

PLANNING APPLICATION REPORT

**REF NO:** BR/159/22/PL

**LOCATION:** 5-11 Aronel Cottage Nursing Home  
Highfield Road  
Bognor Regis  
PO22 8BQ

**PROPOSAL:** Two storey side extension creating 16 No. additional bedroom with en-suite, new lift and additional living space (resubmission of BR/135/21/PL). This application is in CIL Zone 4 (zero rated) as other development.

<b>SITE AND SURROUNDINGS</b>
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<b>DESCRIPTION OF APPLICATION</b>	<p>The extension creates 16 additional double en-suite bedrooms (10 at first floor and 6 at ground floor), a new disabled lift and additional living space for residents. The existing building has 38 bed spaces. 3 existing bedrooms will be lost through the extension works, resulting in a net gain of 13 rooms. The amenity space at the rear of the property is retained.</p> <p>A total of 11 parking spaces are proposed.</p> <p>This application reduces the scale of development following withdrawal of BR/234/20/PL &amp; BR/135/21/PL. Specifically, the extension has been moved away from the southern boundary so that it is a minimum of 14m from the boundary. Additional landscaping is proposed in this area now. The west facing elevation has also been moved away from the boundary with Hotham Way and is now 4.4m from this boundary.</p>
<b>SITE AREA</b>	1557sqm
<b>TOPOGRAPHY</b>	Predominantly flat.
<b>TREES</b>	None of any significance affected.
<b>BOUNDARY TREATMENT</b>	Picket fencing to front and 1.8m close boarded fencing to rear.
<b>SITE CHARACTERISTICS</b>	The property is an amalgamation of four two storey houses, brick and render with mix of slate and tile roofing. The end of terrace is rough rendered. To the front is a single storey flat roof extension. To the rear is a single storey extension and external staircase (fire escape). Car parking is at the front of the site.
<b>CHARACTER OF LOCALITY</b>	The B2259/Hotham Road runs parallel to the west of the site (to the west). This is on an embankment which means a car would be passing at just below first floor level of the development. There is an existing fence on the embankment.

## RELEVANT SITE HISTORY

BR/135/21/PL	Three storey side extension, additional 16 double bedrooms with en-suite, lift & additional living accommodation (resubmission following BR/234/20/PL). This site is in CIL Zone 4 (Zero Rated) as other development.	Withdrawn 27-09-21
BR/234/20/PL	Three storey side extension comprised of twenty nursing units linked to the existing nursing home building. This site is in CIL Zone 4 (Zero Rated) as other development.	Withdrawn 07-12-20

Site history noted.

## REPRESENTATIONS

Bognor Regis Town Council - Objection

- No Travel Plan has been submitted.
- Does not demonstrate that scale and design is appropriate to the local context.
- Insufficient parking provision. Increased pressure for on-street spaces.

4 objections have been received which raise the following summarised issues:

- Existing parking challenges will be exacerbated by increased activity.
- Existing highway access issues will be exacerbated by increased activity.
- Detrimental construction impact.
- Loss of light to neighbouring occupiers.
- There is too much infill development in the area already.
- Reduction in amenity space for residents.
- Area not large enough to accommodate such a change.
- Trees on the road have recently been cut.
- Changes may impact on existing occupiers of home.
- Negative impact on property prices.

### COMMENTS ON REPRESENTATIONS RECEIVED:

Given that the proposal is for the extension of an existing facility, and in a sustainable location and on the basis of lack of objection from the Highways Authority, it would not be appropriate to require a travel plan.

Other issues will be addressed in the conclusion section of this report.

## CONSULTATIONS

### CONSULTATION RESPONSES RECEIVED:

Environmental Health - Recommend conditions in respect of Construction Management, Electric Vehicle charging, construction hours, external lighting, contaminated land, internal noise, lift shaft noise and plant machinery.

WSSC Highways (LHA) - initial consultation - further response awaited.

- Reduction in parking compared to previous scheme noted.
- No details of staffing or visitor levels.
- No details of Travel Plan.
- There is no way of determining what level of parking is acceptable without this information.
- No objection on matters of highway safety/capacity.
- Additional information required with some form of justification or a robust parking survey.
- Would not have an unacceptable impact on highway safety and there are no transport grounds to resist the proposals
- Request conditions in respect of parking and turning, cycle parking and construction.

Drainage Engineer - Drainage strategy is flawed. A condition is required seeking details of surface water drainage scheme

Landscape Officer - There would be no requirement or trigger for the provision of Public Open Space or Play on site. No objection.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted and discussed in the conclusion section of the report.

**POLICY CONTEXT**

Designation applicable to site:

- Within the Built Up Area Boundary
- Pagham Harbour Zone B
- Adjacent to Class A Road
- Building of Character
- Currently Flood Zone 1
- Within 2km buffer zone of Bognor Reef Site of Special Scientific Interest (SSSI)
- Within 2km buffer zone of Felpham Site of Special Scientific Interest (SSSI); and
- WSSC Waste Consultation Area (Alderton's Yard, Town Cross Avenue site)

**DEVELOPMENT PLAN POLICIES**

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

DDM1	D DM1 Aspects of form and design quality
HERSP1	HER SP1 The Historic Environment
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP2	ECC SP2 Energy and climate change mitagation
HDM2	H DM2 Independent living and care homes
QEDM1	QE DM1 Noise Pollution

QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#) Delivery of the Vision

**PLANNING POLICY GUIDANCE:**

NPPF National Planning Policy Framework

**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.

**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

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

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

The proposal is considered to comply with relevant Development Plan policies in that it represents a well-designed infill extension within the built area that provides sufficient parking and would have an acceptable amenity impact.

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

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

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

**OTHER MATERIAL CONSIDERATIONS**

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

**CONCLUSIONS**



## PRINCIPLE

The site is in the built-up area boundary of Bognor Regis where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan (ALP) and provided it is in accordance with other policies of the Local Plan.

The guidance on accommodation for older people and people with disabilities identifies that there is a need for such provision within the district.

Owing to its location in the built-up area and its proximity to the town centre and local facilities, the proposal accords with policy H DM2, subject to its compliance with other ALP policy (which will be assessed in the body of this report).

Due to the current housing land supply (HLS) shortfall, it is necessary to give due weight to proposals that seek to maximise the potential of sites, particularly those within sustainable BUAB locations.

The principle of the extension within the built-up boundary is acceptable and in accordance with policies SD SP2 and H DM2 of the Arun Local Plan, the Arun Design Guide, and the NPPF.

## VISUAL IMPACT

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. D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. These seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours, and the locality.

Section J of the Arun Design Guide refers to building design and states new development must ensure that the existing character and sense of place of an area is respected and enhanced. New development should generally reflect the scale of existing buildings and should avoid overshadowing of neighbouring properties. Roof extensions should not be visually intrusive or block light into surrounding properties. They should not detract from the character and appearance of the building and local area.

The development would respect the established pattern of building scale, form and massing and would replicate the appearance of the existing two storey element in a harmonious and appropriate manner. The proposed extension would be set back from the existing front building line which would prevent any visual overbearance and would break up the horizontality of the front elevation to the benefit of the appearance of the building as a whole. The overall impact of the extension would accord with the rhythm of the street in a harmonious manner.

Although the current gap between the existing building and the former Price of Wales pub does lend some relief to built form, it is not such a valuable asset as to warrant refusal of the scheme, and the proposal infills this space in an appropriate manner as assessed above. As such, the loss of this space is, on balance unobjectionable.

The development would respect the character and appearance of the area and the host building in accordance with policies D DM1, D SP1, D DM4, D SP1 and QE SP1 of the Arun Local Plan, the Arun Design Guide, and the NPPF.

## HERITAGE IMPACT

The neighbouring building, the former Prince of Wales pub, is designated by the ALP as a Building of Character and so is classed as a non-designated heritage asset (NDHA).

ALP policy HER SP1 requires that non-designated heritage assets including locally listed heritage assets (Buildings or Structures of Character and Areas of Character) and their settings need to be conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment.

Bognor Regis Neighbourhood Development Plan (BRNDP) policy 1 requires that proposals affecting designated and non-designated heritage assets should demonstrate how proposed changes will support the delivery of relevant BRNDP objectives and the vision for Bognor Regis.

Para 203 of the NPPF states in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The extension, while bringing built form in closer proximity to the NDHA, would not have a significantly detrimental impact on its setting, especially within the context of the streetscene, which demonstrates a close knit pattern of development, and also given the modest scale and harmonious appearance of the extension with the existing building.

The addition of needed elderly housing accommodation is a benefit which outweighs any harm to the significance of the asset. Overall, it is considered that the proposal complies with policy HER SP1, policy 1 of the Bognor Regis Neighbourhood Development Plan and the guidance in the NPPF.

#### AMENITY IMPACT

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land. Policy D DM4 requires extensions to not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties; 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.

To its eastern elevation, the proposal will appear as a continuation of the existing building with the same separation distances and the existing acceptable relationship with opposite dwellings as per the current arrangement. To its western elevation, the extension will not present in a manner that would have any amenity impact owing to the presence of Hotham Way (B2259) and the varied land level.

The southern elevation directly faces the rear of the former Prince of Wales pub. BR/42/22/PL was granted permission for change of use from public house (Sui Generis) to 18-bed student accommodation.

At ground floor level, windows and doors will be screened by boundary treatments. At first floor level, the proposal would present two (central) primary windows and two secondary windows (at the end of the elevation) all of which serve habitable space. There are 5 facing windows in the rear elevation of the neighbouring development at the former Prince of Wales pub which serve habitable rooms for student accommodation. The minimum distance between the central habitable rooms is approx 14m.

The Arun Design Guide 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 side to rear distance of min 14m accords with this guidance and is therefore considered to be acceptable.

Residential communal shared spaces should be provided at a minimum of 40sqm plus 10sqm for each unit which would equate to 520sqm for the home. Amenity space of approx 228sqm is provided which falls below this requirement. Given the profile of the occupiers of the home and the proximity to outdoor

space if required, this is not on balance considered a sufficient shortfall to justify refusal of the scheme.

In terms of amenity for future occupiers of the proposal, the applicant has provided an acoustic survey. The Environmental Health team assessed this and are satisfied with it and a condition 8 has been added.

The proposal would have an acceptable amenity impact in accordance with policies D DM1, D DM4 and QE SP1 of the Arun Local Plan, the Arun Design Guide, and the NPPF.

## **HIGHWAYS / PARKING IMPACT**

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 Arun Parking Standards SPD sets out the approach taken to the provision of parking associated with residential and commercial uses. Paragraph 2.20 recognises that in commercial developments the varying characteristics across the district means that the amount of commercial vehicle parking will vary greatly between one site and another. It states that the amount of car parking should be based on the development's land-use, trip rate associated with the development; and the user group of staff/visitors of the site.

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.'

Against the net increase of 13 rooms, a total of 11 parking spaces are proposed compared with the existing informal capacity for 4-5 spaces.

The additional capacity is to be achieved by the demolition of a redundant garage/storage building and the provision of staff only car parking spaces in a tandem arrangement which is justified by the fact that some staff will be present on-site for significant periods and will not be required to move their vehicle during this time.

In response to comments by the LHA, a parking appraisal has been submitted which reviews the parking arrangements and considers the forecast parking accumulation of the site arising from the extension derived from the TRICS database. The accumulation assessment identifies that the demand for on-site parking is forecast to peak between 14:00 and 15:00 with a total of 7 cars present on the site.

The parking appraisal concludes that 'the quantum of parking provides the additional capacity required to accommodate the proposed extension in addition to ensuring sufficient capacity to accommodate demand generated by the existing building. The parking provision exceeds the forecasted demand in order to provide additional capacity should there be any fluctuations in parking demand - such as unexpected visitors or seasonal variation. As such, and with reference to Section 2 of this Technical Note, the proposed parking arrangement mitigates the impact of the development and provides an overall 'planning gain' in respect of addressing parking demand arising from existing operations.'

The site is in a sustainable location in close proximity to sustainable modes of transport, adjacent to a bus corridor along Hotham Way and 800m north of Bognor Regis Railway Station.

Arun Parking Standards Supplementary Planning Document requires from 2018, developments of this nature to provide 20% of Parking Spaces to have Active EV Charging Points. This can be required by condition.

The highways impact and level of parking provision would be acceptable and in accordance with policy T SP1 of the Arun Local Plan and the NPPF.

#### **WASTE SAFEGUARDING**

The site is partly in a 500m buffer area of a safeguarded waste site defined by the West Sussex Waste Local Plan (2014). Policy W2 of this Plan states that development should not prevent or prejudice the use of an existing waste management site. The site is right on the edge of the buffer and approx. one quarter of the building lies outside of the buffer. On this basis, there is no policy conflict.

#### **CLIMATE CHANGE/SUSTAINABLE CONTRUCTION**

ALP policy ECC SP2 requires 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 proposal does not set out any details to demonstrate compliance, but this can be achieved through an appropriate planning condition.

#### **BIODIVERSITY**

ALP policy ENV DM5 requires proposals achieve a net gain in biodiversity and protect habitats on site. The application is not accompanied by an ecological appraisal but existing buildings in high density urban areas tend to have low potential as habitat for protected species therefore this is acceptable. However, it is still necessary to demonstrate biodiversity net gain and this can satisfactorily be achieved through imposition of a condition.

Subject to condition, the proposal would accord with local plan policy ENV DM5 and the NPPF.

#### **PAGHAM HARBOUR**

ALP policy ENV DM2 requires residential developments in a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. A contribution of £871 per new unit was agreed by the Council's Cabinet on 10 April 2017. The site lies in the designated Zone B.

The need for mitigation for the recreational impact of 'other types of residential accommodation' is assessed on a case-by-case basis by the District Council. The key 'test' is based around the likelihood of the proposed development generating additional recreational visits to the SPA(s). For example, in respect of residential accommodation designed specifically for elderly people, a developer contribution (or bespoke mitigation) will be required for apartments for the active elderly, but not for secure accommodation such as a residential nursing home for people who are unable to independently leave that accommodation and which does not provide residents parking or allow pets (this would also apply to people living with conditions that limit their mobility).

In the case of the application premises, pets are not permitted and residents do not live independently within the building, although it is not secure in that the door is 'open'. The nature of the residents in terms of mobility and care needs is such that they are unlikely to cause specific disturbance. As such, in this

instance, it is not considered that there is a need for mitigation.

Notwithstanding, Arun DC are also required by planning law to carry out an Appropriate Assessment (AA) to assess the impact of increased recreational disturbance arising from the proposal on the Pagham Harbour Special Protection Area (SPA) & Ramsar Site. An AA was issued to Natural England for review on the 21st of October 2022 with a request for a response within 14 days. A copy of the AA is on the council's website. Natural England have advised that they have no objection to the conclusion.

## **OTHER MATTERS**

The site falls within flood zone 1 which is a low-risk area and the principle of development in this regard is acceptable.

There would be no requirement or trigger for the provision of Public Open Space or Play on site with this development. As such, there is no requirement or trigger for the provision of Public Open Space or Play on site with this development.

## **Summary**

The principle of the proposal along with its detailed impacts are acceptable and would accord with local and national planning policy including NPPF para 11c. It is therefore recommended that planning permission be given subject to the imposition of 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 positive impact on the protected characteristics.

## **CIL DETAILS**

This application is not CIL Liable.

**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:

Proposed Ground Floor Plan PL-106 Rev K  
Proposed Site Plan Dwg No 102 Rev B  
Proposed Elevations and Section Dwg No 108 Rev E  
Construction Details Dwg No 300 Rev P-  
Location Plan Dwg No 100  
Block Plan Dwg No 101  
Environmental Noise Survey Assessment dated 6.4.22 ref J3383

Reason: For the avoidance of doubt and in the interests of amenity and the environment.

- 3 The materials and finishes of the external walls and roof of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D SP1 of the Arun Local Plan.

- 4 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 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,
- hours of construction works

Reason: To mitigate against any potential adverse impact of the development in the interests of highway safety and the amenities of the area in accordance with policy T SP1 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the CMP prior to commencing any building works.

- 5 The extension shall not be occupied until the parking spaces shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies TSP1 of the Arun Local Plan.

- 6 Prior to the occupation of the extension, a scheme for the provision of facilities to enable the charging of electric vehicles at 20% of the parking spaces 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 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 NPPF.

- 7 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.

- 8 The extension shall be constructed in accordance with the mitigation measures summarised in Section 9 of the Environmental Noise Survey Assessment dated 6.4.22 ref J3383.

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

- 9 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. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Arun Local Plan.

- 10 Prior to the first use of the extension, details of any external plant (including ventilation, refrigeration and air conditioning) and / or ducting system to be used and the method of control of noise and vibration of this plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The scheme shall ensure that the noise and vibration generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve: NR35 as defined within Table B.1: Noise Rating Values of BS 8233:2014.



The equipment installed and commissioned shall be maintained in a condition and operated in compliance to the approved scheme whenever it is operation so that it does not exceed NR35 as described above, whenever it's operating. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority.

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

- 11 Details and a timetable of how the proposal will achieve energy efficiency 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.

- 12 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no 'noisy' work on Sunday or Bank Holidays

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 - 2031

- 13 No development above damp-proof course (DPC) level shall take place until details shall have been submitted to and approved in writing by the local planning authority to show how biodiversity net gain will be achieved. The development shall be implemented in accordance with the approved details and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To demonstrate that the development will make a net gain in biodiversity in accordance with local plan policy ENV DM5 and the NPPF.

- 14 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.

- 15 INFORMATIVE: You are advised to consider the use of an acoustic fence barrier around the boundary of the site to help mitigate noise nuisance for neighbouring properties from works on the site.

- 16 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 extent 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'.

## **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)

**BR/159/22/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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100018487. 2015