, and in the interests of bats/birds to ensure that a habitat remains for them during and after development in accordance with policy ENV DM5 of Arun Local Plan.

- 9 The care home shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the home will incorporate decentralised, renewable and low carbon energy supply systems and use sustainable construction methods. The approved scheme shall thereafter be implemented prior to occupation of the home and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient, and in accordance with policy ECC SP2 of the Arun Local Plan.

- 10 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) - at this meeting all protective fencing will be inspected to verify it is 'Fit for Purpose' as required under British Standard 5837:2012 and erected and positioned exactly as shown on the Tree Protection Plan, PJC/5602/20/C (sheets 1 to 4), 27/08/2020.

- 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 Planning Authority's Tree Officer.

Reason: To comply with BS5837 and policy ENV DM1 of Arun Local Plan and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area. It is considered necessary for this to be a pre-commencement condition to ensure that the health of the protected Ash trees is not compromised

- 11 All activity at the site is to be carried out in strict accordance with: - Arboricultural Impact Assessment, PJC ref: 5602/20-02 Rev - and Arboricultural Method Statement, PJC ref: 5602/20-03 Rev

- If there is deemed to be a need for any Utility Service Route connections to bisect retained tree

Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

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

12 Any approved tree pruning or that later considered essential to enable the agreed development must wherever achievable meet the requirements of BS3998:2010 Tree work - Recommendations:

- Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010

- Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.

Reason: In the interest of continued health and vitality of trees and to accord with current industry guidelines and sound arboricultural practice and policy ENV DM4 of Arun Local Plan.

13 No development above damp proof course (DPC) level shall take place 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 building 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 Local Plan.

14 No development above damp proof course (DPC) level shall take place until precise details of boundary treatments have been submitted to and approved by the Local Planning Authority and the care home shall not be occupied until such treatments have been erected.

Reason: In the interests of amenity in accordance with policy D DM1 of the Arun Local Plan.

15 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building and hard landscaping have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

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

16 Prior to the commencement of construction works details of a proposed foul and surface water sewerage shall be submitted to and approved in writing by the Local Planning Authority and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to consider the foul water drainage system prior to commencing any building works.

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

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-

commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 18 No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And 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. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

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

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

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

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

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

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF).

- 22 Prior to occupation of the building precise details of the extraction system for the basement shall be submitted to and approved by Local Planning Authority. Those agreed details will be retained in perpetuity.

Reason: In the interests of amenity of occupiers in accordance with policy D DM1 of Arun Local Plan.

- 23 **INFORMATIVE:** Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 24 INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens. The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.
- 25 INFORMATIVE: Section 59 of the 1980 Highways Act - Extra-ordinary Traffic
The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.
- 26 INFORMATIVE: Works within the Highway - Implementation Team
The applicant is required to obtain all appropriate consents from 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.
- 27 INFORMATIVE: Temporary Developer Signage
The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
- 28 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, Please read our 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/infrastructure-charges>
- 29 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 30 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.
- 31 INFORMATIVE: The applicant should manage grassland areas to benefit reptiles.

REPORT UPDATE

Application no: LU/214/20/PL
Page no: 7
Location: Empty Supermarket Premises Avon Road Littlehampton
Description: Demolition of existing buildings & redevelopment comprising 36 No. residential units (Class C3) & flexible commercial floorspace (Class A1, A2, A3 and/or D1) together with the provision of car & cycle parking, landscaping & associated works (resubmission following LU/3/19/PL). This application affects the setting of listed buildings & may affect the character & appearance of the East Street, Littlehampton Conservation Area. This application is in CIL Zone 4 (Zero Rated) as 'flats & other development'.

UPDATE DETAILS

Reason for Update/Changes:

An additional condition (22) has been added relating to submission of fencing and walling details.

3D illustrative street scene elevations have been provided and further plans amending the footprint of the scheme to reduce the wing on the north west corner of the site to provide a greater distance to the adjacent trees to address the concerns of the tree officer. As part of the amendments to the north western corner, the publicly accessible footpath is re-routed so that it connects to the existing pedestrian access into the site from Franciscan Way. This means that the area immediately to the south of existing trees (behind the boundary wall) will now be soft landscaping. An updated Arboricultural Method Statement which includes an updated Tree Protection Plan has also been submitted. Condition 8 has been amended from a pre-commencement condition to refer to development proceeding in accordance with the Method Statement.

The number of units has been reduced by 1 to 36 with an accommodation mix of 14 x 1 bed flats, 15 x 2 bed flats, 7 x 3 bed flats. The description of the application has been amended to reflect this change in number. Building 1 has 19 units, Building 2 has 11 units and Building 3 has 7 units. All internal floor areas to the flats exceed the national minimum space standards.

The amended density figure is now 60 dwellings per hectare.

As a consequence of the receipt of revised plans condition 2 has been amended to reflect the latest drawing numbers.

The tree officer has been consulted on the latest plans and has no objection. He confirms the principle of development as described is achievable without undue detriment to retained off-site trees, provided there is adequate site supervision at key stages by the project arboriculturist. Condition 8 is amended and 9 is a new additional condition. Condition 8 is pre-commencement which has been agreed by the agent.

An additional representation has been received making the following comments:

- This site is one of the few opportunity sites left in Littlehampton Town Centre. It sits in the

Littlehampton Economic Growth Area.

- From the start development of this site has been blighted by the failure of the applicant to engage in pre application community consultation. The opportunity was there to look at the site together with St Martins car park and devise a scheme which delivered not only new residential but leisure and a Hotel too.
- Design was always key, not scale.
- It seems bizarre to accept so few residential units on a brownfield site of this size whilst greenfield sites are under threat in so many places across Arun.

Officers Comment:

Scale and design were both key to securing an appropriate development on this site. The number of units proposed reflects the optimum achievable given the site constraints.

Note: The changes to recommendation, conditions and/or reasons are attached on the amended replacement recommendation sheet.

Demolition of existing buildings & redevelopment comprising 36 No. residential units (Class C3) & flexible commercial floorspace (Class A1, A2, A3 and/or D1) together with the provision of car & cycle parking, landscaping & associated works (resubmission following LU/3/19/PL). This application affects the setting of listed buildings & may affect the character & appearance of the East Street, Littlehampton Conservation Area. This application is in CIL Zone 4 (Zero Rated) as 'flats & other development'.

Empty Supermarket Premises
Avon Road
Littlehampton

RECOMMENDATION

AC - 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:

Proposed Site Plan 0002 Rev R5 02/12/2020
Proposed B1 Ground Floor Plan 0008 Rev R4 02/12/2020
Proposed B1 First Floor Plan 0009 Rev R4 02/10/2020
Proposed B1 Second Floor Plan 0010 Rev R4 02/12/2020
Proposed B2 Ground Floor Plan 0012 Rev R3 02/12/2020
Proposed B2 First Floor Plan 0013 Rev R3 02/12/2020
Proposed B3 Ground Floor Plan 0016 Rev R3 02/12/2020
Proposed B3 First Floor Plan 0017 Rev R3 02/12/2020
Proposed Zoning 0003 Rev R3 02/12/2020
Proposed Ground Floor Plan 0004 Rev R5 02/12/2020
Proposed First Floor Plan 0005 Rev R3 02/12/2020
Proposed Second Floor Plan 0006 Rev R3 02/12/2020
Proposed Roof Top Plan 0007 Rev R3 02/12/2020
Proposed B1 Roof Plan 0011 Rev R3 02/12/2020
Proposed B2 Roof Plan 0015 Rev R2 02/12/2020
Proposed B3 Roof Plan 0019 Rev R2 02/12/2020
Proposed Light Study Plan 0020 Rev R3 02/12/2020
Proposed Elevation E - Avon Road 0029 Rev R1 20/10/2020
Proposed Elevation F - Anchor Springs 0030 Rev R2 20/10/2020
Proposed Elevation G - East Street 0031 Rev R2 20/10/2020
Proposed Elevation H - Duke Street 0032 Rev R5 02/12/2020
Proposed Elevation B - Franciscan Way 0033 Rev R4 02/12/2020
Proposed Elevation C - Central Green 0034 Rev R3 02/12/2020
Proposed Elevation A - Avon Road 0035 Rev R3 02/12/2020
Proposed Elevation D - Central Green 0036 Rev R1 20/10/2020
Proposed Section A-A 0041 Rev R1 20/10/2020
Proposed Section B-B 0042 Rev R2 02/12/2020
Proposed Section C-C 0043 Rev R3 02/12/2020
Proposed Section D-D 0044 Rev R1 20/10/2020

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

- 3 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management/maintenance) and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. This needs to be a pre commencement condition to ensure that suitable drainage can be provided before any works commence.

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

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

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

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

- 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 or management company shall strictly adhere to and implement the recommendations contained within the manual.

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

- 7 No development shall commence until a Construction 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,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy TSP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because any works on the site could result in congestion or impede access and compromise highway safety.

- 8 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) - at this meeting all protective fencing and ground protection measures

will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan
- dwg. no. SJA TPP 20578-041, Rev A
- 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 Planning Authority's Tree Officer.

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

- 9 All activity at the site is to be carried out in strict accordance with: - Arboricultural Method Statement, SJA Trees, ref. SJA ams 20587-01a, December 2020.
- If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

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

- 10 Prior to the commencement of development 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 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.

- 11 The scheme for risk of contamination approved in condition 9 shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the 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 the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun 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.

- 12 The development permitted by this planning permission shall only be carried out in accordance with the submitted flood risk assessment (August 2020, Waterman) and the following mitigation measures

it details:

- Finished floor levels for the residential part of the development shall be set no lower than 5.2m above Ordnance Datum (AOD).
- Finished floor levels for the commercial part of the development shall be set no lower than 3.0m above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policies W SP1 and W DM2 of the Arun Local Plan.

- 13 No development above damp proof course (DPC) level shall take place 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 Local Plan.

- 14 No dwelling shall be first occupied until car parking serving the development has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with policy TSP1 of Arun Local Plan

- 15 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 current sustainable transport and policy TSP1 of Arun Local Plan.

- 16 No demolition/construction activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays.

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

- 17 No development above damp proof course shall take place until a scheme to demonstrate that the internal noise levels within the residential units will conform to the 'Indoor ambient noise levels for dwellings' guideline values specified within Table 4 under section 7.7.2 of BS 8233:2014 and shall be complied by a competent acoustician on sound insulation and noise reduction for buildings has been submitted to and approved in writing by the Local Planning Authority. The scheme should take into account the correct number of air changes required for noise affected rooms. The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

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

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

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF).

- 19 The development shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems and use sustainable construction

methods. The approved scheme shall thereafter be implemented prior to occupation of the home and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient, and in accordance with policy ECC SP2 of the Arun Local Plan.

- 20 No development above damp proof course shall take place until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority. A 'statement of detail' shall be submitted setting out details of proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The materials and 'statement of details' so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 21 The development shall proceed in accordance with Biodiversity Enhancements recommended within the Technical Note (Sept 2020) reference UE0274, the details of which shall be submitted to and approved by the Local Planning Authority prior to installation. The enhancements shall be provided to occupation of the units and shall be retained in perpetuity.

Reason: To safeguard the ecology of the area, and in the interests of bats/birds to ensure that a habitat remains for them during and after development in accordance with policy ENV DM5 of Arun Local Plan.

- 22 No development above damp proof course (DPC) level shall take place until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such screen walls and/or fences associated with them have been erected.

Reason: In the interests of amenity in accordance with policy D DM1 of the Arun Local Plan.

- 23 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 24 INFORMATIVE: Stopping Up Order. The applicant is advised that the existing public highway to be incorporated into the development must be the subject of a Stopping Up Order. This process must be successfully completed prior to any highway land being enclosed within the development. The applicant should contact the Department for Transport's National Transport Casework Team in order to commence this process.

- 25 INFORMATIVE: The use of flood proofing and resilience measures are recommended. Physical barriers, raised electrical fittings and special construction materials are just some of the ways to help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Department for Communities and Local Government: Preparing for floods
<http://www.planningportal.gov.uk/uploads/odpm/400000009282.pdf>

Department for Communities and Local Government: Improving the flood performance of new buildings: <http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

- 26 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the

Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on 01903 737555.

- 27 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act, 1990 and the Clean Air Act, 1993 with regard to burning on site. A statutory nuisance may be caused by smoke and/or ash from fires or noise from the cutting and/or chipping of trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should be contacted regarding Exemption Permits to burn on site.
- 28 INFORMATIVE: Consideration must be given to air quality issues. As per the National Planning Policy Framework (NPPF) (updated February 2019) air quality should be considered at the design stage and incorporate appropriate and effective mitigation. The applicant must follow the Air Quality & Emissions Mitigation Guidance for Sussex (2013), available at: <http://www.sussex-air.net/Consultation/AirQualitydocument.pdf>. This countywide adopted guidance states that where a major sized development is proposed a number of checklists should be followed in order to determine the likely impact of the proposed development on air quality. The intention of the guidance is to identify any air quality impacts through an impact assessment and ensure the integration of appropriate mitigation into a scheme at the design stage, so the damage costs on health can be properly mitigated. The air quality impact assessment can follow the procedures contained within the Institute of Air Quality Management (IAQM) Guidance entitled: 'Land-Use Planning & Development Control: Planning For Air Quality' (January 2017), available at: <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>
- 29 INFORMATIVE: The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public water mains and sewers.
- 30 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.

Planning Officer: Mrs A Gardner

Planning Application Ref: LU/214/20/PL

Location: Empty Supermarket Premises, Avon Road, Littlehampton, BN17 6AT

Description of works: Demolition of existing buildings & redevelopment comprising 37 No. residential units (Class C3) & flexible commercial floorspace (Class A1, A2, A3 and/or D1) together with the provision of car & cycle parking, landscaping & associated works (resubmission following LU/3/19/PL). This application affects the setting of listed buildings & may affect the character & appearance of the East Street, Littlehampton Conservation Area. This application is in CIL Zone 4 (Zero Rated) as 'flats & other development'

Comments on Application:

- It has been stated (application form, sect. 10. Trees and Hedges) that there are no trees or hedges on the proposed development site, nor on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character. Both those statements are incorrect; which I substantiate in this report.
 - There are significant trees off-site which could be adversely affected by these proposals, yet there is no supporting arboricultural information submitted with the application - a requirement of BS5837:2012. As such, were this application to now proceed, we will not have sufficient information to guarantee such trees would be adequately respected and protected.
 - There are few trees/shrubs wholly within the site, therefore in the absence of interior constraints from vegetation it should be possible to design a layout for the site which avoids any above or below ground conflict with retained vegetation. The vast majority of established trees are in the rear gardens of private residential property although the most significant from a public amenity perspective are roadside and growing from grass verge within the publicly maintainable highway (Franciscan Way).
 - Those latter trees include early mature examples of lime, cherry and whitebeam; which should be given adequate room as part of any proposal and account for their potential to increase in height and spread, such that no future 'pressure to prune' arises from the position of any residential dwelling. These trees provide high level screening and are a valuable visual amenity, especially when viewed from the north and south. The uninterrupted view of those trees from Avon Road should be recognised and be preserved (at least in part) for the benefit of residents in the wider community.
 - The existing hard ground surface (tarmac) will act as temporary 'ground protection' for those tree root systems which overlap the site - while it remains in situ. How that hard surface is eventually broken-up, removed and replaced will need to be described in detail so that we can be satisfied their methodology fully respects those trees. This should be included in their Arboricultural Method Statement, usually provided as part of the Arboricultural Impact Assessment and accompanied by a Tree Protection Plan.
-
- The applicants have employed SJA trees|Arboricultural Planning Consultants to prepare an Arboricultural Method Statement inclusive of Tree Schedule and Tree Protection Plan for this project. The Tree Survey data is comprehensive and accords with the requirements of BS5837:2012.
 - Proposed layout has been revised to give adequate room to off-site trees overlapping at the NW corner of the site. The loss of visual amenity following obscuration by new dwellings will be mitigated by tree planting elsewhere and across the development.

Conclusions:

- It should be possible to develop the site, broadly in line with the current proposals and without adverse effect on retained off-site trees.
- **Proposed Site Plan, dwg. no. LH1-USY-RO-MP-DR-A-0002, Rev 3** - There is one obvious and notable area of tree/development conflict that needs to be addressed. The size and orientation of units at the northwest corner of the site should be amended to fully accommodate and be harmonious with the anticipated long-term presence of roadside trees (root and crown development). **RESOLVED following submission of Proposed Site Plan, dwg. no. LH1-USY-RO-MP-DR-A-0002, Rev 5**
- The applicant has not yet provided sufficient information for us to be able to determine the impact of this proposal and in the absence of any expert arboricultural input there is a high risk of significant damage occurring to 3rd party trees overlapping the site and subsequent loss of public amenity. **RESOLVED following submission of Arboricultural Method Statement and Tree Protection Plan.**
- **The principle of development as described is achievable without undue detriment to retained off-site trees, provided there is adequate site supervision at key stages by the project arboriculturist.**

Recommendations:

- The applicants will need to employ the services of an Arboricultural Consultant to carry out a tree survey exercise and then prepare an Arboricultural Implications Assessment (AIA) which must be inclusive of; a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan' – with the trees accurately plotted on same.
- In the event that a RPA of any tree which is proposed for retention overlaps the development then BS5837:2012 requires that the Detailed Planning Application is accompanied by an Arboricultural Method Statement (AMS) and also most importantly a Tree Protection Plan – to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground.
- In the absence of the above reports and satisfactory layout being provided I must register an OBJECTION to these proposals. **No longer sustained.**

-
- I recommend the above scheme for **APPROVAL**, subject to the following conditions being applied:
 1. Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a **PRE-COMMENCEMENT Site Meeting** is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) – at this meeting all protective fencing and ground protection measures will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the **Tree Protection Plan – dwg. no. SJA TPP 20578-041, Rev A**
 - 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 Planning Authority's Tree Officer.

Reasons: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.
 2. All activity at the site is to be carried out in strict accordance with: - **Arboricultural Method Statement, SJA Trees, ref. SJA ams 20587-01a, December 2020**
 - If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

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

Mark Warwick
Tree Officer / Parks and Greenspace Team

REPORT UPDATE

Application no: A/76/20/PL
Page no: 55
Location: Land at Dappers Lane Angmering
Description: 84 No. dwellings, public open space, play areas, associated infrastructure & landscaping. This application affects a Right of Way.

UPDATE DETAILS

Reason for Update/Changes:

ADC Arboricultural Officer Comments:

The committee report says that the Arboricultural Officer has been re-consulted on the amended layout plan and his comments will be included in an update.

Officers Comment:

No comments have been received.

The committee report says that the recommendation is that the Development Control Committee delegate to the Group Head of Planning (in consultation with the Chairman and the Vice Chairman) authority to:

- a. Authorise the execution and completion of the Section 106 Agreement;
- b. Grant planning permission subject to conditions and the Section 106 Agreement.

Officers Comment:

As the Group Head of Planning is not available the Director of Place will step in.

The updated recommendation is that the Development Control Committee delegate to the Director of Place (in consultation with the Chairman and the Vice Chairman) authority to:

- a. Authorise the execution and completion of the Section 106 Agreement;
- b. Grant planning permission subject to conditions and the Section 106 Agreement.

The Heads of Terms table for the draft Section 106 Agreement was not attached to the Committee report.

Officers Comment:

A copy of the Heads of Terms table is attached to this Update report.

HEADS OF TERMS

DAPPERS LANE, ANGMERING (A/76/20/PL)

Financial obligation(s) summary or change	Trigger Point	Amount	Due to (ADC, WSCC, NHS, other)	Destination/ project	Spend by restriction
Education Nursery	To pay 25% of the nursery education contribution prior to the Occupation of the first dwelling. To pay the remaining 75% prior to the occupation of the 50th house.	£119,700	WSCC	Contributions generated by this proposal shall be spent on a new early years' facility serving Angmering, based on the provision of 84 dwellings.	Ten (10) years of the date of receipt of final instalment of the Contribution
Education Special School Facilities	To pay 25% of the education special school facilities contribution prior to the Occupation of the first dwelling. To pay the remaining 75% prior to the occupation of the 50th house.	£101,427	WSCC	To be used towards extending / developing existing Special Support Centres or special school facilities serving Angmering.	Ten (10) years of the date of receipt of final instalment of the Contribution
Education Primary	To pay 25% of the primary education contribution prior to the Occupation of the first dwelling. To pay the remaining 75% prior to the occupation of the 50th house.	£479,999	WSCC	To be used towards the provision of a new primary school in Angmering Village or towards expansion of one of the schools immediately serving the development.	Ten (10) years of the date of receipt of final instalment of the Contribution
Education Secondary	To pay 25% of the secondary education contribution prior to the Occupation of the first dwelling. To pay the remaining 75% prior to the occupation of the 50th house.	£33,538 x Additional Child Product = See WSCC response for full text Using the prescribed formula = £451,743	WSCC	Contributions generated by this proposal shall go towards infrastructure associated with Phase 1 of the new secondary school serving Arun.	Ten (10) years of the date of receipt of final instalment of the Contribution
Education Sixth Form	To pay 25% of the Sixth Form contribution prior to the Occupation of	DfE figure x Additional Child Product =	WSCC	Contributions generated by this proposal shall go towards future	Ten (10) years of the date of receipt of

	the first dwelling. To pay the remaining 75% prior to the occupation of the 50th house.	See WSCC response for full text Using the prescribed formula = £67,877		expansion at The Angmering School Sixth Form.	final instalment of the Contribution
Libraries	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	Using the prescribed formula = £15,750	WSCC	Contribution towards the development and enhancement of existing services at Angmering Library.	Ten (10) years of the date of receipt of final instalment of the Contribution
Fire & Rescue	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	$Y \times (Z / M) =$ See WSCC response for full text Using the prescribed formula = £2,177	WSCC	To be used as a contribution towards the re-development of Littlehampton Fire Station	Ten (10) years of the date of receipt of final instalment of the Contribution
Transport	To be delivered prior to occupation of the first dwelling.	Developer to provide.	Developer to provide.	Mitigation measures required at the A27/The Causeway roundabout at Arundel, which consist of white line improvements.	Ten (10) years of the date of receipt of final instalment of the Contribution
Transport	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	£302,400	WSCC	Developer contributions should go towards improvements to either: - the A280/A27/Long Furlong junction or; - A259 junctions: (A259/Station Road Roundabout or A259/A280 Roundabout).	Ten (10) years of the date of receipt of final instalment of the Contribution
Transport	To be delivered prior to occupation of the first dwelling.	Developer to provide.	Developer to provide.	The provision of a new pedestrian crossing with dropped kerbs and tactile paving on the pedestrian desire line on Pine Trees Close. (A plan of these works is to be provided in the Section 106	Ten (10) years of the date of receipt of final instalment of the Contribution

				<p><i>Agreement).</i></p> <p>The provision of tactile paving at the existing crossings at:</p> <ul style="list-style-type: none"> - the Arundel Road / Furze field Close Junction, - the Arundel Road / Chantryfield Road Junction and - the Arundel Road / Lansdowne Way Junction. 	
NHS	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	<p>£92,554</p> <p>The contribution is based on a pro rata basis, so all housing developments have a proportionate contribution level. The method for this has been reviewed and approved by the District Valuer.</p>	ADC (& the money will be transferred to the NHS).	Contribution towards the Willow Green / GP premises supporting Angmering site expansion.	Ten (10) years of the date of receipt of final instalment of the Contribution
Policing	Occupation of 42 nd dwelling	£2,217,18	ADC	Contribution towards officer start-up equipment, recruitment and training in the Angmering Neighbourhood Policing Team.	Ten (10) years of the date of receipt of final instalment of the Contribution
Policing	Occupation of 42 nd dwelling	£487.33	ADC	Contribution towards support staff start-up equipment, recruitment and training at Littlehampton Police Station.	Ten (10) years of the date of receipt of final instalment of the Contribution
Policing	Occupation of 42 nd dwelling	£8,975.03	ADC	Contribution towards officer and support staff to be based at Littlehampton Police Station.	Ten (10) years of the date of receipt of final instalment of the Contribution
Policing	Occupation of 42 nd dwelling	£2,869.44	ADC	Contribution towards the cost of one additional vehicle in the Angmering Neighbourhood	Ten (10) years of the date of receipt of final

				Policing Team.	instalment of the Contribution
Green Infrastructure	Trigger points will be provided in a Green Infrastructure Space Specification.	Applicant to deliver	Management Company	Provision of a Local Area of Play (LAP) and a Local Equipped Area of Play (LEAP); pedestrian link onto the existing PROW to the west of the site; and a surface water attenuation basin. Formation of landscaped plot and public open space (POS) areas.	Ten (10) years of the date of receipt of final instalment of the Contribution
Sports Halls	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	£31,677 The Sports Hall / Flexible Activity Space contribution was derived using the Active Places Power (Sport England) Sport Facility Calculator.	ADC	The sports hall contribution will be put towards providing the studio / flexible hall space at a Sports and Community Hub at Palmer Road in Angmering.	Ten (10) years of the date of receipt of final instalment of the Contribution
Swimming Pools	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	£34,073 The Swimming Pools Contribution was derived using the Active Places Power (Sport England) Sport Facility Calculator.	ADC	Contribution to increase the capacity of swimming pool changing facility provision for the District.	Ten (10) years of the date of receipt of final instalment of the Contribution
Health & Fitness	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	£10,400 The Health & Fitness contribution was derived using the Arun District SPD Health & Fitness Calculator.	ADC	Contribution towards Health & Fitness facilities at a Sports and Community Hub at Palmer Road in Angmering.	Ten (10) years of the date of receipt of final instalment of the Contribution
Artificial Turf Pitches	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	£8,043 plus £5,260 maintenance costs (total sum for 20 years) The Artificial Turf Pitch contribution was derived using the Active Places Power (Sport England) Playing	ADC	Contribution towards provision of a new 3G pitch surface and base layer at a new facility at Palmer Road in Angmering, to serve the East of the District.	Ten (10) years of the date of receipt of final instalment of the Contribution

		Pitch Calculator.			
Natural Grass Pitches	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	£21,291 plus £88,520 maintenance costs (total sum for 20 years) The Natural Grass Pitch contribution was derived using the Active Places Power (Sport England) Playing Pitch Calculator.	ADC	Contribution towards provision of a natural grass pitch which is agreed to be provided as an off-site sum to go at a new facility at Palmer Road, to serve the East of the District.	Ten (10) years of the date of receipt of final instalment of the Contribution
Ancillary Facilities	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	£48,019 The Ancillary Facilities contribution was derived using the Active Places Power (Sport England) Playing Pitch Calculator.	ADC	Contribution towards provision of ancillary facilities (changing rooms and car parking) at a new facility at Palmer Road in Angmering, to serve the East of the District.	Ten (10) years of the date of receipt of final instalment of the Contribution
Public Art	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	£3,237.50 (based on 84 dwellings or 185 population [84 x 2.2 = 184.8 or 185] 185 x £17.50 = £3,237.50).	ADC	Contribution towards public art in Angmering.	Ten (10) years of the date of receipt of final instalment of the Contribution
Flood Alleviation Measures	To pay 50% of the contribution prior to the occupation of the first dwelling. To pay the remaining 50% prior to the occupation of 50% of Housing Units.	£15,733 (based on £185 per dwelling).	WSCC	Contribution towards the Angmering Flood Risk Management Project to deliver sustainable water management for the Black Ditch catchment through Angmering.	Ten (10) years of the date of receipt of final instalment of the Contribution
Monitoring (ADC)	Prior to commencement.	£6,600	ADC	Contribution towards the costs of monitoring the delivery of these planning obligations and reporting under The Community Infrastructure Levy Regulations, 2010.	Ten (10) years of the date of receipt of final instalment of the Contribution
Monitoring (WSCC)	Prior to commencement.	Financial sum to be confirmed by WSCC.	WSCC	Contribution towards the costs of monitoring the delivery of these planning obligations and reporting under The Community Infrastructure Levy Regulations, 2010.	Ten (10) years of the date of receipt of final instalment of the Contribution

NON-FINANCIAL Obligation Summary	Trigger Point	Due To (ADC, WSCC, Other)	Department/Officer to Confirm Compliance
<p>Affordable Housing:</p> <p>25 affordable units (30% provision).</p> <p><u>Rented:</u></p> <p>12 x 2 bed houses; 6 x 3 bed houses.</p> <p><u>Shared Ownership:</u></p> <p>4 x 2 bed houses; 3 x 3 bed houses.</p>	<p>Not to occupy or cause to allow to occupy, more than 50% of the market housing units in the development until the affordable housing is provided on the land.</p>	<p>ADC</p>	<p>ADC Housing</p>
<p>Unadopted Highway:</p> <p>A non-adoption clause to safeguard the Local Highway Authority if the internal layout is not offered for adoption and similarly, a management plan clause to secure an appropriate management company for the long-term maintenance of any highway infrastructure remaining private.</p>		<p>WSCC</p>	

REPORT UPDATE

Ref No: ADC: BN/126/20/WS
WSSC: WSSC/052/20

Page No: 109

Location: Land to the north of Eastergate and north-west of Barnham

Description: Arun District Council consultation response to WSSC planning application (reference WSSC/052/20) for Phase 1 A29 re-alignment scheme (ADC reference BN/126/20/WS)

UPDATED DETAILS

COVERING REPORT

Amendment of the Recommendation (page 109) to refer to the amended letter:

Recommendation: That Development Control Committee approve the Arun District Council consultation response as set out in the letter (appended to this Report and as amended by the Report Update) for submission to West Sussex County Council in response to application reference WSSC/052/20.

LETTER

Amendment of the ADC consultation response set out in the letter appended to the Report as follows:

Insertion of additional paragraphs after 3.4.4 in respect of Transport and Access which reads:

The District Council would like to ensure that the effects of increased traffic on Fontwell Avenue up to the A27 junction is considered. Whilst it is acknowledged that the position of the re-aligned A29 road will have an effect on the stretch on Fontwell Avenue to the A27, managing traffic flows along Fontwell Avenue and at the A27 junction, will be key to ensuring the effects are mitigated to an acceptable level.

The District Council would like to see that these effects are considered as part of the ongoing development of the road.

Replacement of paragraph 3.6.8 in respect of Landscaping with the following paragraph:

The District Council considers that the landscape softening of the A29, along its extent, is both key and fundamental to ensuring the site integrates well with its surrounding area. Whilst it is acknowledged that the A29 provides a technical solution, the delivery of the re-aligned road should go further and contribute to best practice placemaking principles. It is considered that additional landscaping along the extent of the road will be key to ensuring this placemaking principles is achieved.

Replacement of paragraph 4.4 in respect of conclusions with the following paragraph:

Whilst the development is not fully in accordance with the Development Plan in so far as residential amenity, it is considered that on the whole, and on balance, the proposals accord

with the Development Plan. The material considerations in this instance comprise biodiversity net gain, which is enshrined within the NPPF. However, it is not considered that this material consideration is of such weight at this time as to warrant deviating from the Development Plan. Therefore, Arun District Council supports the approval of this planning application subject to:

- 1) Increased planting along the extent of the A29 to provide visual screening and better placemaking throughout the operational lifetime of the development; and*
- 2) Additional information being provided to clarify the correlation between the junction design at Fontwell Avenue and the effect on traffic flows/congestion at the A27 junction.*