

PLANNING APPLICATION REPORT

REF NO: A/248/21/PL

LOCATION: Land North of Water Lane
Angmering

PROPOSAL: Variation of condition imposed under A/40/18/OUT relating to condition 4-approved plans.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks the variation of Condition 4 imposed under reference A/40/18/OUT to amend the parameter plans to allow for an extension of the developed area into the Northern Park; change the density ranges and building heights within part of the developed area; and change the shape of the employment parcel whilst remaining 3ha. in area.
SITE AREA	32.9 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	35 dwellings per hectare
TOPOGRAPHY	The site is sloping in a series of terraces from north to south.
TREES	There are a large number of trees on the site, including an avenue of mature trees leading up to the motor racing circuit; and individual trees in the existing hedgerows that bound the fields within the application site, and along the boundary with Dappers Lane. There is a tract of ancient woodland east of the application site, known as Groom's Copse.
BOUNDARY TREATMENT	The site boundaries have hedgerows interspersed with trees. The application site is bounded by Groom's Copse and farmland to the east; Dappers Lane, Broadlees Residential Care Home and commercial developments and housing estates to the west including sites subject to planning applications for housing developments at Greenways, Merry England Nursery, Crete Nurseries and the Laurels; Water Lane to the South; and the A27 to the north.
SITE CHARACTERISTICS	The site comprises agricultural land in arable and livestock grazing use and a portion in the north east corner of the site accommodates a motor racing circuit.
CHARACTER OF LOCALITY	The site is bounded to the north by the A27; to the south by Water Lane; and to the west by Dappers Lane with existing businesses and residential properties. The land to the south of Water Lane has outline planning permission and reserved matters approval for 175 dwellings with development of this site having commenced. There is further residential development to the south off Roundstone Lane in Angmering.

The area is rural in character with the South Downs National Park to the north of the site beyond the A27 and to the south east beyond the A280, including Highdown Hill.

RELEVANT SITE HISTORY

A/40/18/OUT	Outline application with some matters reserved for the development of up to 525 residential dwellings (Class C3), 3 ha (gross) of employment land (Class B1), public open space, play areas, access, associated infrastructure and landscaping.	App Cond with S106 27-08-19
-------------	---	-----------------------------

Outline planning permission with some matters reserved was granted under reference A/40/18/OUT for the development of up to 525 residential dwellings (Class C3), 3 ha (gross) of employment land (Class B1), public open space, play areas, access, associated infrastructure and landscaping.

REPRESENTATIONS

ANGMERING PARISH COUNCIL:

- The Parish objects to the proposed reduction in the size of the 'Northern Park'.
- Concerned that the reduction in the size of the landscape buffer (to the north) will reduce this mitigation and result in a more significant impact on the countryside and the South Downs National Park such that the proposal would conflict with the NPPF, Policy HD5 and EH2 of the Neighbourhood Plan and Policies LAN DM1, H SP2 and H SP2c (e) of the Local Plan.
- Reducing the size (of the Northern Park) will result in the majority of the amenity feature being closer to the A27 with its inherent safety and noise issues.
- Outline approval was for up to 525 houses. It would appear that the reason for a change to the approved parameter was that the previous plan did not work because the development was too cramped. Rather than reducing the mitigation effect on the countryside and the South Downs National Park, and compromising the leisure enjoyment of future residents, the Angmering Parish Council consider that the approved Parameter Plan should be adhered to, and the number of properties reduced.

41 letters of objection received:

- Development will damage the environment and destroy wildlife habitat further increasing the danger of extinction of vulnerable species.
- Proposals will cause more flooding.
- Noise from the A27 in the area is very loud. There is no planting on the boundary of the site with the A27 to provide noise mitigation.
- Developers must have been aware that the density was too high in the original application.
- No reasonable reason to vary the condition.
- The attempts to extend the area of housing should be resisted.

A significant number of representations were received relating to the bus access and the use of an Automated Number Plate Recognition (ANPR) camera to control access rather than the originally proposed mechanised barrier. These concerns are noted but this application does not seek to amend the previously approved details in this regard and as such this matter does not form a relevant consideration in the determination of this application.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

LEISURE AND LANDSCAPE

- No landscape objection to the proposals.

SOUTH DOWNS NATIONAL PARK AUTHORITY

- Extension of the amended layout to the higher ground to the north, into the landscape buffer will affect the views from the SDNP to the south-east, looking across the site and back into the National Park, where this northern field is clearly visible and contributes to the rural character.

- We note that the overall ridge heights AOD (above Ordnance Datum level) are not intended to change, but this does not necessarily address the settlement core of Angmering in such views, albeit that the general principle of lower density housing to provide more of a rural edge to the site is welcomed.

- It is essential that the LPA secure visualisations in order to properly understand the impacts. These would also help understand the impacts of some of the more bulky flats to the southern end of the site, as well as the effectiveness of tree planting.

- The general principle of stronger green infrastructure, including habitat linkages and increased tree cover within the development is welcomed, as is a planted buffer from Grooms Copse Ancient Woodland.

- It is a pity that the thick copse to the north of the existing motor circuit would be lost and the opportunity should be taken to consider thicker planting to the northern boundary alongside the A27.

- The existing footpath through the site will be upgraded to 3m wide. This footpath links onto Dappers Lane which provides the best opportunity for access to the National Park for recreation by means other than the car.

- The Lighting Impact Assessment and lighting proposals are for a scheme within ILP Zone 2, although we would point out that some additional/upgraded streetlighting on the approaches to the new A280 junctions may be within the SDNP, which in this area is a zone 1b transition zone.

Further comments from the SDNPA:

- Visualisations have now been provided in support of the application.

- Visualisations have indicated that the views towards the development (and beyond) from the SDNP to the south-east would be similar to the previously consented scheme due to topography, intervening vegetation, and/or other consented development in the foreground.

- The SDNPA maintains a concern that the detailed impacts cannot be fully assessed until a reserved matters stage but accepts that the general parameters do not warrant objection compared to the consented scheme.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
HSP1	HSP1 Housing allocation the housing requirement
HSP2	H SP2 Strategic Site Allocations
HSP2C	H SP2c Inland Arun
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
ENVDM5	ENV DM5 Development and biodiversity

Angmering Neighbourhood Plan 2014 POLICY EH2 Protect the Landscape setting of the South Downs National Park

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD1	Open Space & Recreation Standards
SPD12	Open Space,Playing Pitches & Indoor& Built Sports Facilities
SPD13	Arun District Design Guide (SPD) January 2021

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.

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 it is a strategic allocation (SD9) within the built-up area boundary. Whilst, the proposals will not give rise to any adverse impacts upon landscape character or amenities of existing or future occupiers.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The application seeks to amend the previously approved parameter plans by extending the built form further to the north and providing additional open space through the centre of the site and down the eastern boundary. In addition to these changes the developer has proposed amending the densities and also building heights as approved by the parameter plans.

The principle of the proposed development is established by virtue of outline planning approval A/40/18/OUT. Therefore, in this case the key considerations are the proposals impact upon the layout of the site and landscape character.

LANDSCAPE IMPACT

The amendment would consist of built form extending further to the north with residential development to the north-east extending approximately 20m further north, with development to the north-west extending up to 90m further to the north. This allows for the provision of additional open space along the north-south spine with the open space opening up into the northern area of open space rather than funnelling into it. In addition to the extension of residential development into the northern open space the application seeks to amend the building heights.

The proposed amendments to the parameter plans have been proposed in an attempt to address the emerging development from appearing overly urban in character. This was largely due to the majority of the open space being located to the north of the site. This area of open space was identified at outline stage as mitigating the visual and acoustic impact of the A27 whilst supporting the gradual transition to the South Downs National Park.

Concerns were raised by the South Downs National Park Authority (SDNPA) on the outline approval (A/40/18/OUT) on the basis that the large open space on the northern boundary of the site was a significant asset that was not suitably linked to the development, visually or physically. It was also identified in this consultation response that the 'linear park' appeared to be a corridor rather than a useable feature tying the scheme together from north to south. Whilst, it was also identified that the north-south corridor narrowed at the northern end closing the development off from the open space and the South Downs National Park. Therefore, the proposed amendments to the parameter plans would directly address these concerns.

The proposed amendments to the parameter plan seek to improve the layout of the development through the enhancement of the central open space. As can be seen the extension of the residential development into the northern open space has allowed for the central open space to be increased which

has allowed for the centre of the development to be 'loosened' with open space provision being pulled further into the site. It has also allowed for the central corridor of open space to be opened up on the northern end to better address and integrate with the northern park and the South Downs National Park beyond. These amendments directly address the concerns raised by the Council in relation to layout during pre-application discussions as well as those originally raised by the SDNPA in respect of A/40/18/OUT.

The consultation response provided by the SDNPA in relation to the revised parameter plans raised the issue of the visual impact of the amendments upon views from the south-east and identifies the need for a visualisation to assist in the interpretation of the impact. In response to these comments the applicant has submitted updated visualisations, which demonstrate the visual impact of the proposed amendment to the parameter plan and incursion within the northern open space would not give rise to any additional impacts beyond those permitted at outline stage.

Additional comments have subsequently been provided by the SDNPA which stated that the visualisations indicate that the views towards the development (and beyond) from within the SDNP to the south-east would be similar to the previously consented scheme due to topography, intervening vegetation, and/or other consented development in the foreground.

The amendments to the parameter plans include amendments to the heights of the dwellings. In this case the application identifies an area of the site in which a maximum of 20% of dwellings would be up to 2.5 storeys in heights. This building height based upon the visualisations submitted is considered acceptable and would not result in any additional visual or landscape harm beyond that previously deemed acceptable. However, as identified above it will be necessary to consider the building heights in detail as part of the reserved matters application to ensure that they are appropriately and sensitively located on the site.

In conjunction with the amendments to the parameter plans the application seeks to amend the densities of the development. The primary difference is the extension of lower density dwellings along the northern boundary of the north-western parcel as well as extending the lower density development around the south-eastern and southern boundaries of the north-western parcel. This approach ensures that lower density development is present in the most sensitive areas of the site to better address the rural edge of the development. Therefore, this approach is considered appropriate and would not adversely impact upon landscape character.

Therefore, in this case the proposed amendments will not give rise to any additional impacts upon landscape character beyond those already deemed acceptable through the approval of A/40/18/OUT. As such, the amendments to the parameter are acceptable and would accord with policy LAN DM1 of the Arun Local Plan and policies HD5 and EH2 of the Angmering Neighbourhood Plan.

NOISE IMPACT

The Council's Environmental Health Officer has been consulted in respect of noise impacts from the A27 upon the revised layout and has advised that whilst it is possible for the building fabric to achieve acceptable internal noise levels, Professional Practice Guidance on Planning and Noise (ProPG) advises that 'solely relying upon sound insulation to achieve acceptable acoustic conditions is not considered good acoustic design'. It was acknowledged by the Environmental Health Officer that whilst suitable insulation to windows and mechanical means of ventilation was considered acceptable for the parameter plans of the site at outline stage, moving noise sensitive dwellings closer to the A27 is not supported.

The applicant has provided a response to the comments from Environmental Health advising that the same method of noise mitigation would have been required for the original layout as is now proposed, albeit with a slightly amended glazing specification. The noise level difference between the proposed

residential properties (located 69.3m from the A27) compared with the original parameter plan (located 84.4m from the A27) is 0.9dB. It was also identified that the quote from ProPG which goes onto state that relying upon sound insulation is not regarded as good acoustic design when 'other methods could reduce the need for this approach'.

Given that the proposed acoustic mitigation is substantially the same as that previously accepted through the approval of outline approval A/40/18/OUT, the proposed extension of the residential development further to the north is not considered to conflict with the objectives of policy QE DM1 and would not result in unacceptably adverse harm to the amenity of future occupiers of the site.

OPEN SPACE PROVISION

The proposed alterations to the parameter plans result in an increase in the net developable area of approximately 0.57ha. It has also been confirmed that the original parameter plans approved under reference A/40/18/OUT provided a total of 11.12ha of open space and planting with this increasing to 11.19ha through the amendments proposed.

In this case the extension of the developable area has been the subject of consideration by the Council's Landscape and Leisure Officer who has raised no objection. Some representations have also raised concerns in regards to additional drainage issues but the level of hard standing and impermeable areas to be provided remains that of 550 dwellings. However, drainage is the subject of Condition and would require discharge should this application be approved.

Whilst, the proposal will increase the developable area beyond that originally permitted through A/40/18/OUT the amendments to the parameter plan and reconfiguration of the developable area will enable the delivery of a higher quality development. Open space will be better distributed throughout the site improving access and amenity for future occupiers in accordance with policy D DM1 and OSR DM1 of the Arun Local Plan.

ECOLOGY

The proposed alterations to the parameter plan would result in the loss of hedgerow 11 which measures approximately 245m in length with large gaps. This hedgerow was assessed against the Hedgerow Regulations and deemed to not be important through the Preliminary Ecological Appraisal submitted as part of A/40/18/OUT.

The amended parameter plans would instead secure the retention of hedgerow 6 (50m) and 7 (210m), with hedgerow 7 having been identified as meeting the requirements of an important hedgerow through the Preliminary Ecological Appraisal. Therefore, the proposed amendments to the parameter plan would not adversely impact upon habitats and would accord with policy ENV DM5 of the Arun Local Plan.

SUMMARY

The proposed amendments to the parameter plans are supported by visualisations which show that there would be an imperceptible difference between the outline approval and the revised layout. In addition, the amendments to the parameter plans will ensure a higher quality development with the open space better integrated with the development. Whilst the residential development will be situated approximately 20m closer to the A27 (approx. 64m away) the noise impacts can be adequately addressed through mitigation in line with the approach originally accepted through the approval of A/40/18/OUT.

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.

RECOMMENDATION

APPROVE

- 1 Details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be submitted to and be approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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 Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 27-08-2022.

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 permitted shall be begun before the expiration of 5 years from the 27-08-2019, or before the expiration of 2 years from the date of the 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).

- 4 The planning permission relates to the following approved plans:

Drawing Number 1911-P-100 Rev. F - Location Plan
 Drawing Number 19271-P02 Rev D - Building Heights Parameter Plan
 Drawing Number 19271-P01 Rev A - Land Use Parameter Plan

Drawing Number ITB9105-GA-102 Rev. G - Site Access to Water Lane and Dappers Lane
 Drawing Number ITB9105-GA-117- Proposed Access from Dappers Lane
 Drawing Number ITB9105-GA-118 Rev. B - Access Link from Dappers Lane showing bus /

cycle / pedestrian access

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

- 5 Prior to the submission of any reserved matters application a design code masterplan shall be submitted to, and approved in writing, by the Local Planning Authority. This document shall demonstrate how the detailed proposals will reflect the objectives of the;

Design and Access Statement (Revised) - October 2018

The design code masterplan will provide further details on matters such as character areas, street hierarchy, building typologies, key buildings, the approach to car parking, structural planting, street furniture, lighting and treatment of the public realm. The development shall be carried out in accordance with the approved design code.

Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the design of the scheme goes to the heart of the planning permission.

- 6 The details referred to in condition 1 shall include details of the materials and external finishes of the buildings, surfaces for roads/footpaths, means of enclosure and the parking of vehicles, and the provision of samples of such materials and finishes as required. Development shall be carried out in accordance with the approved details.

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

- 7 The landscaping and layout particulars to be submitted in accordance with Condition 1 shall include:

- i. Details of all existing trees and hedgerows on the land, showing which are to be retained and which removed;
- ii. Details of the positions, height, design, materials and type of boundary treatment to be provided, including the planting of advanced nursery stock and semi-mature trees in the landscape buffer along the eastern boundary of the site and in the locations shown as 'proposed planting to screen views from the South Downs National Park' on the Landscape Strategy plan (page 22 of the Design and Access Statement (Revised));
- iii. Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree;
- iv. The detailed landscape design for the development including the layout and design of the public realm within the development;
- v. Details of the play areas and public open spaces; and
- vi. Details of the surfacing, lighting, and signage of all footpaths, cycle routes and a phasing plan for their provision; and
- vii The screen planting along the southern edges of both residential and employment areas should be a minimum of 6m wide.

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.

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

- 8 All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

- 9 Prior to the commencement of development, a noise mitigation scheme shall be submitted for approval to the Local Planning Authority. The noise mitigation scheme shall include details relating to acoustic barriers for properties facing the A27 and Water Lane; and the facade treatment of all houses facing onto the existing light industrial / farm businesses in Dappers Lane and onto the A280, and associated landscaping. The approved noise mitigation shall be implemented in accordance with the details submitted and permanently retained thereafter.

Reason: To avoid unacceptable high levels of noise and in the interests of residential amenity, in accordance with Policy D DM1 and Policy QE DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure the agreed acoustic mitigation measures are implemented prior to the occupation of the development.

- 10 Prior to commencement of development the applicant shall prepare and submit for approval an Employment and Skills Plan for that construction phase. Following approval of the Employment and Skills Plan the developer will implement and promote the objectives of the approved plan.

Reason: In accordance with Policy SKILLS SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as it relates to the construction phase of development.

- 11 Prior to the commencement of construction works a Schedule of Works shall be submitted to the Local Planning Authority for approval and will be based on the recommendations within the supporting Preliminary Ecological Appraisal Report. All approved details shall then be implemented in full and in accordance with the agreed timings and details.

The Schedule of Works shall include but not be restricted to:

- Timings for clearance of trees or scrub to avoid impacts on breeding birds;
- Two phased cutting of grassland along site boundaries to deter reptiles and amphibians;
- Grassland areas managed to benefit reptiles;
- Details of compensatory and additional tree planting;
- Details of compensatory boundary habitat planting and wildflower meadow planting;
- Details and locations of bird, bat, dormouse and barn owl boxes, and log piles provided on the site;
- Measures to minimise the disturbance of badgers;
- Boundary features to measure at least 5.0 metre width for the majority of the site to allow for commuting badgers;
- Post development habitat management and dormouse population monitoring will include maintaining hedgerows and planting for the foreseeable future.

Should the detailed layout of the site require the removal of further trees which have the potential to support bats, a climbed tree inspection survey will be required.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national guidance and Policy ENV DM4, Policy ENV DM5 and Policy ENV SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-construction condition because of the need to ensure measures are in place to protect wildlife and habitats on site prior to any disturbance.

12 Prior to the commencement, including any works of demolition, a Construction Management Plan shall be submitted for approval in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- The anticipated number, frequency and types of vehicles used during construction,
- The method of access and routing of vehicles during construction,
- Full details of the construction compound,
- Soil resources plan,
- Dust mitigation measures,
- Noise reduction measures,
- 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 effective wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- Details of public engagement both prior to and during construction works.

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

13 The hours of operation for the proposed works, including deliveries to / from the site, to be limited to 08:00 hours and 18:00 hours on Mondays to Fridays inclusive; 08:00 hours and 13:00 hours on Saturdays; not at any time on Sundays or Bank Holidays except without the express authority of the Local Planning Authority.

Reason: In order to safeguard the amenity of neighbouring residents and highway safety, in accordance with Policy D DM1 of the Arun Local Plan.

14 No dwelling shall be occupied until refuse and recycling bins have been provided and space has been laid out for their storage in relation to that dwelling in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall not be used for any purpose other than the storage of refuse and recycling bins.

Reason: In the interests of the amenity of occupiers of nearby properties in accordance with Policy D DM1 and Policy WM DM1 of the Arun Local Plan.

15 Prior to the commencement of any phase of the development, details of the layout and specification of and construction programme for the roads, footpaths, cycleways, parking areas, emergency access from Dappers Lane, and tracking details for refuse vehicles for that phase shall be submitted to and be approved in writing by the Local Planning Authority after consultation with the County Highway Authority. No dwelling shall be occupied until it is provided with access constructed in accordance with such approved details to the highway network.

Reason: In the interests of road safety and to accord with approved policy in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the safety and amenity issues that need to be addressed.

- 16 Prior to the development being first occupied, details of the pedestrian / cycle / bus / emergency access connection between the site and Dappers Lane shall be submitted to and be approved in writing by the Local Planning Authority. Construction of the agreed scheme shall be carried out in accordance with the approved details prior to occupation of the 200th dwelling.

Reason: In the interests of road safety and in accordance with Policy D DM1, Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 17 No dwelling shall be occupied until space for that dwelling has been laid out for the parking of cars, motorcycles and cycles in relation to that dwelling in accordance with a drawing and schedule to be submitted to and be approved in writing by the Local Planning Authority. These areas shall thereafter not be used for any purpose other than the parking of cars, motorcycles and cycles.

Reason: In the interests of road safety and to accord with approved policy in accordance with Policy D DM1 of the Arun Local Plan.

- 18 Prior to the first occupation of residential development a residential Travel Plan will be submitted for approval (consistent with the Framework Travel Plan, dated 16th March 2018) to identify a strategy for the promotion of sustainable travel measures.

Prior to the first occupation of the commercial space hereby permitted, an Employment Travel Plan will be submitted for approval to identify a strategy for the promotion of sustainable travel measures for the employment uses. The approved Employment Travel Plan will be thereafter implemented and the applicant shall therefore monitor, report and revise the Employment Travel Plan as specified in the approved document.

Reason: To encourage and promote sustainable transport, in accordance with Policy D DM1 and Policy T SP1 of the Arun Local Plan.

- 19 Prior to the development being first occupied, details of the works to improve Footpath 2149 for pedestrian and cycle use between Water Lane and Dappers Lane along with a phasing plan for delivery of the improvement works shall be submitted to and be approved in writing by the Local Planning Authority. Construction of the agreed scheme shall be carried out in accordance with the approved details and programme, with all works completed prior to occupation of the 450th dwelling.

Reason: To ensure that suitable materials are used for the surfacing works and to safeguard users, in accordance with Policy D DM1, Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 20 Garages provided on the site shall measure a minimum of 6 metres x 3 metres internally.

Reason: To ensure that adequate and satisfactory provision is made for the parking (and garaging) of vehicles clear of all highways in accordance with Policy D DM1 of the Arun Local Plan.

- 21 No phase of the development hereby permitted shall be commenced until a scheme for the location and installation of fire hydrants in that phase has been submitted to and approved in

writing by the Local Planning Authority. For the purposes of this condition the scheme shall be in accordance with the Guidance Note: The Provision of Fire Hydrants and an Adequate Water Supply for Fire Fighting as published by West Sussex Fire and Rescue Services (as amended from time to time). No building hereby permitted shall be occupied until the fire hydrant(s) required to serve that building have been installed in accordance with the approved scheme.

Reason: In order to provide adequate infrastructure for emergency services, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure the safety of residents on the site.

- 22 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 National Planning Policy Framework) 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.

- 23 Prior to the commencement of 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 shall be carried out in accordance with the approved strategy.

Reason: To safeguard the amenities of residents in accordance with Policy D DM1 and Policy TEL SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the provision of broadband needs to be incorporated into the design for the site.

- 24 Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

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

- 25 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with document 'Project specification for an archaeological evaluation, (Ref. 19s120ev)' prepared by TVAS SOUTH and dated 27th April 2021 (Rev. 14/5/21).

Reason: The site is of archaeological significance in accordance with Policy D DM1 and Policy

HER DM6 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because archaeology can only be investigated before construction commences.

- 26 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 in writing 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.

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

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

- 28 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 Policy W DM1, Policy W DM2 and Policy 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.

- 29 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 details. The agreed scheme shall thereafter be maintained in perpetuity.

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

30 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy W DM1, Policy W DM2 and Policy W DM3 of the Arun Local Plan; and to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

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

Reason: To prevent pollution of water bodies and to ensure the satisfactory drainage of the site and to prevent flooding, in accordance with Policy W DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the dwellings are occupied.

32 Prior to the commencement of development of any phase, details of the proposed external lighting for that phase shall be submitted and approved in writing by the Local Planning Authority. The lighting details should include:

- a) Details of Zone E2 (Rural) lighting luminaires (lux levels);
- b) Mitigation measures to minimise potential glare and spillage;
- c) Location of lighting columns;
- d) Design and appearance of lighting columns;
- e) Timings of lighting (reduced coverage between 11.00pm and 7.00am); and
- f) Phasing for the implementation of the scheme.

The approved lighting system shall be implemented in accordance with approved details and be retained thereafter.

Reason: To reduce light pollution, in the interests of amenity and the environment and to satisfy minimum security requirements, in accordance with Policy D DM1 and Policy QE DM2 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the light levels for the site need to be approved and implemented before the units are occupied.

33 Prior to the commencement of development approved by this planning permission, 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:

- A. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses

- a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.

B. A site investigation scheme, based on (A) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

C. The site investigation results and the detailed risk assessment (B) 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.

D. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (C) are complete and identify 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 Policy D DM1 and Policy QE DM4 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.

34 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 the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

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 Policy D DM1 and Policy QE DM4 of the Arun Local Plan.

35 On completion of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Policy D DM1 and Policy QE DM4 of the Arun Local Plan.

36 The employment uses on the Commercial Park should be restricted to Use Class B1. No development within use Classes B2 or B8 (storage and distribution) uses will be permitted on the site.

The industrial buildings on the Commercial Park shall not exceed 12.0 metres in height to the top of the ridgeline.

The amount of employment floor space should be a maximum of 6,000 square metres in total.

Reason: To protect the environment and mitigate the visual impact of the Commercial Park when viewed from the South Downs National Park, in accordance with Policy D DM1 and

Policy EMP SP3 of the Arun Local Plan.

- 37 At least ten percent (10%) of all dwellings shall be designed and constructed to M4(2) standard and in addition ten (10) dwellings shall be designed and constructed to M4(3) standard in accordance with 'Access to and use of buildings: Approved Document M'.

Reason: To ensure that dwellings are adaptable and meet the diverse needs of future occupiers in accordance with Policy D DM1 of the Arun Local Plan and Paragraph 62 of the National Planning Policy Framework.

- 38 No development should take place within 5.0 metres of any ordinary watercourse and access for future maintenance must be considered during planning. If works are undertaken within, under, over or up to an Ordinary Watercourse, even if this is temporary, an Ordinary Watercourse Consent (OWC) may need to be applied for from the District Council.

Reason: To ascertain the location of the mains before the detailed site layout is finalised, in accordance with Policy D DM1 of the Arun Local Plan.

- 39 Before the development is commenced, a scheme setting out the detailed designs of the width, alignment and construction of the proposed bus access route through the development, including the provision of bus stops and the design and control of the access to Dappers Lane, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme.

Reasons: In the interest of road safety and sustainable development, in accordance with Policy D DM1 of the Arun Local Plan. The condition is pre-commencement as the details required are required to be approved in advance of construction.

- 40 No development shall commence until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

- 41 Prior to the development being commenced, full details of the proposed access works to Water Lane to comprise the delivery of the site access and associated footway / cycleway improvements on Water Lane in general accordance with Drawings ITB9105-GA-101D and ITB9105-GA-102G, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the County Highway Authority. Construction of the agreed scheme shall be carried out in accordance with the approved details prior to occupation of any development served from Water Lane.

Reason: In the interests of road safety and in accordance with Policy D DM1, Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 42 Prior to the development being first occupied, full details of the proposed access works to Dappers Lane to comprise the delivery of a simple priority junction to serve that part of the site and associated footway provision in general accordance with Drawing ITB9105-GA-117, shall be submitted to and approved in writing by the Local Planning Authority in consultation with

the County Highway Authority. Construction of the agreed scheme shall be carried out in accordance with the approved details prior to occupation of any development served from Dappers Lane or prior to completion of the Water Lane pedestrian and cycle improvement works (whichever is the earlier).

Reason: In the interests of road safety and in accordance with Policy D DM1, Policy T SP1 and Policy T DM1 of the Arun Local Plan.

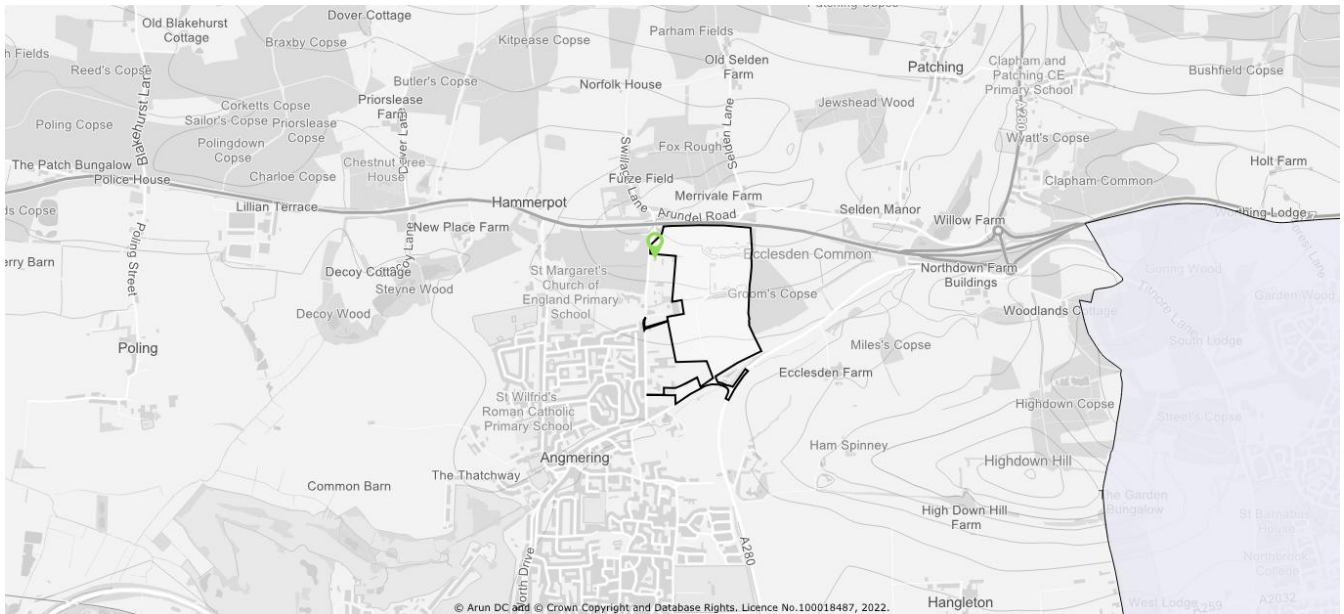
- 43 Prior to the development being first occupied, an Arboricultural Method Statement (AMS) and a Tree Protection Plan shall be submitted for approval in writing by the Local Planning Authority, to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground.

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

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

A/248/21/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Arun District Council 100018487. 2015