

PLANNING APPLICATION REPORT

REF NO: WA/6/23/PL

LOCATION: Land West of Tye Lane
Walberton

PROPOSAL: Variation of condition following APP/C3810/W/3278130 (WA/68/20/OUT) relating to Condition Nos 8 - foul drainage and 14 - surface water drainage scheme/system.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above.

Condition 8 is currently worded as follows:

"Prior to the commencement of development, including any works of demolition, 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."

Proposed wording:

"Prior to the commencement of development, including any work of demolition, details of the 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 each relevant dwelling or dwellings shall not be occupied until works for the disposal of sewage have been implemented for each relevant dwelling or dwellings in accordance with the approved details".

Condition 14 is currently worded as follows:

"No part of the development shall be first occupied until as-built drawings of the implemented surface water drainage scheme/system together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawings and is fit for purpose have been submitted to and approved in writing by the local planning authority"

Proposed wording:

"a) Immediately following implementation of the approved surface water drainage system for each design catchment and prior to occupation of any part of the development which that

catchment serves, the developer/applicant shall provide the local planning authority with as-built drawings of the fully implemented scheme, together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. Where the design catchment is defined by ability of the system to operate in isolation from other approved design areas.

b) Prior to occupation of the final dwelling the developer/applicant shall provide as-built drawings of the full implemented scheme, together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity"

SITE AREA

7.6 hectares.

RELEVANT SITE HISTORY

WA/94/22/PL	Variation of conditions following WA/68/20/OUT relating to Condition Nos 8 - foul drainage, 14 - surface water drainage scheme/system and 19 - decentralised and renewable or low carbon energy.	Refused 09-01-23
WA/68/20/OUT	Outline application with all matters reserved, other than means of access, for the construction of up to 155 No. dwellings (30% affordable homes) & amendment to boundary of garden land to serve adjoining property. This application affects the character & appearance of the Walberton Village Conservation Area, may affect the setting of listed buildings & is a Departure from the Development Plan.	Refused 12-01-21 Appeal: Allowed+Conditions 22-07-22
WA/126/22/RES	Approval of reserved matters following WA/68/20/OUT for construction of 131 No homes (30% affordable homes) and associated works. This application is a Departure from the Development Plan, may affect the setting of listed buildings, may affect the character and appearance of the Walberton Village Conservation Area and is in CIL Zone 3 and is CIL Liable as new dwellings.	ApproveConditionally 10-03-23

The outline application with all matters reserved, other than means of access for the construction of up to 155 no. dwellings was approved through the appeal process on 25th July 2022 (APP/C3810/W/3278130). A Reserved Matters application was recently approved at Committee on the 8th of March 2023 (WA/126/22/RES).

If approved, this Section 73 application will create a new planning decision and where necessary, conditions for both the Outline approval and Reserved Matters application must be amalgamated into the new approval, in order to retain an appropriate level of control over proposed development on site.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Walberton Parish Council - Objection.

- Increased flood risk to the village through loss of the natural drainage of the fields.
- We remain concerned that the sewage system will be unable to cope with the increased load from this number of dwellings.
- We have yet to see a formal plan from Southern Water describing exactly how they propose addressing these issues which have the potential to severely impact human health and the environment. Without this, the sustainability of developments of this scale cannot be satisfactorily demonstrated.

WSSC Lead Local Flood Authority- No objection.

WSSC Highways - No Highway comments are offered on the application.

ADC Drainage Engineers - No objection to proposed rewording of conditions.

Southern Water - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and discussed in the conclusions below.

DEVELOPMENT PLAN POLICIES

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

- WDM2 W DM2 Flood Risk
- WDM3 W DM3 Sustainable Urban Drainage Systems

[Walberton Neighbourhood Plan Policy 2017 VE7](#) Surface Water Management

PLANNING POLICY GUIDANCE:

- NPPF National Planning Policy Framework
- NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The relevant policies in the Walberton Neighbourhood Plan 2019- 2031 have been taken into account.

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."

Section 70(2) of TCPA 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, 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.

The proposal complies with relevant Development Plan policies in that the amendments to the planning conditions accord with relevant planning policies and will not result in adverse drainage problems.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

The application seeks to vary conditions 8 and 14 of WA/68/20/OUT approved at appeal under APP/C3810/W/3278130. No other alterations to the approved outline scheme are proposed, and all other matters approved under WA/68/20/OUT and WA/126/22/RES remain unaltered. These conditions were imposed by the Inspector in approving WA/68/20/OUT.

CONDITON 8 FOUL DRAINAGE:

Policy W DM1(2) requires major development to provide adequate foul drainage capacity where it does not already exist and requires that facilities are adequately upgraded prior to the completion and occupation of development.

The current condition wording seeks the submission of the whole foul drainage submission, and its implementation in full before any dwelling is occupied.

The internal sewage systems will be constructed in stages in accordance with the phasing of the construction of houses. The District Council agrees that condition 8, as currently worded, does not meet the reasonableness test as the trigger should be staged in accordance with the construction programme. The suggested rewording achieves this and SW raises no objection to this rewording.

The Parish Council have objected to this application stating that the increase load from the new dwellings will overpower the foul network, they have also objected as currently Southern Water have not issued formal proposals of the new sewer network to be provided in support of the new development. Southern Water have stated that they are in the process of designing and planning delivery of off site sewerage network reinforcements, and have committed to limit the timescales to a maximum of 24 months from a firm commitment of the development and hold no objection to the variation of condition 8.

Once an application to discharge said condition is submitted, this Authority will have the ability to ensure that drainage capacity is adequate and that works to upgrade the sewer network are completed prior to each dwelling(s) occupation. The condition therefore accords with Policy W DM1 of the Arun Local Plan.

CONDITION 14 SURFACE WATER DRAINAGE

Policy W DM2 of the Arun Local Plan relates to flooding and requires development to take account of

Surface Water Management Plans. Policy W DM3 seeks to increase the surface water capture ability of development and sets out of the relevant criteria for Sustainable Urban Drainage Systems (SUDS) within the area.

Policy VE7 of the Walberton Neighbourhood plan requires surface water to be appropriately managed onsite so that the risk of flooding both on-site and downstream is not significantly increased.

The design of the Surface Water Drainage Scheme (SUDS) is controlled under condition number 9 of the same permission.

The current condition wording states that the development shall not be first occupied until the sites drainage has been implemented. In line with observations on the current wording of condition 8 condition 14 fails to meet the reasonableness test as the trigger point should be staged in accordance with the construction programme.

The proposed rewording of this condition was suggested by ADC Drainage Engineers when consulted as part of the recently refused WA/94/22/PL. As the condition's aim is to satisfactorily ensure that the approved surface water drainage scheme has been built in accordance with plans, and is 'triggered' in line with the phasing of the development. The variation is considered reasonable and the of the condition accords with policies W DM2 and W DM3 of the Arun Local Plan and VE7 of the Walberton Neighbourhood Plan.

SUMMARY:

It is recommended that this application is approved. The variation of both conditions is both reasonable and accords with relevant local and neighbourhood plan policies.

The variation of the Section 106 should be completed within 3 months on confirmation of delegated authority, The Committee is recommended to give the Chairman and Group Head of Planning delegated authority to issue a decision once a completed and signed variation of the Section 106 is submitted to this Authority.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

WA/68/20/OUT included a section 106 agreement relating to the quantity and phasing of affordable housing, social housing and open space, and works to highways and contributions for highway improvements. As this Section 73 application creates a new permission, there is a requirement to seek a variation of the Section 106 so as to tie it in with this approval. We are currently seeking agreement with the agent to carry this out.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

1 The development hereby permitted shall be begun before the 25th of July 2027.

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:

- Drawing Number LP.01 Rev. P3 (Site Location Plan);
- Drawing Number 041.0071.001 Rev. A.
- Drawing Number 041.0071.004 - Visibility Splay and Junction Improvements at The Street/Tye Lane Junction.
- Drawing No. 041.0071.006 - Potential Footway Link on Tye Lane.

And with plans approved under WA/126/22/RES:

Site Layout - 210824/SL01/SL rev X

Site Layout Parking Plan 210824/SL06/O rev K

Colour Site Layout - 210824/SL02/CSL rev K

Storey Heights Plan - 210824/SL03/SH rev J

Dwelling Types Plan - 210824/SL04/DT rev K

Tenure Plan - 210824/SL05/TP rev J

Refuse Plan - 210824/SL07/RP rev J

Boundary Treatment Plan - 210824/SL09/BT rev J

Fire Strategy Plan - 210824/SL10/FS rev K

M42(2)/M4(3) Plan - 210824/SL11/M4(2) rev L

Site Layout Materials Plan 210824/SL08/MP rev L

Coloured Street Scenes - Sheet 1 of 2 210824/CSS/01 rev E

Coloured Street Scenes - Sheet 2 of 2 210824/CSS/02 rev D

ALD Elevations and Floor plans - 210824/HT/ALD/EP rev C

ALD (Render) Elevations and Floor plans - 210824/HT/ALD-R/EP rev B

CON Elevations and Floor plans - 210824/HT/CON/EP rev C

CON (Flint) Elevations and Floorplans 210824/HT/CON-F/EP rev B

BEL (FLINT) FLOOR PLANS AND ELEVATIONS 210824/HT/BEL-F/EP

BEL (Render) Elevations and Floor plans - 210824/HT/BEL/M4(3)-R/EP Rev B

BUC (Flint) Elevations and Floorplans 210824/HT/BUC-F/EP rev B

BUC Elevations and Floorplans 210824/HT/BUC/EP rev A

House Type BUC (Render) Elevations and Floorplans 210824/HT/BUC-R/EP rev A

PEN (Flint) Elevations and Floor plans - 210824/HT/PEN-F/EP Rev B
 FOX Elevations and Floor plans - 210824/HT/FOX/EP rev A
 FOX (Flint) Elevations and Floor plans - 210824/HT/FOX-E-F/EP Rev A
 House Type FOX (Flint) Elevations and Floorplans 210824/HT/FOX-F/EP rev C
 FAI Floor Plans and Elevations - 210824/HT/FAI/EP REVA
 HT FRE Floor Plans and Elevations - 210824/HT/FRE/EP
 HT HAZ Floor Plans and Elevations - 210824/HT/HAZ/EP REVA
 HT MAR Floor Plans and Elevations - 210824/HT/MAR/EP REVB
 FRA Floor Plans and Elevations - 210824/HT/FRA/EP REVB
 FRA (Render) Floor Plans and Elevations - 210824/HT/FRA-R/EP REVA
 HT PRI Floor Plans and Elevations 210824/HT/PRI/EP REVA
 HT SH51 Floor Plans and Elevations - 210824/HT/SH51/EP REVD
 HT SH52 Floor Plans and Elevations - 210824/HT/SH52/EP REVD
 HT SH55 FLOOR PLANS AND ELEVATIONS 210824/HT/SS55/EP REVD
 Single Garage Floor Plans and Elevations - 210824/AB/SG/EP
 Twin Garage Elevations & Plans - 210824/TG/EP
 Sub Station Floor Plans and Elevations 210824/AB/SUB/EP
 Soft Landscaping sheet 1 - BDWS23688 11
 Soft Landscaping sheet 2 - BDWS23688 11
 Soft Landscaping sheet 3 - BDWS23688 11
 Soft Landscaping sheet 4 - BDWS23688 11
 Soft Landscaping sheet 5 - BDWS23688 11
 Soft Landscaping sheet 6 BDWS23688 11
 Hard landscaping sheet 1 - BDWS23688 12
 Hard Landscaping sheet 2 - BDWS23688 12
 Hard Landscaping sheet 3 - BDWS23688 12
 Hard Landscaping sheet 4 - BDWS23688 12
 Hard Landscaping sheet 5 - BDWS23688 12
 Hard Landscaping sheet 6 - BDWS23688 12
 Hard Landscaping sheet 7 - BDWS23688 12
 Open Space sheet 1 - BDWS23688 20
 Open Space sheet 2 - BDWS23688 20
 Open Space sheet 3 - BDWS23688 20
 Open Space sheet 4 - BDWS23688 20
 Open space sheet 5 - BDWS23688 20
 Play area proposal BDWS23688 20 Sheet 1
 Drainage Strategy BSO/E5004/003 H
 Levels Strategy - BSO-E5004-008 H
 Typical SuDS Construction Details BSO/E5004/004 E
 Highway Layout Review BSO/E5004/005 F
 Refuse Vehicle Swept Path Analysis BSO/E5004/006 J
 Fire Tender Swept Path Analysis BSO/E5004/007 H
 Indicative Street Lighting Strategy BSO/E5004/012 C
 Arboriculture Implications Assessment RCo232 rev 02
 Tree Protection Drawing RCo232/02 rev 04

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D SP1 and D DM1 of the Arun Local Plan.

- 3 Prior to the commencement of development, including any works of demolition, a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for approval and will be based on the recommendations within the supporting Ecological

Mitigation and Enhancement Statement (Rev. 03) dated 18th September 2020 and the Phase 2 Ecology Surveys (Rev. 03) dated 18th September 2020. All approved details shall then be implemented in full and in accordance with the agreed timings and details and thereafter retained.

The LEMP shall include but not be restricted to:

- The creation of a wildflower meadow along the western, southern and eastern boundaries of the site;
- New species rich native hedgerows and trees to be planted along all boundaries of the site;
- Timings for clearance of trees or scrub to avoid impacts on breeding birds;
- Details of compensatory and additional tree planting along the boundaries of the site;
- Details and locations of bird and bat boxes;
- Details and locations of hedgehog boxes/houses;
- Details and locations of the reptile hibernacula within the reptile receptor area
- Should the detailed layout of the site require the removal of further trees which have the potential to support bats, a climbed tree inspection survey will be required.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy in accordance with Arun District Local Plan policies ENV DM5 and ENV SP1. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 4 Prior to the commencement of development, including any works of demolition, a site walkover survey should be carried out to investigate whether badgers are using the site. The survey should take place no more than 1 month prior to the commencement of works. If an active sett(s) is found, then no development shall commence until Natural England shall have been consulted and a mitigation strategy shall have submitted to and approval in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved mitigation strategy.

Reason: To conserve the wildlife interest of an important natural habitat in accordance with policies ENV SP1 & ENV DM1 of the Arun Local Plan.

- 5 The proposed development shall be built in accordance with the submitted Construction Environmental Management Plan approved under WA/117/22/DOC.

Reason: 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 have the construction site set-up agreed prior to access by construction staff.

- 6 Prior to the commencement of development, including any work of demolition, details of the 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 each relevant dwelling or dwellings shall not be occupied until works for the disposal of sewage have been implemented for each relevant dwelling or dwellings 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. This is required to be a pre-commencement condition because it is necessary to implement the foul water drainage system prior to commencing any building works.

- 7 Prior to the commencement of development, including any works of demolition, full details of

the proposed surface water drainage scheme/system shall have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No dwelling shall be first occupied until the complete surface water drainage scheme/system serving that property has been completed in accordance with the approved details.

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 Prior to the commencement of development, including any works of demolition, details shall 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 runoff values. 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.

- 9 Prior to the commencement of development, including any works of demolition, full details of the maintenance and management of the surface water drainage system, set out in a site-specific maintenance manual, shall be submitted to and approved in writing by the Local Planning Authority. The manual shall include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. The approved surface water drainage system shall thereafter be maintained in accordance with the approved details.

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.

- 10 The development shall be implemented in accordance with the Employment and Skills Plan approved under WA/117/22/DOC.

Reason: In accordance with Policy SKILLS SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as it relates to the construction phase of development and to ensure measures are in place so that local crafts people and apprentices are employed on the development.

- 11 The development shall be implemented in accordance with The Written Scheme of Investigation for Archaeological and Geoarchaeological Evaluation (ASE October 2022) approved under WA/117/22/DOC.

Reason: To enable items of archaeological interest to be recorded in accordance with the policy HER DM6 of the Arun Local Plan.

12 a) Immediately following implementation of the approved surface water drainage system for each design catchment and prior to occupation of any part of the development which that catchment serves, the developer/applicant shall provide the local planning authority with as-built drawings of the fully implemented scheme, together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. Where the design catchment is defined by ability of the system to operate in isolation from other approved design areas.

b) Prior to occupation of the final dwelling the developer/applicant shall provide as-built drawings of the full implemented scheme, together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained 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.

13 No part of the development shall be first occupied until provision has been made within the site in accordance with plans and details to be first submitted to and approved in writing by the Local Planning Authority to prevent surface water draining onto the public highway.

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.

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

Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun District Local Plan Policy QE SP1.

15 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved details shown on approved Drawing No. 041.0071.001 Rev. A

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

16 No part of the development shall be first occupied until footway improvements are provided in accordance with approved Drawing No. 041.0071.004 - Visibility Splay and Junction Improvements at The Street/Tye Lane Junction and Drawing No. 041.0071.006 - Potential Footway Link on Tye Lane.

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

17 The development shall be implemented in accordance with the submitted details and timetable relating to decentralised and renewable or low carbon energy sources, Energy and Sustainability Report Tye Lane, Walberton (prepared by Environmental Economics Ltd) approved under WA/4/23/DOC. The measures implemented shall be 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.

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

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

- 19 The development shall be constructed in accordance with the letter dated 17th January 2023 and the accompanying Fast Charging Solo 3 - Domestic Install Guide (prepared by Pod Point), so that every dwelling that has a private driveway will have a wall mounted charger (Solo 7kW (Domestic) active) and every dwelling that has off plot parking will have an allocated freestanding charging points (Solo 7kW (Domestic) active). The charge points shall thereafter be permanently retained and maintained in good working condition.

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

- 20 The development hereby permitted shall be carried out in accordance with the soil handling measures and the proposed use of on-site soils as set out in the indicative Soils Resource Strategy & Sustainability Options Appraisal, prepared by Henry Adams LLP in June 2021.

Reason: To protect the quality of the environment in accordance with policies QE SP1 and QE DM4 of the Arun Local Plan.

- 21 Should any contamination be found during the course of construction, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A Preliminary Risk Assessment which has identified: all previous (historical) uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; potentially unacceptable risks arising from contamination at the site.
2. A Site Investigation Scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. Based on the Site Investigation Scheme and the detailed risk assessment (2), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A Verification Report 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.

5. Any changes to these components, (1) to (4) require the express written consent of the Local Planning Authority.

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

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

22 The development shall proceed in accordance with the submitted document - Materials Management Plan - Minerals February 2023 Ref ST18292 0005 V2, approved under WA/117/22/DOC.

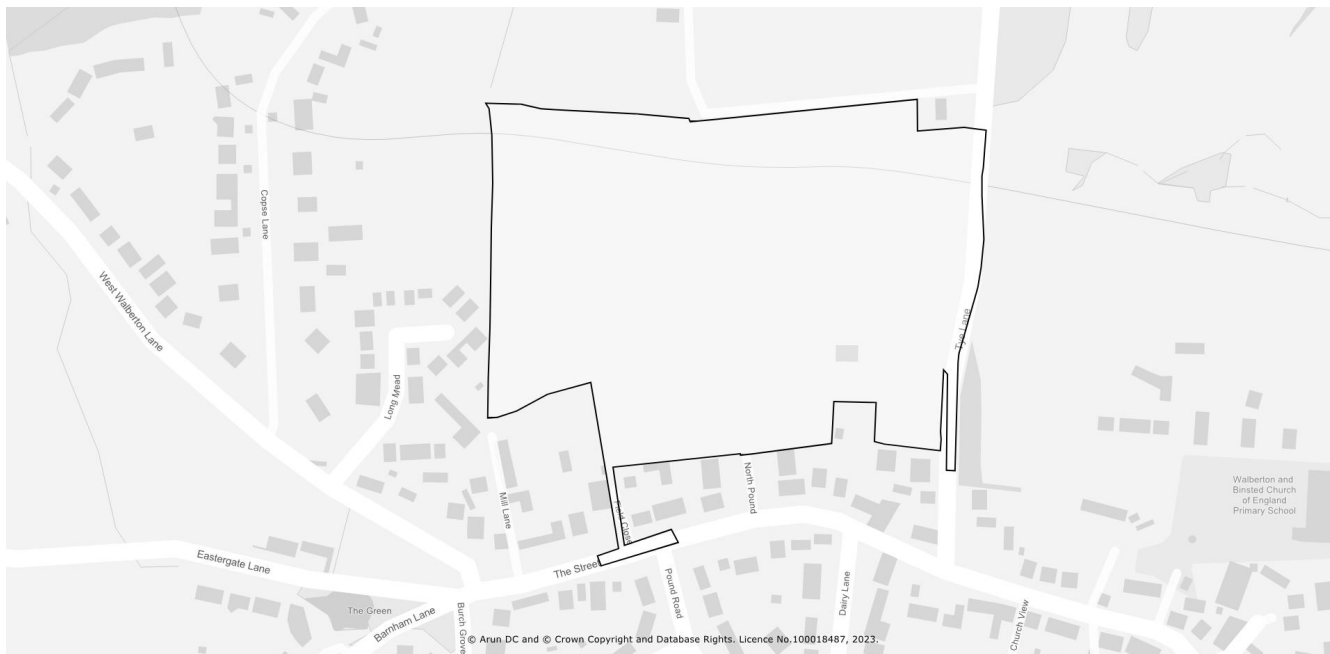
Reason: To ensure the incidental extraction and recovery of any underlying safeguarded mineral resource, where practicable, in accordance with Policy M9 of the West Sussex Joint Minerals Local Plan (JMLP) and the National Planning Policy Framework.

23 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.

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)

WA/6/23/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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