



Public Document Pack

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Committee Manager Andrew Bishop (Ext. 37984)

27 October 2021

PLANNING COMMITTEE

A meeting of the Planning Committee will be held in the **Council Chamber at the Arun Civic Centre, Maltravers Road, Littlehampton BN17 5LF** on **Wednesday 27 October 2021 at 2.00 pm** and you are requested to attend.

Members: Councillors Chapman (Chair), Lury (Vice-Chair), Blanchard-Cooper, Bower, Charles, Coster, Edwards, Goodheart, Kelly, Thurston and Tilbrook

PLEASE NOTE: Subject to Covid-19 Risk Assessments members of the public are advised of the following:

Where public meetings are being held at the Arun Civic Centre in order to best manage safe space available, members of the public are in the first instance asked to watch the meeting online via the Council's Committee pages – the meeting will be available to watch live via the internet at this address: [Arun District Council](#)

- a) Where a member of the public has registered a request to speak, they will be invited to submit their statement in advance of the meeting to be read out by an Officer. In response to the continuing health guidelines, there will be very limited public access to this meeting. Admission for public speakers will be by ticket only. Attendees will be asked to sit in an allocated seat in the public gallery on a first come first served basis. Only one ticket will be available per person.
- b) It is recommended that all those attending take a lateral flow test prior to the meeting.
- c) All those attending the meeting will be required to wear face coverings and maintain safe distancing when in the building/meeting room.
- d) Members of the public must **not** attend any face to face meeting if they or a member of their household have Covid-19 symptoms.

For further information on the items to be discussed, please contact: committees@arun.gov.uk

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

Will be circulated on the day of the meeting should there be any.

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 – [PART 8 - CP - Section 5 Filming Photographic Protocol](#)

These meetings are webcast live.

To watch recorded webcasts use the following link – Planning Committee [Webcast Page](#)

REPORT UPDATE

Application no: A/26/21/RES
Page no: Item 6
Location: Land west of Brook Lane and South of A259 Angmering
Description: Approval of reserved matters following outline consent A/44/17/OUT for appearance, landscaping, layout & scale for the demolition of existing buildings on site & erection of a mixed use development comprising of 90 No. residential dwellings & a care home & ancillary facilities including railway crossing together with associated access, car parking & landscaping. This application also lies within the parishes of Rustington & Littlehampton.

UPDATE DETAILS

Reason for Update/Changes:

Revised plans have been submitted bringing the Public Right of Way (Footway / cycle path) within the site. The path has been diverted south of the LAP 1 to avoid any works outside of the red line boundary.

An additional gate has been added onto LAP 3 to fall in line with landscape architects' information. This was on the landscaping plan previously so isn't new but was missed off the site plan.

Other plans have been updated for consistency as based on the site plan.

The revised plans necessitate notification with the Parish Council and re-consultation with County Highways, Public Rights of Way and Landscapes. The notification expires on 17-11-2021 and it is therefore requested that the Committee agree for the decision on the application to be deferred to the Chair and Vice Chair in consultation with the Head of Planning following the expiry of the notification period until 19-11-2021.

Officers Comment:

The changes require amendment to the plans condition 1.

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

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Approval of reserved matters following outline consent A/44/17/OUT for appearance, landscaping, layout & scale for the demolition of existing buildings on site & erection of a mixed use development comprising of 90 No. residential dwellings & a care home & ancillary facilities including railway crossing together with associated access, car parking & landscaping. This application also lies within the parishes of Rustington & Littlehampton.

Land west of Brook Lane and South of A259 Angmering

RECOMMENDATION

AC - Approve Conditonally

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

- 3670-BRK-SRA-XX-XX-DR-A-04-010 Rev P04 Proposed Site Plan (issued 22-10-2021)
- 3670-BRK-SRA-XX-XX-DR-A-04-011 Rev P03 Proposed Site Levels (issued 22-10-2021)
- 3670-BRK-SRA-XX-XX-DR-A-04-015 Rev P05 Block Plan (issued 22-10-2021)
- 3670-BRK-SRA-XX-XX-DR-A-04-020 Rev P07 Housing Plan
- 3670-BRK-SRA-XX-XX-DR-A-04-030 Rev P06 Tenure Plan
- 3670-BRK-SRA-XX-XX-DR-A-04-040 Rev P06 Housing Types
- 3670-BRK-SRA-XX-XX-DR-A-04-050 Rev P04 Parking Types
- 3670-BRK-SRA-XX-XX-DR-A-04-025 Rev P06 Site Plan Floor Layouts (issued 22-10-2021)
- 3670-BRK-SRA-XX-XX-DR-A-04-081 Rev P02 Existing Site Section CC & DD
- 3670-BRK-SRA-XX-XX-DR-A-04-083 Rev P02 Existing Site Section GG &HH
- 3670-BRK-SRA-XX-XX-DR-A-04-084 Rev P02 Existing Site Section JJ
- 3670-BRK-SRA-XX-XX-DR-A-04-090 Rev P05 Ancillary Building
- 3670-BRK-SRA-XX-XX-DR-A-04-100 Rev P03 Care Home Site Plan
- 3670-BRK-SRA-XX-XX-DR-A-04-150 Rev P04 Care Home Ground Floor
- 3670-BRK-SRA-XX-XX-DR-A-04-160 Rev P04 Care Home South West Elevation
- SRARUST(BROOKLN).1/02 Rev A Proposed Site Layout
- 176_801_P4 Illustrative Landscape Masterplan
- 176-001_P4 Landscape Plan (Location Plan for Landscape Plans)
- 176-002_P3 Landscape Plan
- 176-003_P4 Landscape Plan
- 176-004_P4 Landscape Plan
- 176-005_P4 Landscape Plan
- 176-006_P4 Landscape Plan
- 176-007_P4 Landscape Plan
- 176-201_P4 Planting Plan
- 176-202_P4 Planting Plan
- 176-203_P4 Planting Plan
- 176-204_P4 Planting Plan
- 176-205_P4 Planting Plan
- 176-206_P4 Planting Plan
- 176-401_P3 Tree Pit Details in Soft Landscape
- 176-402_P3 Tree Pit Details in Hard Landscape
- 176-403_P3 Bow Top Railing with Matching Gate Detail
- 176-404_P3 Estate Railing Detail
- 176-405_P3 Timber Fencing Detail
- 176-406_P3 Tree Protective Fencing Detail
- 176-SCH-001_P4 Planting Schedule
- 3670-BRK-SRA-XX-XX-DR-A-04-005 Rev P03 Existing Site Plan
- 3670-BRK-SRA-XX-XX-DR-A-04-060 Rev P01 Existing Site Section AA

3670-BRK-SRA-XX-XX-DR-A-04-061 Rev P01 Existing Site Section CC & DD
 3670-BRK-SRA-XX-XX-DR-A-04-062 Rev P01 Existing Site Section EE
 3670-BRK-SRA-XX-XX-DR-A-04-063 Rev P01 Existing Site Section GG and HH
 3670-BRK-SRA-XX-XX-DR-A-04-064 Rev P01 Existing Site Section JJ
 3670-BRK-SRA-XX-XX-DR-A-04-080 Rev P01 Site Section AA
 3670-BRK-SRA-XX-XX-DR-A-04-082 Rev P01 Site Section EE
 3670-BRK-SRA-XX-XX-DR-A-04-151 Rev P02 Care Home First Floor
 3670-BRK-SRA-XX-XX-DR-A-04-152 Rev P03 Care Home Second Floor
 3670-BRK-SRA-XX-XX-DR-A-04-153 Rev P03 Care Home Roof Plan
 3670-BRK-SRA-XX-XX-DR-A-04-161 Rev P03 Care Home North West Elevation
 3670-BRK-SRA-XX-XX-DR-A-04-162 Rev P03 Care Home North East Elevation
 3670-BRK-SRA-XX-XX-DR-A-04-163 Rev P03 Care Home South East Elevation
 3670-BRK-SRA-XX-XX-DR-A-04-200 Rev P02 Plots 1-2 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-205 Rev P02 Plots 3-6 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-206 Rev P02 Plots 3-6 Roof Plans
 3670-BRK-SRA-XX-XX-DR-A-04-210 Rev P02 Plots 7-8 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-215 Rev P02 Plots 9-12 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-216 Rev P02 Plots 9-12 Roof Plan
 3670-BRK-SRA-XX-XX-DR-A-04-220 Rev P02 Plots 13-16 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-221 Rev P02 Plots 13-16 Roof Plans
 3670-BRK-SRA-XX-XX-DR-A-04-225 Rev P02 Plots 17-20 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-226 Rev P02 Plots 21 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-230 Rev P02 Plots 17-20 Roof Plans
 3670-BRK-SRA-XX-XX-DR-A-04-235 Rev P02 Plots 22-23-24 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-240 Rev P02 Plots 25 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-245 Rev P02 Plots 26-32 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-250 Rev P02 Plots 27-30 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-251 Rev P02 Plots 27-30 Roof Plan
 3670-BRK-SRA-XX-XX-DR-A-04-255 Rev P02 Plots 31-68 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-260 Rev P02 Plots 33-34 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-265 Rev P02 Plots 35-36-37 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-270 Rev P02 Plots 38-39 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-275 Rev P02 Plots 40-43-60-61-77-78-87-88 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-280 Rev P02 Plots 44-47 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-285 Rev P02 Plots 48-51 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-286 Rev P02 Plots 48-51 Roof Plans
 3670-BRK-SRA-XX-XX-DR-A-04-290 Rev P02 Plots 52-55-56-59 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-291 Rev P02 Plots 52-55-56-59 Roof Plans
 3670-BRK-SRA-XX-XX-DR-A-04-295 Rev P02 Plots 62-67-69-76 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-300 Rev P02 Plots 79-86 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-305 Rev P02 Plots 89 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-310 Rev P02 Plots 90 Plans
 3670-BRK-SRA-XX-XX-DR-A-05-200 Rev P02 Plots 1-2 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-205 Rev P02 Plots 3-6 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-210 Rev P02 Plots 7-8 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-215 Rev P02 Plots 9-12 Elevations 2-1
 3670-BRK-SRA-XX-XX-DR-A-05-216 Rev P02 Plots 9-12 Elevations 2-2
 3670-BRK-SRA-XX-XX-DR-A-05-220 Rev P02 Plots 13-16 Elevations 1-2
 3670-BRK-SRA-XX-XX-DR-A-05-221 Rev P02 Plots 13-16 Elevations 2-2
 3670-BRK-SRA-XX-XX-DR-A-05-225 Rev P02 Plots 17-20 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-230 Rev P02 Plots 21 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-235 Rev P02 Plots 22-23-24 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-240 Rev P02 Plots 25 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-245 Rev P02 Plots 26 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-250 Rev P02 Plots 27-30 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-255 Rev P02 Plots 31-68 Elevations
 3670-BRK-SRA-XX-XX-DR-A-04-230 Rev P02 Plots 21 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-235 Rev P02 Plots 22-23-24 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-240 Rev P02 Plots 25 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-245 Rev P02 Plots 26-32 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-250 Rev P02 Plots 27-30 Plans
 3670-BRK-SRA-XX-XX-DR-A-05-255 Rev P02 Plots 31-68 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-260 Rev P02 Plots 33-34 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-265 Rev P02 Plots 35-36-37 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-270 Rev P02 Plots 38-39 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-275 Rev P02 Plots 40-43-60-61-77-78-87-88 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-280 Rev P02 Plots 44-47 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-290 Rev P02 Plots 52-55-56-59 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-295 Rev P02 Plots 62-67-69-76 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-300 Rev P02 Plots 79-86 Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-301 Rev P02 Plots 79-86 Gable Elevations
 3670-BRK-SRA-XX-XX-DR-A-05-305 Rev P02 Plots 89 Elevations

3670-BRK-SRA-XX-XX-DR-A-05-310 Rev P02 Plots 90 Elevations
3670-BRK-SRA-XX-XX-DR-A-04-050-P02 Parking Types
SRARUST(BROOKLN).1/02 Revision C Pedestrian Right of Way
LEAP 176-012 P2 General Arrangement Plan
LAP1 176-013 P2 General Arrangement Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy D DM1 and Policy D SP1 of the Arun Local Plan.

- 2 No development above damp proof course (DPC) level shall take place until a statement of architectural detail has been submitted to and been approved in writing by the Local Planning Authority. The '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 '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.

- 3 Notwithstanding the provisions of Class A, A.1, (g) within 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 rear extensions to the dwelling houses shall be erected within the curtilage of the dwellings hereby permitted unless planning permission is first 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 Local Plan.

- 4 Landscaping (hard and soft) shall be carried out in accordance with the details hereby approved. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 5 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 indicated on the approved elevation plans 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.

- 6 Prior to occupation of the dwellings fire hydrants shall be installed in compliance with details showing the proposed location of the required fire hydrants which 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.

The hydrants will be installed at the developer's expense in a phased programme and connected 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.

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

Reason: In the interests of amenity and in accordance with policy INF SP1 and TSP1 of the Arun Local Plan and in accordance with The Fire & Rescue Service Act 2004.

- 7 Prior to occupation of the dwellings bollards shall be installed to the west and southern pedestrian/cycle access points in compliance with details showing the proposed location and design

of the bollards which shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Highways and Public Rights of Way.

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

- 8 INFORMATIVE: Any change to the legal line is subject to an application by the developer to Arun District Council to divert it via a Public Path Order (PPO) under Section 257 of the Town & Country Planning Act 1990 before works start. The WSCC PROW Team will be a formal consultee as part of this diversion Order application process and its prior agreement to a specification will be required before lending formal support to any diversion proposal.

A temporary closure of FP2160 will be necessary during development. Any temporary closure application for FP160 cannot be granted if development is planned over the current legal line as recorded on the Definitive Map unless the diversion has been legally confirmed first.

Development affecting the currently recorded legal lines of the footpaths must not begin until and unless the path has been formally accommodated else an offence is being committed and may invalidate any diversion Order procedure.

Neither Footpath 2159 or 2160 must be blocked, restricted, obstructed by vehicles, plant, scaffolding, the storage of materials, be made difficult to pass over or along or be unavailable at any stage to lawful path users without Temporary Closure Orders (TTRO) being applied for and approved. There is a cost associated with this, a 6 - 8 week lead time and advice on the process can be sought from WSCC's PROW Team. Please note that should closures be requested, the County Council will expect an alternative provision for members of the public to pass safely through the site given its size and location within the Rights of Way network.

Any damage to the footpaths needs to be rectified to the same or better standard than it was prior to any damage done during the development activity, to a specification agreed by West Sussex County Council as the Highway authority. No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980. Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.

Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

- 9 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: Y/49/21/RES
Page no: 111
Location: Land East of Drove Lane Yapton
Description: Approval of reserved matters following Y/92/17/OUT for 300 No. dwellings covering landscape, layout, scale & external appearance (resubmission following Y/78/20/RES). This application affects the setting of listed buildings, affects the character & appearance of the Main Road/Church Road, Yapton Conservation Area & affects a Right of Way. This site falls within Strategic Site SD7 (Zero Rated).

UPDATE DETAILS

Reason for Update/Changes:

One additional comment has been received stating that the use of tarmac to footpaths (re proposed condition 5) is specifically against policy E6 in the emerging Yapton Neighbourhood Plan. The Policy suggests instead the use of crushed stone & stone dust or products based upon recycled materials e.g. Flexipave but subject to agreement with the Parish Council. As this will be subject to a discharge of condition, the Council will retain control over the choice of surfacing material and could consult with the Parish Council at the appropriate time.

In response to recent concerns regarding the removal of sections of the old estate metal fencing around the sheep field, an additional condition (condition 12) is proposed to secure the retention of existing undamaged sections and replacement of damaged sections with suitable replacement fencing.

Officers Comment:

It is requested that members resolve to approve the application subject to the following additional condition no. 12:

None of the dwellings hereby approved shall be occupied unless and until plans and details have been submitted to and approved in writing by the Local Planning Authority in respect of the retention of the existing metal estate fencing around the sheep field and the replacement of damaged sections with replacement fencing that is as close a match to the existing as possible. The new fencing sections and removed old sections shall be implemented in accordance with the approved details prior to first occupation of any of the dwellings and the existing and new fencing shall thereafter be retained in perpetuity.

Reason: In the interests of the appearance and setting of the Conservation Area in accordance with Arun Local Plan policies HER SP1 and HER DM3.

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Application for the approval of Reserved Matters pursuant to condition 1 (Reserved Matters details), condition 6 (Design Code Masterplan) & condition 7 (landscaping & layout details) following the grant of P/134/16/OUT for the erection of 250 No. dwellings, (including affordable homes), replacement scout hut, land for an Ambulance Community Response Post Facility, demolition of No. 80 Rose Green Road & provision of Public Open Spaces including associated children's play areas, landscaping, drainage & earthworks (resubmission following P/24/20/RES). This site also lies within the parish of Aldwick.

Land North of Sefter Road &
80 Rose Green Road
Pagham

RECOMMENDATION

AC - Approve Conditionally

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

Design and Access Statement
Design Code Masterplan
Planning Statement
Statement of Community Involvement
CB_84_139_000 Site Location Plan
CB_84_139_001 Rev J Planning Layout
CB_84_139_002 Rev C Land Use Plan
CB_84_139_003 Rev C Housing Mix Plan
CB_84_139_004 Rev D Affordable Housing Plan
CB_84_139_005 Rev C Building Heights Plan
CB_84_139_006 Rev C Parking Strategy Plan
CB_84_139_007 Rev C Bin & Cycle Storage Plan
CB_84_139_008 Rev C External Finishes Plan
CB_84_139_009 Rev C External Enclosures Plan
CB_84_139_011 Rev C Street Scene Location Plan
CB_84_139_012 Rev C House Type Plan
CB_84_139_013 Rev C Character Areas Plan
CB_84_139_015 Rev A Garden Compliance Plan
CB_84_139_016 M4 Location Plan

CB_84_139_NE_NA44_E01 Northern Edge NA44 Elevations
CB_84_139_NE_NA44_P01 Northern Edge NA44 Floor Plans
CB_84_139_NE_2BCH_E01 Northern Edge 2BCH Elevations
CB_84_139_NE_2BCH_E02 Northern Edge 2BCH Elevations
CB_84_139_NE_2BCH_P01 Northern Edge 2BCH Floor Plans
CB_84_139_NE_2BCH_P02 Northern Edge 2BCH Floor Plans
CB_84_139_NE_NA20_E01 Northern Edge NA20 Elevations
CB_84_139_NE_NA20_E02 Northern Edge NA20 Elevations
CB_84_139_NE_NA20_E03 Northern Edge NA20 Elevations
CB_84_139_NE_NA20_E04 Northern Edge NA20 Elevations
CB_84_139_NE_NA20_E05 Northern Edge NA20 Elevations
CB_84_139_NE_NA20_P01 Northern Edge NA20 Floor Plans
CB_84_139_NE_NA20_P02 Northern Edge NA20 Floor Plans
CB_84_139_NE_NA20_P03 Northern Edge NA20 Floor Plans
CB_84_139_NE_NA20_P04 Northern Edge NA20 Floor Plans
CB_84_139_NE_NA20_P05 Northern Edge NA20 Floor Plans

CB_84_139_NE_NA22_E01 Northern Edge NA22 Elevations
CB_84_139_NE_NA22_E02 Northern Edge NA22 Elevations
CB_84_139_NE_NA22_E03 Northern Edge NA22 Elevations
CB_84_139_NE_NA22_E04 Northern Edge NA22 Elevations
CB_84_139_NE_NA22_P01 Northern Edge NA22 Floor Plans
CB_84_139_NE_NA22_P02 Northern Edge NA22 Floor Plans
CB_84_139_NE_NA22_P03 Northern Edge NA22 Floor Plans
CB_84_139_NE_NA22A_E01 Northern Edge NA22A Elevations
CB_84_139_NE_NA22A_E02 Northern Edge NA22A Elevations
CB_84_139_NE_NA22A_E03 Northern Edge NA22A Elevations
CB_84_139_NE_NA22A_P01 Northern Edge NA22A Floor Plans
CB_84_139_NE_NA22A_P02 Northern Edge NA22A Floor Plans
CB_84_139_NE_NA22A_P03 Northern Edge NA22A Floor Plans
CB_84_139_NE_NA32_E01 Northern Edge NA32 Elevations
CB_84_139_NE_NA32_E02 Northern Edge NA32 Elevations
CB_84_139_NE_NA32_E03 Northern Edge NA32 Elevations
CB_84_139_NE_NA32_P01 Northern Edge NA32 Floor Plans
CB_84_139_NE_NA32_P02 Northern Edge NA32 Floor Plans
CB_84_139_NE_NA42_E01 Northern Edge NA42 Elevations
CB_84_139_NE_NA42_E02 Northern Edge NA42 Elevations
CB_84_139_NE_NA42_P01 Northern Edge NA42 Floor Plans
CB_84_139_NE_NT31_E01 Northern Edge NT31 Elevations
CB_84_139_NE_NT31_E02 Northern Edge NT31 Elevations
CB_84_139_NE_NT31_P01 Northern Edge NT31 Floor Plans
CB_84_139_NE_NT31A_E01 Northern Edge NT31A Elevations
CB_84_139_NE_NT31A_P01 Northern Edge NT31A Floor Plans
CB_84_139_NE_NT41_E01 Northern Edge NT41 Elevations
CB_84_139_NE_NT41_E02 Northern Edge NT41 Elevations
CB_84_139_NE_NT41_P01 Northern Edge NT41 Floor Plans
CB_84_139_NE_NT42_E01 Northern Edge NT42 Elevations
CB_84_139_NE_NT42_P01 Northern Edge NT42 Floor Plans

CB_84_139_PR_1BCH_E01 Rev A Principal Route 1BCH Elevations
CB_84_139_PR_1BCH_P01 Rev A Principal Route 1BCH Floor Plans
CB_84_139_PR_2BCH_E01 Rev A Principal Route 2BCH Elevations
CB_84_139_PR_2BCH_E02 Rev A Principal Route 2BCH Elevations
CB_84_139_PR_2BCH_E03 Rev A Principal Route 2BCH Elevations
CB_84_139_PR_2BCH_E04 Rev A Principal Route 2BCH Elevations
CB_84_139_PR_2BCH_P01 Rev A Principal Route 2BCH Floor Plans
CB_84_139_PR_2BCH_P02 Rev A Principal Route 2BCH Floor Plans
CB_84_139_PR_2BCH_P03 Rev A Principal Route 2BCH Floor Plans
CB_84_139_PR_2BCH_P04 Rev A Principal Route 2BCH Floor Plans
CB_84_139_PR_A_E01 Principal Route Block A Elevations
CB_84_139_PR_A_E02 Principal Route Block A Elevations
CB_84_139_PR_A_E03 Principal Route Block A Elevations
CB_84_139_PR_A_E04 Principal Route Block A Elevations
CB_84_139_PR_A_E05 Principal Route Block A Elevations
CB_84_139_PR_A_E06 Principal Route Block A Elevations
CB_84_139_PR_A_P Principal Route Block A Floor Plans
CB_84_139_PR_A_P02 Principal Route Block A Floor Plans
CB_84_139_PR_A_P03 Principal Route Block A Floor Plans
CB_84_139_PR_B_E01 Principal Route Block B Elevations
CB_84_139_PR_B_E02 Principal Route Block B Elevations
CB_84_139_PR_B_E03 Principal Route Block B Elevations
CB_84_139_PR_B_E04 Principal Route Block B Elevations
CB_84_139_PR_B_E05 REV A Principal Route Block B Elevations
CB_84_139_PR_B_E06 REV A Principal Route Block B Elevations
CB_84_139_PR_B_E07 REV A Principal Route Block B Elevations
CB_84_139_PR_B_E08 REV A Principal Route Block B Elevations
CB_84_139_PR_B_P01 Principal Route Block B Floor Plans
CB_84_139_PR_B_P02 Principal Route Block B Floor Plans
CB_84_139_PR_B_P03 Principal Route Block B Floor Plans
CB_84_139_PR_B_P04 REV A Principal Route Block B Floor Plans
CB_84_139_PR_B_P05 REV A Principal Route Block B Floor Plans
CB_84_139_PR_B_P06 REV A Principal Route Block B Floor Plans
CB_84_139_PR_C_E01 Principal Route Block C Elevations
CB_84_139_PR_C_E02 Principal Route Block C Elevations
CB_84_139_PR_C_E03 Principal Route Block C Elevations
CB_84_139_PR_C_E04 Principal Route Block C Elevations
CB_84_139_PR_C_E05 Principal Route Block C Elevations
CB_84_139_PR_C_E06 Principal Route Block C Elevations
CB_84_139_PR_C_P01 Principal Route Block C Floor Plans

CB_84_139_PR_C_P02 Principal Route Block C Floor Plans
 CB_84_139_PR_C_P03 Principal Route Block C Floor Plans
 CB_84_139_PR_D_E01 Principal Route Block D Elevations
 CB_84_139_PR_D_E02 Principal Route Block D Elevations
 CB_84_139_PR_D_E03 Principal Route Block D Elevations
 CB_84_139_PR_D_E04 Principal Route Block D Elevations
 CB_84_139_PR_D_P01 Rev A Principal Route Block D Floor Plans
 CB_84_139_PR_D_P02 Rev A Principal Route Block D Floor Plans
 CB_84_139_PR_D_P03 Rev A Principal Route Block D Floor Plans
 CB_84_139_PR_NA20_E01 Principal Route NA20 Elevations
 CB_84_139_PR_NA20_E02 Principal Route NA20 Elevations
 CB_84_139_PR_NA20_P01 Principal Route NA20 Floor Plans
 CB_84_139_PR_NA20_P02 Principal Route NA20 Floor Plans
 CB_84_139_PR_NA22_E01 Principal Route NA22 Elevations
 CB_84_139_PR_NA22_P01 Principal Route NA22 Floor Plans
 CB_84_139_PR_NA30A_E01 Principal Route NA30a Elevations
 CB_84_139_PR_NA30A_E02 Principal Route NA30a Elevations
 CB_84_139_PR_NA30A_E03 Principal Route NA30a Elevations
 CB_84_139_PR_NA30A_P01 Principal Route NA30a Floor Plans
 CB_84_139_PR_NA30A_P02 Principal Route NA30a Floor Plans
 CB_84_139_PR_NA30A_P03 Principal Route NA30a Floor Plans
 CB_84_139_PR_NA32_E01 Principal Route NA32 Elevations
 CB_84_139_PR_NA32_P01 Principal Route NA32 Floor Plans
 CB_84_139_PR_NA42_E01 Principal Route NA42 Elevations
 CB_84_139_PR_NA42_P01 Principal Route NA42 Floor Plans
 CB_84_139_PR_NA42A_E01 Principal Route NA42a Elevations
 CB_84_139_PR_NA42A_P01 Principal Route NA42a Floor Plans
 CB_84_139_PR_NA44_E01 Principal Route NA44 Elevations
 CB_84_139_PR_NA44_P01 Principal Route NA44 Floor Plans
 CB_84_139_PR_NB32_E01 Principal Route NB32 Elevations
 CB_84_139_PR_NB32_E02 Principal Route NB32 Elevations
 CB_84_139_PR_NB32_E03 Principal Route NB32 Elevations
 CB_84_139_PR_NB32_E04 Principal Route NB32 Elevations
 CB_84_139_PR_NB32_E05 Principal Route NB32 Elevations
 CB_84_139_PR_NB32_P01 Principal Route NB32 Floor Plans
 CB_84_139_PR_NB32_P02 Principal Route NB32 Floor Plans
 CB_84_139_PR_NB32_P03 Principal Route NB32 Floor Plans
 CB_84_139_PR_NT31_E01 Rev A Principal Route NT31 Elevations
 CB_84_139_PR_NT31_E02 Principal Route NT31 Elevations
 CB_84_139_PR_NT31_E03 Principal Route NT31 Elevations
 CB_84_139_PR_NT31_E04 Principal Route NT31 Elevations
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 CB_84_139_PR_NT31_P02 Principal Route NT31 Floor Plans
 CB_84_139_PR_NT41_E01 Rev B Principal Route NT41 Elevations
 CB_84_139_PR_NT41_P01 Principal Route NT41 Floor Plans
 CB_84_139_PR_NT41A_E01 Principal Route NT41a Elevations
 CB_84_139_PR_NT41A_P01 Principal Route NT41a Floor Plans

 CB_84_139_SQ_1BM_E01 Southern Quarter 1BM Elevations
 CB_84_139_SQ_1BM_P01 Southern Quarter 1BM Floor Plans
 CB_84_139_SQ_2BCH_E01 Rev A Southern Quarter 2BCH Elevations
 CB_84_139_SQ_2BCH_P01 Rev A Southern Quarter 2BCH Floor Plans
 CB_84_139_SQ_NA20_E01 Southern Quarter NA20 Elevations
 CB_84_139_SQ_NA20_E02 Southern Quarter NA20 Elevations
 CB_84_139_SQ_NA20_E03 Southern Quarter NA20 Elevations
 CB_84_139_SQ_NA20_E04 Southern Quarter NA20 Elevations
 CB_84_139_SQ_NA20_P01 Southern Quarter NA20 Floor Plans
 CB_84_139_SQ_NA20_P02 Southern Quarter NA20 Floor Plans
 CB_84_139_SQ_NA20_P03 Southern Quarter NA20 Floor Plans
 CB_84_139_SQ_NA20_P04 Southern Quarter NA20 Floor Plans
 CB_84_139_SQ_NA22_E01 Southern Quarter NA22 Elevations
 CB_84_139_SQ_NA22_E02 Southern Quarter NA22 Elevations
 CB_84_139_SQ_NA22_E03 Southern Quarter NA22 Elevations
 CB_84_139_SQ_NA22_E04 Southern Quarter NA22 Elevations
 CB_84_139_SQ_NA22_E05 Southern Quarter NA22 Elevations
 CB_84_139_SQ_NA22_E06 A Southern Quarter NA22 Elevations
 CB_84_139_SQ_NA22_P01 Southern Quarter NA22 Floor Plans
 CB_84_139_SQ_NA22_P02 Southern Quarter NA22 Floor Plans
 CB_84_139_SQ_NA22_P03 Southern Quarter NA22 Floor Plans
 CB_84_139_SQ_NA22A_E01 Southern Quarter NA22a Elevations
 CB_84_139_SQ_NA22A_E02 Southern Quarter NA22a Elevations
 CB_84_139_SQ_NA22A_E03 Southern Quarter NA22a Elevations

CB_84_139_SQ_NA22A_P01 Southern Quarter NA22a Floor Plans
 CB_84_139_SQ_NA22A_P02 Southern Quarter NA22a Floor Plans
 CB_84_139_SQ_NA22A_P03 Southern Quarter NA22a Floor Plans
 CB_84_139_SQ_NA30A_E01 Southern Quarter NA30a Elevations
 CB_84_139_SQ_NA30A_P01 Southern Quarter NA30a Floor Plans
 CB_84_139_SQ_NA32_E01 Southern Quarter NA32 Elevations
 CB_84_139_SQ_NA32_E02 Southern Quarter NA32 Elevations
 CB_84_139_SQ_NA32_E03 Southern Quarter NA32 Elevations
 CB_84_139_SQ_NA32_P01 Southern Quarter NA32 Floor Plans
 CB_84_139_SQ_NA32_P02 Southern Quarter NA32 Floor Plans
 CB_84_139_SQ_NA42_E01 Southern Quarter NA42 Elevations
 CB_84_139_SQ_NA42_P01 Southern Quarter NA42 Floor Plans
 CB_84_139_SQ_NA44_E01 Southern Quarter NA44 Elevations
 CB_84_139_SQ_NA44_E02 A Southern Quarter NA44 Elevations
 CB_84_139_SQ_NA44_P01 Southern Quarter NA44 Floor Plans
 CB_84_139_SQ_NB32_E01 Southern Quarter NB32 Elevations
 CB_84_139_SQ_NB32_E02 Southern Quarter NB32 Elevations
 CB_84_139_SQ_NB32_P01 Southern Quarter NB32 Floor Plans
 CB_84_139_SQ_NT30_E01 A Southern Quarter NT30 Elevations
 CB_84_139_SQ_NT30_E02 Southern Quarter NT30 Elevations
 CB_84_139_SQ_NT30_E03 A Southern Quarter NT30 Elevations
 CB_84_139_SQ_NT30_P01 Southern Quarter NT30 Floor Plans
 CB_84_139_SQ_NT31_E01 A Southern Quarter NT31 Elevations
 CB_84_139_SQ_NT31_E02 Southern Quarter NT31 Elevations
 CB_84_139_SQ_NT31_E03 Southern Quarter NT31 Elevations
 CB_84_139_SQ_NT31_P01 Southern Quarter NT31 Floor Plans
 CB_84_139_SQ_NT31A_E01 Southern Quarter Nt31a Elevations
 CB_84_139_SQ_NT31A_P01 Southern Quarter Nt31a Floor Plans
 CB_84_139_SQ_NT41_E01 Southern Quarter NT41 Elevations
 CB_84_139_SQ_NT41_E02 A Southern Quarter NT41 Elevations
 CB_84_139_SQ_NT41_E03 Southern Quarter NT41 Elevations
 CB_84_139_SQ_NT41_P01 Southern Quarter NT41 Floor Plans
 CB_84_139_SQ_NT41A_E01 Southern Quarter NT41a Elevations
 CB_84_139_SQ_NT41A_P01 Southern Quarter NT41a Floor Plans
 CB_84_139_SQ_NT42_E01 A Southern Quarter NT42 Elevations
 CB_84_139_SQ_NT42_P01 Southern Quarter NT42 Floor Plans
 CB_84_134_SQ_2BW_E01 Southern Quarter 2BW Elevations
 CB_84_134_SQ_2BW_E01 Southern Quarter 2BW Floor Plans

CB_84_139_BINCYCLE_01 Bin & Cycle Store Elevations & Floor Plans
 CB_84_139_GAR_01 Single Garage Elevations & Floor Plans
 CB_84_139_GAR_02 Double Garage Elevations & Floor Plans
 CB_84_139_GAR_03 Double Garage Elevations & Floor Plans
 CB_84_139_GAR_04 Double Garage Elevations & Floor Plans
 CB_84_139_SUB_01 Sub-Station Elevations & Floor Plans

CB_84_139_STH_E01 Rev C Scout Hut Elevations
 CB_84_139_STH_P01 Rev C Scout Hut Floor Plan

CB_84_139_NE_SS01 Northern Edge Street Scenes
 CB_84_139_NE_SS02 Rev A Northern Edge Street Scenes
 CB_84_139_NE_SS03 Northern Edge Street Scenes
 CB_84_139_NE_SS04 Northern Edge Street Scenes
 CB_84_139_NE_SS05 Northern Edge Street Scenes
 CB_84_139_NE_SS06 Northern Edge Street Scenes
 CB_84_139_PR_SS01 Rev B Principal Route Street Scenes
 CB_84_139_PR_SS02 Rev A Principal Route Street Scenes
 CB_84_139_PR_SS03 Rev B Principal Route Street Scenes
 CB_84_139_SQ_SS01 Rev A Southern Quarter Street Scenes
 CB_84_139_SQ_SS02 Rev B Southern Quarter Street Scenes
 CB_84_139_SQ_SS03 Rev A Southern Quarter Street Scenes
 CB_84_139_SQ_SS04 Rev A Southern Quarter Street Scenes
 CB_84_139_SQ_SS05 Rev A Southern Quarter Street Scenes
 CB_84_139_SQ_SS06 Rev A Southern Quarter Street Scenes

WSC-E4775-001 Rev H Fire Tender Swept Path Analysis
 WSC-E4775-002 Rev H Refuse Tender Swept Path Analysis
 WSC-E4775-024 A Mini Bus Swept Path Analysis
 WSC-E4775-004 Rev J Visibility Splay Analysis
 WSC-E4775-027 B Visibility Splay Analysis and Cycle Crossings
 WSC-E4775-028 Visibility Splay Analysis and Cycle Crossings
 WSC-E4775-029 Visibility Splay Analysis and Cycle Crossings

2038_124_E Open Space Landscape Proposals Sheet 1 of 5
 2038_125_E Open Space Landscape Proposals Sheet 2 of 5
 2038_126_E Open Space Landscape Proposals Sheet 3 of 5
 2038_127_E Open Space Landscape Proposals Sheet 4 of 5
 2038_128_E Open Space Landscape Proposals Sheet 5 of 5
 2038_129_D Soft Landscape Proposals Sheet 1 of 5
 2038_130_D Soft Landscape Proposals Sheet 2 of 5
 2038_131_D Soft Landscape Proposals Sheet 3 of 5
 2038_132_D Soft Landscape Proposals Sheet 4 of 5
 2038_133_D Soft Landscape Proposals Sheets 5 of 5
 2038_134_D Hard Landscape Proposals Sheet 1 of 5
 2038_135_D Hard Landscape Proposals Sheet 2 of 5
 2038_136_D Hard Landscape Proposals Sheet 3 of 5
 2038_137_D Hard Landscape Proposals Sheet 4 of 5
 2038_138_D Hard Landscape Proposals Sheet 5 of 5

2038_140_E Landscape Masterplan
 2038_141 Open Space Phasing Plan

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 2011-2031.

- 2 No development above damp-proof course level shall take place unless and until detail of the proposed location of the required fire hydrants have been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council Fire and Rescue Service. The approved fire hydrants shall be installed and operational prior to the first occupation of any dwellings and maintained thereafter.

Reason: In the interests of amenity and in accordance with Policy INF SP1 and T SP1 of the Arun Local Plan and in accordance with the Fire and Rescue Services Act 2004.

- 3 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 rear extensions shall be constructed or buildings shall be erected within the curtilage of the same plots unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate private amenity space and in the interests of visual amenity and the particular characteristics of this development which has been subject to a Design Code in accordance with policies D DM1, D SP1 of the Arun Local Plan.

- 4 Notwithstanding the provisions of Parts 1 & 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting this Order) no dormer/roof extensions/alterations to the houses approved shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of visual amenity, heritage and the particular characteristics of this development which has been subject to a Design Code in accordance with policies D DM1, D SP1 of the Arun Local Plan.

- 5 Notwithstanding the provisions of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no hardstanding (other than that specified on the approved plans) shall be created on land forward of the principal or side elevations of the dwellings, unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of visual amenity and the particular characteristics of this development which has been subject to a Design Code in accordance with policies D DM1, D SP1 of the Arun Local Plan.

- 6 Notwithstanding the provisions of Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no fences, walls, gates or other means of enclosure (other than those specified on the approved plans) shall be erected on land forward of the primary or side elevations of the dwellings, unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of visual amenity and the particular characteristics of this development which has been subject to a Design Code in accordance with policies D DM1, D SP1 of the Arun Local Plan.

- 7 No windows (other than those shown on the plans hereby approved) shall be constructed in the flank

elevations of any of the dwellings hereby approved without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of existing and future occupiers in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 8 None of the dwellings in any Phase (as shown on the 2038_141 Open Space Phasing Plan) shall be occupied unless and until the applicant/developer supplies a certificate confirming the agreement of the Royal Society for the Prevention of Accidents (RoSPA) to the design of the SuDS features within areas of Public Open Space. The submission shall include details of any physical changes if necessary, such as boundary treatments, for approval in writing by the Local Planning Authority prior to occupation.

Reason: In the interests of amenity and safety in accordance with policies D DM1 and OSR DM1 of the Arun Local Plan.

- 9 **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.

- 10 **INFORMATIVE:**The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

- 11 **INFORMATIVE:**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.

- 12 **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.

REPORT UPDATE

Application no: P/49/21/RES
Page no: 63
Location: Land North of Sefter Road & 80 Rose Green Road Pagham
Description: Application for the approval of Reserved Matters pursuant to condition 1 (Reserved Matters details), condition 6 (Design Code Masterplan) & condition 7 (landscaping & layout details) following the grant of P/134/16/OUT for the erection of 250 No. dwellings, (including affordable homes), replacement scout hut, land for an Ambulance Community Response Post Facility, demolition of No. 80 Rose Green Road & provision of Public Open Spaces including associated children's play areas, landscaping, drainage & earthworks (resubmission following P/24/20/RES). This site also lies within the parish of Aldwick.

UPDATE DETAILS

Reason for Update/Changes:

Further consultation response received from WSCC Highways Authority:

The previous outstanding points in relation to the cycle route, emergency access and spine road have been resolved sufficiently for planning purposes as shown on drawings WSC-E4775-027 B, WSC-E4775-028, WSC-E4775-029. A Road Safety Audit has also be provided for the cycle infrastructure.

Amended plans received to reflect the following changes:

- Refinements to site access.
- Further visitor parking spaces (now 67 in total).
- Additional balconies or private garden space for the coach house dwellings.
- Plots 216 and 217 which are now M4(3) standard (wheelchair adaptable/accessible).
- Landscaping updated to address comments from ADC Drainage.
- Play equipment for ELEAP and LAPs shown as indicative with details to be agreed as part of S106 Public Open Space Scheme.
- Number of Electric Vehicle Charging Points amended to 195 to align with ADC Parking Standards.

Additional representation received from Pagham Parish Council raising the following:

- Layout cramped and out of keeping with Pagham.
- Concerns residents will not park in allocated spaces.
- Unclear how spaces for houses near Sefter Road are accessed.
- Query re compliance of open space provision - shortfall unacceptable.
- Contribution to MUGA off-site should not be in place of on-site provision.
- ELEAP only accessible to Southern Quarter residents by crossing the road - play area with safe access should be provided for all areas of the site.
- Scout Hut should have lockable gate and gantry to deter unauthorised access.

- Parking for Scout Hut insufficient as 25 children regularly attend, leading to parking in road and potential to block Ambulance Response Post. Double yellow lines and yellow box junction should be used to prevent this.
- Concerns about drainage and safety of SUDs ponds.
- Pedestrian crossing points and pavements should be provided on Sefter Road.

Officers Comment:

WSCC Highways Authority response and amended plans:

The plans detailing the minor amendments at the site access and the safety review of the footway/cycleway alongside the main spine road and emergency access have been reviewed by the Local Highway Authority and are acceptable, with any more detailed design to be dealt with at S278 stage. The amendments enhance the safety and legibility of the footway/cycleway in accordance with Policy T SP1 of the Arun Local Plan. The additional 2 visitor parking spaces provides increased provision in accordance with the ADC Parking Standards SPD.

The balconies/ private gardens provided for the coach house units ensure that they have access to a private outdoor amenity space in accordance with the Arun Design Guide SPD. The provision of the 2 wheelchair adaptable units is under the amount set out in the Guidance on the Accommodation for Older People and People with Disabilities (which requires 10 units), but as this is only guidance and there was no condition on the outline permission requiring a set percentage to be provided, this provision is acceptable. The applicant has confirmed that 65 dwellings are also M4 (2) (adaptable) compliant.

The amendments to the soft landscaping which remove planting from within the buffer zone required around proposed drainage basins reflect discussions on the detailed drainage design which will be progressed through a discharge of condition application.

The amendments to remove the details of the ELEAP and LAPs to be agreed through the S106 Public Open Space Scheme following further discussions with the Parish Council reflect the approach set out in the main report.

As set out in the main report, the Electric Vehicle Charging points will be considered through the discharge of condition process.

Additional comments from Pagham Parish Council:

Comments in relation to the layout, design and parking are addressed in the main report. In relation to the amount of space for play provision, the requirements on-site, and off-site contributions to the MUGA at Avisford Recreation Ground were considered and agreed as part of the outline permission. The location of the ELEAP is considered acceptable, as the Spine road has traffic calming measures to aid safe crossing by pedestrians. A lockable gate to the Scout Hut car park is not considered appropriate as it needs to be accessible to users. Off-site pedestrian crossing points are not a reserved matter. The safety of the drainage features in relation to the open space was also raised by the ADC Greenspace Officer but not considered in the main report. A condition has been added to ensure a Royal Society for the Prevention of Accidents (RoSPA)

inspection, and subsequent submission (if needed) of any changes to SuDs boundary features for agreement by the Local Planning Authority prior to the occupation of units in each Phase.

Note: The changes to conditions are attached on the amended replacement recommendation sheet.

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REPORT UPDATE

Application no: FG/90/21/HH
Page no: 47
Location: 1 Sea Drive Ferring
Description: Erection of addition of second floor, part single, part two storey extension and wrap around terrace

UPDATE DETAILS

Reason for Update/Changes:

Correspondence received from agent representing neighbouring objectors setting out the following:

The analysis in the committee report doesn't appear to be well resolved with regards to the extent of the extensions and impacts on neighbour properties. There are no conditions suggested to lessen the impact such as balcony screens, first/second floor side facing obscure windows and potentially further removal of PD.

Please can you look again at the impacts on neighbours and whether it might be prudent to do some further analysis, conditions/measures so that existing residents around can feel accommodated in the event Members vote to grant permission.

Officers Comment:

Overlooking from the proposed front balcony and rear windows will not cause direct overlooking into number 3. Furthermore and similarly there are three existing rear rooflights and upper windows to the front of the property that provide oblique overlooking into number 3 Sea Drive.

However, it has been agreed with the applicant that a condition requiring the west side windows to be obscure galzed and fixed shut.

Note: The changes to recommendation, conditions and/or reasons show under Officers Recommendation at the end of the attached report.

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Erection of addition of second floor, part single, part two storey extension and wrap around terrace 1 Sea Drive 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:

2048/S/00A - Site Location Plan.
2048/PL/001A - Site plan.
2048/PL/010A - Proposed Site Elevations.
2148/PL/01 - Ground Floor plan.
2148/PL/02A - First Floor plan.
2148/PL/03A - Second Floor plan.
2148/PL/05A - Front & Rear Elevations.
2148/PL/06A - Side Elevations.

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 Construction hours on site shall only be between 08:00 hours and 18:00 hours Monday to Friday, between 09:00 hours and 13:00 hours Saturday and at no time on Sundays, Bank or other Public Holidays without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity in accordance with Arun Local Plan policies QE SP1 and QE DM1.
- 4 The two windows proposed to the west (left) elevation of the dwelling shall at all times be glazed with obscured glass and fixed to be non-opening below a height of 1.7m from the internal floor.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies QE SP1 and D DM4 of the Arun Local Plan.
- 5 **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.

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REPORT UPDATE

Application no: FG/114/21/HH
Page no: 55
Location: 23 South Drive Ferring
Description: Extensions and internal and external remodelling of existing dwelling to create a 4no. bedroom dwelling with double garage including single storey rear extension, replacement and reformation of roof to create second floor accommodation with rear balcony, associated landscaping.

UPDATE DETAILS

Reason for Update/Changes:

Correspondence from agent setting out the merits of the proposal.

Officers Comment:

These have all been covered and assessed as per the officers report.

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REPORT UPDATE

Application no: WA/63/21/PL
Page no: 1
Location: Land East of Tye Lane Walberton
Description: Proposed alternative vehicular accesses off Tye Lane and emergency access off Avisford Park Road, along with minor highway works following WA/95/18/RES (resubmission following WA/93/20/PL). This site is CIL Zone 2 (Zero Rated) as other development.

UPDATE DETAILS

FURTHER LETTER OF OBJECTION FROM WALBERTON PARISH COUNCIL

The Parish Council has sought the advice of Dr Ashley Bowes (Cornerstone Barristers) on the Committee Report and wish to make the following further observations on this proposal.

The Committee report identifies a number of harmful aspects of the scheme, including:

- An adverse effect on the visual amenity and character of Tye Lane, arising from the removal of hedgerow and vegetation.
- The routing of the new emergency access through an area of Public Open Space, including a community orchard and an Local Area of Plan.
- Harm to the Walberton Village Conservation Area.
- Harm to the setting of listed buildings.

It is well established that, where there are "clear planning objections" to a given proposal, it is relevant to consider whether that development can be delivered in a less harmful way, see: R(Langley Park School for Girls Governing Body) v Bromley LBC (2010).

Here, the use of the consented Yapton Lane access (as part of WA/44/17/0UT) would deliver the same benefits of the development without the same level of harm. Whilst the applicant has sought to cast doubt on the deliverability of the Yapton Lane access, National Highways has confirmed in writing that whatever the ultimate alignment of the A27 bypass, it will ensure access to Avisford Grange is secured (see enclosed letter dated 17 June 2021). The presence of the consented Yapton Lane access is therefore an important material consideration which needs to be drawn to Members' attention.

Separately, we note this application only covers, within its red line, the access and estate road connection. It excludes the housing development area itself, apparently seeking to rely upon the approved permission WA/44/17/0UT and WA/95/18/RES. That would not however be permissible. If the application were to be permitted and implemented, the subsequent development (and potentially that already built) would be unauthorised. That is because the original permission (WA/44/17/0UT and WA/95/18/RES) could no longer be completed in accordance with the approved plans in its entirety, see for example:

- Development would take place in an area shown as "green space" on the approved parameters plan.
- A large estate access road would be delivered where the approved plans show "amenity grass seeding".
- The re-enforced hedgerow or soft landscaping shown on the approved landscape master plan would not be provided.

update(ODB 57)

In Hillside Parks Ltd v Snowdonia National Parks Authority EWCA Civ 1440 at , Singh LJ approved the observations of Hickinbottom J in Singh v Secretary of State for Communities and Local Government EWHC 1621 (Admin) at - as follows:

"Hickinbottom J was of the view that, reflecting the holistic structure of the planning regime, for a development to be lawful it must be carried out "fully in accordance with any final permission under which it is done" (emphasis in original). He continued:

'That means that if a development for which permission has been granted cannot be completed because of the impact of other operations under another permission, that subsequent development as a whole will be unlawful.'

Singh LJ left open the possibility that in such cases, development which has already taken place could be rendered unauthorised and liable to enforcement action.

We note this appears not to have been appreciated within the report to Committee. That oversight has led to the false assumption that this proposal would benefit the local economy "by bringing additional customers to the village centre shops and services". That is wrong because, as a consequence of the settled legal position in Hillside, the housing development could not be completed and occupied lawfully if this proposal were ever to be implemented.

As a consequence of these omissions, we would invite you to withdraw the item from the forthcoming Committee.

If these errors of law are not corrected before the Committee hearing and permission were to be granted in-spite of our having drawn it to your attention, the Parish Council reserves the right to pursue judicial review proceedings to secure the quashing of the permission.

Officers Comment:

Officers have not seen the full advice given by Dr Ashley Bowes and so cannot comment on whether that advice would have contained caveats and qualifications. Legal officers will be available at the meeting to advise members. The question from the Parish Council boils down to this: Is it legally possible to implement the permission to be granted pursuant to the new (yet to be granted) permission in combination with the outline consent, in the context of the "Pilkington doctrine"?

The question is essentially one of whether the new permission would render the scheme as a whole (i.e. the combined development to be carried out pursuant to both the already granted outline consent (and reserved matters approval) and the new permission) unacceptable in planning terms.

The original scheme was granted under an outline planning permission and it was therefore envisaged that the details of the relevant phases of the development would be confirmed by reserved matters approvals.

In Hillside Parks Ltd v Snowdonia National Park Authority (2020) the Court of Appeal held that implementation of a masterplan pursuant to a 1967 masterplan was no longer possible due to

developments carried out under later permissions. The Court has confirmed that planning permissions should be construed holistically, that it is unlikely that modern planning permissions could be interpreted as a "series of independent acts", and that therefore caution should be exercised with overlapping planning permissions. This case confirms the general doctrine established by *Pilkington v Secretary of State for the Environment and Others* (1973) and subsequent cases (the "Pilkington doctrine"), namely that, whilst a landowner can make multiple planning applications for the same piece of land which may be inconsistent with each other, once one of those permissions has been implemented, and development has been carried out which makes it impossible to achieve development under another permission over the same piece of land, that other permission is no longer valid. The Court of Appeal re-asserted that a developer cannot lawfully "pick and choose" different parts of a development to be implemented.

It is acknowledged that a site can have multiple planning permissions, therefore the LPA needs to determine this application for alternative vehicular accesses on its merits, i.e. determining what we have in front of us having regard to the principles in the Langley Park case.

The LPA acknowledges that there is a difference between granting planning permission and the implementation of the permission. The LPA could not refuse the application on the grounds that the permission could not be implemented. Implementation is a separate issue. It is for the Developer to decide how they can or whether they will implement both permissions, i.e. the outline/reserved matters scheme for 175 dwellings and the proposed alternative vehicular accesses. The role of the LPA will be to decide whether it is expedient to carry out any enforcement action should the development depart from what is permitted.

An informative has been included after the draft conditions whereby 'the landscaping and ecological enhancements proposed outside the area of the red line plan will need to be the subject of a minor Non-Materials Amendment application as they affect the area that was subject to the reserved matters approval (WA/95/18/RES)'.

CONSTRUCTION TRAFFIC ON HIGH STREET:

Concerns have been raised about construction vehicles travelling along High Street from the A27 to access the site on Tye Lane.

Officers Comment:

To avoid construction traffic travelling along High Street, the Yapton Lane access should be kept open for construction vehicles until the 175 dwellings have been completed on the site.

Condition 4 should be amended to read:

"Prior to the commencement of development, details of the closure of the Yapton Lane access to all motorised vehicles with the exception of construction vehicles, and the associated provision of hard and soft landscaping and the access details for cyclists and pedestrians from Yapton Lane should be submitted for approval in writing by the Local Planning Authority in consultation with the Local Highway Authority.

The Yapton Lane access should be closed to all motorised vehicles with the exception of

construction vehicles (using temporary measures) as soon as the Tye Lane access is open for use by motorised vehicles. Pedestrian and cycle access from Yapton Lane should be retained. The Yapton Lane access should be closed to construction vehicles on completion of the development.

Reason: In the interests of road safety, in accordance with Policy T SP1 and Policy T DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to close the Yapton Lane access to all motorised vehicles with the exception of construction vehicles, to approve the hard and soft landscaping in and around the former vehicular access from Yapton Lane and to ensure that access to the site from Yapton Lane is retained for pedestrians, cyclists and construction vehicles."

SURFACE WATER DRAINAGE:

On Monday 25th October 2021, the developer submitted Drawing No. 183248-001 Rev. P4 - 'Tye Lane Preliminary Site Access' in response to ADC Drainage Engineers request for additional information; and this plan has been submitted to the ADC Drainage Engineers for their comments.

Officers Comment:

No reply has been received from ADC Drainage Engineers regarding the 'Tye Lane Preliminary Site Access Plan'. However, the objection from ADC Drainage Engineers would be overcome by Condition 13. Condition 13 requires the submission of a separate discharge of condition application providing details of the new culvert on Tye Lane and details of the diversion of the existing surface water drainage ditch to accommodate the new pavement.

LETTER FROM SOLICITOR WORKING FOR THE REGISTERED PROVIDER:

The applicant has submitted a letter from the solicitor on behalf of the Registered Provider claiming that the alternative access to the site is required to ensure the affordable dwellings are completed.

Officers Comment:

The letter has been uploaded onto the website and the contents are covered in the Committee Report.

FURTHER LETTER OF OBJECTION FROM A LOCAL RESIDENT:

The letter from the solicitor on behalf of the Registered Provider confirms the applicant's concerns are commercial. The applicant appears not to have told the Registered Provider of a draft agreement including the imposition of a contractual obligation on National Highways to retain the existing access to Avisford Grange unless access from Tye Lane is consented and constructed" (National Highways, 25 October 2021). National Highways has confirmed that "the A27 Arundel Bypass Scheme will be designed to ensure that access to Avisford Grange along the existing access road at Yapton Lane will be permanently retained". The Registered Provider does not know the final alignment of the preferred route or the full extent to which Yapton Lane access will be retained.

update(ODB 57)

Object to the drip-feeding of new information by the applicant which was not included in the original application.

Officers Comment:

As it has been confirmed that the revised access would be implemented as soon as possible, it should be noted that an application has to be assessed and considered at face value based on the information presented and the intentions of the housebuilder to deliver 175 dwellings on the site.

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