

PLANNING APPLICATION REPORT

REF NO:	LU/205/22/PL
LOCATION:	25 River Road Littlehampton BN17 5BZ
PROPOSAL:	Demolition of existing car garage (B2) and the erection of 2no. residential buildings comprising 4no. flats (C3) with associated works (resubmission of LU/151/21/PL). This application affects the character and appearance of the Littlehampton (River Road) Conservation area and is in CIL Zone 4 (zero rated) as flats.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The existing buildings will be demolished, and the site redeveloped with 2 no. part one/part two storey buildings comprising 4 flats. The buildings will be accessed from River Road and Terminus Place respectively. Each dwelling will have 1 underground parking space and there will also be secure cycle storage. Three flats will have private garden or terrace areas. Proposed materials include painted render, roof tiles, conservation roof lights, timber windows/doors and a green roof.
SITE AREA	0.0356 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	112 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	Approx. 2m high boundary walling on Terminus Place to the rear of 1 & 2 Cyprus Villas. Painted flint walling to the rear of the workshop.
SITE CHARACTERISTICS	Single storey purpose-built garage, now vacant, formerly used as a car mechanic workshop. It has a shallow pitched roof with cream painted rendered elevations. Vehicular access on both River Road and Terminus Place.
CHARACTER OF LOCALITY	Mainly residential area comprising a mix of dwelling heights, design, and style. Those fronting River Road are predominantly traditional style terraced and semi-detached dwellings. To the rear in Terminus Road are more modern flats. There is a modern 4 storey purpose-built block of flats further north (corner of Terminus Place and Terminus Road). To the Western side of Terminus Place is Arun Court which is located directly adjacent to the north of the application site and is a four-storey purpose-built residential block containing 8 no. individual flats. This has windows overlooking the site but

many of those at ground floor level are already obscured by either the existing building or planting. This building also has a basement level. Nos. 1 & 2 Cyprus Villas to the south and east of the site have no first-floor rear windows.

RELEVANT SITE HISTORY

LU/151/21/PL	Demolition of existing car garage and the erection of 2 no. two-storey residential buildings comprising 5 no. flats with associated works. This site affects the character & appearance of the Littlehampton River Road Conservation Area & is in CIL Zone 4 (Zero Rated) as flats.	Refused 12-10-21
LU/126/19/PL	Demolition of the existing garage building (B2 industrial use) and redevelopment of the site providing 9no C3 residential units - This application affects the character and appearance of River Road Conservation Area.	Refused 27-09-19

LU/126/19/PL (9 dwellings) was refused on grounds of overdevelopment and being harmful to the Conservation Area. More recently, LU/151/21/PL (5 dwellings) was refused in October 2021 under delegated powers for the following two reasons:

(1) The site by virtue of its size and shape, is considered unsuitable to accommodate 5 dwellings and private amenity space satisfactorily without damaging the character of this established residential area. The proposal would therefore result in an overdevelopment of the site which comprises an unduly cramped and unneighbourly form of development which would be detrimental to the residential amenities of future occupiers and the character and amenities of the surrounding residential area, contrary to policies D DM1 and D SP1 of the Arun Local Plan.

(2) Given the layout, form, footprint, scale, height, and relationship with adjacent buildings the proposal would not result in sufficient public benefit to offset the less than substantial harm to the Littlehampton River Road Conservation Area in conflict with policies HER DM3 and HER SP1 of the Arun Local Plan and the NPPF.

This is currently at appeal (written representations procedure) and awaiting determination.

REPRESENTATIONS

Littlehampton Town Council - object on the grounds that the scale & massing is out of character with the surroundings and represents overdevelopment causing harm to amenity. There are also concerns of flood risk to the underground parking.

9 letters of objection raising the following issues:

- Underground parking is not in character.
- Height of the River Road building is out of keeping with neighbouring buildings.

- Harm to the Conservation Area.
- Overdevelopment.
- Need to retain existing flint walls.
- Overlooking and loss of light to surrounding dwellings.
- Will prevent fresh air reaching neighbouring windows.
- New front boundary wall pillars will hinder no. 2 Cyprus Villas storage of bins.
- Bin & cycle store will disturb Cyprus Villas.
- The creation of the underground parking could damage adjacent properties.
- No Party Wall Agreements are in place.
- Inconsistency between drawings 19 & 20 re. privacy screen.
- Noise/air pollution from underground parking to existing basement accommodation.
- Rainwater runoff will flood the underground parking.
- Insufficient parking for 10 people.
- Highway safety issues re. cars reversing out of the parking.
- Loss of existing on-street & off-street resident parking due to new dropped kerb & Terminus Place development.
- Construction impacts.

COMMENTS ON REPRESENTATIONS RECEIVED:

The comments of the Town Council and objectors are noted, and the objections are considered in the conclusions section except as discussed below.

Flood risk is considered elsewhere but it should be noted that the purpose of flood risk policies are to protect human health and therefore to protect living accommodation from flooding. It is acceptable for cars & other vehicles to be at risk. Indeed, a common solution to homes in areas at risk of flooding is to site garages and non-essential accommodation at ground level with living & sleeping accommodation above. This is the case elsewhere in development in River Road.

The development is not sufficiently close to existing windows so as to block air reaching them. No. 2 Cyprus Villas states that the new front boundary wall/pillars to the proposed front door will hinder his ability to store bins. However the wall is entirely within the ownership of the application site and so it is unclear what the impact will be. The same resident highlights an inconsistency between drawings. The privacy screen in question is shown on both drawings it is just not labelled on one of the two.

Construction impacts will be temporary and will be subject to Environmental Health controls re. noise and air pollution. A condition will be imposed to control construction hours, but a construction management plan is not appropriate for a site/development of this size. Party Wall agreements are not a planning matter, and it will be Building Control Regulations that ensure that the development does not damage existing adjoining/adjacent properties.

Parking is considered elsewhere however it should be noted that the resident parking on Terminus Place as referred to is actually within the application site (i.e., private land) whilst the extended dropped kerb on River Road is entirely in front of the existing building. The drawings show that the existing flint wall along the west side of the site (to an alleyway) will be retained and made good.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENT AGENCY - state no objection subject to the imposition of 5 conditions.

WSCC HIGHWAYS - no objection subject to conditions re. access, parking & cycle storage. They state that the site is in a sustainable location within walking and cycling distance of a range of public services, amenities & employment options. Buses and rail station provide a realistic travel opportunity for longer trips. Future occupiers would not be reliant on the use of a private motor vehicle.

ADC ENVIRONMENTAL HEALTH - no objection subject to conditions re. contamination, construction management, construction hours, electric vehicle charging and internal/external noise levels.

ADC PRIVATE SECTOR HOUSING - no objection and advise a number of points as regards to fire safety, internal room sizes and ventilation which will be relevant for if/when a license is applied for.

ADC DRAINAGE ENGINEERS - recommend standard drainage conditions.

ADC CONSERVATION OFFICER - comments set out in full on the website but in summary:

- The buildings in this part of the Conservation Area are smaller and simpler than those to the east.
- They are two storey and treated with painted render.
- The concept of redeveloping the site offers the opportunity to better reveal what is important about the site and local area whilst also removing a vacant/poorly maintained building.
- The concept of maintaining the River Road street frontage will ensure that the character of the local area can be reflected, which is positive.
- The design of the River Road and Terminus Place buildings are appropriate to the Conservation Area.
- The underground parking is not necessarily a new introduction as there are examples of ground floor garages in the other newer buildings.
- A positive feature of the approach here is that the lower ground floor is not dominated by a modern "up and over" garage door although the success will be dependent on materials and details.
- Requests details of joinery and materials to be secured by conditions.
- The current proposal is an improvement on the previously submitted one, and if executed to a very high standard, it will, on balance, not cause harm to the heritage assets; and
- Therefore, the proposals comply with the relevant paragraphs of the NPPF 2021, and policies contained in the Arun District Local Plan 2018 relating to the protection of conservation areas.

CONSERVATION AREA ADVISORY COMMITTEE (CAAC) - object with the following comments:

- Amendments have been made to the previously refused scheme which have led to a generally more appropriate scale, form & detailing and they relate better to the built form of the conservation area.
- However, underground parking on the River Road frontage is not in character and cannot be supported.
- Therefore, there is conflict with the NPPF and section J of the Arun District Design Guide.
- If, however, permission is granted then request conditions to control materials and window designs.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted except in the case of Environmental Health in that a construction management plan condition is not appropriate for a site of this size so instead a construction working hours condition will be imposed.

POLICY CONTEXT

Designations applicable to site:

Within the Built-Up Area Boundary.
 Predominantly Flood Zone (FZ) 3 with some FZ2 at the northern end.
 Entirely FZ3 by 2061.
 Littlehampton (River Road) Conservation Area.
 Littlehampton Growth Area.
 Within 2km of the Clymping Site of Special Scientific Interest; and
 CIL Zone 4.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
EMPDM1	EMP DM1 Employment Land: Development Management
EMPSP2	EMP SP2 Economic Growth Areas
ENVDM5	ENV DM5 Development and biodiversity
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WSP1	W SP1 Water

<u>Littlehampton Neighbourhood Plan 2014 Policy 1</u>	The Presumption in Favour of Sustainable Development
Littlehampton Neighbourhood Plan 2014 Policy 2	A Spatial Plan for the Town

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021
SPD2	Conservation Areas

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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. Relevant policies of the Littlehampton Neighbourhood Development Plan have been referred to in this determination.

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 for development within the Built-Up Area Boundary and would not cause demonstrable harm to highway safety, local character or residential amenity. It would also not conflict with development plan policies regarding flooding, parking or heritage.

Where the building is located in a Conservation Area, Section 71(1) of the Act states: "In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The proposal will not result in any harm to the Conservation Area.

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 STATUTORY PLANS

[South Inshore and South Offshore Marine Plan 2018:](#)

South Marine Plan Policy S-ACC-1

South Marine Plan Policy S-CC-1

South Marine Plan Policy S-CC-2

South Marine Plan Policy S-CO-1

South Marine Plan Policy S-DIST-1

South Marine Plan Policy S-ML-2

South Marine Plan Policy S-MPA-1

South Marine Plan Policy S-MPA-3

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 site lies within the built-up area boundary (BUAB) where residential development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan (ALP) and policies 1 & 2 of the Littlehampton Neighbourhood Development Plan (LNDP). The proposal is acceptable provided it is in accordance with other policies of the ALP covering such issues as flood risk, biodiversity, heritage, design, highway safety/parking, residential amenity, space standards, pollution, and climate change.

LNDP policy 1 states planning applications which accord with the policies in the Neighbourhood Plan will be approved unless material considerations indicate otherwise. There are no policies in the Neighbourhood Plan specifically relating to this site. The proposal would accord with this policy. Policy 2 concentrates future housing within the BUAB of Littlehampton and the proposal accords with this policy.

The Council published its Authority Monitoring Report (AMR) for 2020/21 and this shows the Housing Land Supply (HLS) decreased from 3.3 years to 2.42 years. This reflects a more rigorous assessment of housing trajectories following recent planning appeals in the Arun District.

LOSS OF EMPLOYMENT FLOORSPACE

The existing planning use of the premises is as a vehicle garage (use class B2), and this will be lost. ALP policy EMP DM1 seeks to protect and enhance existing employment sites and premises in order to maintain a supply of good quality commercial sites and premises to meet the needs of businesses and the local economy. The site is also within the Littlehampton Economic Growth Area and policy EMP SP2 therefore applies. This seeks to enhance local employment opportunities and promote economic growth and regeneration in order to strengthen the economic base of the District and provide local job opportunities.

Changes of use from business use classes are not generally permitted unless the site has no future as an industrial use or is causing insurmountable environmental harm or amenity which cannot be satisfactorily resolved. The Local Planning Authority requires evidence to demonstrate that the site has not been made deliberately unviable, that marketing has been actively conducted for a reasonable period of time and that alternative employment uses have been fully explored.

Evidence has been submitted which demonstrates that no interest has resulted from marketing of the premises for business uses since February 2018. Therefore, the loss of the site to a residential use would not conflict with the aims of the above policies.

MARINE PLAN POLICIES

The relevant policies of the Marine Plan generally require that impacts on the marine environment are (in order of preference) avoided, minimised, or mitigated. In particular, the relevant Marine Plan policies to this location seek to ensure public access, minimise greenhouse gas emissions, ensure that development adapts to impacts arising from climate change, ensure uses coexist with each other, protect wildlife species, and reduce litter in the marine environment. The analysis in the rest of this report demonstrates that there is no conflict with these policies.

FLOOD RISK & DRAINAGE

The site predominantly lies in FZ3, and this covers the new dwellings fronting River Road and the front gardens of those fronting Terminus Place. The remainder of the site is then in FZ2. As per the Councils Strategic Flood Risk Assessment, the whole of the site will be in FZ3 by 2061 although the flood risk is tidal, and the site does benefit from sea defences.

ALP policy W DM2 states that development in areas at risk from flooding, will only be permitted where certain criteria have been satisfied. Policy ECC SP1 requires that new development be designed to adapt to impacts arising from climate change. The National Planning Practice Guidance states that residential development in Flood Zone 3a is only acceptable provided that the sequential and exceptions test are met and that a satisfactory Flood Risk Assessment (FRA) has been submitted. There is a requirement to provide a sequential site assessment in cases of both current and future high flood risk in order to demonstrate there are no other suitable locations for the development in areas not affected by current/future flooding.

The applicant has supplied an FRA to which the EA have not raised any objections (subject to conditions). The FRA refers to the need to provide a sequential assessment, but it does not provide one. The submitted planning statement contains a few paragraphs in response to this, which state:

- There are no suitable sites located within a reasonable radius accessible/available to the applicant of the same scale, type, and nature.
- Potentially developable sites (that are not already in a housing use) within a reasonable radius of the application site are within a protected use class, where conversion to residential is resisted in principle.
- The supporting estate agent evidence demonstrates that this site is no longer viable as a B use class.
- Sites that have been confirmed as being suitable for residential development (either through a site allocation or the grant of planning permission) are unobtainable as they are already under the ownership of other developers.
- Considering sites further afield outside of Littlehampton is not appropriate for a small scale, dense, flatted development such as the proposal which the Local Plan directs to be concentrated within sustainable locations; and
- The application site lies in a sustainable town centre residential location, where recent developments for housing have been granted in close proximity of the application site.

Whilst this does make a case for why the development has to be in this high flood risk location it does not represent a full sequential assessment and is not supported by maps and details of the sites considered & discounted.

The exceptions test requires (1) that the proposal will provide wider sustainability benefits to the community that outweigh the flood risk; and (2) that it will be safe for its lifetime without increasing flood risk elsewhere and where possible reduce flood risk overall. The latter is dealt with by the submitted FRA. The proposed ground floor will be set at 5.27m AOD and flood resilient construction methods will be used above ground floor level to provide further protection in the event that the flood defences are not maintained in line with current policy or if a 1 in 1000-year flood event occurred and affected the site. In respect of part (1), the submission states:

- The provision of four smaller units of housing will be within a desirable & sustainable location.
- The homes will contribute to the current severe HLS shortfall.
- The application seeks to redevelop an existing redundant & unsightly building, enhancing this section of the River Conservation Area and contributing to the wider regeneration of the East Bank area; and
- The construction project would employ local builders and tradespeople, contributing to the local economy.

The proposal is largely in accordance with ALP policy W DM2 except in respect of the sequential assessment which is lacking in sufficient detail regarding other sites considered and discounted. However, the exceptions test is passed.

ALP policy ALP policy W DM3 states all development must identify opportunities to incorporate a range

of Sustainable Urban Drainage Systems (SuDS) as appropriate to the size of development. The council's Drainage Engineer notes that no groundwater or infiltration data has been supplied at this stage but agree to the proposal in principle subject to a standard condition.

HERITAGE

The site is located in the River Road conservation area. As per the Conservation Officer comments, the existing building does not contribute positively to the character & appearance of the area and its removal & replacement with a building of acceptable design, scale and detailing would therefore be acceptable in principle.

ALP policy HER SP1 states development likely to prejudice heritage assets and their settings will be refused. HER DM3 sets out criteria for proposals affecting the setting of a Conservation Area and those relevant are:

- (a) New buildings and structures acknowledge the character of their special environment in their layout, form, scale, detailing, use of materials, enclosure and the spaces created between buildings.
- (d) Unsympathetic features are removed.
- (e) It retains historically significant boundaries, important open spaces, and other elements of the area's established pattern of development, character, and historic value, including gardens, roadside banks, and verges; and
- (f) It does not harm important views into, out of or within the Conservation Area.

Furthermore, demolition in Conservation Areas is only acceptable where the structure to be demolished makes no material contribution to the special character or appearance of the area.

Paragraph 194 of the NPPF requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para. 195 then requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that is affected by a proposal. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is 'no harm', 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance any harm with the level of public benefits associated with the proposal.

The LPA has reviewed the Heritage Assessment contained within the submitted Planning Statement and the Council's Conservation Officer has provided comments (as summarised elsewhere in this report). The redevelopment of the site will not result in any harm to the character and appearance of the Conservation Area and on the basis that there is no harm, it is not necessary to demonstrate any public benefits. An assessment of the impact on general character is provided in the following section. A contrary view is expressed by CAAC but although this is noted, the local planning authority's assessment remains that there will be no harm to the Conservation Area. The Conservation Officer also states that the proposals are in accordance with the relevant ALP policies. As such, there is also then no conflict with the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and the proposal can therefore be supported.

DESIGN AND CHARACTER

ALP policies D SP1 and D DM1 require development to make the best possible use of land by reflecting or improving on the character of the site/surrounding area. The National Design Guide (NDG) has weight as a material consideration in the determination of this application and states achieving a well-designed place comes about through making the right choices at all levels, including the layout (or masterplan), the form and scale of buildings, their appearance, landscape, materials, and their detailing.

The Arun Design Guide (ADG) is also material consideration and Section J refers to new building design and states new development must ensure the existing character and sense of place of an area is respected and enhanced. This can allow for new design forms but only where these take cues from well-designed elements of the existing area. New development should generally reflect the scale of existing buildings and should avoid overshadowing of neighbouring properties. Section P requires that Infill developments is informed by surrounding buildings and spaces in order to contribute to a sense of cohesion and unity. The prevailing character of the area should always inform development unless exceptionally high-quality design is proposed.

The ADG suggests a density of 60-100 dwellings per hectare in urban locations. The proposed density is 112 dwellings per hectare is only slightly and acceptably greater than this range. Higher density buildings are appropriate in an accessible and urban locations such as this.

The application proposes the demolition of the existing car garage/workshop and the erection of two buildings each providing two apartments. One building fronts River Road whilst the other fronts on to Terminus Place. The former is two storeys with a single storey flat roofed rear projection. The latter is part two storey and part single with a shallow hipped roof (where adjacent to Arun Court behind). They will both have semi-underground parking spaces contained within a lower ground floor (with the parking being visible to the street). The proposed buildings will be white rendered and with clay tiles.

The current condition of the building/site detracts from the Conservation Area and as per the Conservation Officer advice, causes harm to it. Therefore, on balance, its loss and redevelopment will be an enhancement of the local area and is therefore acceptable. The concept of redeveloping the site offers the opportunity to better reveal what is important about the site and local area.

The River Road building follows the building line of the neighbouring properties, and this is a positive feature. The Terminus Place building has had to be set back in order to accommodate the parking spaces, but this is acceptable as there is no clear building line on this side of the street. The concept of maintaining the River Road street frontage will ensure that the character of the local area is reflected.

Whilst the idea of the semi-basement style car parking is understood in that it allows for the creation of off-street parking, it creates a raised ground floor level of residential accommodation, this also increases the height of the buildings overall. This was deemed unacceptable with the previous application, but changes have been made to the design which better reflect the character/appearance of the Conservation Area/locality, along with key elements of the neighbouring houses. The use of the sliding sash and bay windows better reflects the neighbouring buildings on the River Road elevation. Also positive is the revised design for the front door on the River Road elevation and the treatment of the car parking area. Furthermore, the Terminus Place element of the scheme steps down and has a simple design which better reflects the simple approach currently seen on houses along that road.

The height of the resultant River Road building is greater (at the ridge) than the adjacent properties within the River Road streetscene but is the same height as the taller (flat roofed) Arun Court building to the rear (which can currently be glimpsed from River Road and would as a result of the development be significantly less visible). The raised height is due to the need to provide ground floor levels above the flood risk datum and also results in the level of windows not matching with the neighbouring buildings. However, the building design is attractive and this does not in itself detract from the streetscene. The Terminus Place building will be slightly higher than Cyprus Villas to the south but lower than Arun Court to the North and the houses on Purbeck Place to the west.

Overall, this revised scheme is now acceptable having regard to design and character considerations.

RESIDENTIAL AMENITY

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land. Policy QE SP1 requires all development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity. The ADG sets out guidance on interface distances between dwellings and these are: 21m for back-to-back, 16m for front to front and 14m for front/back to side.

The River Road building infills a gap between 2no. two storey buildings and these both have flank windows (1 per dwelling). However, the drawings demonstrate there is no impact on a 25-degree splay drawn from no. 2 Cyprus Villas high level flank window. The flank window to no. 27 River Road will be blocked off but as per the planning history (LU/84/89), this serves a landing and so is a secondary window. The submitted plans propose an additional sun tube to 27's roof to compensate for the loss of this window. No new flank windows are proposed and light to these two flats will be achieved by front/rear facing windows and roof lights.

The rear building (on Terminus Place) has also been designed to minimise harm to the amenities of neighbours. Its first floor only has windows facing south and east (so none face Purbeck Place to the west or Arun Court to the north). The single rooflight above will not allow views out. There are two proposed rear windows at ground floor level which face onto the alleyway at the rear. These will be high level and obscure glazed. It has also been demonstrated that the Terminus Place building will have no impact on a 25-degree angle drawn from the first-floor windows of the houses on Purbeck Place. The two terrace gardens to the front of the Terminus Place building are slightly above street level but they are to be provided with privacy screens to prevent views of Arun Court to the north and Cyprus Villas to the south.

The impact of the new building in respect of daylight & sunlight on the flats within Arun Court is acceptable as there is no greater harm than the existing building (indeed, the new building is actually slightly better due to the shallow hipped roof design compared to the previous gable end).

There is a shortfall in respect of the interface distance between the rear of the River Road building and the side of the Terminus building (10.5m compared to the 14m requirement). However, this is acceptable as the rear facing windows on the River Road building are either obscure glazed or high level. Furthermore, the ADG is not policy and allows for some flexibility such as in dense town centre locations like this.

It is acknowledged that there will be a bin & cycle store adjacent to the rear wall of 1 Cyprus Villas Bin & cycle store will disturb Cyprus Villas and that this may result in noise disturbance. However, it is material that the boundary is a solid brick wall and that this part of the site is currently used for the parking of cars. Similarly, the walls of the underground parking will be of solid construction and will be subject to noise insulation if deemed necessary by Building Regulations in order to protect the amenities of adjoining accommodation.

The applicant has supplied a copy of the Sunlight & Daylight Assessment as provided for the previous application. This states the development complies well with the Building Research Establishment (BRE) guide "Site Layout Planning for Daylight and Sunlight: a good practice guide, 2nd Edition" (2011) requirements and will not conflict with any policies that seek to protect daylight and sunlight.

Overall, the proposal is in accordance with the relevant policies.

QUALITY OF ACCOMMODATION

As per ALP policy D DM2, it is necessary to assess the proposal against internal space standards set out

in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if buildings will be suitable for residential use. Section J.08 of the ADC Design SPD re-iterates this requirement.

The plans show that all 4 flats will either meet or exceed the NDSS requirements:

- Unit 1 (two bedrooms, three bedspaces): 62m² compared to 61m².
- Unit 2 (one bedroom, two bedspaces): 55m² compared to 50m².
- Unit 3 (two bedrooms, three bedspaces): 73m² compared to 70m²
- Unit 4 (one bedroom, one bedspace): 40m² compared to 39m².

There are no policies in the ALP relating to garden sizes but section H.04 of the Arun Design Guide sets out standards for garden sizes for flats as follows:

- Private Amenity space for flats including balconies: at least 3sqm of useable space; and
- Communal Shared Spaces for flats: minimum 40sqm plus 10sqm for each unit if not provided as balcony space.

The layout shows three of the dwellings as having a private garden or terrace which exceeds the standards. There is no space for a communal garden, but the site is only a short distance from the riverfront, Beach Green, Harbour Park, and the seafront for recreational activities. Overall, the proposal will provide a good standard of amenity for future residents and is therefore acceptable.

HIGHWAY SAFETY & PARKING

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking. The Council also has a Parking Standards SPD.

The Parking SPD sets out a requirement for this development of 4 allocated spaces and 0.8 visitor spaces (rounded up to 1). It is noted that the SPD states garages are to be treated as providing only half a space each. However, in this case, the dwellings will only have a garage space (i.e., no driveway space in front) and so are unlikely to use the garage for domestic storage. Therefore, the provision can be calculated as 4 spaces which represents a shortfall of 1. The SPD states that a more flexible approach will be taken with schemes that incorporate flats and on sites close to urban centres. Furthermore, this site is in a town centre location and future occupiers would not be reliant on the use of a private motor vehicle. A shortfall of 1 space is not therefore sufficient to warrant refusal on parking grounds. The scheme also provides cycle storage which accords with the SPD.

WSCC Highways have considered the scheme and raise no objections. Also, it is acknowledged that local residents consider that vehicles backing out of the garages may result in harm to pedestrians/cyclists or conflicts with other vehicles, the NPPF only allows for a refusal on highway grounds when there is an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case there will be no such unacceptable or severe impacts.

BIODIVERSITY

ALP policy ENV DM5 requires that proposals achieve a net gain in biodiversity and protect existing habitats on site. The application is not accompanied by an ecological appraisal, but existing residential

buildings and their curtilages tend to have low potential as habitat for protected species particularly in dense urban and seafront locations. Biodiversity net gain was not discussed on the previous application, but it is a requirement and so a condition will be imposed to require that bird/bat nesting facilities are placed on the building. It is also noted that the proposal includes a green roof. This satisfies policy requirements.

CONTAMINATION

ALP Policy QE DM4 states development will be permitted on land that is contaminated as long as remediation is provided. The Council's Environmental Health Officer has recommended a standard contamination condition due to the previous use of the site. With this condition in place, remediation can be secured should any contamination be discovered and as such the proposal will be in accordance with the policy.

TELECOMMUNICATIONS

ALP policy TEL SP1 state all proposals for new residential, employment and commercial development must be designed to be connected to high quality communications infrastructure. This policy will be adhered to by means of a condition to require evidence of such a connection before the homes are occupied. On this basis, there is no conflict with the policies.

CLIMATE CHANGE/SUSTAINABLE CONTRUCTION

ALP policy ECC SP2 requires that all new residential and commercial development be energy efficient and incorporate decentralised, renewable, and low carbon energy supply systems. ECC SP1 requires that new development be designed to adapt to impacts arising from climate change. The application states:

- The proposed buildings will feature double-glazed windows providing optimal levels of insulation and air-tight construction to avoid heating emissions.
- Thermal insulation will be installed to building regulations standard to mitigate against heat loss.
- The buildings will achieve an energy efficiency standard of a minimum of 19% CO2 improvements over Building Regulations requirement (Class L); and
- The buildings will feature a rainwater harvester and will achieve a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

Conditions will be imposed to secure the water usage and energy efficiency measures. A further condition is included to secure electric vehicle charge points. Subject to the conditions being discharged, the proposal would comply with policies ECC SP1 and ECC SP2.

SUMMARY & TILTED BALANCE

The proposed development would represent a small boost to the Council's current HLS shortfall, meets the definition of sustainable development and is generally policy compliant (the exceptions being the sufficiency of the sequential assessment and the parking provision). The proposal would accord with paragraph 11d ii. of the NPPF which states:

"Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".

This is because as there is a housing land shortfall policy SD SP2 of the ALP is out of date and any adverse impacts from granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The proposal is therefore recommended for approval subject to the following conditions.

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.

CIL DETAILS

There is no CIL payable for flatted developments in CIL zone 4. The development is too small in scale to attract s106 contributions.

RECOMMENDATION

APPROVE CONDITIONALLY

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

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

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

Location Plan and Proposed Block Plan Dwg No TA 1433/01;
Proposed Site Plan Dwg No TA 1433/10 Rev B;
Proposed Lower Ground Floor Plan Dwg No TA 1433/11;

Proposed Upper Ground Floor Plan Dwg No TA 1433/12 Rev B;
 Proposed First Floor Plan Dwg No TA 1433/13 Rev A;
 Proposed River Road/South Elevation Dwg No TA 1433/14;
 Proposed East/Side Elevation Dwg No TA 1433/15 Rev A;
 Proposed North Side Elevation/Section AA Dwg No TA 1433/16 Rev A;
 Proposed West/Side Elevation Dwg No TA 1433/17;
 Proposed East Elevation/Section DD Dwg No TA 1433/18 Rev A;
 Proposed South Side Elevation/Section BB Dwg No TA 1433/19 Rev A; and
 Proposed Section CC Dwg No TA 1433/20.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, QE SP1, HER SP1, HER DM3 and T SP1 of the Arun Local Plan.

- 3 The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (ref "Flood Risk Assessment" 22-08-05, May 2022) and the following mitigation measures it details: "Finished floor levels of the Ground Floor shall be set no lower than 5.27m above Ordnance Datum (AOD)". This mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements and shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure the safety of the development and future occupants in accordance with policy W DM2 of the Arun Local Plan and the National Planning Policy Framework.

- 4 No construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work involving power tools or machinery on Sunday or Bank/Public Holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

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

- 5 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. Design considerations must take full account of the 'Supplementary Requirements for Surface Water Drainage Proposals' produced by Arun District Council, and are an overriding factor in terms of requirements. Winter groundwater monitoring to establish highest annual ground water levels and winter percolation testing to BRE 365, or similar approved, will be required to support the design of any infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained 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.

- 6 No piling or any other foundation construction using penetrative methods shall be carried out other than with the express written consent of the local planning authority (who shall consult

with the Environment Agency). The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable water supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. This condition is imposed in accordance with paragraph 174 of the NPPF and policies W SP1 & W DM1 of the Arun Local Plan. This is not strictly a pre-commencement condition as other means of foundations are available however, if piling must be used then these details must be agreed prior to commencement.

7 Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

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

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved. Where demolition is required 1. and 2. above should be submitted prior to demolition. Parts 3. and 4. can take place post demolition if necessary.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification report, and for the reporting of this in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

8 No development above damp-proof course (DPC) level shall take place unless and until full details of all eaves, guttering, materials, windows, doors and other proposed external finishes have been submitted to the Local Planning Authority, in writing, for approval. Window/door details will need to be of an appropriate scale and include details of the sections and glazing

or glazing bars. Once approved, the development shall be undertaken in accordance with these details and retained as such at all times thereafter in perpetuity. The materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character/appearance of the Conservation Area by endeavouring to achieve a building of visual quality in accordance with policies D DM1, HER SP1 and HER DM3 of the Arun Local Plan.

- 9 No development above damp-proof course (DPC) level shall take place unless and until the applicant has submitted a scheme for approval in writing by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and incorporate decentralised, renewable and low carbon energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of any part of the new buildings and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with the NPPF and policy ECC SP2 of the Arun Local Plan.

- 10 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 Local Plan.

- 11 No development above damp-proof course (DPC) level shall take place until details of new screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such screen walls and/or fences associated with them have been erected.

Reason: In the interests of amenity and the character/appearance of the Conservation Area in accordance with policies D DM1 and HER DM3 of the Arun Local Plan.

- 12 No development above damp-proof course (DPC) level shall take place until full details of the placement of bird/bat nesting facilities on the buildings or in the associated gardens have been submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented in full prior to occupation and thereafter retained to the satisfaction of the Local Planning Authority.

Reason: In the interests of biodiversity enhancement as per the requirements of Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 13 The use of the car parking spaces shall not commence until the vehicular access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development in accordance with policy T SP1 of the Arun Local Plan and the NPPF.

- 14 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall always thereafter be kept for their designated purpose.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with policy T SP1 of the Arun Local Plan and the NPPF.

- 15 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with policy T SP1 of the Arun Local Plan and the NPPF.

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

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

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

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 18 The windows indicated on the approved drawings as being obscure glazed (annotated as OG) shall be implemented as such prior to first occupation and permanently retained thereafter.

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

- 19 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions, roof alterations to the dwelling houses shall be constructed or buildings shall be erected within the curtilage

unless permission is granted by the Local Planning Authority on an application in that behalf.

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

- 20 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

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.

- 21 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.

- 22 INFORMATIVE: The Environment Agency strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. The following documents may also be useful:

Department for Communities and Local Government: Preparing for floods <http://www.planningportal.gov.uk/uploads/odpm/400000009282.pdf> and/or Department for Communities Local Government: Improving the flood performance of new buildings: <https://www.gov.uk/government/publications/flood-resilientconstruction-of-new-buildings>

- 23 INFORMATIVE: The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-forflooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

- 24 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance, as per <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>, on stored

volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus40%) between the invert of the entry pipe to the soakaway and the base of the structure. All surface water drainage designs must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year storm event (plus 45%).

Freeboard is to be provided between the base of the infiltration structure and the highest recorded groundwater level identified in that location. Ideally this should be 1 metre where possible, as stated in the CIRIA Suds Manual guidance. However, on the coastal plain in particular, where geology dictates and where shallow perched/tidally influenced water tables are often present, this is unlikely to be achievable irrespective of this, infiltration must still be fully considered. Therefore, to maximise this potential and avoid utilising other less favourable methods of surface water disposal, the bases of infiltration structures are permitted to be immediately above the peak recorded groundwater levels where it is deemed necessary.

In areas where an aquifer is to be protected (subject to guidance from the Environment Agency) then a minimum 1 metre freeboard must be provided. Suitable water treatment is required upstream to the point of discharge in all circumstances to minimise any groundwater pollution risk or detriment to the drainage network. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest groundwater table in support of the design. The applicant is advised to discuss the extend of ground water monitoring with the council's engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application. Reference should also be made to the 'West Sussex LLFA Policy for the Management of Surface Water'.

- 25 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents which is available to read via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 26 INFORMATIVE: All parts of the new flats must be within 45m of a fire appliance in accordance with the requirements of Approved Document B: Volume 1 2019 edition B5 section 13. Any areas not within the 45 metre distance will need to be mitigated by the installation of domestic sprinkler or water mist system complying with BS9251 or BS4854 standards.
- 27 INFORMATIVE: Please note the recommendations of our Private Sector Housing Team on our website dated 04/08/22 which includes guidance on fire safety, ventilation, railings to terraces/balconies, other hazards and licensing standards.
- 28 INFORMATIVE: The Local Highways Authority (LHA) advises the applicant that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee the permission of a Vehicle Crossover (VCO) licence.

Please see the following link on details pertaining to the licence application process: <https://www.westsussex.gov.uk/carriageways-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/carriageways-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

- 29 **INFORMATIVE:** This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

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)

LU/205/22/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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