

PLANNING APPLICATION REPORT

REF NO: M/126/22/PL

LOCATION: 12 The Layne  
Elmer  
PO22 6JL

PROPOSAL: Demolition of existing dwelling and new build 1 No replacement dwelling. This application is in CIL Zone 4 and is CIL Liable as new dwelling.

<b>SITE AND SURROUNDINGS</b>
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DESCRIPTION OF APPLICATION	<p>The replacement dwelling will be one and half storeys but wider and slightly further forward than the existing. It includes single storey front and rear projections. The roof will be pitched (7.3m high to the ridge) with front and rear dormers (2 per roof slope) but the rear features a cat slide roof design. The house will have a 12.35m maximum width and a 16.8m maximum depth. It will be between 10.5m &amp; 11m from the rear boundary, and between 6m &amp; 10m from the front. Distances to the side boundaries are also varied with at least 0.8m to the southern and 1m to the northern.</p> <p>The house will have 4 bedrooms with parking comprising a single garage and three off-road spaces. The rear garden will be accessed from both sides of the house and will include a cycle store and bin storage. New 1.8m high timber fencing is proposed to replace the existing temporary fencing down the northern boundary. The front boundary will be left open. An apple tree and a planted border will be provided in the front garden.</p>
SITE AREA	462m <sup>2</sup> .
RESIDENTIAL DEVELOPMENT DENSITY	No change.
TOPOGRAPHY	Predominantly flat.
TREES	Some small trees on the site frontage and one on the northern side boundary towards the rear none of which are proposed to be felled.
BOUNDARY TREATMENT	Presently temporary metal Heras fencing to the northern side and eastern front boundaries. Timber fencing to the southern side and western rear.
SITE CHARACTERISTICS	An existing, allegedly uninhabitable, one and half storey chalet bungalow with parking to the front and garden to the rear. It features an integral garage and a southern side dormer. There is an access track running adjacent to but outside of the northern boundary which provides access to 14 & 16 The

Layne situated on land to the rear of 10, 12 & 18.

**CHARACTER OF LOCALITY**

This is an area of mixed house types and designs, primarily bungalows or chalet bungalows, many with side dormers. The dwelling to the south is single storey with no flank windows visible. To the north beyond the access drive is another chalet bungalow with single storey side extensions. Again, no flank windows are visible. No. 14 to the rear is a chalet bungalow whilst no. 16 has two storeys.

**REPRESENTATIONS**

Middleton Parish Council object due to overdevelopment and risk of surface water flooding due to the increased size of the dwelling based on use of existing services.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

These concerns will be assessed in the conclusions section.

**CONSULTATIONS**

**CONSULTATION RESPONSES RECEIVED:**

SOUTHERN WATER - no objection.

WSCC HIGHWAYS - no objection (with no conditions recommended) and state:

- The site is located on The Layne which is a privately maintained road.
- Given that this application is for a replacement dwelling, do not anticipate a material intensification of movements to or from the site.
- The proposed amount of parking is sufficient.
- Whilst the parking bays are the correct size, the garage is undersized as per Manual for Streets requirements.
- On-site turning does not appear achievable so vehicles may have to exit the site in a reverse gear, but this is no different to the existing situation; and
- The applicant has demonstrated a secure cycle store to the rear of the proposed dwelling.

ADC ENVIRONMENTAL HEALTH - no objection subject to conditions regarding an asbestos survey, contamination, electric vehicle charging provision, internal noise levels, construction hours and construction management plan (CMP).

ADC DRAINAGE ENGINEERS - state that as the site lies in the Lidsey Treatment Catchment Area, conditions are required to ensure drainage is not to existing sewers. Recommend a standard condition.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted except as discussed below:

ADC ENVIRONMENTAL HEALTH - due to the small-scale and replacement nature of the proposal, it would not be reasonable to require a CMP. In addition, the applicant has submitted an asbestos survey confirming no asbestos in the samples and the environmental health officer (EHO) has withdrawn the requirement for this condition. The EHO has advised that standard glazing and typical building materials

will likely be sufficient to ensure that the internal noise levels are met so there is no need for a condition. In any event, there will be no material increase in noise from present even without the glazing type mentioned.

## POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary;  
Lidsey Treatment Catchment Area;  
CIL Zone 4; and  
Current & Future Flood Zone 1.

## DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM5	ENV DM5 Development and biodiversity
QESP1	QE SP1 Quality of the Environment
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

## OTHER STATUTORY PLANS

South Inshore and South Offshore Marine Plan 2018:

South Marine Plan Policy S-ACC-1  
South Marine Plan Policy S-CC-1  
South Marine Plan Policy S-CC-2  
South Marine Plan Policy S-CO-1  
South Marine Plan Policy S-DIST-1  
South Marine Plan Policy S-ML-2  
South Marine Plan Policy S-MPA-1  
South Marine Plan Policy S-MPA-3

## 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. Middleton do not have a Neighbourhood Plan and the site is not within the area covered by their Village Design Statement.

**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 complies with relevant Development Plan policies in that there would be no materially unacceptable effect on character, residential amenity, highway safety, biodiversity or climate change. There is a small conflict with policy relating to water quality.

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 no other material considerations to be weighed in the balance with the Development Plan except as set out in the report below with regards to drainage.

**CONCLUSIONS**

PRINCIPLE:

The site lies in the built-up area boundary (BUAB) where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan (ALP) provided it accords with other development plan policies covering such issues as highway safety/parking, design/character, residential amenity, biodiversity, drainage, and climate change.

MARINE PLAN POLICIES:

The site is not adjacent to but is 175m in a straight line north of the sea shore. The relevant policies of the Marine Plan as listed in the policies section generally require that impacts on the marine environment are (in order of preference) avoided, minimised, or mitigated. In particular, the relevant Marine Plan policies to this location seek to minimise greenhouse gas emissions, ensure that development adapts to impacts arising from climate change, ensure uses coexist with each other, protect wildlife species, and reduce litter in the marine environment. The analysis in the rest of this report demonstrates that there is no conflict with these policies.

#### **HIGHWAY SAFETY & PARKING:**

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

The council's Parking SPD sets out a requirement for this development of 3 allocated spaces and no visitor spaces. The proposal complies with this with 3 frontage spaces. Whilst the additional garage does not meet the size requirements set out in the Parking SPD and so cannot be counted as providing any provision, in practice it could still be used and so technically there is a partial over provision. Cycle storage is to be provided at the rear of the property in a small storage shed.

WSCC Highways raise no objections. It is material that the NPPF only allows for a refusal on highway grounds when there is an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case there will be no such unacceptable or severe impacts. There is no conflict with ALP policy T SP1 or the Parking SPD.

#### **DESIGN AND CHARACTER:**

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

The Arun Design Guide (ADG) is a material consideration and Section J refers to new building design and states new development must ensure the existing character and sense of place of an area is respected and enhanced. This can allow for contemporary design forms but only where these take cues from well-designed elements of the existing area. New development should generally reflect the scale of existing buildings and should avoid overshadowing of neighbouring properties.

This is an area of mixed house types and designs but primarily traditional bungalows or the higher type chalet bungalows with relatively few instances of traditional two storeys. The replacement dwelling will be 1.6m higher than the existing, 0.4m higher than no. 10 and 0.8m higher than no. 18 which is sufficient for it to be read visually as a one and half storey dwelling with the first-floor windows being dormers within the roof. On this basis, the replacement dwelling is appropriate in scale and design with those elsewhere in the streetscene.

As the wider area has a mixed house design/type, it is acceptable for the replacement dwelling to move away from the current front gable end and propose a main ridge with side hips. There are other examples of this and also front hips in the streetscene. It is also clear that other houses in the Layne have developed to (or almost to) their boundaries and so the widening of the dwelling is appropriate.

Furthermore, both of the adjacent dwellings are deeper than they are wide therefore the extra depth is appropriate. There are also instances of front & rear building stagger in the immediate area.

It is stated building materials will reflect many of the existing dwellings in the area and the local environment. It is proposed to use a controlled palette of good quality materials such as a quality facing brick, horizontal weatherboarding (light grey), and grey clay tiles to the pitched roofs.

Overall, there is no conflict with development plan policies in respect of design, character, and layout.

#### RESIDENTIAL AMENITIES:

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

There are no standards given for side to side, but it is normally expected that side windows are discrete, serve secondary rooms/areas and can be obscure glazed without harm to the amenity of future occupiers. Indeed, the ADG states windows and doors should normally be placed in front and rear walls to minimise overlooking of neighbours.

The proposal will have three first floor flank bathroom windows but as noted elsewhere, none of the adjacent dwellings have flank windows that could be affected. A condition will be imposed to require these to be obscure glazed and fixed shut below 1.7m. Despite the changes to the depth of the building, the first-floor front windows will be within the ADG standards as mentioned above with 25-28m to no. 11a diagonally opposite. To the rear, there is some shortfall as the distance to no. 14 is between 17m (southern end of the rear boundary) and 26m (northern end of the rear boundary). However, due to the orientation of 14, as not directly facing the site, no windows will directly overlook each other and therefore mean that there will be no harm to residential amenity in this regard.

The new dwelling will be in broadly the same position as the existing so will not affect light to nearby properties. Whilst it will be deeper to the rear, it will not extend past the building line of adjacent dwellings and so will not impact on a 45-degree line drawn from their principal rear windows (as used to assess light loss). The proposal complies with the relevant development plan policies.

#### QUALITY OF ACCOMMODATION:

As per ALP policy D DM2, it is necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if buildings will be suitable for residential use. Section J.08 of the ADC Design SPD re-iterates this requirement. The proposed 4-bed, 7-person dwelling would have an internal space of 223.68m<sup>2</sup> (including the integral garage) whilst the requirement according to the space standards is 115m<sup>2</sup>. The dwelling considerably exceeds the minimum space standard.

Section H.04 of the ADG sets out standards for garden sizes and requires rear gardens to be a minimum of 10.5m deep and front gardens at least 2m. The proposal provides a rear garden with a depth of between 10.5m & 11m (due to the staggered building line and plot shape) plus a front space of 6-10m. There is no conflict with the ADG.

#### TELECOMMUNICATIONS:

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

#### **TREES AND BIODIVERSITY:**

The site is existing residential garden and is likely to have low potential for biodiversity or species habitat. ALP policy ENV DM4 states TPO protected trees, Ancient Woodland, those in a Conservation Area or trees that contribute to local amenity are not damaged or felled unless the development meets the certain criteria including that the benefits outweigh the loss of trees or woodland. No trees are to be removed and none are protected. The existing trees only have amenity value to the site itself not the streetscene, particularly as the largest of the existing trees is to the rear of the site.

ALP policy ENV DM5 requires proposals achieve a net gain in biodiversity and protect habitats on site. There will be only a limited loss of biodiversity on site as it already hosts human occupation from one dwelling and whilst the replacement dwelling will be larger, it will only result in the loss of low quality grassed garden habitat. However, a condition will be imposed requiring two bird boxes to be provided in order to demonstrate some biodiversity net gain. The plans also show the planting of an apple tree and a planted border in the front garden which is positive. Overall, there is no conflict with ENV DM5.

#### **FLOODING & DRAINAGE:**

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. ALP policy W DM1 states all development within the Lidsey Treatment Catchment Area must be accompanied by a Drainage Impact Assessment that takes account of both the individual and cumulative impact upon foul water disposal, flood storage capacity and surface water drainage or flood flows within the catchment area.

Whilst Middleton Parish Council raise concern regarding surface water flooding, it is material that the site lies in Flood Zone 1 (low risk) and is not affected by future flood risk due to climate change. Furthermore, the council's drainage engineers raise no objections in principle subject to a condition which will seek to control runoff rates and prioritise infiltration to ground over discharge to local sewers. This will reduce the risk of surface water flooding associated with the proposal.

The application does not respond to the requirements of policy W DM1 and so there is a policy conflict. However, it is material that there is no drainage objection (and that engineers refer to the Lidsey Treatment Catchment Area) and that the proposal is for a replacement dwelling so there would have previously been flows to the sewers. Southern Water raise no objection. A refusal due to this policy conflict would not be sustainable.

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

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

The application states that the new property is intended to be of a high energy efficiency, sustainable standard. It will be highly insulated with all glazing to AAA rate as per industry standards and LED lighting throughout. There will be a wood burning stove within the living room and solar panels are to be fitted to the south-east & south-west facing roofs. These details will be secured by condition and a further

condition will secure electric vehicle charge points in accordance with policy QE DM3. Subject to these conditions being discharged, the proposal would comply with policies ECC SP1 and ECC SP2.

**CONTAMINATION:**

ALP Policy QE DM4 states development will be permitted on land that is contaminated as long as remediation is provided. The council's environmental health officer has recommended a standard contamination condition to require remediation should any contamination be discovered. With this condition in place, remediation can be secured should any contamination be discovered and as such the proposal will be in accordance with the policy.

**SUMMARY & TILTED BALANCE:**

This proposal represents an appropriate redevelopment of an existing building plot and does so without compromising the visual amenity of the area or the amenities of existing neighbouring residential occupiers. It is recommended the application be approved in accordance with the following conditions.

**HUMAN RIGHTS ACT**

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

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

**DUTY UNDER THE EQUALITIES ACT 2010**

Duty under the Equalities Act 2010

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

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

**CIL DETAILS**

This is a CIL Liable development. It is in Zone 4 and should permission be granted then a CIL amount of £20,254.98 would be payable unless the applicant applies for exemption subject to the requirements of the CIL Regulations 2010 (as amended). The Parish Council would receive 15% (£3,038.24) of this.

**RECOMMENDATION**



APPROVE CONDITIONALLY

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

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

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

Location and Proposed Site Plan 398/01.  
Proposed Floor Plans 398/03.  
Proposed Elevations 398/05.  
Existing and Proposed Roof Plans 398/06; and  
Street Scenes 398/07.

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

- 3 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents and on-site biodiversity in accordance with policies ENV DM5, QE SP1 and QE DM1 of the Arun Local Plan and the NPPF.

- 4 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.

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

Reason: To ensure that the development is energy efficient and in accordance with policy

ECC SP2 and ECC DM1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until two bird boxes have been placed either on the building or in trees in the garden. These shall then be thereafter retained to the satisfaction of the Local Planning Authority.

Reason: In the interests of securing biodiversity net gain in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

- 7 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

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

- 8 Prior to occupation of the approved dwelling, the applicant or developer shall provide the dwelling with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires all dwellings with a garage or driveway to have EV charging points in 100% of parking spaces with electric ducting provided to all other spaces to provide 'passive' provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the NPPF.

- 9 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.

- 10 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 ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 11 The bathroom windows in the first floor flank elevations of the building shall at all times be glazed with obscured glass and permanently fixed to be non-opening above an internal floor to ceiling height of 1.7m.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

- 12 The landscaping details shown on the proposed site plan drawing 398/01, shall be carried out in the first planting and seeding season, following the occupation of the building or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 13 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.

- 14 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'.

- 15 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read the New Connections Services Charging Arrangements documents via <https://beta.southernwater.co.uk/infrastructurecharges>.
- 16 INFORMATIVE: To prevent impacts to the amenities of future occupiers of the proposed dwelling and occupiers of neighbouring dwellings, the development should be carried out in accordance with the 'Arun District Council Construction Code of Practice: For small developments in Arun', as available upon request from [pollution@arun.gov.uk](mailto:pollution@arun.gov.uk).
- 17 INFORMATIVE: Should any asbestos be found then the developer shall handle/manage it in accordance with HSE guidelines and The control of Asbestos regulations 2012.
- 18 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 19 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc ) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

## BACKGROUND PAPERS

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

**M/126/22/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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