

PLANNING APPLICATION REPORT

REF NO: A/153/22/OUT

LOCATION: Broadlees  
Dappers Lane  
Angmering  
BN16 4EN

PROPOSAL: Outline application for development of the site to provide up to 20 dwellings with all matters reserved (except for access).

<b>SITE AND SURROUNDINGS</b>
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DESCRIPTION OF APPLICATION	The proposal seeks outline permission for the erection of up to 20 dwellings. Details of scale, appearance, landscaping and layout are reserved, with detailed approval sought for access to the site only. The application is accompanied by illustrative drawings showing an indicative site layout, landscaping and mix of unit types, however, these are not being determined at this time.
SITE AREA	0.63 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	Approximately 32 dwellings per hectare.
TOPOGRAPHY	The wider site gradually drops along Dappers Lane to meet Water Lane by a total height of 5m.
TREES	The submitted tree report indicates 12 trees within the site, which have previously been approved for removal (Application Ref. A/161/21/DOC), that under the indicative scheme submitted would require removal. The existing trees and hedges situated along the western and northern boundary of the site would be retained under the indicative scheme, other than two diseased Elms which require removal (T13, T14).
BOUNDARY TREATMENT	The site is currently enclosed by temporary Harris fencing.
SITE CHARACTERISTICS	The wider site includes the southern side of the site where a care home development approved under reference A/114/18/PL is under construction. A gated tarmac access, and a tarmac access through the site have been formed. The current application site is to the north of this access road and care home. This area is also being used for the storage of materials / earth piles in associated with the care home development.
CHARACTER OF LOCALITY	Land to the north forms part of a Strategic Housing Allocation (SD9 - Angmering North). Immediately to the north and east of the site part of the strategic development approved under applications A/40/18/OUT and A/256/21/RES is being implemented - comprising an access road and a number of



The neighbouring development approved under applications 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) and A/256/21/RES (Approval of reserved matters following outline consent A/248/21/PL for the erection of 525 No residential dwellings with associated parking, landscape, play areas & public open space) is under construction and part of this development will enclose the site to the northern and eastern site boundaries.

The care home approved under A/114/18/PL is under construction and will see the south-eastern part of the site to the south of the access road developed.

The Inspector in determining lawful development appeal Ref. APP/C3810/X/20/3245827 determined that a partial implementation of permission Ref. A/27/16/PL (53 care apartments) alongside the care home permitted under A/114/18/PL would not be lawful. Therefore, the application scheme seeks a new permission for the development of the remainder of the site.

### REPRESENTATIONS

Angmering Parish Council object to the application on the following grounds:

- The proposed development will result in increased traffic on Dappers Lane and Water Lane and the junction of the two roads.
- Dappers Lane has no footpaths. The footpath previously secured by s106 agreement under application Ref. A/114/18/PL should be required to be constructed prior to first occupation of the dwellings.
- Dappers Lane and Water Lane are prone to flooding from surface water run-off, it is therefore essential that consultee comments are obtained on the proposed drainage measures and that appropriate conditions are applied.

4 resident objections raising the following concerns:

- Construction works are already taking place on the site before permission has been granted.
- There are already issues in this area with flooding and water drainage, and sewer capacity.
- The proposed development would decrease the amount of green space, air quality and ecology.
- The proposed dwelling heights are inappropriate and overlooking of existing properties would result.
- There are already issues with availability of GP's, dentists and schools.
- There are already too many new builds being erected in this area.
- The houses proposed will generate more traffic than the care apartments previously approved.
- Dappers Lane is too narrow to accommodate additional traffic.
- The junction of Dappers Lane and Water Lane is already dangerous due to increasing traffic volumes.
- More trees and green areas should be added to the development.

### COMMENTS ON REPRESENTATIONS RECEIVED:

The comments of the Parish Council and objectors are noted, and the majority of the objections are considered in the conclusions section with the exception of the following:

- Comments regarding additional traffic / the capacity of Dappers Lane and the junction of Dappers Lane and Water Lane are noted, however WSCC Highways raise no objection on these grounds.
- The pavement on the eastern side of Dappers Lane will be secured by planning condition on the care home development (A/114/18/PL) which is currently under construction.
- Details of drainage proposals have been provided and commented upon. The application is for outline consent with detailed consent only sought for site access, full details of drainage proposal and

maintenance are recommended to be secured by planning conditions.

- Dwelling heights, designs and window arrangements (overlooking) would not be approved under the current outline application, these matters are reserved.
- The application site is being used as a construction space in association with the implementation of permission Ref. A/114/18/PL. This matter has been passed to the Planning Investigation Team to establish whether any planning breaches are occurring.
- The proposed development of up to 20 dwellings would not result in a harmful additional demand on local infrastructure such as GP's and Dentists.

## **CONSULTATIONS**

### **CONSULTATION RESPONSES RECEIVED:**

**WSSC HIGHWAYS** - The proposed site access on to Dapper Lane is that which has been previously approved in relation to previous schemes. There is a requirement by condition attached to permission A/114/18/PL (the care home) that a pavement will be provided to connect the site to Water Lane, and there is also a requirement on a large neighbouring development for a footway to the north of the site to connect with Merryfield Crescent.

The projected trip generation associated with the proposed development would not result in any capacity concerns. With regard to sustainability of location, the nearby bus stops are served by Bus Route 9 which provides connectivity to Shoreham-by-Sea, Lancing, Worthing, Rustington, Littlehampton, Arundel etc, and Angmering Station at 2.7km distance is connected via Bus Route 9. The pavements to be constructed along Dappers Lane would provide connectivity for walking and provide access to local amenities.

Overall, no objections subject to vehicular and pedestrian access, visibility splays, and a Construction Management Plan being secured by planning condition.

**ECOLOGY** - The submitted Preliminary Ecological Appraisal report appropriately assesses the application site, and recommends appropriate protection measures and ecological enhancement measures which would deliver a biodiversity net gain. No objections subject to the ecological protection and enhancement measures set out in the submitted Preliminary Ecological Appraisal report being secured by planning condition.

**ENVIRONMENTAL HEALTH** - No objection in principle to the proposed development, subject to the following matters being addressed-

- Further details should be provided in regard to air quality impacts.
- Details of electric vehicle charging points to be secured by condition.
- The measures in the submitted land contamination report should be secured by condition and confirmation should be provided that no further potential sources of contamination have been introduced since 2015. A condition relating to unexpected contamination is also recommended.
- Construction Management Plan to be secured by condition.
- Construction hours to be restricted by condition.
- Noise report assessing impact upon future residents to be secured by condition.

**LANDSCAPE** - No objection in principle to the layout proposals, subject to a full landscaping scheme being secured by planning condition.

**ADC AFFORDABLE HOUSING** - To meet the requirements of the Council's affordable housing policy, 6x



affordable dwellings will be required of which 4x rented, and 2x First Homes / intermediate. The following affordable tenure split is proposed:

Rented: 1x 1-bedroom flat, 2x 2-bedroom house, 1x 3 bedroom house.

First Homes / Intermediate: 1x 1 bedroom-flat, 1x 2-bedroom house.

All of the necessary affordable housing requirements should be secured by s106 legal agreement.

WEST SUSSEX FIRE & RESCUE - No objections subject to fire hydrant provision being secured by planning condition.

DRAINAGE ENGINEER - The submitted drainage details have been reviewed and further information is requested. Full details of the proposed drainage measures should be secured by planning condition.

WSCC EDUCATION - Objection. There is no secondary school expansion or identified site for a secondary school for which contributions can be sought, therefore a contribution towards secondary education cannot be secured.

SUSSEX POLICE - No comments as the application is outline with only access being subject to detailed approval.

ADC ECONOMIC DEVELOPMENT - No objection subject to an Employment and Skills Plan being secured by condition.

ADC TREE OFFICER - Awaiting comments.

SOUTHERN WATER - Awaiting comments.

#### **COMMENTS ON CONSULTATION RESPONSES:**

Comments noted and will be addressed in conclusions section except as discussed below:

HIGHWAYS - A condition is recommended to require that vehicular and pedestrian access, including the pavement to the south of the site linking to Water Lane, be construction prior to first occupation of the development.

ENVIRONMENTAL HEALTH - Further details relating to air quality impact have been requested from the applicant, and details EV charging points and cycle storage are recommended to be secured by condition.

ADC AFFORDABLE HOUSING- The applicant has agreed to the proposed affordable housing mix and the required provision would be secured by s106 legal agreement.

DRAINAGE ENGINEER - Further details of the proposed drainage provision have been provided by the applicant and the further comments of the Drainage Engineer are awaited. Furthermore, full details of the finalised drainage proposals are recommended to be secured by condition.

WSCC EDUCATION - The proposed development would be subject to a CIL payment which would contribute towards education provision. The objection based on the lack of a suitable secondary school to contribute towards is noted. This matter does not however warrant the refusal of planning permission.

<b>POLICY CONTEXT</b>
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Designation applicable to site:  
Within Built Up Area Boundary

**DEVELOPMENT PLAN POLICIES**[Arun Local Plan 2011 - 2031:](#)

AHSP2	AH SP2 Affordable Housing
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HDM1	H DM1 Housing mix
INFSP1	INF SP1 Infrastructure provision and implementation
LANDM1	LAN DM1 Protection of landscape character
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

[Angmering Neighbourhood Plan 2014 POLICY EH3](#) Flood Prevention

Angmering Neighbourhood Plan 2014 POLICY HD1 Built-up Area Boundary  
 Angmering Neighbourhood Plan 2014 POLICY HD2 Parish Housing Allocation  
 Angmering Neighbourhood Plan 2014 POLICY HD3 Housing Mix  
 Angmering Neighbourhood Plan 2014 POLICY HD4 Materials  
 Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form  
 Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design  
 Angmering Neighbourhood Plan 2014 POLICY HD7 Housing Density  
 Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments  
 Angmering Neighbourhood Plan 2014 POLICY TM1 Local Highways

**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

## **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. The Angmering Neighbourhood Plan was made on 11/03/2015 and its policies are referred to in this report.

## **DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

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

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

The proposal is considered to comply with relevant Development Plan policies in that there are no adverse impacts in respect of highways, visual and residential amenity and the character of the area that would significantly and demonstrably outweigh the benefits of granting planning permission.

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**

There are other material considerations to be weighed in the balance with the Development Plan and these are discussed in the conclusions section below. The District does not currently have a five-year housing land supply, which means that the 'tilted balance' in paragraph 11(d) of the NPPF is engaged.

## **CONCLUSIONS**

**PRINCIPLE:**

The application is outline with all matters reserved expect for access.

The main criteria against which the application will be assessed is contained within relevant policies of the Arun Local Plan mainly D DM1 and D SP1 which seek to prevent development that would have an unacceptable adverse impact upon visual and residential amenities and the character of the area. The proposal is in keeping with its setting and accords with these policies for the reasons set out below.

With regard to the Angmering Neighbourhood Plan (2015), the application site is outside of the built up area boundary (BUAB) as defined in the Neighbourhood Plan and is therefore contrary to Policy HD1 which directs new housing development within the BUAB. However, the Arun Local Plan (2018) defines a wider BUAB and the application site lies within this. Section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that, in instances where there is a conflict between two elements of the development plan, the conflict must be resolved in favour of the policy which is contained in the last

document to become part of the development plan. Therefore, the built up area boundaries in the Local Plan are the determinant boundaries.

Within the Built Up Area Boundary (BUAB), new housing development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan and will be permitted provided it is in accordance with other policies of the Local Plan subject to a detailed consideration of the proposal as set out below.

Overall, the principle of new housing development within the BUAB as defined by the Arun Local Plan is acceptable in accordance with Policy SD SP2 subject to a detailed assessment below.

#### **LANDSCAPE, CHARACTER & DENSITY:**

The application seeks outline permission with all matters reserved except for access. Therefore, the application assessment is based on the principle of the development of up to 20 dwellings. Illustrative drawings have been submitted showing how the site could potentially be laid out to accommodate this number of dwellings. Whilst this layout is indicative only and the layout is not being approved under the current application, it is of use to demonstrate the likely density and character of development.

Policy D DM1 and D SP1 states that planning permission will be granted where development meets amongst other criteria, the highest standards of design, providing a high-quality living environment in keeping with the character of the surrounding area. Policy D DM1 of the Arun Local Plan requires the Council seek to make the best possible use of land by reflecting or improving on the character of the site and the surrounding area.

It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. New housing should make efficient use of land while providing a mix of dwelling types and maintaining character & local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires that the scale of development keeps within the general confines of the overall character of a locality. ALP policy D SP1 "Design" requires development to make efficient use of land and reflect local character.

The National Design Guide (NDG) and Arun Design Guide (ADG) are material considerations in the determination of this application. They promote good design through layout (or masterplan), the form and scale of buildings, their appearance, landscape, materials and their detailing. The ADG has recently been adopted and part J provides guidance on Building Design. The scheme will blend harmoniously in the surrounding area providing high quality, well designed dwellings and spaces for future residents. ADG requires developments to respond to the existing scale and massing of the surrounding built environment, emulating this scale in the majority of cases and suggests that a decrease in scale should be used to ensure an appropriate urban to rural transition. As discussed below this proposal satisfactorily addresses the transition into the development beyond which is mainly residential.

Policy HD5 of the Angmering NP seeks to ensure all new development follows the character of the existing built form, creating a positive addition to the current style and mix of the area. It seeks to restrict the height of new buildings to 2.5 storeys unless it can be demonstrated that the proposal would be in keeping with its surroundings. Policy HD6 seeks high quality design in all new development that reflects local distinctiveness and seeks to incorporate local design features. Policy HD7 states that development must be of a density appropriate for and in keeping with the setting of the immediate area.

Neighbourhood Plan Policies HD3, HD4, HD5, HD6, HD7 and HD8 are of relevance as whilst some design matters would be addressed at reserved matters stage, the density of development is under consideration.

The proposed development density of up to 31.7 dwellings per hectare is appropriate and in keeping with the established surrounding development, and the new housing under construction immediately to the north / east of the site. The indicative layout also demonstrates that an appropriate relationship / spacing could be formed between the proposed dwellings and in association with the nearest neighbouring dwellings, and the care home which is under construction. The illustrative layout is also sympathetic to the surrounding area in terms of its character; terraced, semi-detached and detached dwellings of traditional form fronting on to an access road.

The illustrative layout demonstrates the potential to retain existing trees and hedging to the northern and western boundaries of the site, and plant additional trees and hedges to the eastern and southern boundaries of the site.

Within the site the illustrative layout demonstrates that suitable landscaping can be accommodated, and a play area is shown. The Landscape Officer raises no objection to the scheme subject to a full landscaping scheme being secured by planning condition.

Full details of the proposed layout and dwelling designs would be secured under reserved matters and by planning condition. The illustrative scheme comprises dwelling of traditional form and no greater than 2.5 storeys in height which would comply with Neighbourhood Plan Policy HD5.

Overall, whilst appearance, landscaping, layout and scale are reserved matters, the proposed illustrative scheme demonstrates that in principle the application site could accommodate a development of 20 dwellings with a character of layout, development and landscaping appropriate to the character of the surrounding area. The proposed outline development of up to 20 dwellings is therefore acceptable with regard to landscape, character & density in accordance with Policies D DM1, D SP1 of the ALP and HD7 of the ANP.

### OPEN SPACE PROVISION:

Policy OSR DM1 of the ALP states that housing developments are expected to provide open space provision.

The Council's SPG guidelines which apply to developments of houses are based broadly upon the National Playing Fields Association's (NPFA) "Six Acre Standard". The superseded Fields in Trust guidelines (FIT) 'Beyond the Six Acre Standard' recommends that 3.2 hectares of open space are provided for every 1,000 people i.e., 32 square meters of open space per person.

The submitted illustrative layout includes an area of play space which is well overlooked by the proposed dwellings. The landscape officer advises that a second area should be provided in the form of an unequipped LAP. The application site can accommodate such provision and full details of the finalised layout will be assessed at reserved matters stage.

Overall subject to appropriate details being secured at reserved matters stage, the proposed development will comply with Policy OSR DM1.

### RESIDENTIAL AMENITY:

Policy D DM1 of the ALP states that development should have minimal impact upon the users and occupiers of nearby property and land by avoiding significant loss of sunlight, privacy and outlook, and unacceptable noise and disturbance. The Arun Design Guide sets out guidance on minimum garden sizes and distances between properties.

The application is outline with all matters reserved except access, therefore it is necessary to determine whether in principle up to 20 dwellings could be accommodated within the site with an appropriate standard of amenity and an appropriate relationship with neighbouring properties. Whilst the submitted layout is illustrative only, if it demonstrates an appropriate layout in regard to garden sizes and distances between properties this materially demonstrates that an appropriate layout can be secured at reserved matters stage.

The Arun Design Guide advises a minimum rear garden depth of 10.5m, a front-to-front separation distance of 16m, and a back to side separation of 14m. The illustrative layout provides:

- A minimum front to side distance from the approved care home of 18m;
- A rear to side distance of 30m from the established dwelling to the north;
- A side to front distance of 23m from the dwellings under construction immediately to the north;
- A rear to front distance of 27.5m from the approved dwellings to the east;
- All private rear gardens exceed 10.5m except for 3 dwellings which have 9m rear gardens. This deficiency amounts to 15% of the total number of dwellings. However, given the limited shortfall and that all other dwellings exceed the Council's standards makes this shortfall acceptable and not sufficient to warrant refusal of the proposal.

The illustrative layout therefore provides broad compliance with the garden and spacing standards set out in the Design Guide, and matters such as ensuring all gardens are of the full appropriate depth could be addressed at reserved matters stage. It is demonstrated that neighbouring amenity could be preserved. Compliance with internal space standards would be ensured at reserved matters stage.

The proposed landscaping along the western, northern and eastern boundaries of the site would provide screening of private garden areas and full details of boundary treatments are recommended to be secured by planning condition.

Overall, the illustrative scheme demonstrates that the proposed development could deliver an acceptable standard of amenity and an appropriate relationship with neighbouring properties in accordance with Policy D DM1 and the NPPF.

### ACCESS AND TRANSPORT:

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 the 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. Policy T DM1 requires new development be located in easy access of established non-car transport modes/routes.

ANP Policy TM1 requires that proposals for new development shall demonstrate that adequate and satisfactory provision has been made to mitigate the impact of traffic generated both during development and on completion.

Para 110 of the NPPF states: "In assessing .. specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Para 111 states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The site is in a sustainable location, with walking access to local amenities in Angmering, access to bus

route 9 and Angmering railway station at a distance of 2.7 km.

The application is outline, however detailed consent is sought for the access to the site. The proposal is to utilise the vehicular access from Dappers Lane which has been approved in association with the care home. WSCC Highways consider this access to be appropriate and safe. It is imperative that a pedestrian pavement be provided to link the site to the pavement on Water Lane to the south of the site. Such a pavement access is secured by planning condition under the care home permission (A/114/18/PL condition 7). As the care home is now under construction it appears most likely that this pavement will be delivered in the immediate future.

Representations received relating to the existing traffic levels and the traffic at the junction of Dappers Lane and Water Lane. WSCC Highways however consider that the trip generation associated with the proposed development will not cause any capacity concerns.

Detailed approval of the internal layout of the site and parking arrangement are not sought under this outline application. The illustrative scheme does demonstrate an appropriate layout and parking provision can be accommodated and WSCC Highways are satisfied that these matters can be resolved at reserved matters stage. It is recommended that details of electric vehicle charging, and cycle storage be secured by planning condition.

Overall, the proposed development (subject to details secured at reserved matters stage) would result in an appropriate transport impact and the access to the site would not result in an increased highway safety risk, in accordance with ALP Policies T SP1 and T DM1, ANP Policy TM1, and the NPPF.

#### TREES:

The comments of the ADC Tree Officer are awaited and will be reported to committee.

Policy ENV DM4 of the ALP requires that development proposals be accompanied by an appropriate tree report, that any trees to be removed are fully assessed, trees to be retained are protected during construction works, and replacement trees are secured to compensate for any necessary removals.

The "Broadlees" site is subject to a Tree Preservation Order TPO/A/1/16 which relates to 5 single specimens (three Ash trees, a Hawthorn and an Oak) and TPO/A/1/14 relates to three individual specimens (two Oaks and an Ash) and a group of Ash and Oaks. Only one of the Oak trees subject of TPO/A/1/14 and the Hawthorn subject of TPO/A/1/16 lie on the part of the site subject of this proposal, albeit two of the Ash trees and the Oak the subject of TPO/A/1/16 lie in close proximity to the existing vehicular access to the site. One of the protected Ash trees (T1 of TPO/A/1/16) is shown to be removed as part of a scheme approved under application A/114/18/PL.

The Council's arboricultural officer has not provided comments at this stage. However, it is noted that the proposed layout of the dwellings reflects the position of the approved care apartments in the vicinity of this tree which falls outside of the site. The scheme seeks to retain this tree. Given the previous scheme was deemed acceptable and these proposals now place the proposed flats further away from the northern boundary it is agreed that the scheme would accord with Policy ENV DM4 of Arun Local Plan.

The application is accompanied by a tree report which indicates 12 trees within the site which have previously been approved for removal (Application Ref. A/161/21/DOC), under the indicative scheme submitted these trees would require removal. The existing trees and hedges situated along the western and northern boundary of the site would be retained under the indicative scheme, other than two diseased Elms which require removal (T13, T14).



It is noted in the absence of comments from the Tree Officer that the trees proposed for removal were previously approved for removal under application Ref. A/161/21/DOC, along with two diseased Elms. The report submitted demonstrates that appropriate protection measures could be incorporated to protect the trees which are to be retained. The illustrative scheme demonstrates that the proposed development could accommodate a significant number of new trees, including street trees and trees to the play area which is indicated, and trees to private rear garden areas.

Overall, the proposed development would result in an appropriate impact upon trees in accordance with Policy ENV DM4 and it is recommended that full details of protection of trees to be retained, and the planting of replacement trees for those which would require removal should be secured by planning condition.

### BIODIVERSITY:

ALP Policy ENV DM5 states development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site.

A Preliminary Ecological Appraisal report has been submitted which identifies that the site may contain breeding birds and foraging bats. The report sets out protection and mitigation measures, and ecological enhancement measures. A separate report sets out biodiversity net gain metrics which demonstrate that a net gain in biodiversity can be achieved if appropriate enhancement measures are incorporated. The Ecological Consultant has commented on the submitted reports and advises that the assessment of the existing site is comprehensive, and the proposed measures are appropriate to protect ecology and deliver an ecological enhancement. The recommendations of the report can be secured by planning condition and the development is considered to be in accordance with Policy ENV DM5 on this basis.

### POLLUTION IMPACTS:

ALP Policy QE DM3 requires that major developments are in easy reach of established public transport services, maximise provision for cycling & pedestrian facilities, include electric car charging points and contribute towards the improvement of the highway network.

The illustrative site layout, the pavement to the south of the site which is recommended to be secured by planning condition, and the pavement to the north of the site that is to be delivered as part of the strategic housing site to the north, will connect to existing pavements to allow for safe walking in and out of the site. Cycle access is also available along with bus and train options. Electric vehicle charging points and cycle storage is recommended to be secured by condition. The Environmental Health Officer (EHO) has requested further details in regard to air quality impact and these have been requested from the applicant. In the absence of these details, given the scale of the development, the accessibility of the site and the measures which it is proposed be secured by condition, the proposed scheme is acceptable in regard to air quality.

Policy QE DM1 states that residential development likely to experience road noise must (a) be supported by a noise exposure category assessment and designed to ensure that residents will not be adversely affected by noise; and (b) consider both the likely level of exposure at the time of application and any increase that might be reasonably expected in the foreseeable future. It is recommended that a full noise report and appropriate measures be secured by planning condition.

ALP policy QE DM2 states outdoor lighting should not have an adverse impact on neighbouring uses or the wider landscape, particularly with regard to the South Downs International Dark Sky Reserve designation. Further, that schemes proposing outdoor lighting be accompanied by an assessment. It is recommended that a scheme of external lighting be secured by planning condition and that no additional



external lighting outside of the scheme would be permitted.

In summary subject to appropriate conditions the proposed development would accord with Policies QE DM2 and QE DM3.

**CONTAMINATION:**

ALP Policy QE DM4 states development will be permitted on land that is contaminated as long as remediation is provided. A land contamination report has been submitted and the Environmental Health Officer has assessed the findings of the report to be accurate and it is recommended that the measures set out in the report be secured by planning condition. A condition is also recommended to address any unexpected contamination. Subject to these conditions the proposed development accords with Policy QE DM4.

**FLOODING & SURFACE WATER DRAINAGE:**

The site is not affected by any current or future flooding from rivers/sea and is within Flood Zone 1, therefore having a low probability of flooding. 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 application is outline therefore the technical details of a drainage strategy would be secured by planning condition and the detailed scheme would be formulated once the detailed scheme design is prepared at reserved matters stage.

A Flood Risk and Drainage Strategy has been submitted in support of the outline application and the Drainage Engineer in their comments raised a number of queries in regard to infiltration and sustainable drainage systems (SUDs). The applicant submitted further information in response to this and the further comments of the Drainage Engineer are awaited. Notwithstanding that these comments are awaited, the Engineer did recommend that full details of the proposed drainage strategy could be secured by conditions, and the application of these conditions is recommended. The conditions would ensure that appropriate surface water drainage measures are incorporated in accordance with Policy W DM3.

**FOUL DRAINAGE:**

ALP Policy W DM1 states all major developments must demonstrate, that adequate drainage capacity exists or can be provided as part of the development. Where adequate capacity does not exist, there will be a requirement that facilities are adequately upgraded prior to the completion and occupation of development.

The submitted drainage strategy focuses on surface water drainage only. The comments of Southern Water are awaited and will be reported to committee. It is recommended that full details of the proposed foul water drainage scheme be secured by planning condition. Subject to appropriate details being secured the proposed development would address the objectives of Policy W DM1.

**TELECOMMUNICATIONS:**

ALP policy TEL SP1 and ANDP policy EE8 state all proposals for new residential, employment and commercial development must be designed to be connected to high quality communications infrastructure. These policies will be adhered to by means of a condition to require evidence of such a connection before the homes are occupied.

## CLIMATE CHANGE:

ALP policy ECC SP2 requires 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 and that all major developments must produce 10% of total predicted energy requirements from renewables unless unviable.

The application suggests the dwellings will be designed to conform with prevailing requirements and standards in respect of energy efficiency and performance and reducing water consumption. A condition will need to be imposed to ensure that the policy requirements are incorporated into the reserved matters application and the final build. At this stage there would be no conflict with the relevant policies.

## HOUSING MIX:

Policy H DM1 of the Arun Local Plan 2011-2031 seeks to secure a mix of dwelling types and sizes, including affordable housing units. It states, "for developments of 11 units or more the Council shall require a balanced mix of market and affordable dwelling sizes including family sized accommodation based on the most up to date SHMA recommendations".

The most up to date recommendations are contained in the SHMA published in September 2016. The suggested mix of housing by size and tenure is as follows:

	1 bedroom	2 bedrooms	3 bedrooms	4+ bedrooms
Market	5-10%	40-45%	35-40%	10-15%
Intermediate/Starter Homes	15-20%	50-55%	25-30%	0-5%
Affordable Rented	35-40%	35-40%	15-20%	5-10%

The application contains an indicative overall mix of 20% 1-bedroom units, 25% 2-bedroom units, 35% 3-bedroom units and 20% 4+ bedroom units in the market sector. The market mix is 14% one-bedroom, 14% two-bedroom, 43% three-bedroom and 29% 4+bedroom. The indicative First Homes / Intermediate mix is 50% one-bedroom, 50% two-bedroom. The indicative affordable rented mix is 25% one-bedroom, 50% two-bedroom and 25% 3-bedroom. Affordable housing requirements are considered further below.

The Council's guidance on the Provision of Accommodation Suitable for Older People and People with Disabilities states that for schemes of between 11 and 50 units, 30% of units should be designed to M4(2) standard - Access and adaptable dwellings. The provision of these units should be in both the open market and affordable sectors. As the scheme is below 21 units, no wheelchair units are required.

The overall indicative proposed mix of unit sizes relates well to the SHMA housing needs assessment and is acceptable. The proposed affordable housing mix has been agreed with the affordable housing consultee. The precise mix will be determined at the reserved matters stage.

## AFFORDABLE HOUSING:

ALP Policy AH SP2 requires that all developments of 11 residential units or more provide a minimum of 30% affordable housing. The Development Manager advises that with regard to the illustrative housing mix submitted, this would need to comprise 6x affordable dwellings of which 4x rented, and 2x First Homes / intermediate. The following affordable tenure split is suggested:

- Rented: 1x 1-bedroom flat, 2x 2-bedroom house, 1x 3-bedroom house.
- First Homes / Intermediate: 1x 1 bedroom-flat, 1x 2-bedroom house.

The applicant has confirmed that they agree to this profile of provision. It is recommended that the affordable housing scheme be secured by s106 legal agreement to be completed before planning permission is issued. Subject to this agreement the requirements of Policy AH SP2 would be met.

**SUPPORTING INFRASTRUCTURE:**

ALP policy INF SP1 requires development proposals provide or contribute towards the infrastructure & services needed to support development to meet the needs of future occupiers and the existing community.

This development would be liable for CIL, but this will not be calculated until reserved matters stage when the floorspace is known. Infrastructure providers such as WSCC and the NHS can then make a bid for a portion of the CIL payments collected to spend on their own projects. The Parish Council will also be provided with 25% of the CIL receipts to spend on their own projects. These payments go towards providing the infrastructure that the district needs to support existing and future development.

Subject to CIL payments being secured there would be no conflict with ALP policy INF SP1.

**SUMMARY:**

The proposal represents sustainable development. The application site is in a sustainable location within the Local Plan BUAB and has previously been granted planning permission for residential development. The proposal will make a meaningful contribution to the HLS shortfall along with other social and economic benefits. The illustrative scheme submitted demonstrates that the site could accommodate a development of up to 20 dwellings and result in an appropriate character, landscape impact, standard of amenity, and relationship with neighbouring properties. The proposed access is an access already approved in association with the care home development on the southern side of the wider site. All detailed requirements can be successfully addressed at reserved matters stage and through the approval of details required by planning condition. A policy-compliant provision of affordable housing would be secured by s106 legal agreement.

The recommendation is for the Planning Committee to delegate to the Group Head of Planning in consultation with the Chairman with authority to:

(a) Complete the Section 106 Agreement, the terms of which are substantially in accordance with those set out in this report with any minor amendments authorised by the Group Head of Planning.

(b) Upon completion of the s106 grant outline planning permission subject to conditions; and

Should the s106 not be completed within 4 months of the date of the Planning Committee's resolution to grant planning permission, then the application shall be refused for the following reasons:

(1) In the absence of a signed Section 106 agreement, the development fails to make any affordable housing provision and is thereby contrary to the aims and objectives of the NPPF and policy AH SP2 of the Arun Local Plan.

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

**Rights.**

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

**DUTY UNDER THE EQUALITIES ACT 2010**

**Duty under the Equalities Act 2010**

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

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

**SECTION 106 DETAILS**

This decision will be subject to a s106 legal agreement to secure the following obligations:

(1) The provision of 30% affordable housing. Based upon the proposed indicative scheme of 20 dwellings this would comprise 4 affordable rented and 2 First Homes / Intermediate.

**CIL DETAILS**

This is not currently liable for CIL due to being at outline stage. Instead CIL will be calculated on the reserved matters application.

**RECOMMENDATION**

**APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT**

1 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 2 years beginning with the date of this permission:-

- (a) Scale;
- (b) Layout;
- (c) Appearance;
- (d) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before expiration of 1 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

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

DWG 3225-HIA-01-XX-DR-A-0100 Site Location Plan

DWG 3225-HIA-01-XX-DR-A-0108 Access Plan

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

- 4 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 5 No part of the development shall be first occupied until such time as the vehicular access have been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

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

- 6 No part of the development shall be first occupied until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Dappers Lane in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

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

- 7 No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use in accordance with policy T SP1 of the Arun Local Plan.

- 8 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 submitted to and approved by the Local Planning Authority.

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

- 9 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

Panning 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 2035, 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.

10 Prior to occupation 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 remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

2. 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.

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.

11 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 Arun Local Plan policies QE SP1 and QE DM4.

12 No demolition / construction activities shall take place other than from 08.00 until 18.00 Monday to Friday, and from 08.00 to 13.00 Saturday, with no noisy work on Sunday or Bank / Public Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan.

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

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,

- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy T SP1 of the Arun Local Plan.

- 14 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 ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan.

- 15 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 / 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 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.

- 16 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 and in accordance with current policies. No construction is permitted, which will restrict current and future landowners 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 policies W DM1, W DM2 and 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.

- 17 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end



of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

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

- 18 No development including site access, demolition or associated construction activities shall commence unless and until all the existing trees/bushes/hedges to be retained on the site have been protected in accordance with a scheme submitted to the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy ENV DM4 of the Arun Local Plan.

- 19 Unless an alternative scheme is submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, all mitigation and enhancement measures and works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (The Landscape Partnership, June 2022), or the approved alternative scheme. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out in accordance with the approved details.

Reason: To conserve and enhance protected and priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- 20 No external lighting shall be installed until an external lighting scheme including the locations and specifications of all external lighting has been submitted to and agreed in writing by the Local Planning Authority. No external lighting shall be installed other than that which forms part of the approved scheme.

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2 and D DM1.

- 21 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development above damp proof course (DPC) level 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.

- 22 At least 30% of the total number of dwellings shall be designed and constructed to M4(2) (accessible and adaptable) standard, as defined by 'Access to and use of buildings: Approved Document M'.

Reason: To ensure that dwellings are adaptable and meet the needs of different groups in the community in accordance with Policies H DM1 and D DM1 of the Arun Local Plan 2011-2031 and Paragraph 62 of the NPPF.

- 23 Prior to the occupation of any part of the development, the applicant or developer shall ensure that infrastructure is implemented to allow for the provision of the highest available headline speed of broadband provision to future occupants of all of the development from a site-wide network provided as part of the initial highway works and in the construction of frontage thresholds to buildings 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.

- 24 No development above damp-proof course (DPC) level shall take place unless and until details of the proposed location of the required fire hydrants have been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

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

The fire hydrants shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner/occupier if the installation is retained as a private network.

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

- 25 Prior to the commencement of development an Employment and Skills Plan for the construction phase of the development shall be submitted to and approved by the Local Planning Authority. Thereafter, the developer shall 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 the development.

26       INFORMATIVE: The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader, West Sussex County Council, County Hall, Chichester, West Sussex, PO19 1RQ. (Tel no. 01243 642105).

27       INFORMATIVE: Following approval of details showing the proposed location of all fire hydrant(s) or stored water supply (in accordance with West Sussex Fire and Rescue Services Guidance Notes) and prior to the first occupation of any dwelling or unit forming part of the proposed new development you are advised to contact West Sussex Fire and Rescue Service (WSFRS) make them aware of all the fire hydrants for the site and their locations. They can then be operated and tested, their location marked up locally and plotted on the water management system and mapping. This information is then available to all fire crews attending the site, essential for locating the nearest fire hydrants available in the vicinity of a fire without delay.

Without this information WSFRS would not be aware of any fire hydrants available on the site and lead to valuable time being spent looking for a water supply to keep the fire appliance supplied with water. Without a supply of water peoples lives and properties could be put at undue risk in the event of a fire.

Fire hydrant information is to be sent to either the Planning Officer or directly to the Water and Access Department, WSFRS on the details given below:

Frs.waterandaccess@westsussex.gov.uk

28       INFORMATIVE: A surface water drainage verification condition guidance note is available at <https://www.arun.gov.uk/drainage-planning-consultations>, this clearly sets out our requirements for discharging this condition

29       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'.

30 INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council [land.drainage@arun.gov.uk](mailto:land.drainage@arun.gov.uk)), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.

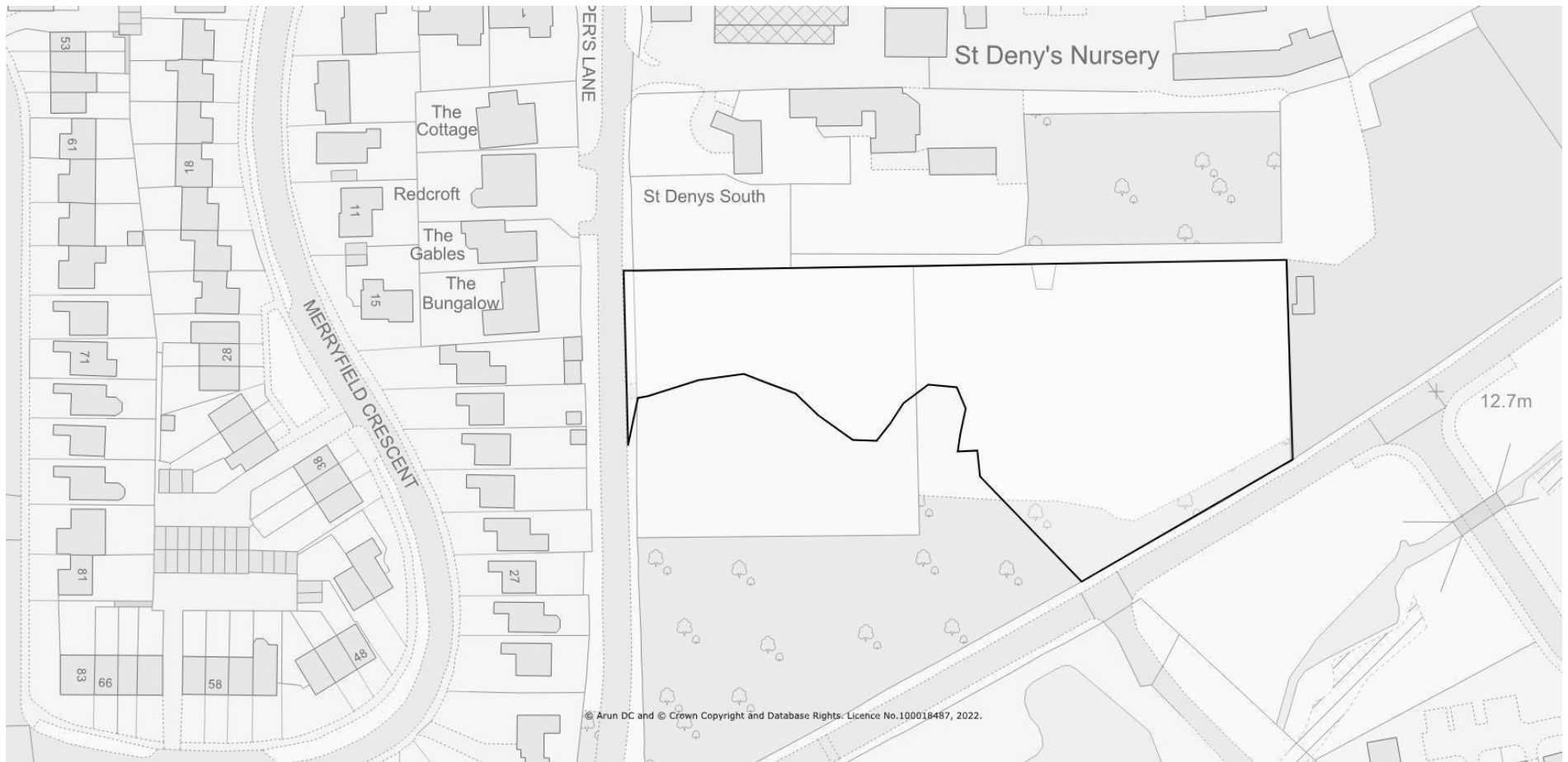
31 INFORMATIVE: If during construction works, it becomes apparent that implementation cannot be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.

32 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by 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.

<b>BACKGROUND PAPERS</b>
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[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/153/22/OUT - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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