



Public Document Pack

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02 February 2022

PLANNING COMMITTEE

A meeting of the Planning Committee will be held in **Council Chamber at the Arun Civic Centre, Maltravers Road, Littlehampton BN17 5LF** on **Wednesday 2 February 2022 at 2.00 pm** and you are requested to attend.

Members: Councillors Chapman (Chair), Lury (Vice-Chair), Blanchard-Cooper, Bower, Chace, 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 this [link](#).

- 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

Report update for AL/20/21/PL - LAND AT WINGS NURSERY, LIDSEY ROAD, WOODGATE PO20 3SU

Report and condition updates for P/165/21/PL - LAND AT SPINNAKER VIEW, PAGHAM PO21 3FL

Report and condition updates for P/159/21/PL - 253-255 INGLENOK HOTEL, PAGHAM ROAD, PAGHAM PO21 3QB

Report and condition updates for LU/340/21/PL - THE OLD PRINTWORKS, 7 ARUNDEL ROAD, LITTLEHAMPTON BN17 7BY

Report and condition updates for AL/113/21/OUT - LAND AT BAYARDS, LEVEL MARE LANE, EASTERGATE PO20 3RZ

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 - Development Control [Webcast Page](#)

REPORT UPDATE

Application no: AL/20/21/PL
Page no: 5
Location: Land At Wings Nursery Lidsey Road Woodgate
Description: Demolition of Wings House & erection of 71 No. replacement dwellings (70 net new dwellings), access arrangements, sustainable drainage measures, public open space, landscaping & all other associated works (resubmission following AL/46/20/PL). This application is a Departure from the Development Plan.

UPDATE DETAILS

Reason for Update/Changes:

Natural England have responded in respect of the applicants request to amend the hours of working condition: "Natural England advise that the current condition is sufficiently precautionary to take into account recent mild winters and associated continued bat activity. Furthermore, any changes will need to be accompanied by an updated Habitats Regulations Assessment."

On this basis the applicants change to condition 5 cannot be agreed at this time and this request is withdrawn from the recommendation. Instead they would need to apply subsequently for a variation of the condition in order to allow for a new appropriate assessment to take place.

The s106 has not yet been signed and the revised draft is currently with the applicants solicitor and with WSCC.

Officers Comment:

It is therefore requested that members resolve solely to agree the inclusion within the s106 of the National Highways contribution and delegate the final decision to the Group Head of Planning with authority to make minor amendments to the s106.

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REPORT UPDATE

Application no: P/165/21/PL
Page no: 7
Location: Land at Spinnaker View Pagham
Description: New vehicular access entrance, relocated parking bays, and pedestrian access associated with the redevelopment of the rear of Inglenook Hotel as 9 No. dwellings. This application is in CIL Zone 4 (zero rated) as other development. This application may affect the setting of a Grade II Listed Building.

UPDATE DETAILS

Reason for Update/Changes:

The Councils Conservation Officer states that the application will not cause harm to the significance of the heritage assets or their setting. This reflects the current conclusions of the report and so no amendment is necessary.

The Councils Tree Officer has raised an objection on the grounds that no supporting arboricultural information has been provided and that there is no compensation proposed for the small trees to be lost in the landscaping strip. The second point is already covered by the report. In respect of the first point, it is noted that the Tree Officer states that "the principle of development as described is certainly achievable without undue detriment to retained on and off-site trees".

On this basis, a pre-commencement condition has been agreed with the applicant to require that an Arboricultural Method Statement and Tree Protection Plan are submitted and approved by the Council prior to any works commencing. This will ensure that the TPO Poplar tree is respected and not harmed by the proposed works.

One additional objection has been received discussing concerns about ownership rights and stating that it was the case officers idea that access go into Spinnaker View. The committee report confirms that access from Spinnaker View was first suggested by the Parish Council.

Officers Comment:

The additional condition is shown on the attached amended recommendation sheet.

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New vehicular access entrance, relocated parking bays, and pedestrian access associated with the redevelopment of the rear of Inglenook Hotel as 9 No. dwellings. This application is in CIL Zone 4 (zero rated) as other development. This application may affect the setting of a Grade II Listed Building.

Land at Spinnaker View
Pagham

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 Plan 2020-6289-LO01 Rev C;
 - Site Layout 2020-6289-000 Rev E*;
 - Block Plan 2020-6289-BL01 Rev C*;
 - Access Overview and Visibility Splays 2020-6289-002 Rev E.

* Only insofar as they relate to the vehicular access, pedestrian access & new visitor parking spaces.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, QE SP1 and T SP1 of the Arun Local Plan.
- 3 No development including access, demolition or associated construction activities shall commence unless and until the developer/applicant has secured approval in writing from the Local Planning Authority for an Arboricultural Method Statement and a Tree Protection Plan to both describe and illustrate the mitigation measures which are to be employed to ensure that the TPO Poplar Tree to the south of the site survives without detriment to its vigour and vitality and is given adequate protection both above and below ground.

Reason: To ensure the retention and maintenance of important trees which are an important feature of the area in accordance with policy ENV DM4 of the Arun Local Plan. This is required to be a pre-commencement condition because the mitigation measures need to be agreed and in place before work commences on the site.
- 4 **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: P/159/21/PL
Page no: 19
Location: 253-255 Inglenook Hotel Pagham Road Pagham
Description: Variation and removal of conditions imposed under P/58/19/PL for the variation of condition 2-plans condition & 16-external lighting of roads & footpaths & removal of conditions 11-footpath access through Hotel site & 13-signage of vehicular access previously proposed.

UPDATE DETAILS

Reason for Update/Changes:

Due to resident objections, the applicant has proposed the removal of the rear dormer windows to plots 5, 6, 8 & 9 replacing these with two additional rear velux windows per house. The revised plans are included in the officer presentation and are listed in the amended condition 1.

Application P/171/21/DOC has now been partially discharged (conditions relating to materials & the fire hydrant) and so it has been necessary to amend the previous conditions to refer to the approved details (these relate to conditions 8 and 10 on the recommendation). A note has also been added to condition 8 to say that should the developer not be able to gain agreement to connect to the water main in Spinnaker View then they will be required to re-discharge the condition.

A revised Fire Tender Swept Path Analysis Plan has now been received which shows a fire vehicle turning whilst avoiding any private land/gardens. This change is included in condition 1. This was received too late in the day to be included within the officer presentation but is available to view on the Councils website. It has been sent to WSCC Highways for their comment but in case they are not able to respond in time, it is clear from this plan that a fire tender can turn on the site without interfering with private land.

Officers Comment:

The changes to conditions 1, 8 & 10 are shown on the attached amended recommendation sheet.

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Variation and removal of conditions imposed under P/58/19/PL for the variation of condition 2-plans condition & 16-external lighting of roads & footpaths & removal of conditions 11-footpath access through Hotel site & 13-signage of vehicular access previously proposed.

253-255 Inglenook Hotel
Pagham Road
Pagham

RECOMMENDATION

ACS - App Cond sub to S106

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:
 - Location Plan 01 Rev A;
 - Site Overview 001 Rev E;
 - Refuse Vehicle Swept Path Analysis & Bin Collection Distances 003 Rev B;
 - Fire Tender Swept Path Analysis & Building Regulations Requirements 004 Rev E;
 - Car Parking Swept Path Analysis 005 Rev B;
 - Car Parking Swept Path Analysis 2 006;
 - House Plans (units 1-4) 1594-07;
 - Plots 5 & 6 Proposed Floor Plans 21-003;
 - Plots 5 & 6 Proposed Elevations 21-004
 - Bungalow Plot 7 Elevations and Floorplan 14 Rev B;
 - Plots 8 & 9 Proposed Floor Plans 21-006; and
 - Plots 8 & 9 Proposed Elevations 21-007.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies QE SP1, D DM1 and T SP1 of the Arun Local Plan
- 2 All activity at the site is to be carried out in strict accordance with the submitted Arboricultural Report by Beechdown Arboriculture Ltd (ref: B/0189/18) as approved by P/58/19/PL.

Reason: To comply with BS5837 and policy ENV DM4 of the Arun Local Plan 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.
- 3 All activity at the site is to be carried out in strict accordance with the mitigation and enhancement measures as set out within section 6.0 of the "Preliminary Ecological Appraisal and Bat Building Assessment" by Arbeco Ltd dated 09/04/18; and section 6.0 of the Reptile Survey Report by Arbeco Ltd dated 22/05/18 (all approved by P/58/19/PL). The mitigation and enhancement measures shall be implemented as per the documents and permanently retained and maintained thereafter.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the NPPF.
- 4 The development shall proceed in full accordance with the Construction & Environmental Management Plan as approved on 15/10/21 through application ref P/119/21/DOC. This plan shall be in force throughout the construction process.

Reason: In the interests of the amenity of the occupiers of any nearby noise sensitive premises, the general amenities of the area and in the interests of highway safety in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the NPPF.
- 5 The development shall proceed in full accordance with the surface water drainage scheme as approved on 15/10/21 through application ref P/119/21/DOC. The drainage scheme shall be implemented in accordance with the approved scheme and permanently retained 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.

- 6 The development shall be occupied in full accordance with the "SuDS Drainage Maintenance Schedule" as approved on 15/10/21 through application ref P/119/21/DOC. The owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

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

- 7 The site ground levels and the finished floor levels of buildings that are the subject of this approval shall be in accordance with the plans and details approved by application P/84/21/DOC on 20/07/21

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy D DM1 of the Arun Local Plan.

- 8 The fire hydrant and water connection as approved by P/171/21/DOC shall be installed in accordance with the agreed details and prior to occupation of any of the houses. Thereafter, it shall be tested, the location identified with an H plate, cover sprayed yellow, plotted in the WSCC mapping system and permanently retained/maintained in accordance with the approved details. However, should it not be possible to agree the connection to the water main in Spinnaker View due to land ownership issues then you will need to reapply using an alternative water source. This will require the submission of full details to the local planning authority for approval in writing prior to occupation.

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

- 9 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a soft and hard landscape design scheme including details of all hard and soft landscape design elements (including hard surfacing to any new/upgraded roadways/footpaths or accesses). The approved planting shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of development, shall be replaced in the next planting season with others of a similar size and species.

Reason: In the interests of amenity, the environment of the development and pedestrian safety/convenience in accordance with policies D DM1, T SP1 & T DM1 of the Arun Local Plan.

- 10 The development shall proceed in full accordance with the materials approved through application ref P/171/21/DOC and these details shall be permanently retained.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and the setting of the nearby listed buildings by endeavouring to achieve buildings of visual quality in accordance with policies HER SP1, HER DM1, D DM1 and D SP1 of the Arun Local Plan.

- 11 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, details of all new and improved boundary treatments. No part of the development shall be occupied unless and until the development has been implemented in accordance with the boundary treatments hereby approved. Thereafter, these boundary treatments shall be permanently retained.

Reason: In the interests of amenity of existing and future residential occupiers in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 12 Prior to the occupation of any part of the development, full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. This submission should also cover new streetlighting if required. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) but also minimise potential impacts to any bats using the trees and hedgerows by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 13 No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with the approved site plan. The parking spaces and garages shall thereafter be retained at all times for this purpose.
- Reason: To provide adequate on-site car parking for the development in accordance with policies D DM1 and T SP1 of the Arun Local Plan and paragraphs 108-110 of the NPPF.
- 14 No part of the development shall be first occupied until details of covered and secure cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. The covered and secure cycle parking spaces approved shall be installed prior to the first occupation of any dwelling and thereafter shall be permanently retained.
- Reason: To ensure that adequate and satisfactory provision is made for the parking of bicycles in accordance with policies T SP1 & T DM1 of the Arun Local Plan and paragraphs 108-110 of the NPPF.
- 15 No part of the development shall be first occupied until the roads, footways, and visitor parking areas serving the development have been constructed, surfaced, and drained in accordance with the approved plans and details. The roads, footways, and visitor parking areas serving the development shall thereafter be retained at all times for this purpose.
- Reason: To secure satisfactory standards of access for the proposed development in accordance with policies D DM1 and T SP1 of the Arun Local Plan and paragraphs 108-110 of the NPPF.
- 16 No part of the development shall be first occupied until a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings have been submitted to and approved in writing by the Local Planning Authority. The facilities to enable the charging of electric vehicles shall be installed prior to the first occupation of any dwelling and thereafter shall be permanently retained and maintained in accordance with the approved details.
- Reason: New petrol and diesel cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the NPPF.
- 17 No part of the development shall be first occupied until detailed drawings of dustbin enclosures showing siting and design have been submitted to and approved in writing by the Local Planning Authority. The approved bin storage enclosures or spaces shall be installed prior to the first occupation of any dwelling and permanently retained in accordance with the approved details.
- Reason: To ensure sufficient refuse facilities and to safeguard the appearance of the development & the amenities of the area in accordance with policies D DM1 and WM DM1 of the Arun Local Plan.
- 18 No part of the development shall be first occupied until a scheme to demonstrate that the new houses will incorporate decentralised, renewable and low carbon energy supply systems has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to the first occupation of any dwelling and thereafter shall be permanently retained and maintained in accordance with the approved details.
- Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan.
- 19 No construction / demolition 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 works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.
- Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan.
- 20 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.
- 21 INFORMATIVE: It is noted that this permission will be granted pursuant to Section 73 of the Town and Country Planning Act 1990 and is Community Infrastructure Levy (CIL) liable. As there is an increase in floorspace (due to the new second floor accommodation) since the original permission, there is a change in the amount of CIL payable. Therefore, a new Liability Notice that supercedes CIL Liability Notice ref 994 will follow.

22

INFORMATIVE: This decision is subject to a Deed of Variation to the previously approved section 106 legal agreement agreed on P/59/21/PL which related to a contribution of £7,839 towards the provision of accessible natural open green spaces to serve the Pagham area. The Deed of Variation allows the original s106 to also apply to this new permission.

REPORT UPDATE

Application no: LU/340/21/PL
Page no: 37
Location: The Old Printworks 7 Arundel Road Littlehampton
Description: Application for works to existing building including; Insertion of new windows and rooflights, infilling of windows, replacement of windows, addition of French doors and Juliette balcony, and replacement of roofs and new coping to flint wall. This application is in CIL Zone 4 and is zero rated as other development.

UPDATE DETAILS

Reason for Update/Changes:

Late representation

The neighbour has provided further comments:

- This is a retrospective planning application, as the works to The Old Print Works are mostly completed and the original planning application had expired. The new application is not for change of use and any new layout or change to residential units would require a further planning application.
- The original ground floor windows of The Print Works were deep set and only opened to the edge of the windowsill. The newly installed windows open fully and are no longer deep set. This is being addressed in the planning recommendations.
- The glass in these downstairs windows is no longer obscured to the same degree, will this be addressed within the planning recommendations?
- There are significant concerns about the light pollution of the Courtyard garden of The Georgian House. At night, the light emanating from The Print Works lit up the entire garden and shone into their home which is intrusive. This matter is not addressed in the recommendations and further consideration could be given to this.
- If the property is not for residential use, what recommendations are there upon there in terms of the hours of occupancy of The Print Works? Commercial premises normally operate with office hours and yet lights / noise from the Print Works exceeds this.
- In regards the proposed balcony space, I note that the recommendation is that this is not used as a balcony, roof garden or similar amenity without further planning consent. How will this be ensured and what measure(s) can be included within the application to ensure that there are no further risks of items placed upon the flat roof area falling in to the Courtyard garden at The Georgian House as has occurred? There also appears to be a chimney (flower pot) on the flat roof over a heating flue which appears too low to meet emissions guidance.
- It is noted the recommendation for the new Velux rooflight on the northern roof slope to be fitted with obscure glass and remain closed at all times. Might consideration be given to a blind to limit light at night?

Officers Comment:

A further application would be required if residential use of the premises was proposed.

A new condition (number 6) is proposed to limit working/trading hours.

The windows have been inspected by officers and they are satisfied that the level of obscenity is sufficient to prevent unacceptable overlooking.

Openings on this building are historic where light pollution would have been the case. The openings proposed are no more than has always been the case. In fact fewer openings will be the case as a result of the works.

The placing of items referred to on the balcony are not subject to planning control. Condition number 4 does however prevent the use of this area as a 'roof garden or similar amenity area'.

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

Application for works to existing building including; Insertion of new windows and rooflights, infilling of windows, replacement of windows, addition of French doors and Juliette balcony, and replacement of roofs and new coping to flint wall. This application is in CIL Zone 4 and is zero rated as other development.

The Old Printworks
7 Arundel Road
Littlehampton

RECOMMENDATION

AC - Approve Conditionally

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

- Pre existing elevations north & east (drawing no. TA 1374/ 04 Rev B)
- Pre existing elevations south & west (drawing no. TA 1374/ 05 Rev B)
- Existing elevations north & east (drawing no. TA 1374/ 12 Rev B)
- Existing elevations south & west (drawing no. TA 1374/ 13 Rev B)
- Proposed elevations north & east (drawing no. TA 1374/ 22 Rev B)
- Proposed elevations south & west (drawing no. TA 1374/ 23 Rev C)
- Proposed ground floor plan (drawing no. TA 1374/ 20)
- Proposed first floor plan (drawing no. TA 1374/ 21)
- Proposed roof plan (drawing no. TA 1374/ 24)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM1, D DM4, QE SP1, HER SP1 and HER DM2 of the Arun Local Plan.

2 The brick infill of the previous windows as shown on the existing and proposed approved drawings shall be in brickwork to match the existing brickwork of the building.

Reason: To ensure a consistent appearance, in the interests of visual amenity, in accordance with policies D SP1, D DM1 and D DM4 of the Arun Local Plan.

3 The windows and doors shown as obscure-glazed and with restricted opening to the outer edge of the window cill as shown in the existing and proposed approved drawings must in perpetuity;

- (i) at all times be and remain glazed entirely with obscure glass.
- (ii) at all times be and remain on restricted openers, opening to a maximum of the outer edge of the window cill.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1, D DM4 and QE SP1 of the Arun Local Plan.

4 The flat roof area/s of the building shall not be used at any time as a balcony, roof garden or similar amenity area, without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policies D DM1, D DM4 and QE SP1 of the Arun Local Plan.

5 The new velux rooflight on the northern roof slope of the building shall be both obscure glazed and fixed shut at all times and remain as such in perpetuity, with the exception of for maintenance purposes only where the prior written agreement from the Local Planning Authority will be required.

Reason: To safeguard the amenity of the future occupants of the application property, in accordance

with policies D DM1, D DM4 and QE SP1 of the Arun Local Plan.

- 6 The premises shall not be open for trade or business except between the hours of 9am - 6pm Mondays to Fridays, 9am-1pm Saturday. There shall be no trade or business on Sunday and Bank Holidays.

Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun Local Plan policies D DM1, QE DM1 & Q DM2.

- 7 INFORMATIVE: For the avoidance of doubt, the current permission does not grant permission for use of the building for residential accommodation and this would require a separate planning application and permission.

- 8 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

REPORT UPDATE

Application no: AL/113/21/OUT
Page no: 49
Location: Land at Bayards Level Mare Lane Eastergate
Description: Outline application with all matters reserved, apart from access, for up to 69 No dwellings with access, parking, landscaping & associated works. This application is a Departure from the Development Plan.

UPDATE DETAILS

Reason for Update/Changes:

Aldingbourne Parish Council have submitted a further objection which is provided in full on the Councils website. In summary, Aldingbourne request that Arun review the ecological advice received as they consider that more survey work is needed for both reptiles and bats along with reviewing the Habitats Assessment and seeking further comments from Natural England (NE). They state that the impact on bats has not been adequately assessed and concerns are also raised in respect of the reptile surveys. Aldingbourne say that otherwise NE and ADC would be failing in their duty to the Conservation of Habitats and Species Regulations 2017 (as amended).

ADC have been provided with advice on the application by its retained ecology advisers and no concerns have been raised. Furthermore, NE have agreed the Councils appropriate assessment.

The applicant has reviewed the committee report and requests certain changes which are set out below with officer comments:

(a) Do not agree to the inclusion of First Homes in the s106 proposal. State that the government advice is that First Homes do not need to be imposed on applications determined before March 2022 and that this had not previously been raised.

Government advice is that First Homes are not required for planning applications where there has been significant pre-application engagement and the application is determined before 28 March 2022. Whilst there has been a pre-application enquiry and the application is likely to be determined by the 28 March 2022, there has not been any substantive discussion on the affordable housing mix with this limited to comments provided at pre-application by the Councils Affordable Housing Manager. The applicant states in the planning statement that "Full details (of the affordable housing mix) will be provided at reserved matters stage." Furthermore, the drafting of the s106 has not yet been started.

The Planning Practice Guidance states that "For the purposes of the First Homes policy, significant pre-application engagement means any substantive discussions between the local planning authority and the applicant relating to the proposed quantity or tenure mix of the affordable housing contribution associated with that application." (Paragraph: 021 Reference ID: 70-021-20210524)

(b) Request a change to condition 3 to include the Proposed Site Layout Plan 29662C_100 Rev H

and the Land Use Parameter Plan 29662C_130 Rev E.

As layout is not being considered, it is not appropriate to include the illustrative layout plan however the condition is amended with the inclusion of the parameter plan.

(c) Request a change to condition 6 to allow works to brush piles, compost or debris piles outside of the specified period where they are first assessed by an ecologist.

This has been accepted as there would be no ham if the features were checked prior to removal. Therefore, the condition has been amended.

(d) Request consideration of altering the construction hours set by condition 7

These hours have been requested by Environmental Health and are the standard applied across the district so the condition will not be changed. However, the condition as currently worded allows for works to take place during dark periods outside of bat hibernation times and in light of the advice received from NE on AL/20/21/PL, it is proposed to amend the condition to remove "between March and October (when bats are generally active)" so as to make the condition the same as that on AL/20/21/PL.

(e) Request that additional information on Electric Vehicle Charging Standards is inserted into part (1) of condition 11.

This has been accepted and the condition amended.

(f) Request a change to the trigger in condition 12 to allow details of temporary show homes or sales areas to be agreed at a later date.

This has been accepted and the condition amended so as to require such details prior to damp proof course (DPC) level.

(g) Request a change to condition 13 to correct the ANDP policy ref (H2 not H4), to make clear that the lifetime home standards has been superseded by Building Regulations standards and to make clear what the ANDP requirement is.

This has been accepted and the condition amended.

(h) Request a change to condition 20 to amend the trigger for confirming fire hydrants as such details will not be known at pre-commencement stage.

This has been accepted and the condition changed to require such details prior to damp proof course (DPC) level.

Officers Comment:

The changes to the conditions are shown on the attached amended recommendation sheet.

update(ODB 57)

Outline application with all matters reserved, apart from access, for up to 69 No dwellings with access, parking, landscaping & associated works. This application is a Departure from the Development Plan.

Land at Bayards
Level Mare Lane
Eastergate

RECOMMENDATION

ACS - App Cond sub to S106

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

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 The development hereby approved shall be carried out in accordance with the following approved plans and documents:

Location Plan dwg 296621C_10 Rev F;
 "Access Design" dwg 020.0360.001;
 "Land Use Parameter Plan" dwg 29662C_130 Rev E;
 "Site Access Arrangements From Phase 1" dwg 020.0672.001 Rev A
 "Access onto Level Mare Lane" dwg 020.0672.002 Rev A
 "Level Mare Lane Visibility Splays" dwg 020.0672.007 Rev A;
 "Proposed Bus Improvements" dwg 020.0672.012; and
 "Air Quality Assessment: Land at Bayards, Eastergate, Arun" (dated August 2021).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies C SP1, D DM1, QE SP1, QE DM3, T SP1 and T DM1 of the Arun Local Plan.
- 4 The development shall proceed in accordance with section 5.0.8 of the Minerals Resource & Waste Infrastructure Assessment (August 2021) in that any pockets of gravel resource that are encountered through the preparatory earthworks required for the construction of the development shall be excavated and put to a beneficial use on the site.

Reason: In the interests of preserving valuable below ground minerals in accordance with Policy M9 of the West Sussex Joint Minerals Local plan (2018).
- 5 The site should be continually managed from the date of the decision in order to ensure that the site remains unsuitable for reptiles. If this is not possible then a precautionary approach should be taken within the site at the point of development commencement with regards to reptiles. This shall involve

any removal of scrub, grassland or ruderal vegetation to be done sensitively and done with a two phased cut.

Reason: To mitigate harm to any reptiles using the site in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

- 6 Any brush piles, compost or debris piles on the site must only be removed outside of the hedgehog hibernation period (mid-October to mid-March inclusive) unless first checked by a qualified ecologist. If any small mammals are found then they must be relocated away from the construction area into surrounding suitable habitats. All piles removed outside of the hedgehog hibernation period must undergo soft demolition.

Reason: To mitigate harm to any hedgehogs using the site in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

- 7 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work (defined as not involving any machinery/plant) on Sunday or Bank/Public Holidays. In addition, there shall be no external working an hour before, during and an hour after sunset and sunrise even if those times fall within the above time periods.

Reason: To protect the amenity of local residents and on-site biodiversity in accordance with policies ENV DM5, QE SP1 and QE DM1 of the Arun Local Plan and the NPPF.

- 8 The development shall be carried out in complete accordance with the recommendations of the Biodiversity Net Gain Assessment Report (LLD2327, 27/08/21) and the Ecological Impact Assessment (LLD2327, 19/08/21). In addition, the landscape details to be submitted pursuant to condition 1 shall incorporate the following biodiversity improvements in order to demonstrate biodiversity net gain:

- New native trees planted on a ratio of 2 for every 1 lost including street trees which are suitable to their location and are given space to grow;
- Wildflower meadow planting used;
- Bat bricks / tiles are integrated into the buildings onsite facing south/south westerly positioned 3-5m above ground;
- Bird boxes to be installed on the buildings / and or trees within the garden of the properties;
- Grassland areas managed to benefit reptiles; and
- Log piles and hedgehog boxes provided on-site.

Reason: To demonstrate biodiversity net gain in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

- 9 The landscape details to be submitted pursuant to condition 1 shall include the following items:

(1) Details of all existing trees and hedgerows on the land indicating which are to be retained and which are to be removed. These required details are to include a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule', a 'Tree Constraints Plan', and in the event that a root protection area of any tree which is proposed for retention overlaps the development, then an 'Arboricultural Method Statement' and a 'Tree Protection Plan'. Development shall be carried out in accordance with the approved details. No hedge or tree shall be felled, uprooted or otherwise removed before, during or after the construction period except where removal is indicated on a plan approved by the local planning authority;

(2) Details of the position, design, materials, height and type of boundary treatments to be provided. The boundary treatments shall be provided to each dwelling before the dwelling is occupied or in accordance with the approved phasing plan. Gaps shall be included at the bottom of the fences to allow movement of small mammals across the site. Development shall be carried out in accordance with the approved details and permanently retained in a useable condition thereafter;

(3) A mitigation method statement which provides full details of how the retained hedgerows and the Wooded Shaw along the eastern boundary are to be protected and enhanced. The proposed protection details must include a 5m buffer zone to be secured by fencing around the retained natural areas during construction. The development shall thereafter proceed in accordance with the approved hedgerow protection and enhancement measures; and

(4) A Landscape Management Plan to provide full details on how the habitats and enhancements on the development will be managed post construction.

Reason: In the interest of visual amenity, the quality of the environment and bats in accordance with policies D DM1, ENV DM4 and ENV DM5 of the Arun Local Plan and the NPPF.

- 10 The layout and landscape details to be submitted pursuant to condition 1 shall include full details of

the required public open space (POS) & play areas and management arrangements. The POS and play areas shall thereafter be implemented in accordance with the provision as agreed prior to occupation of the 34th dwelling and permanently retained thereafter. The approved management details shall then be permanently adhered to.

Reason: To ensure that the POS and Play provision is provided and that a management regime is established in accordance with policy OSR DM1 of the Arun Local Plan.

- 11 The layout, scale and appearance details to be submitted pursuant to condition 1 shall ensure that the access onto Level Mare Lane serves no more than 6 dwellings. The submission shall also include the following items:

(1) A scheme for the provision of facilities to enable the charging of electric vehicles in accordance with the Arun Parking Standards SPD to serve the approved dwellings;

(2) A detailed level survey of the site including existing and resulting ground levels and the slab levels of the buildings the subject of this approval;

(3) 5% of all parking provided as suitable for disabled persons;

(4) Full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. This submission should also cover new streetlighting if required. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) but also minimise potential impacts to any bats using the trees and hedgerows (in accordance with the BCT/ILP Guidance Note 08.18) by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. In particular, there should be no external lighting that illuminates the Wooded Shaw running along the eastern side of the site and care should be exercised in respect of lighting directed to the other site boundaries. The lighting approved shall be installed and maintained in accordance with the approved details; and

(5) A colour schedule of the materials and finishes to be used for the external walls and roofs of the proposed buildings.

Reasons: As set out in the submitted Transport Assessment and on the basis that the access onto Level Mare Lane has been assessed on the basis of 6 dwellings); and in the interests of visual amenity, the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime, road safety, the needs of the disabled, to minimise unnecessary light spillage outside the development site, to mitigate against any potential adverse impact of the development on local air quality and as new petrol, diesel and hybrid cars/vans will not be sold beyond 2030 all in accordance with policies T SP1, D DM1, QE SP1, QE DM2, QE DM3, ENV DM5 of the Arun Local Plan, the Arun Parking Standards SPD and the NPPF.

- 12 Should any temporary showhome/s or sales areas be required then full details shall be provided prior to any part of the development site reaching damp proof course (DPC) level. Such details shall include any temporary buildings or temporary changes to buildings and any temporary change to the development layout. The approved details shall be for a temporary period only ending on or before the date that the last dwelling on the site has been sold. The buildings or area shall then be returned to their approved permanent appearance within 3 months of the date of the last building sold.

Reason: In the interest of visual & residential amenity and the character/appearance of the surrounding area in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 13 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to condition 1 shall ensure that the scheme accords with Aldingbourne Neighbourhood Development Plan Policy H2 (which requires 25% of all homes to meet Building Regulations standard M4(2)) and also with the Councils guidance note entitled "Accommodation for Older People and People with Disabilities Guidance" which requires accommodation to meet both standards M4(2) and M4(3).

Reason: To ensure that part of the development allows for residents to remain in their own homes over the course of their lifetime in accordance with policies D DM1 and D DM2 of the Arun Local Plan and policy H2 of the Aldingbourne Neighbourhood Development Plan.

- 14 No piling or any other foundation construction using penetrative methods shall be carried out other than with the express written consent of the local planning authority (who shall consult with the Environment Agency & Portsmouth Water). The development shall be carried out in accordance with the approved details.

A piling risk assessment and method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to

prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) should be submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water.

It must be demonstrated that any proposed piling:

- a. Will not result in contamination of groundwater;
- b. Will not increase risk to drinking water supplies (including turbidity); and
- c. Will not deteriorate the transmissivity of the aquifer.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable water supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. This condition is imposed in accordance with paragraph 109 of the NPPF and policies W SP1 & W DM1 of the Arun Local Plan. This is not strictly a pre-commencement condition as other means of foundations are available however, if piling must be used then these details must be agreed prior to commencement and this condition is required because otherwise the water supplies under the site could be adversely affected.

15

No development shall take place, including any works of demolition, until a Construction & Environmental Management Plan and accompanying Site Setup Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with National Highways, WSCC Highways, the Environment Agency, Portsmouth Water and the Councils Environmental Health Officers). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. This shall require the applicant and contractors to minimise disturbance during demolition and construction and will include (but not be limited to) details of the following information for approval:

- the phased programme of construction works;
- the anticipated, number, frequency, types and timing of vehicles used during construction (construction vehicles should avoid the network peak hours of 0800-0900 and 1700-1800 where practicable);
- the means of access and road routing for all construction traffic associated with the development;
- provision of wheel washing facilities (details of their operation & location) and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);
- details of street sweeping;
- construction vehicle delivery times;
- details of a means of suppressing dust & dirt arising from the development;
- a scheme for recycling/disposing of waste resulting from demolition and construction works (i.e. no burning permitted);
- details of all proposed external lighting to be used during construction (including location, height, type & direction of light sources and intensity of illumination);
- details of areas for the loading, unloading, parking and turning of vehicles associated with the construction of the development;
- details of areas to be used for the storage of plant and materials associated with the development;
- details of the temporary construction site enclosure to be used throughout the course of construction (including access gates, decorative displays & facilities for public viewing, where appropriate);
- contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details);
- details of the arrangements for public engagement/consultation both prior to and continued liaison during the construction works;
- details of any temporary traffic management that may be required to facilitate the development including chapter 8 traffic signage;
- all pollution mitigation measures to be adopted during the construction phase. This should include management of overland runoff, storage of hazardous materials, chemical and hydrocarbons on site and temporary drainage infrastructure to ensure that water resources are not put at risk from leaks or spillages;
- measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s).

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

The Construction & Environmental Management Plan shall also include reference measures to minimise disturbance to bats and other wildlife during construction including the briefing of site operatives, monitoring by an ecologist and either securing or providing a means of escape for all deep pits/trenches/holes present on the site at night-time.

Reason: In the interests of the safety/amenity of nearby residents & occupiers of any nearby noise sensitive premises, the safety & general amenities of the area, biodiversity (particularly bats),

protecting groundwater supplies and in the interests of highway safety in accordance with policies D DM1, ENV DM5, QE SP1, QE DM1, QE DM2, QE DM3, W SP1, W DM1 and T SP1 of the Arun Local Plan and the NPPF. This is required to be a pre-commencement condition because it is necessary to have the construction site set-up agreed prior to access by construction staff.

- 16 Development shall not commence, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency and Portsmouth Water. 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 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 and does not harm groundwater resources 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 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

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

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

The submission of details shall also include a phasing plan drawn up to ensure that occupation of the site aligns with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage and does not harm controlled waters and the public drinking water supply in accordance with policies W DM1 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the foul water drainage system prior to commencing any building works.

- 19 Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A 'Preliminary Risk Assessment' which has identified: all previous (historical) uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

2. A 'Site Investigation Scheme', based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. Based on the 'Site Investigation Scheme' and the detailed risk assessment (2), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A 'Verification Report' 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, (1) to (4) require the express written consent of the Local Planning

Authority.

The scheme 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 that 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. The report shall also include 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 report, and for the reporting of this in writing to the Local Planning Authority.

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.

- 20 No development above damp proof course (DPC) level shall take place unless and until details 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's Fire and Rescue Service.

Prior to the first occupation of any dwelling forming part of the proposed development, the developer shall at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved locations to BS:750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrants 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.

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 & Rescue Service Act 2004.

- 21 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan. This is required to be a pre-commencement condition because the approved measures may need to be built into the fabric of the buildings.

- 22 Development shall not commence, until a Soil Resource Plan has been submitted to and approved in writing by the Local Planning Authority. This shall set out how the best and most versatile soils on the site are to be protected during construction and then recycled/reused in the new development layout. The soil protection/mitigation measures shall be implemented as per the document and then permanently adhered to throughout the construction and development of the site.

Reason: In accordance with Arun Local Plan policy SO DM1 and the NPPF. It is necessary for this to be a pre-commencement condition to protect the best and most versatile soils on the site prior to the construction commencing.

- 23 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun Local Plan Policy HER DM6. This is required to be a pre-commencement condition because it is not possible to carry out archaeological survey work once development including roads, foundations and surface infrastructure has commenced.

- 24 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the

approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

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

- 25 The developer shall enter into a Section 278 agreement with the local highway authority to enable the bus stop improvements to be implemented. These shall be completed prior to the occupation of any part of the development.

Reason: In the interests of road safety and accessibility in accordance with policies T SP1 and T DM1 of the Arun Local Plan and the NPPF.

- 26 Prior to the occupation of any part of the development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

- 27 If residential properties are to be completed and occupied prior to the whole development being finished, a scheme to protect those early occupants from noise and vibration from construction activities should be submitted and approved in writing by the Local Planning Authority.

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

- 28 No part of the development shall be first occupied until such time as the vehicular accesses serving the development have been constructed in accordance with the approved plans.

Reason: In the interests of road safety and in accordance with policy T SP1 of the Arun Local Plan and the NPPF.

- 29 No development shall be occupied until any disused crossovers and/or accesses no longer required as part of the development, have been permanently removed and reinstated in accordance with plans to be submitted to and approved by the Local Planning Authority in consultation with West Sussex Highways.

Reason: To ensure that any access points not required to serve the development are permanently removed to avoid risk of inappropriate reopening in the future and also in the interests of road safety in accordance with policy T SP1 of the Arun Local Plan and the NPPF.

- 30 No part of the development shall be first occupied until visibility splays of (a) 2.4m by 43m have been provided at the proposed vehicular access onto the development layout approved by BN/50/20/PL and (b) 2m by 120m have been provided at the proposed vehicular access onto Level Mare Lane; both in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above the adjoining carriageway level or as otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of road safety and in accordance with policy T SP1 of the Arun Local Plan and the NPPF.

- 31 If, during development, contamination not previously identified is found to be present at the site then the local planning authority must be notified immediately. No further development (unless otherwise agreed in writing with the local planning authority in consultation with the Environment Agency and Portsmouth Water) shall be undertaken in that phase until the developer has submitted and had approved a site investigation, risk assessment and remediation strategy report, detailing how to mitigate the contamination identified. The remediation strategy approved by the local planning authority shall be implemented in full before development in that phase recommences.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment & prevention of harm to human health and to ensure that risks from land contamination to drinking water supplies is

controlled and mitigated in accordance with Arun Local Plan policies QE SP1, QE DM4, W SP1 and W DM1.

- 32 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.
- 33 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to:
- (1) The provision of 21 Affordable Dwellings consisting of 5 First Homes, 2 Intermediate and 14 Affordable Rented. The s106 will be tailored to include local housing clauses and involve the ABE CLT;
- (2) A contribution of £11,316 towards the junction modification of the A27 Fontwell Avenue Roundabout; and
- (3) A fee of £1500 for monitoring and auditing of the submitted Travel Plan Statement.
- 34 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents which is available to read on the following website: <https://beta.southernwater.co.uk/infrastructurecharges>.
- 35 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 event plus 40% on stored volumes/rainfall intensity (allowance for climate change) 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 storm event plus 40% on stored volumes/rainfall intensity. 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 at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.
- 36 INFORMATIVE: If during construction works, it becomes apparent that implementation cannot be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.
- 37 INFORMATIVE: A surface water drainage verification condition guidance note is available at <https://www.arun.gov.uk/drainage-planning-consultations>.
- 38 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- 39 INFORMATIVE: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>
Online applications can be made at the link below, alternatively please call 01243 642105.
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>
- 40 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.

- 41 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.
- 42 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 43 INFORMATIVE: In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police (dated 07/09/21) as available on the Councils website.
- 44 INFORMATIVE: We encourage the highest practicable standards of building insulation and use of renewable forms of heating (such as ground and air source heat pumps) as opposed to natural gas boilers where possible. This action would contribute to the improvement of local air quality and reduce overall GHG emissions in the long term. If any heat pumps are to be included in the development the applicant shall be required to demonstrate that any pump/s meets the criteria detailed in the Micro Certification Scheme planning standards (MCS 020).
- 45 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A statutory nuisance may be caused by smoke and/or ash from fires or noise from the cutting and/or chipping 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.
- 46 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. For further information please contact the Environmental Health Department on (01903) 737555.

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