



Public Document Pack

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3 February 2021

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held virtually on **Wednesday 3 February 2021 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: *This meeting will be a 'virtual meeting' and any member of the press and public may listen-in and view the proceedings via a weblink which will be publicised on the Council website at least 24 hours before the meeting.*

Different meeting arrangements are in place for the period running from 4 April 2020 to 7 May 2021 from the provisions of the Coronavirus Act 2020 and the meeting regulations 2020, to allow formal 'virtual meetings'.

This Council's revised Rules of Procedures for 'virtual meetings' can be viewed here [click here](#)

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 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: A/109/20/RES
Page no: 1
Location: Land South of Water Lane, Angmering
Description: Approval of reserved matters following outline consent A/99/17/OUT for 175 No dwellings & associated infrastructure. This application may affect the setting of a listed building, may affect the character & appearance of the Angmering Conservation Area & falls within Strategic Site SD9, CIL Zone 1 (Zero Rated).

UPDATE DETAILS

Summary of Angmering Advisory Group meeting

The Angmering Advisory Group meeting took place on the 26th January 2021. At the meeting the Parish Council reiterated their concerns about the drainage scheme, landscape impact, construction management plan, and the layout of the site around the Spotted Cow public house.

In response, the applicant, Barratt David Wilson (BDW) Homes, confirmed that they were not proposing any changes to the application following the deferral by Development Control Committee. They confirmed that additional detailed drainage information would be submitted (following informal discussions with ADC Engineers) as part of the discharge of condition application. They confirmed that they were in the process of producing a photomontage to illustrate the view of the site from the South Downs National Park, but that the landscape buffer meets the minimum requirement of 5.5m. They explained that the density meets the parameter plan requirements (lower density area is 26 dwellings per hectare (dph), medium density is 36 dph). They also confirmed that the houses around the Spotted Cow are set back and that the area around the attenuation basin is larger to compensate. ADC Engineers provided reassurance that the additional drainage information required related to the details of the scheme, rather than the principles which have been agreed. This view was supported by the Lead Local Flood Authority. The South Downs National Park Authority (SDNPA) commented that the photomontage may help to understand the views into the site but may not be sufficient to overcome their objection.

[The following is not a relevant issue for the determination of this application as it will be the subject of a separate discharge of condition application] The applicants confirmed that the Construction Management Plan (CMP) will be amended so the construction access will be from Water Lane, rather than High Street. This amendment was welcomed by the Advisory Group.

The Advisory Group requested sight of the photomontage and revised CMP. The Group felt that additional reassurance from ADC Engineers on drainage would be helpful and maintained the view that reconsidering the application at February Development Control Committee was too soon.

Landscaping and the South Downs National Park

BDW presented the detailed planting plans to the SDNPA at a meeting on Thursday 21st January 2021. The SDNPA aired their concerns in relation to the site's allocation in the Arun Local Plan and their input into the Examination into the Local Plan; and their objection to the outline planning application (A/99/17/OUT). It was agreed that BDW would prepare an additional visual from the A280 footbridge to give consideration to the extent of the proposed eastern landscape buffer. That document was submitted by BDW on Friday 29th January 2021 and it has been circulated to the members of the Angmering Advisory Group and to officers at the SDNPA for due consideration.

Drainage

There are no updates on the drainage as this is a matter which is outside the scope of this reserved matters application.

Density

The applicants have confirmed that there are no changes to the scheme following the Development Control Committee, therefore there are no further updates on this issue.

Updated consultee comments received as follows:

ANGMERING PARISH COUNCIL:

Object.

The Landscape and Visual Impact Assessment (LVIA) submitted with the reserved matters application shows the hedgerow along the eastern boundary of the site to be between 3.0m high and 4.0m high. It is obvious that the elevated views from the A280 footbridge would give open views of the development which would be impossible to mitigate.

The controversial views are from the 5 viewpoints in the LVIA which was submitted to the Examination in Public (EiP) into the Arun Local Plan, which were to satisfy the concerns raised by the Inspector and persuade him to include the site in the Local Plan subject to mitigation based on the fact that existing vegetation would restrict views of the development from the South Downs National Park to just glimpses of roofs.

The Parish Council's objection and grave concern remains about the impact that the site would have on the views to and from the South Downs National Park.

SOUTH DOWNS NATIONAL PARK AUTHORITY:

Object.

The South Downs National Park Authority (SDNPA) raised concerns when the site was originally proposed to be allocated in the Local Plan given its landscape sensitivity and the potential for development to negatively impact the setting of the National Park; and objected to the outline planning application due to the impact on the setting of the National Park. The detailed landscaping plans put forward in the reserved matters application have done nothing to allay the SDNPA's concerns.

The LVIA which was submitted at the outline planning stage (A/99/17/OUT) claimed that a landscape buffer along the eastern boundary (5.5-9.0m wide) would “provide screening and separation from the National Park”.

The inadequacy of the screening function of this minimal buffer remains a significant concern, particularly given the intention for the “Sussex View” character area to achieve “scenic views of the National Park”, which implies the buffer would be permeable.

The only visual that has been provided is a photograph looking obliquely into the site from the western end of the A280 footbridge from a tight angle across the roadside verge. It is considered that the two-storey rendered (pale finished) dwellings along the eastern boundary would be likely to be seen from the road and bridge, presenting an intense, urbanised development edge.

It has not been demonstrated that the development would not be highly visible from sensitive viewpoints within the National Park, or that the National Park’s setting and special qualities would not be permanently and significantly harmed as a result of the changes in landscape character.

If minded to approve the application, it is requested that the dwellings facing eastwards be subject to a condition restricting the materials palette to avoid light painted render or weatherboard.

Officers Comment:

The Inspector at the Local Plan Examination in Public asked a number of questions, one of which related to the landscape assessment of the Angmering North strategic allocation (SD9). The Inspector stated "some of the sites at Angmering North (those bordering the South Downs National Park are shown to have 'substantial' landscape sensitivity and 'low capacity' for development (including Site '12D' in the Landscape Capacity of Strategic Sites in Arun District, 2017 - which comprises the eastern part of the reserved matters application between the A280 and Avenals Farm). The Inspector said that the sites are particularly visible from the publicly accessible elevated ground at Highdown within the National Park but he could not see any specific analysis of viewpoints/receptors from this direction in the Landscape Capacity Study, 2017. The Inspector noted that the National Park Authority did not object to the allocation subject to the inclusion of an additional criterion within Policy H SP2c on landscape appraisal. The Inspector accepted that mitigation could be built into the development in terms of landscape structure, retention of existing vegetation and buffer planting. However, the Inspector requested the submission of further information to justify the soundness of the Angmering North allocation in terms of landscape impact.

A viewpoint assessment was carried out by the Council from 5 new viewpoints from within the National Park as requested by the Inspector. The assessment concluded that if Site 12D (the eastern part of the current reserved matters application site between the A280 and Avenals Farm) was developed it is expected some rooftops would be visible from the National Park. Localised views of any development on Sites 12D and 12E (comprising the current reserved matters application site), would

be restricted to receptors immediately on the boundary or within approximately 350 metres to the east of the site. A generous planted mitigation buffer was therefore suggested along the eastern edge of Site 12D (i.e. with the A280) and pockets of planting within the site to address the visibility of some rooftops.

It was acknowledged that Site 12D (the eastern part of the current reserved matters application site between the A280 and Avenals Farm) plays a transitional role between the current built-up boundary of Angmering and the National Park but this role reduces the closer the development is to the built-up area. The cutting and planting along the A280 is to be retained and reinforced as part of this reserved matters application, continuing the transitional role.

The Viewpoint Assessment concluded that the effects on the setting of the National Park were geographically limited and most residual effects would be capable of being mitigated by a generous planted mitigation buffer.

It was considered at the outline planning stage that the proposed landscape buffer along the eastern boundary of the site was sufficiently thick to provide the screening required in the LVIA and to address the Inspector's concerns. The LVIA recognised that the mitigation planting would come into effect to address the visual effects identified. This is consistent with the Memorandum of Understanding that exists between ADC and the SDNPA which was before the Inspector.

To assist the development of the buffer and provide a more immediate effect a condition was agreed at the outline planning stage that required the buffer to be planted using a mixture of plant sizes. This included some individual trees amongst the woodland planting, incorporating advanced nursery stock, thereby reducing significantly the time required for this mitigation to become effective.

The visual that has been provided is a photograph that looks directly into the site from a raised position on the western end of the A280 footbridge; and the red line showing the height of the proposed planting along the eastern landscape buffer has helped to show how the scheme will look against existing and proposed landscaping and within the surrounding landscape context. The eastern buffer as shown will provide mitigation and screening in the form of buffer planting to soften this edge.

Consequently, the LPA considers that the proposed landscape buffer along the eastern boundary of the site constitutes a dense matrix planting of feathered trees and understorey planting with the addition of intermittent advanced nursery stock and would mitigate the visual impact of the residential development, which will diminish the impact of the development over time and ensure that the reserved matters application accords with the NPPF, Policy HD5 (Built Form) of the Neighbourhood Plan and Policy LAN DM1 and Policy H SP2 of the Local Plan.

RECOMMENDATION:

The recommendation is that this application is approved and the conditions which are set out in the 6th January 2021 Committee Report be imposed.

REPORT UPDATE

Application no: A/179/20/RES
Page no: 1
Location: Land South of Water Lane, Angmering
Description: Approval of reserved matters (appearance, layout, scale and landscaping) following outline consent A/99/17/OUT, for a culverted embankment.

UPDATE DETAILS

Summary of Angmering Advisory Group meeting

The Angmering Advisory Group meeting took place on the 26th January 2021. At the meeting the Parish Council reiterated their concerns about the drainage scheme and flooding.

In response, the applicant, Barratt David Wilson (BDW) Homes, confirmed that they were not proposing any changes to the application following the deferral by Development Control Committee. They confirmed that additional detailed drainage information would be submitted (following informal discussions with ADC Engineers) as part of the discharge of condition application.

ADC Engineers provided reassurance that the additional drainage information required related to the details of the scheme, rather than the principles which have been agreed. This view was supported by the Lead Local Flood Authority.

The Group felt that additional reassurance from ADC Engineers on drainage would be helpful and maintained the view that reconsidering the application at February Development Control Committee was too soon.

Drainage

There are no updates on the drainage as this is a matter which is outside the scope of this reserved matters application.

Updated consultee comments received as follows:

THE LEAD LOCAL FLOOD AUTHORITY (LLFA):

The proposed tree-planting around the Black Ditch may be incompatible with the Angmering Flood Alleviation Scheme (FAS) that appears to be a priority for the parish residents. The LLFA would wish to see minimal additional planting within the extent of the proposed attenuation area for the Angmering FAS. Planting across the floodplain would clearly add to the leaf debris, branch debris in storms and rate of siltation within the ditch; all increasing the risk of blockage to downstream culverts. The LLFA also questions whether the tree planting proposed is compatible with the frequent fluvial flooding that occurs over winter months without damage to the trees themselves? Full implementation of the Angmering FAS could see peak depths increase by over a metre in the flood plain immediately upstream of the culverted road access. The detailed design for the Angmering FAS will incorporate appropriate measures to minimise risk of blockage to culverts from existing vegetation within the

Black Ditch, and this is forming part of the detailed design for the scheme. However, the LLFA cautions against any planting scheme that is not wholly compatible with the Angmering FAS, as currently envisaged.

Officers Comment:

The LLFA comments relate to the potential impacts on existing and proposed landscaping following the implementation of the Flood Alleviation Scheme. This is outside the scope of this reserved matters application and would need to be considered as part of the Flood Alleviation Scheme. As set out in the main report the soft landscaping scheme for this area is considered to be acceptable.

UPDATED RECOMMENDATION

As the period for re-advertisement of this reserved matters application expired on 17th January 2021, the recommendation is that this application is approved and the conditions which are set out in the 6th January 2021 Committee Report be imposed.

REPORT UPDATE

Application no: R/197/20/OUT
Page no: 13
Location: Croft Works 52 Mill Lane Rustington
Description: Outline application with some matters reserved for the demolition of existing dilapidated storage buildings & erection of 2 No. detached 3-bedroom chalet bungalows with associated car barns, gardens, car parking & landscaping (resubmission following R/117/20/OUT).

UPDATE DETAILS

Reason for Update:

The updated recommendation sheet is attached with the correct site plan as part of condition number 2 and the new condition number 19 requiring the provision of sprinklers in the new dwellings.

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Outline application with some matters reserved for the demolition of existing dilapidated storage buildings & erection of 2 No. detached 3-bedroom chalet bungalows with associated car barns, gardens, car parking & landscaping (resubmission following R/117/20/OUT).

Croft Works
52 Mill Lane
Rustington

RECOMMENDATION

AC - Approve Conditionally

- 1 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).
- 2 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:-

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).
- 3 The development hereby approved shall be carried out in accordance with the following approved plans:
Proposed Elevations 012A
Proposed Floor Plans and Sections 011A
Location and Block Plan 010B

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.
- 4 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 to be 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 policies.
- 5 No part of the development shall be first occupied until the car parking and vehicle turning areas have been constructed in accordance with the approved block plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space in the interests of road safety for the use in compliance with policy T SP1 of Arun Local Plan.
- 6 Prior to occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the Local Planning Authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c), T SP1 and ECCSP2 of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework

- 7 No windows other than those shown on the plans hereby approved shall be constructed in the roofs of the dwellings without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1/D DM4 of the Arun Local Plan.

- 8 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun District Local Plan.

- 9 No part of the development shall be occupied until the ecological enhancements identified in the Preliminary Bat Roost Assessment together with additional enhancements have been provided on site in accordance with details to be submitted to and approved by the Local Planning Authority. The additional enhancements comprise:

- A bird box installed on each property or within a tree in the garden
- Two hedgehog nesting boxes included on the site
- Gaps are included at the bottom of the fences to allow movement of small mammals across the site.

Reason: In the interests of biodiversity in accordance with Policy ENV DM5 of Arun Local Plan.

- 10 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 work on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 - 2031

- 11 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.

- 12 The scheme for risk of contamination approved in condition 11 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.

- 13 The development shall proceed in accordance with the submitted Arboricultural Impact Assessment and Method Statement reference LLD2098-ARB-REP-001 Rev 00, 03 December 2020 and Tree Retention Protection Plan, ref. LLD2098-ARB-DWG-001, Rev 00, 03 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.

- 14 Any tree pruning proposed or subsequently considered essential to enable the agreed development must 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 or roots 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.

- 15 No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type, mounting height, aiming angles and luminaire profiles). The approved scheme shall be installed, fully assessed by a competent individual when operational to ensure no light bleed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to a variation.

Reason: To protect the appearance of the area and local residents from pollution in accordance with policy QESP1 of Arun Local Plan.

- 16 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.

- 17 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 buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings

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.

- 18 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.
- 19 Prior to occupation of the dwellings a sprinkler system shall be provided in accordance with details to be submitted to and approved by the Local Planning Authority. The sprinkler system so provided shall be retained in perpetuity.
- Reason: To ensure that the development does not have a negative impact on residential amenity in accordance with policy QE SP1 of Arun Local Plan.
- 20 **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.
- 21 **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.
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.
- 22 **INFORMATIVE:**The owner(s) of any commercial property (warehouses, offices, etc.) built before 2000 are legally obliged to hold a copy of an asbestos register for each property in their portfolio. The Council needs to be satisfied that if any asbestos previously identified is still present, it is either removed or suitably managed to minimise risk to human health as there is no safe threshold for asbestos exposure.
- 23 **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: FG/123/20/PL
Page no: 17
Location: Land at former McIntyre Nursery Littlehampton Road Ferring
Description: Demolition of a polytunnel, storage building & scaffolders' shelters & racking, use of land for Class B8 container self-storage & the siting of 79 No. single-stacked storage containers, part regrading of the ground, new fencing, CCTV & lighting. This site is in CIL Zone 3 (Zero Rated) as other development & is a Departure from the Development Plan.

UPDATE DETAILS

Reason for Update/Changes:

3 consultation responses have been received.

South Downs National Park - No Objection.

Measures should be incorporated to control light spill and any form of flood lighting should be avoided, with no external lighting other than motion sensor security lighting that complies with Dark Skies requirements.

West Sussex County Water & Access Manager - No Objection.

Currently the nearest Hydrant to these proposed properties is 280 metres away. The supply of water for firefighting for a commercial premises should be within 90 metres. This should be conditioned.

County Highways - No Objection.

Having reviewed the Construction Management Plan there are no concerns to its contents and it should be secured by way of a standard condition, instead of a pre commencement one as our last response stated.

With regards to the parking condition, extra parking for the expansion of the site still needs to be secured by condition.

Officers Comment:

A lighting condition is included in the recommendation.

The conditions requested by fire and rescue has been added.

The parking condition has been amended to refer to the parking plan number.

Note: The changes to conditions are included in the updated conditions sheet.

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Demolition of a polytunnel, storage building & scaffolders' shelters & racking, use of land for Class B8 container self-storage & the siting of 79 No. single-stacked storage containers, part regrading of the ground, new fencing, CCTV & lighting. This site is in CIL Zone 3 (Zero Rated) as other development & is a Departure from the Development Plan.

Land at former McIntyre Nursery
Littlehampton Road
Ferring

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:

- Proposed Site and Block Plan 5320-2revD
- General Drawing 20GP - 30002eG
- Location Plan 5320-1
- Site Plan 17330720
- Block Plan 17330720
- Container Floor Plan , Roof Plan, Elevations 5320 5A
- Fence Elevations 5320-4
- Sections 5320-3

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 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.

- 4 Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy (condition 3) 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.

- 5 Prior to use of the site details of the proposed banking shall be submitted to and approved by the Local Planning Authority and the approved banking and new screening/fencing indicated on site plan 5320-2revD shall be erected and provided in accordance with approved details. The screening/fencing/banking so provided shall be retained in perpetuity.

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

- 6 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surfacing have been submitted to and approved in writing by the Local Planning Authority. The design must demonstrate a fully permeable surface, including any proposed sub-base.

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 needs to be a pre commencement condition to ensure that suitable drainage can be provided before any works commence.

- 7 The development shall proceed in accordance with the submitted Construction Management Plan dated 05-10-2020.

Reason: In the interests of highway safety and the amenities of the area in accordance with policies D DM1 and TSP1 of the Arun Local Plan

- 8 The development shall proceed in accordance with the submitted Preliminary Ecological Appraisal Report by Darwin Ecology dated December 2020. The enhancements shall be provided prior to use of the site commencing and shall be retained in perpetuity and shall include installation of a hedgehog nesting box.

Reason: In the interests of the ecology of the area in accordance with policy ENV DM5 of the Arun Local Plan.

- 9 The development shall proceed in accordance with the submitted lighting assessment (Standby Self Storage / John Collins Associates) dated December 2020 and Drawing Number 5320-2 Rev D (December 23rd 2020). The approved scheme shall be installed, fully assessed by a competent individual when operational to ensure no light creep/bleed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to a variation.

Reason: To protect the appearance of the area/the environment and wildlife/local residents from pollution in accordance with policy QE SP1 of Arun Local Plan.

- 10 The containers shall not be used until the car parking spaces detailed on drawing no: 5320-2 Rev C have been constructed. These spaces shall thereafter be retained at all times for their designated use.

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

- 11 The containers shall always be of a green finish to a specification to be agreed in writing with the Local Planning Authority and maintained thereafter in the colour agreed and a condition to the satisfaction of the Local Planning Authority.

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

- 12 Prior to the commencement of the development details showing the proposed location of a fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance

Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

Reason: In the interests of amenity and in accordance with policy INF SP1 and TSP1 of the Arun Local Plan.

- 13 Prior to the first use of the units the approved fire hydrant shall be provided and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly in very large developments.

(BS5588 Part B 5) for further information please contact the Fire and Rescue Service

If a requirement for additional water supply is identified by the Fire and Rescue Service and is subsequently not supplied, there is an increased risk for the Service to control a potential fire. It is therefore recommended that the hydrant condition is implemented

Reason: In the interests of amenity and in accordance with policy INF SP1 and TSP1 of the Arun Local Plan.

- 14 The containers shall not be stacked, stored or deposited on the site to a height exceeding 2.6 metres.

Reason: To safeguard the visual amenities of the locality in accordance with policy D DM1 of the Arun Local Plan.

- 15 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.

- 16 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.

- 17 INFORMATIVE: Any brush pile, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition.

- 18 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.

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REPORT UPDATE

Application no: AB/109/20/HH
Page no: 11
Location: White Cottage 32 King Street Arundel
Description: Rear single storey extension for new kitchen and living area, internal alterations, new and adjusted windows and doors, part replacement roof structure with 2 x conservation roof lights to the main building, re-covering of main roof and partial re-build of the detached garage with replacement pitched roof. This application affects the character & appearance of the Arundel Conservation Area & may affect the setting of listed buildings.

UPDATE DETAILS

Reason for Update:

Submission of substitute plans.

Comment from neighbouring resident.

Officers Comment:

The plans relating to the application have been amended to alter the built form of the proposed rear extension. The rear extension has been moved further away from the boundary with the neighbour to the north. This is considered to have a positive impact upon the proposed development, in that the element that has been stepped in was the higher element of the proposal. It also allows for the hedging on this boundary to be retained.

As such, the proposed plans are considered to reduce the impact of the proposed development on the residential amenities of the neighbouring dwelling to the North.

In response to these amended plans the neighbour to the North has written in to say that there has been constructive dialogue with the applicant and confirms agreement with the revised plans, subject to certain conditions. These include protection of elements of the hedgerow, a ground worker specialist to be employed during the construction works, the submission of a drainage survey and the use of certain materials for the proposal.

In response an additional pre commencement planning condition (number 5) is proposed to protect the beech hedgerow. The applicants agent has provided written agreement to impose such a condition. A condition is already in place designed to control the materials to be used. However, conditions requesting a ground worker to be employed to check the foundations of the extension during construction works and that a detailed water and land drainage survey be carried out are not considered to be within the remit of control for this application.

Note: The changes to conditions are attached on the amended replacement recommendation sheet. This change relates to an updated plans condition to refer to the new plans and the addition of a condition to protect the hedgerow.

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Rear single storey extension for new kitchen and living area, internal alterations, new and adjusted windows and doors, part replacement roof structure with 2 x conservation roof lights to the main building, re-covering of main roof and partial re-build of the detached garage with replacement pitched roof. This application affects the character & appearance of the Arundel Conservation Area & may affect the setting of listed buildings.

White Cottage
32 King Street
Arundel

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:
 - Location & Block Plan - 21/01/2021 - Rev. B
 - Proposed Ground Floor Plan - 20/01/2021 - Rev. D
 - Proposed First Floor Plan - 21/01/2021 - Rev. D
 - Proposed Elevations - South & West - 21/01/2021 - Rev. D
 - Proposed Elevations - North & East - 21/01/2021 - Rev. D
 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 and does not purport to grant permission for the materials which are conditioned separately.
- 3 Notwithstanding the material details provided on the approved elevation plans 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, roofs and all fenestration of the proposed development have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

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.
- 4 No development above damp proof course (DPC) level shall take place unless and until details have been submitted to and approved by the Local Planning Authority of means of enclosure and potential shrub planting along the boundary between the host dwelling and the neighbouring dwelling to the North. The extensions shall not be occupied until such boundary treatment has been installed/planted in line with the approved details and retained as such in perpetuity.

Reason: In the interests of the of amenity and heritage protection of the development, in accordance with Arun Local Plan policies D DM1 and HER DM1.
- 5 Prior to commencement of the development, details of the retention of the beech hedgerow on the northern boundary wall should be submitted to, and agreed by the Local Planning Authority in writing. The measures should remain in place for the duration of the construction of the proposal and adhered to thereafter.

Reason: In the interests of the of visual and residential amenities of the host dwelling and those in the locality, in accordance with Arun Local Plan policies D DM1 and HER DM1.

- 6 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.

REPORT UPDATE

Ref No: SD8 Ford
Page No: 53
Location: Ford Strategic Site Allocation
Description: Submission of the Masterplan Document for Endorsement

UPDATE DETAILS

Reason for Update/Changes:

PUBLIC CONSULTATION PERIOD UPDATE

The public consultation period ended on 14 January 2021. Seventeen responses were made on or after 14 January 2021. Of these additional responses, 1 was recorded in support, 3 were objections and 13 were general comments.

Arundel Town Council support the Masterplan Document, subject to (i) the routing of construction traffic from the A259, (ii) a junction on the new A27 bypass and (iii) s.106 contributions towards the funding of a new pedestrian and cycle path between Arundel and Climping.

Clymping Parish Council objects to the Masterplan stating that it will lead to the effective coalescence of Ford and Clymping. The Parish Council adds that the Masterplan fails to mitigate the impacts on the local highway network and emphasises the need for:

- The upgrade of the Oystercatcher Junction;
- The conversion of Horsemere Green Lane to resident "access only" to eliminate rat-running, and
- The upgrade of the Church Lane Roundabout.

For non-motorised users, it states that there is a need for:

- A controlled crossing of Church Lane, wider pavement south to the A259 and a controlled crossing of the A259;
- Improvement of the cycleway into Littlehampton, and
- A route south from Ford, alongside Yapton Road, to the A259 at the Oystercatcher Junction.

Yapton Parish Council has strong reservations about the impact of traffic generated from the site on the local road network, the village centre and the level crossings. It is concerned to ensure that there is a meaningful landscaped gap on the western edge of the proposed development in order to preserve the separate identity of Yapton. The Parish Council seeks improved off-road connectivity for all residents throughout the village and neighbouring parishes through the upgrading of existing public rights of way. It seeks a scheme that reflects the rural heritage of the area (not simply the former airfield) and the provision of a neighbourhood centre that complements (not competes with) existing facilities in Yapton. It also insists that priority be given to the provision of new housing over any proposals that would lead to the growth of waste management facilities beyond their designated and permitted uses.

Walberton Parish Council has commented that it fully supports Ford Parish Council and the Ford Neighbourhood Development Plan, which seeks to ensure that a coordinated approach to development proposals for the whole site is pursued (i.e. 'The Landings', Ford Market, Secondary School, Energy from Waste).

Statutory consultee responses

The Environment Agency has no objections to the principle of the proposed development but has drawn attention to the need to investigate potential land contamination, to consult with Southern Water regarding foul drainage, and to protect and enhance biodiversity.

Highways England has highlighted that previously agreed offsite highway mitigation was based upon 1,500 homes. If a higher number of dwellings was proposed, the offsite highway mitigation would need to be re-assessed. The responsibility of Highways England for the Strategic Road Network also needs to be recognised on page 33.

Southern Water has commented that the masterplan may result in placing sensitive receptors in an area where odour and complaints may be expected to occur. A revised odour impact assessment has been recommended.

Sport England has referenced the comments it has made in response to consultation on the outline planning application F/4/20/OUT. These include clarification on how the scheme reflects the route of the former canal. If routed through the land identified for sports pitches, it will compromise its function for formal sport.

Historic England has responded with detailed comments on the outline planning application F/4/20/OUT, rather than a focus on the Masterplan Document. Historic England does not object in principle, but considers that significant additional work by the applicant is required to demonstrate that conservation and enhancement of heritage assets has been adequately achieved, and harm to the historic environment has been avoided, minimised and appropriately justified, as detailed in the NPPF.

WSCC Minerals and Waste continue to have concern regarding the safeguarding of existing and allocated waste management sites. The Masterplan Document may need to be amended to provide buffers, physical barriers or other mitigation measures.

WSCC Public Rights of Way would like to see public footpaths within the development upgraded to bridleway status, to increase the number of lawful users able to make use of them, and the creation of bridleway links through the site. Outside of the site, it identifies a need to provide a safe crossing point for non-motorised users over the A259 to improve access toward the coast. Permeability for non-motorised users through the development will support key priorities for sustainable transport, reducing reliance on private motor vehicles and improving air quality.

ADC Greenspace seeks confirmation that the quantity and quality of public open space is adequate and in accordance with the Open Space, Playing Pitches, Indoor and Built Sports Facilities Supplementary Planning Document (SPD).

Other Issues that were raised on or after 14 January include the following:

- Clarification sought over the status of the Masterplan Document, its method of preparation including environmental assessment and the weight it will carry in the determination of planning applications;
- A multi-user path (bridleway) should be provided around the perimeter of the development, linked to the wider Public Rights of Way network;
- The need for a safe route from west to east for Non-Motorised Users;
- The importance of the line of the former canal is not sufficiently borne out in Figure 28;
- The need to meet DfT LTN 1/20 requirements for cycle infrastructure;
- The Masterplan does not minimise the need for a private car;

ADVISORY GROUP ENGAGEMENT

The Yapton, Ford and Climping Advisory Group received an update on the status of the Masterplan Document at its meeting held on 19 January 2021, including a summary of the responses received up to 13 January 2021. There was a short discussion about the relationship between the site and adjoining waste management uses, but there was no consensus from the Group on whether the Masterplan Document should be formally endorsed.

AMENDMENTS TO MASTERPLAN DOCUMENT

The masterplan is intended to provide a broad framework for organising development of the strategic site at Ford and to set parameters for good urban design. It is not intended to be a rigid end-of-state blueprint but must have flexibility to evolve over time. Many of the comments received in response to consultation on the Masterplan Document deal with matters of detail, which are capable of being addressed when more analysis has been done at the application stage. Nevertheless, it is considered that the Masterplan Document would benefit from revision in two areas.

1. It needs to demonstrate more clearly improved provision for pedestrians, cyclists and equestrians, particularly in Figure 23; and
2. It needs to reflect more clearly the historic alignment of the canal across the whole of the strategic allocation (Policy H SP2c SD8h).

These amendments have been requested by Officers to ensure the Masterplan Document is considered acceptable and suitable for endorsement.

AMENDED RECOMMENDATION

It is recommended that authority be delegated to the Director of Place or Group Head of Planning to endorse "The Landings" Masterplan Document following:

- A. The receipt of an amended document that satisfactorily demonstrates:

1. Improved provision for pedestrians, cyclists and equestrians, and
 2. The historic alignment of the canal; and
- B. Confirmation that there is agreement between a recognised education provider and the landowners regarding the transfer of land for the delivery of a new secondary school at Yapton/Ford.