

PLANNING APPLICATION REPORT

REF NO: LU/330/18/PL

LOCATION: Land South Of Cornfield Close
Littlehampton
BN17 6LD

PROPOSAL: Demolition of existing buildings & the erection of 77 residential homes with associated access, car parking, cycle parking, refuse/recycling storage, landscaping, earthworks & infrastructure

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>The proposed 77 new homes comprise 18 flats (16 x 2 bed and 2 x 1 bed) and 59 houses (27 x 2 bed and 32 x 3 bed). A minimum of 30% would be allocated as affordable homes. The proposed layout of the development includes a single access point extending into the site and around a new circulation road. The focal point of the scheme is a significant central public amenity space which is well overlooked and provides opportunity for recreation and informal play as well as the potential for a Local Area of Play (LAP) to be integrated into this space.</p> <p>The proposals include a block of 12 flats and a block of 6 flats. The 12 flats in the south west corner of the site would be four storey and the 6 flats in the south east corner of the site would be three storey.</p> <p>The application is supported by reports covering drainage, contamination, landscaping, trees and archaeology.</p>
SITE AREA	2.7 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	28 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is densely screened with mature trees and hedges to the east, south and west.
SITE CHARACTERISTICS	<p>The site is accessed from Cornfield Close and is a vacant former caravan and camping site. It comprises a large area of undeveloped grassland, with the exception of the access road which extends southwards into the site and circles the site perimeter.</p> <p>There are a number of small vacant buildings in the north east</p>

CHARACTER OF LOCALITY

corner of the site and residential properties located to the north of the site, with Worthing Road beyond. Cornfield School is located to the north-west of the site, with Littlehampton Academy situated to the south.

Predominantly residential characterised by fairly dense residential development, with a variety of house sizes and types.

Highdown Drive to the west of the site comprises a mixture of detached and semi-detached 2 storey houses and chalet bungalows.

Cornfield Close provides terraced and semi-detached 2 storey houses and Oakcroft Gardens to the east provides a mix of bungalows and chalet bungalows.

Development directly north of the A259 comprises 2, 3 and 4 storey houses and apartments.

RELEVANT SITE HISTORY

LU/310/91	Application under Regulation 5 of the Town & Country Planning General Regulations 1976 for Outline planning permission for residential development.	ApproveConditionally 17-06-92
LU/37/68	Proposed Use Of Land As Touring Caravan Site	ApproveConditionally 16-02-68

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Objection:

- Contrary to Policy TOU DM1 of Arun Local Plan which prevents the change of use of camping and caravan sites to other uses.
- The site is not allocated for residential use in the Local or Neighbourhood Plan.
- There is no other campsite in Littlehampton.
- Contamination and identified gas underground needs careful examination.
- Connection of foul water sewage to an existing connection in Cornfield Close needs consultation with Southern Water.
- Consideration needs to be given to how exit and access to the A259 fits into the plans being implemented next year to widen it and install a roundabout at Highdown Drive to accommodate the Fitzalan Link Road.
- Traffic flow in Cornfield Close for existing residents and access to the School should be protected as

well as parking spaces for residents and visitors to Cornfield Close.

- Consideration needs to be given to the provision of adequate health and education facilities and a legal obligation funding to that end.
- The roads, pavements and public open space should be constructed to an adoptable standard and include recreational play facilities.
- The 77 units should count towards the additional small sites allocation in the Local Plan.
- The application lacks clarification of how the 30% affordable units is being provided.

COMMENTS ON REPRESENTATIONS RECEIVED:

There are alternative camping sites available within a reasonable distance of the application site. The contamination risks have been assessed by the Environmental Health Department and conditions recommended.

The foul sewerage has been considered by Southern Water and a condition recommended.

The proposal has been considered by County Highways and Highways England with regard to road layout and traffic flow in Cornfield Close and found it to be acceptable.

Implications for doctors surgeries and contributions have been considered as part of the application.

Adoption of highways would be considered separately by the County Council.

Provision and adoption of play facilities has been considered by the Landscape Officer.

The provision of 77 additional units would count towards additional windfall numbers.

Affordable Housing provision has been considered by the affordable housing officer and the split is appropriate and accords with policy. There would be no policy justification to request a higher provision.

CONSULTATIONS

Southern Water Planning

Environment Agency

Engineering Services Manager

Engineers (Drainage)

Sussex Police-Community Safety

Environmental Health

Environment Agency

Highways England

WSCC Strategic Planning

Surface Water Drainage Team

Estates Manager

Parks and Landscapes

Planning and Housing Strategy

NHS Coastal West Sussex CCG

Ecology Advisor

Arboriculturist

Economic Regeneration

Archaeology Advisor

CONSULTATION RESPONSES RECEIVED:

ADC Landscapes - No Objection.

It should be confirmed that the quantity of Public Open Space (POS) meets the standard. The POS with a good open central village green area with front facing properties is welcomed. However there is concern that there is no buffer zone to the periphery of the site which falls adjacent to significant off site trees and onsite retained trees within individual property back gardens. This may be the cause of conflict over time as these trees further mature and compete for light and space.

The provision of onsite Local Area for Play(LAP) (non-equipped) and Local Equipped Area for Play (LEAP) would be sought along with an offsite Multi Use Games Area (MUGA) financial contribution.

The provision of landscaping for the development must be conditioned with any permission.

The applicants agent has questioned the requirement for open space and officers are awaiting the comments of the landscape officer in respect of this.

Drainage Engineer - No Objection. Standard conditions requested.

County Drainage Engineer - No Objection.

Ecology Officer - No Objection. The submission of a Construction Environmental Management Plan and Landscape and Management Plan should be conditioned.

NHS - No Objection. Contributions of £82,759 requested for Park Surgery extension and working with new facilities at the planned integrated care centre in central Littlehampton.

Tree Officer - No Objection. Proposed layout is far from ideal, but it is satisfactory. Conditions requested.

Environmental Health - No Objection. Conditions requested.

Sussex Police - No Objection.

Southern Water - No Objection. Conditions and Informatives requested.

Environment Agency - No Objection. Conditions requested.

Highways England - No Objection. Would support the production and implementation of a Construction Traffic Management Plan. This should restrict construction traffic to travel outside of the network peak periods and provide wheel wash facilities where necessary.

Affordable Housing Officer - No Objection. The applicants have proposed a development to comprise of 77 residential homes which includes 30% (23) affordable homes. This proportion of affordable housing would meet the council's Affordable Housing Policy requirements in terms of the numbers required on-site. The tenure of the affordable homes is not specified but should be 75% (17) rented and 25% (6) for intermediate housing (shared ownership).

County Highways - No Objection. Conditions requested. Infrastructure contributions required for education, libraries, fire and rescue.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Requested conditions have been imposed.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary

Tree Preservation Order TPO/LU/2/18
 Archaeological Notification Area

DEVELOPMENT PLAN POLICES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
ECCSP2	ECC SP2 Energy and climate change mitigation
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development
AHSP2	AH SP2 Affordable Housing
ENVDM5	ENV DM5 Development and biodiversity
ENVDM4	ENV DM4 Protection of trees
QEDM1	QE DM1 Noise Pollution
INFSP1	INF SP1 Infrastructure provision and implementation
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
WDM2	W DM2 Flood Risk
QEDM4	QE DM4 Contaminated Land
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

<u>Littlehampton Neighbourhood Plan 2014 Policy 22</u>	Design of New Development
Littlehampton Neighbourhood Plan 2014 Policy 2	A Spatial Plan for the Town
Littlehampton Neighbourhood Plan 2014 Policy 23	Infrastructure Investment Priorities
Littlehampton Neighbourhood Plan 2014 Policy 1	The Presumption in Favour of Sustainable Development
Littlehampton Neighbourhood Plan 2014 Policy 3	Housing Supply
Littlehampton Neighbourhood Plan 2014 Policy 15	Provision and improvement of school facilities

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

The relevant policies in the Littlehampton Neighbourhood Plan have been taken into account.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that there would be no materially adverse effect on the character or visual amenities of the locality or residential amenity.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site lies within the built up area boundary of the Local Plan where the principle of residential redevelopment is acceptable. Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundaries and will be permitted, subject to consideration against other policies of the Local Plan.

Policy 1 of the Littlehampton Neighbourhood Plan states that planning applications which accord with the policies in the Neighbourhood Plan will be approved, unless material considerations indicate otherwise. The site is within the Built Up Area Boundary as defined in the Neighbourhood Plan and Arun Local Plan. Policy 2 (a Spatial Plan for the Town) concentrates future housing within the built up area boundary of Littlehampton, especially within the Fitzalan corridor, connecting the strategic housing allocations at North Littlehampton with the Littlehampton Academy and Town Centre. This site is within that area.

Arun Local Plan 2011-2031.

In this case the key other Arun Local Plan policy considerations are deemed to be D SP1 (Design), D DM1 (Aspects of Form and Design Quality), QE DM4 (Contaminated Land), TOU DM1 (Tourism related Development), AH SP2 Affordable Housing and T SP1 (Transport and Development) of the Arun Local Plan 2011-2031. These policies seek to ensure that development:

- Reflects or improves the character of the site and the surrounding area.
- Minimises the impact on neighbouring land/residents.
- The scheme is easily accessible on foot or by public transport.
- The design is adaptable and appropriate in design and scale.
- Provides safe access on to the highway network and incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision.

Littlehampton Town Neighbourhood Plan (LNP)

Policy 3 (Housing Supply) relates to the phased provision of in excess of the 200 homes on allocated sites and windfall sites, which include affordable housing provision. On allocated sites there is a requirement for development in excess of 400m walking distance of the town centre, which is suitable for larger households, to have less than 25% of the total number of homes with 2 bedrooms or fewer. This site has a greater proportion close to 50% but it is not an allocated site.

Policy 4 (Housing Site Allocations) are relevant to determination of this application. Policy 4 relates to an area of land, which bounds the southern and western boundaries of the site which has the benefit of an allocation for residential development in the Littlehampton Neighbourhood Plan (LNP), this allocation is defined under Policy 4 of the LNP and details that the site is allocated for 'approximately 100 dwellings comprising primarily 2, 3 and 4-bedroom houses, to be delivered in the period 2020-2029, subject to the provision of a new open space on land adjacent to Oakcroft Gardens'.

BACKGROUND

The Property & Estates Manager presented a report to Full Council on 13 September 2017 which followed on and was linked to a report presented to Cabinet on 17 July 2017 and which was subsequently approved. The Property & Estates team were completing a review of the Council's general fund assets, one of which was this application site at Daisyfields, Cornfield Close. The site at that time was under lease as a campsite. The report informed the Cabinet of the financial detail of the options available to the Council when determining the future of this site. In considering the matter, Member comment was made that the Council now had to look at every opportunity to generate income on behalf of the District's council tax payers and that this was the right time for the site as the lease was coming to an end. The Cabinet subsequently confirmed its decision. Terms have subsequently been agreed for its disposal and selection of purchaser from the four offers received has taken place. This application attempts to conclude matters and to complete disposal and conveyance of the freehold site.

VIABILITY

The Council received an annual payment for the lease of this six acre site. The site was licenced for 40 Touring pitches and 40 tents. The financial performance of this lease was considered to be extremely poor and the Council's Property & Estates team reviewed the lease accordingly in order to assess options for raising its financial return.

The leaseholders provided the Council with a basic business plan and wished to continue on site and take on a new lease for the land for continued operation as a camp / caravan site. The plan included an investment injection into the site in order to improve the existing infrastructure and facilities, but did not provide sufficient detail to enable funding to be secured. A long lease would have been necessary to permit the leaseholder sufficient tenure to secure the finance required to deliver their plan. There was concern that the financial capacity of the leaseholder in the long term was not sufficient to provide or sustain a high quality viable business especially given the local competition of other local sites.

The Caravan and Camping market has altered significantly in recent years with customers now expecting extremely high quality, well maintained costly facilities. Arun District Council has experience in the role of Landlord in this market having two other Caravan sites under lease in the District, one located in Rowan Way, Bognor Regis and the other in Mill Lane, Littlehampton. The leaseholder on these sites (Caravan and Motorhome Club), one of the country's largest providers of caravan and camping sites, have invested very significantly in these sites. The club also have very robust reactive and planned maintenance plans as well as reinvestment plans in place requiring substantial financial resources in order to continue to meet their customers demand and high expectations of high quality facilities at their sites.

The Council's Cabinet on the 31st July 2017 resolved to dispose of the application site. This was in accordance of a report from the Property & Estates team that concluded that the site could not provide the Council with the financial return that it expected.

TOURISM

Policy TOU DM1 of the Local Plan seeks to protect existing and encourage new tourism related development where appropriate. It states that change of use of camping and caravan sites to other uses, including permanent residential will not be permitted, unless the site is allocated for other development in the Local Plan.

The site has had a lawful use as a caravan park since the early 1970s and a history of residential occupation for almost 50 years. It was last used in March 2018. In order to make an assessment of the appropriateness of the loss of this site it is necessary to consider the provision of alternative caravan sites in the locality which could compensate for the loss and ameliorate any harm in loss of provision arising. Although the site has lawful use as a caravan park, it is vacant and has not been in use for some time and, as such, is no longer functioning as a caravan site within Littlehampton. There are a number of sites in the locality which provide similar caravan facilities, as follows:

- Littlehampton Caravan and Motorhome Club Site which is located 1km north west of the site and comprises 108 touring pitches, 60 of which are pitches on hardstanding.
- Brookside Holiday Caravan Park which comprises rental of static caravans throughout March - October, and is located approximately 1.4km north west of the site.
- Lyminster Nursery Caravan and Motorhome site which is located close to Brookside Caravan Park 1.5km of the site, Lyminster Nursery offers a small number of grass touring pitches.
- Coastal Caravan park is located approximately 4km south east of the site in East Preston and offers a number of touring and seasonal pitches with direct access onto the beach.

Whilst it is recognised that the proposal will result in the loss of a site with lawful use as a caravan site, it is not in use as such and is therefore not performing its relevant function as an asset to the tourism industry in the area. A decision has already been taken by the Council to sell the land. Furthermore, there are several other similar caravan sites within 1.5km which provide enhanced facilities.

The delivery of housing, including much needed affordable housing, therefore weighs heavily in favour of the proposal and it cannot reasonably be resisted on the basis of a loss of tourism facilities.

CHARACTER AND VISUAL AMENITY

The site is bounded by residential development. Highdown Drive to the west of the site comprises a mixture of detached and semi-detached 2 storey houses and chalet bungalows, Cornfield Close provides terraced and semi-detached 2 storey houses and Oakcroft Gardens to the east provides a mix of bungalows and chalet bungalows. Whilst development directly north of the A259 comprises 2, 3 and 4 storey houses and apartments to the north and south comprising 2 storey semi-detached and detached dwellings. Given the nature of both the visual context of the site and the form of the development, the height, density and overall site coverage is similar to neighbouring buildings and is acceptable in terms of height and form.

The character of the area is considered to be suburban and the application site is at odds in this urban setting. Planning Policies and Central Government Advice support the efficient and effective use of land. Policy D DM1 requires new developments to reflect or improve upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, layout and building materials. Policy D SP1 of the Local Plan requires proposals to make efficient use of land. These principles are replicated in the Littlehampton Neighbourhood Plan in Policy 22. The NPPF also attaches great weight to the design of the built environment and states that local circumstances should be taken into account, to reflect the

character, needs and opportunities of each area. It states good design is a key aspect of sustainable development and should contribute to making places better for people.

Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Para. 130 suggests permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Various house types are proposed within the development to respond and integrate into the existing context. Materials are varied comprising predominantly concrete roof tiles, some tile hanging, dark brown and red brick and timber cladding and render. The external finishes would be sympathetic to the local vernacular which has no overriding dominant material or colour. Brick is the predominant elevational material. Details such as stringer and header courses to window openings as well as feature areas of protruding brick banding to the apartment buildings are incorporated to add interest as is a variation in colour and texture between terraces and houses. Recessed front entry porches are incorporated to the houses detailed with a contrasting colour brick to the primary facade. Some buildings also have areas of vertical tile hanging to the upper floors which, along with the use of varying roof heights and gables, are deliberately positioned at focal points. The roof treatment will be a textured plain concrete tile with some variation in colour introduced from house to house in order to create further visual interest and the design includes pitched tiled roofs with overhanging eaves and gables. Some buildings also have areas of vertical tile hanging to the upper floors which, along with the use of varying roof heights and gables, are deliberately positioned at focal points. Full material details will be subject to a condition attached to the planning permission.

The layout of the proposal has been developed to respond to the local housing character. All of the dwellings comply with the Nationally Described Space Standards. Orientation of houses allows for good daylight and sunlight, clearly defined public and private space and ensures that boundaries to neighbouring properties are well screened. The layout creates a public realm and variation in street frontages which provide a sense of place and character providing a safe and attractive place for residents. The proposal is therefore in compliance with policies DDM1 and DSP1 of Arun Local Plan.

Policy ECC SP2 requires all new residential development to be energy efficient. The proposed properties have been designed to maximise solar gains whilst incorporating appropriate natural ventilation to assist with summer temperatures. A condition is imposed to ensure that 10% of energy requirements are from renewable or low carbon energy generation.

OPEN SPACE AND LANDSCAPING

Policy OSR DM1 sets out the Open Space, sport and recreation requirements for new development.

The agents have questioned the approach towards providing open space, sport and recreation requirements within the site. Regarding LEAP provision, the agents have suggested that an off-site contribution to upgrade local facilities would be the most appropriate approach given the sites close proximity to such facilities locally. The revised comments of Landscapes are awaited in this respect. Parks and Landscapes have been re-consulted to see if they would prefer to see a more formal approach to play within the site and would support a Local Area of Play (LAP) accommodated within the central open space.

Their comments are awaited to see if the proposal is compliant with the requirements of Policy OSR DM1 in terms of on-site open space provision.

The planning submission is accompanied by a Landscape Masterplan, detailing the proposed landscaping strategy which comprises the following principle elements:

- Japanese knotweed to be removed and replaced with a mix of native woody varieties.
 - Front gardens to be defined by hedging where possible to create defined boundaries
 - Native trees and wildflower meadow planting to areas of open space to enhance biodiversity and ensure visual amenity.
 - Retention of existing boundary vegetation and infill where appropriate to increase structure and biodiversity
 - Introduction of shrub and herbaceous borders to comprise species known to benefit pollinators
- Biodiversity. Existing trees and mature planting are to be retained where possible, with particular care taken with those on the boundary.

In this respect the landscaping proposals have not been objected to by Parks and Landscapes and are acceptable in principle. Details will be controlled by condition.

TREE RETENTION

A Tree Preservation Order has recently been imposed in relation to trees on the site boundaries which are indicated for retention as part of this proposal in accordance with policy ENVDM4 of the Local Plan. The applicants have provided an initial Tree Report inclusive of Tree Survey and Constraint Advice and a subsequent Arboricultural Impact Assessment & Method Statement along with a Tree Protection Plan.

The Tree Survey data is comprehensive and accords with the requirements of BS5837:2012. The vast majority of trees wholly within the site are of low value their loss would be adequately compensated by soft landscaping. The higher value trees are largely confined to the perimeter either on or off-site and provide both important screening value and habitat importance. They have been afforded adequate protection and will add value to the development.

The Tree Officer has expressed concern about the proximity and position of trees along the southern boundary to plots 44 - 49 and to a lesser extent along the east boundary to plots 50 - 58. These trees will block out some natural sunlight to the dwellings and gardens in addition to their seasonal nuisance from seed dispersal, leaves and potential sucker growth. It is anticipated that in the short-term they would come under pressure to prune. A landscaping condition will allow the Council to control any concerns raised by the Council's tree officer and make the proposal acceptable in this regard.

RESIDENTIAL AMENITY

With the exception of one of the terraced units to the north west corner of the site (plot 12) all dwellings have a minimum 10m rear garden depth. This would ensure that no materially adverse overbearing or overlooking effects would result. Plot 12 backs onto Cornfield Close and the distance to the boundary of the property to the north including this road is 19m which is sufficient distance to ensure no adverse impact on residential amenity. There is only one property which directly adjoins the site boundary with one of the proposed units and that is the property to the east at 50 Oakcroft Gardens. Plot 59 is a distance of 9.5m to 13.5m from the rear boundary. However overlooking would be at an oblique angle to the corner of the site and material overlooking would not therefore result to the adjacent existing dwelling. A landscaping scheme could be agreed by way of condition to further protect neighbouring residential amenities. The proposal therefore accords with policy DDM1 of Arun Local Plan.

TRANSPORT

Cornfield Close is a cul-de-sac which takes access from and runs parallel to Worthing Road (A259) approximately 250m west of the Bodysshop roundabout. The site is well serviced by a frequent bus route (No. 700 Coastliner) providing links to Brighton and central Littlehampton. Bus stops are located just 450m from the site and the route runs every 10 minutes. In addition, Littlehampton Railway Station is located approximately 1.5km south west of the site. Resident (all allocated) and visitor's parking has been provided within the site. All parking areas are landscaped and overlooked by nearby dwellings.

There are existing footpaths serving Cornfield Close and the surrounding roads, providing access to local amenities and employment opportunities including a local shell garage and associated local shop to the east of the site, with further amenities located along Wick Street including a pharmacy, florist, takeaways and a coffee shop west of the site.

The local area also includes a variety of public footpaths and open spaces. Worthing Recreation Ground is located north west of the site, providing playing pitches and equipped play areas. Whilst Brookfield Park just north east of the site provides further recreation opportunities, including equipped play areas to meet the needs of varying age groups and walking routes.

The proposed development would be served from the existing access point from Cornfield Close. Pedestrian access to the site would be provided by a 2m footway along the western side, with an uncontrolled pedestrian crossing proposed to provide a link to the existing footway on the opposite side of Cornfield Close.

The proposed level of car and cycle parking within the site is in line with local guidance in accordance with policy TSP1 of Arun Local Plan and policy 22 of the Neighbourhood Plan. The site's internal road dimensions are such that large vehicles such as a refuse vehicle can negotiate the carriageways and perform turning manoeuvres safely. County highways have no objection in principle in terms of highway safety and requested conditions have been recommended.

AFFORDABLE HOUSING

Policy AH SP2 of the ALP sets out a requirement for all developments of 11 units or more to provide a minimum of 30% of the total number of units proposed on the site to be provided as affordable housing.

This proposal seeks to identify 23 out of 77 dwellings proposed to be affordable, equating to 30% provision. In addition, this scheme represents a tenure blind approach with units distributed throughout the scheme. This therefore accords with the requirements of policy AH SP2 of the Local Plan.

The proposal seeks approval to the following mix 9% affordable, 0% market for 1 bedroom units, 87% affordable and 43% 2 bedroom units, 4% affordable and 57% market for 3 bedroom units. This housing mix represents a departure from the projected percentage needs for the District, in favour of a higher proportion of smaller units. However there is an acute need for smaller, more affordable dwellings across the district, and the site's location within Littlehampton, a main settlement in the District, supports the provision of smaller residential units in this sustainable location, to meet these needs.

BIODIVERSITY

The site is dominated by managed grassland, with single-storey buildings concentrated on the north-east corner of the site. Other habitats on site include introduced shrub, scattered trees, a tree line, dense scrub, refuse-tips, tall ruderal vegetation and hedgerows.

Habitats of moderate ecological value such as the boundary trees are proposed to be retained and enhanced within the development. A number of biodiversity enhancements have been proposed, including the strengthening of the western boundary hedgerow and creation of new native species-rich hedgerows along the southern and eastern boundaries. This will provide suitable shelter for slow-worm, hedgehog, nesting birds and enhanced foraging habitat for bats. Tree planting, shrub planting and meadow sowing of species of known benefit to wildlife and the creation of hibernacula for reptiles and artificial bird and bat boxes are proposed.

Biodiversity and proposed enhancements are detailed within the Ecological Impact Assessment which accompanied the planning application. The improved landscaping will aid in protecting and enhancing natural habitats and their local surroundings in accordance with policy ENV DM5 of Arun Local Plan. A

condition has been imposed to ensure adherence to the submitted Assessment.

FLOOD RISK AND DRAINAGE

The Proposed Development is located entirely within Flood Zone 1 and is therefore is considered to have little or no risk of fluvial flooding. In addition, and according to mapping from the Environment Agency, the site is considered at very low risk of surface water flooding.

The proposed surface water drainage strategy employs a geocellular crate soakaway on the public open space, following the removal of made ground. The strategy also proposes permeable paving in parking spaces provided for the apartments. The proposed strategy will direct surface water run-off generated on site to a soakaway, which will discharge flows by infiltration through clean soils, not made ground. Conditions requested by Engineers have been requested to ensure that further details are agreed. The proposal is therefore in accordance with policies WDM2 and WDM3 of Arun Local Plan.

CONTAMINATION

The site comprises a generally flat and level grass covered former caravan and camp site. Through the process of completing the desk study and intrusive investigation, it was discovered that the majority of the site comprised an infilled former brick quarry. Assessment of the investigation findings have identified particular hazards, or potential hazards which were considered to require intervention (remediation) to mitigate the risk of harm. Remediation works are proposed to break the identified plausible pollutant linkages associated with ground gases and in respect to soil contamination. The aim of the remediation is not to remove all contamination identified on site but to reduce the identified risk to an acceptable level with respect to human health, the built environment and controlled waters.

Environmental Health and the Environment Agency have been consulted and have not raised an objection. The conditions requested by Environmental Health and the Environment Agency have been recommended.

INFRASTRUCTURE

The proposal requires the payment of contributions towards provision of infrastructure in accordance with policy INF SP1. This policy states that proposals will be supported provided they contribute towards the infrastructure and services needed to support development to meet the needs of occupiers and users of the development and the existing community. This proposal generates a requirement for contributions of £609,621 for education, £25,887 for libraries, £2,465 for fire and rescue, off site MUGA play equipment and £82,759 for health care. A legal agreement is being drafted in respect of these contributions. The proposal is therefore compliant with policy INF SP1 of the Local Plan and policy 15 of the Neighbourhood Plan.

CONCLUSION

The site is sustainably located and is situated within an established residential area within an existing settlement. The proposed development would provide high quality housing in a sustainable location to assist the district in meeting their housing need, as per the requirements of national policy.

It is considered that in accordance with relevant Development Plan policy and other material considerations, there are significant arguments in favour of supporting the development proposed and planning permission is recommended subject to the conditions set out overleaf.

If after four months of the date of the resolution the s106 has not been completed and signed delegated authority should be given to the Director of Planning and Economic Regeneration to refuse the application for the reason that:

(1) The proposed development makes no contribution towards local infrastructure and is thereby contrary

to the Policy INF SP1 of the Arun Local Plan and the National Planning Policy Framework.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

SECTION 106 DETAILS

See attached Heads of Terms document.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

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

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

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:
 Site Location Plan 1:1250 1000 00
 Existing Topographic Survey 1:500 2002 00
 Proposed Site Plan 1:500 2000 00
 Proposed Block Plan 1:500 2001 00
 Parking Plan 1:500 2003 00
 House Type A & C4 - Plans and Elevations 1:100 2100 00
 House Type B Plans & Elevations 1:100 2110 00
 House Type B1 Plans & Elevations 1:100 2111 02
 House Type B2 Plans & Elevations 1:100 2112 00

House Type B Lower Pitch Roof 1:100 Plans and Elevations 2113 01
 House Type C Plans & Elevations 1:100 2120 00
 House Type C1 Plans & Elevations 1:100 2121 00
 House Type C2 Plans & Elevations 1:100 2122 00
 House Type C3 Plans & Elevations 1:100 2123 00
 House Type D Plans & Elevations 1:100 2130 00
 House Type E Plans & Elevations 1:100 2140 00
 Flats Block A Plans & Elevations 1:100 2150 00
 Flats Block B Plans 1:100 2160 00
 Flats Block B Elevations 1:100 2161 00
 Site Sections AA & BB 1:200 2200 00
 Site Sections CC & DD 1:200 2201 00
 Site Sections EE & FF 1:200 2202 00
 Rendered Elevations AA & BB 1:200 2203 00
 Rendered Elevations CC & DD 1:200 2204 00
 Rendered Elevations DD & EE 1:200 2205 00
 Landscape Masterplan 1:500 THA21635 10

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 All activity at the site is to be carried out in strict accordance with: - Arboricultural Implications Assessment Report Ref: THA21635aia-amsB, Rev.B:20.11.2018, dated 18/09/2018 (ACD Environmental).

Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a pre-commencement Site Meeting is to take place between the Arun District Council Tree Officer and the Arboricultural Expert representing the site owners - at this meeting all protective fencing will be inspected along with ground protection measures - they will be assessed to verify that they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan, dwg.no. THA21635-03A, dated 11.09.2018.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reason: To comply with policy ENV DM4 of Arun Local Plan and BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised and they can continue to enhance the landscape and amenity of the area. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences or the trees will be at risk.

- 4 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources or equivalent fabric first standards that would secure a 10% reduction in energy use. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in accordance with the approved timetable and permanently retained as operational thereafter, unless otherwise

agreed in writing by the Local Planning Authority.

Reason: In order to seek to achieve high levels of energy efficiency in accordance with policy ECC SP2 of Arun Local Planning Authority and the aims of the NPPF.

- 5 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 6 Prior to commencement of development a Construction Environmental Management Plan (CEMP) and Landscape and Management Plan (LEMP) including full details of the habitat management and enhancements to take place on site shall be submitted to and approved by the Local Planning Authority and the development shall proceed in accordance with the details so approved.

Reason: To safeguard the ecology of the area in accordance with policy ENV DM5 of Arun Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences in order to protect wildlife.

- 7 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- An indicative programme for carrying out of the works.
- The anticipated number, frequency and types of vehicles used during construction, including restricting construction traffic to travel outside of the network peak periods.
- The method of access and routing of vehicles during construction.
- The parking of vehicles by site operatives and visitors.
- The loading and unloading of plant, materials and waste,.
- The storage of plant and materials used in construction of the development.
- The erection and maintenance of security hoarding.
- The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders).
- Details of public engagement both prior to and during construction works.
- 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 any floodlighting, including location, height, type and direction of light sources and intensity of illumination.
- Measures to control the emission of dust and dirt during construction.
- A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policies TSP1 and DDM1 of the Arun Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 8 Prior to the commencement of development a remediation strategy 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. This strategy shall include the following components:

1. A preliminary risk assessment which has identified:
a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

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 or harm to human health could result.

- 9 Within 3 months of the start of the development, the Developer shall agree a timetable for submission of periodic verification reports to demonstrate the completion of works set out in the approved remediation strategy and the effectiveness of the remediation. The reports 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 development shall proceed in accordance with approved details.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 10 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

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.

- 11 Piling & investigation boreholes using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out and completed in accordance with details so approved.

Reason: To prevent pollution of groundwater in accordance with Arun Local Plan policy W DM1.

- 12 The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by managing any on-going contamination issues and completing all necessary long-term remediation measures in accordance with policy QE DM4 of Arun Local Plan and paragraph 170 of the National Planning Policy Framework. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 13 No part of the development shall be first occupied until the roads, footways, and casual parking areas serving the development have been constructed, surfaced, and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development in accordance with policy TSP1 of Arun Local Plan.

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

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences

- 15 In the event that contamination is found at any time during the carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All works MUST stop immediately and an investigation and risk assessment must be undertaken in accordance with the requirements of the local authority contaminated land officer. Where remediation is necessary, a remediation scheme must be prepared in accordance with the local authority contaminated land officer guidance and which is subject to the approval in writing of the Local Planning Authority.

Reason: To protect the amenity of the local residents in accordance with policy DDM1 of Arun Local Plan.

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

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy

QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework."

- 17 No part of the development shall be first occupied until the roads, footways, and casual parking areas serving the development have been constructed, surfaced, and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development in accordance with policy TSP1 of Arun Local Plan.

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

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters.

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

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

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

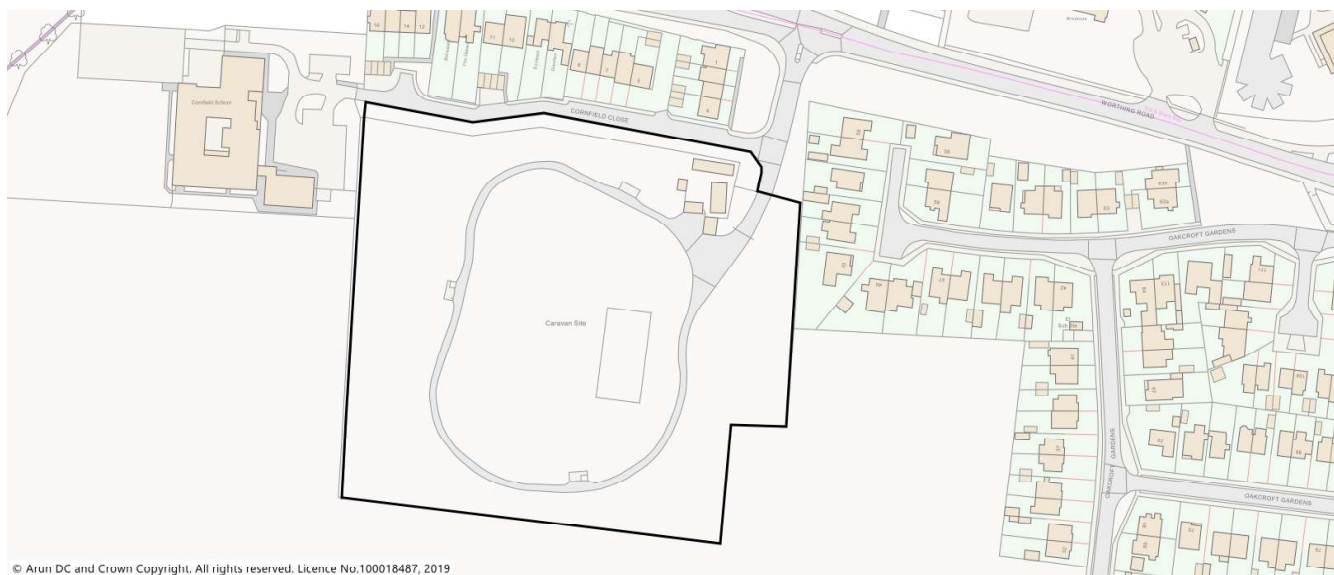
- 20 **INFORMATIVE:** A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

- 21 **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.

- 22 **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.
- 23 **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 ash from fires or noise from the cutting 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 also be contacted regarding Exemption Permits to burn on site.
- 24 **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.
- 25 **INFORMATIVE:** The applicant is advised that they must apply and obtain approval from West Sussex County Council as Highway Authority for all temporary directional signs to housingdevelopments that are to be located on the highway. Further details of the process and how to apply are available here <https://www.westsussex.gov.uk/roads-andtravel/information-for-developers/temporary-development-signs/#overview>
- 26 **INFORMATIVE:** This decision has been granted in conjunction with a Section106 legal agreement relating to contributions towards infrastructure and provision of a minimum of 30% affordable housing

LU/330/18/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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