

PLANNING APPLICATION REPORT

**REF NO:** CM/24/23/PL

**LOCATION:** Bramleys  
Horsemere Green Lane  
Climping  
BN17 5QZ

**PROPOSAL:** Removal of caravan site and 4 static holiday caravans and erection of 2No. new detached dwellings with garages along with car parking and use of existing access. This application is in CIL Zone 3 and is CIL Liable as new dwellings and is a Departure from the Development Plan. (Resubmission of CM/10/23/PL).

**SITE AND SURROUNDINGS**

**DESCRIPTION OF APPLICATION** The proposal is to construct 2 No. 1.5 storey dwellings on the site following the removal of the existing 4 No. static holiday homes on the site.

Plot 1 includes a 4-bedroom 1.5 storey dwelling with 3 No. small front and rear, pitched gabled dormers, single storey rear projection and detached garage.

Plot 2 is a 1.5 storey, 3-bedroom bungalow with a lower height than that of plot 1. It includes 3 No. front rooflights and 2 No. small rear, gabled dormers.

Access for both dwellings is to emanate from the existing site access point from Horsemere Green Lane, in the north-eastern corner of the site, and both plots include rear amenity spaces and driveways.

Both dwellings will be traditionally styled and include brick with tile-hanging to elevations.

**SITE AREA** 0.1 hectares.

**RESIDENTIAL DEVELOPMENT DENSITY** 20 dwellings per hectare.

**TOPOGRAPHY** Predominantly flat.

**TREES** No protected trees on site. Mature trees to front site boundary.

**BOUNDARY TREATMENT** Wooden boundary fencing with sporadic hedging.

**SITE CHARACTERISTICS** Static caravan park for holiday use.

**CHARACTER OF LOCALITY** Residential and caravan parks to the South-west of Horsemere Green Lane. Agricultural land to the North.

**RELEVANT SITE HISTORY**

CM/10/23/PL	Removal of caravan site and 4 No. static holiday homes and erection of 2No. new detached dwellings with garages along with car parking and use of existing access. This application is in CIL Zone 3, is CIL Liable as new dwellings and is a Departure from the Development Plan.	Refused 20-04-23
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## REPRESENTATIONS

Clymping Parish Council - Objection:

- This is an infill and an overdevelopment of the site contrary to the local plan and Clymping Neighbourhood Plan.
- Concerns of inadequate density.
- Concerns of relationships to existing dwellings.
- Concerns of the loss of greenspace.
- Concerns of sewer drainage and surface water drainage.
- Unsure if drainage issues are adequately addressed in the absence of engineer comments.
- Concerns of highway safety.
- Concerns of lack of visitor parking.

1 No. No objection from nearby occupier:

- Concerns regarding the impacts of biodiversity, with particular regard to the hedge at the shared West site boundary.

## COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. Material planning issues are discussed in the conclusions section below.

## CONSULTATIONS

### CONSULTATION RESPONSES RECEIVED:

Please see full comments on the Arun website.

WSSC Highways - Advice:

- The proposal utilises the existing vehicular access which appears unmade. The applicant may wish to alter the access to a hardstanding. Any access alterations at the adjoining point with Horsemere Green Lane would require a license from WSSC Highways and agreed with them.
- The width of the access would only allow one vehicle at a time but given the number of units this is not detrimental.
- The existing access has been used for some time and is absent of any evidence of highway safety issues. There is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate any existing safety concern.
- The access gate is a replacement. The new gate should open inwards.
- The proposed parking provision is in accordance with Arun Parking Standards and relevant internal garage dimensions per WSSC parking guidance.
- There is adequate turning provision on site.
- EV Charging points may be covered by Building Regulations. Conditions for such facilities are for the

planning department to consider whether necessary.

- The proposed cycle storage is acceptable.
- The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.
- Conditions regarding vehicular parking and turning and cycle storage requested.

ADC Engineers - No objection:

- Whilst the applicant has supplied a Drainage Strategy Report, this does not meet our design requirements to avoid conditions being applied to the permission.
- If you are minded to approve the application, please do not list the drainage strategy and apply standard conditions PCENGD2 and PCENGD3 to ensure that the development is adequately drained and does not increase flood risk elsewhere.
- The 3m easement from the watercourse on the northern boundary is shown on the plans and the existing vegetation and trees within the banks of the watercourse are proposed for removal. We are supportive of this and are pleased to see that there is no proposed planting within the easement. However, please consult the tree officer to ensure that the proposal is acceptable in arboricultural terms.

Ecology advisor - No objection:

- We have reviewed the submitted ecological information and are satisfied that there is sufficient ecological information available for determination of this application.
- This submission has now addressed previous concerns.
- We recommend non-licensed precautionary mitigation measures relating to the works and Great Crested Newts are detailed within a Construction Environmental Management Plan (CEMP): Biodiversity and secured by a condition of any consent. Additionally, as stated within the revised PEA, the CEMP: Biodiversity should include mitigation details relating to reptiles, dust, noise, vibration, lighting, site clearance and ditch preparation.
- We are satisfied with the documents assessment of the ditch in relation to the absence of Water Voles and Otter.
- The mitigation measures identified in the Revised Ecological Assessment (Peach Ecology, April 2023) should be secured by a condition of any consent and implemented in full.
- We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. It is recommended that this could also include provision of integrated bat and bird boxes, and Hedgehog friendly fencing.
- We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.
- Should any external night-time lighting be required, then a wildlife sensitive lighting design scheme should also be secured by a condition of any consent.
- Recommended conditions regarding submitted mitigation and enhancement measures, Construction environmental management plan, and a Biodiversity Enhancement Strategy.

Tree Officer - No response.

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

Comments noted. Conditions regarding drainage, EV charging, cycle and parking provision have been attached as recommended.

After the Ecologists advice was received, the submitted ecological information was found to have inconsistencies regarding the planting to the North of the site relative to other documents. As such, an amended ecological assessment has been provided and the Council's Ecologist have since been re-consulted. We await further comments to confirm whether or not the amended ecological assessment remains sufficient.

**POLICY CONTEXT**

Designation applicable to site:  
 Outside Built-up Area Boundary.  
 Special control of adverts.

**DEVELOPMENT PLAN POLICIES**

Arun Local Plan 2011 - 2031:

- SDSP2 SD SP2 Built-up Area Boundary
- CSP1 C SP1 Countryside
- DSP1 D SP1 Design
- DDM1 D DM1 Aspects of form and design quality
- DDM2 D DM2 Internal space standards
- ECCSP2 ECC SP2 Energy and climate change mitigation
- ENVDM4 ENV DM4 Protection of trees
- ENVDM5 ENV DM5 Development and biodiversity
- QESP1 QE SP1 Quality of the Environment
- TSP1 T SP1 Transport and Development
- WDM2 W DM2 Flood Risk
- WDM3 W DM3 Sustainable Urban Drainage Systems

- Clymping Neighbourhood Plan 2015 Policy CPN8 Protection of Trees and Hedgerows
- Clymping Neighbourhood Plan 2015 Policy CPN11 Quality of Design
- Clymping Neighbourhood Plan 2015 Policy CPN12 Reducing the risk of flooding
- Clymping Neighbourhood Plan 2015 Policy CPN14 Traffic and the Environment

**PLANNING POLICY GUIDANCE:**

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

**SUPPLEMENTARY POLICY GUIDANCE:**

- SPD13 Arun District Design Guide (SPD) January 2021
- SPD11 Arun Parking Standards 2020

**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.

All relevant policies from the Clymping Neighbourhood Development Plan have been considered.

## 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 it constitutes an acceptable infill and back-land development that is in keeping with the visual amenity and character of the area, and does not compromise residential amenity.

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.

## CONCLUSIONS

### PRINCIPLE

The key development plan policy considerations for this proposal are SD SP2 (Built-up Area Boundaries), C SP1 (Countryside), D SP1 (Design), D DM1 (Aspects of Form and Design Quality), D DM2 (Internal Space Standards), T SP1 (Transport and Development), ECC SP2 (Energy and Climate Change mitigation), W DM2 (Flood Risk), W DM3 (Sustainable Urban Drainage Systems), QE SP1 (Quality of the environment), ENV DM4 (Protection of trees), ENV DM5 (Development and Biodiversity) of the Arun Local Plan (ALP), and policies CPN8, CPN11, CPN12 & CPN14 of the Clymping Neighbourhood Development Plan (CNP).

Policy SD SP2 states that 'Development should be focused within the Built Up Area Boundaries (BUAB) and will be permitted, subject to consideration against other policies of this Local Plan'. The village of Clymping does not have a Built-up Area Boundary and so the site is not in a BUAB and in conflict with Policy C SP1. However, the site is adjoined by residential development on all sides and is currently in residential use.

Policy C SP1 states that Outside the Built-Up Area land will be defined as countryside and will be recognised for its intrinsic character and beauty. There are then six caveats which allow development to be permitted, or it can be permitted where development refers to a specific use or type of development that is covered by another policy. This application for new dwellings does not meet any of the criteria thus it does not accord with Policy C SP1 of the ALP.

The NPPF directs authorities to have a presumption in favour of sustainable development when

determining applications. For decisions this means approving an application where it accords with an up-to-date Development Plan (paragraph 11(c)), or, where policies of most relevance are out of date, approving applications unless the level of harm significantly and demonstrably outweighs their benefits (paragraph 11(d(ii))). The Council cannot demonstrate a 5-year supply of deliverable housing sites, and policy SD SP2 of the ALP is, therefore, out of date and triggers the NPPF 'tilted' balance.

The Arun Design Guide (ADG), Section P in particular, is also of relevance. This Guidance seeks to ensure that development:

- Reflects or improves the character of the site and the surrounding area.
- Minimises the impact on neighbouring land/residents.
- Provides appropriately sized internal space standards.
- Provides safe access on to the highway network and incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision.

Matters relating to Design and Character, Amenity, Quality of Accommodation, Access and Parking, Biodiversity, Flooding are discussed below to allow a determination as per the tilted balance.

## DESIGN AND CHARACTER

Policy D DM1 of the ALP requires that development proposals should reflect the characteristics of the local area by amongst other things in terms of character and appearance. Section P of the ADG provides additional context for this assessment.

Policy CPN11 of the CNP seeks to ensure that development is in keeping with its location so as to protect and enhance the character of the locality. Good design is considered to mean 'responding to and integrating with the local built environment and landscape context as described in the Clymping Character Assessment'. The policy then sets out various other characteristics of good design for Clymping.

The site, positioned on the south side of Horsemere Green Lane, is surrounded on three sides by residential accommodation and long-term holiday letting accommodation. Existing properties fronting the lane vary in character, to the east is a pair of low-pitched roof bungalows, open fronted with built form situated adjacent to the highways edge. To the west is a two-storey detached (with dropped eaves) dwelling, set back from the road frontage (Kimberley).

Proposed Plot 1 is designed to mimic Kimberley in all design details including an equal ridge and eaves height, 3 small front dormers and central porch covered by a catslide roof. The frontage of Plot 1 will create a balanced appearance to the street scene, with the two existing bungalows creating a pair and Kimberley and Plot 1 creating a second pair of matching properties to this immediate location. In terms of character Plot 1 is well integrated into the street scene as a result of an appropriate design, scale and space about the building. It is noted that Plot 1 would feature facing brickwork, contrasting the off-white render at Kimberley however, facing brickwork is a common material within the locality and this will serve to add an element of contrast and interest within the pair, as opposed to being a direct copy.

As back land development, the ADG requires Plot 2 to be a subservient form of development relative to its neighbours whilst retaining an appropriate level of amenity space. Unlike Plot 1, Plot 2 will have a limited influence on the character of the area. Proposed Plot 2 would be set behind Plot 1 and bungalows on Wooldridge Walk to the East and South (Pippins & No.26 Wooldridge Walk). Plot 2 is a low height 1.5 storey dwelling at approx. 6.3m in height which is approx. 0.6m higher than either of the bungalows along Wooldridge Walk. When viewed from Horsemere Green Lane, Plot 2 would be entirely hidden from view by Plot 1. It is to note that the separation of Plot 2 from the other neighbouring dwellings would also contribute to limiting any views of the dwelling from Wooldridge Walk. There would be very limited views

of Plot 2 from Wooldridge Walk as it would be hidden by Pippins and No.26 Wooldridge Walk. No significant harm on the character of the area will arise given it is predominantly hidden from view.

In terms of appearance, Plot 2 differs to those surrounding it as a chalet bungalow with two bedrooms in the roof space. Given Plot 2 does not have a street presence no harm will arise from this. In terms of materials the property will be constructed of brick elevations and a tiled roof (as is Plot 1). These materials are common to the area.

Boundary treatments which are noted as being existing and retained. As 1.8m fence/wall are a feature of the area, proposed rear and side boundaries which are of similar appearance and scale will not be incongruent. To the front of the site, the boundary boasts tree and hedge planting which is to be removed to facilitate appropriate drainage measures. The front boundary proposed is to be a 1.2m post and rail fence, this is complementary to the semi-rural local and is a feature found to the frontage of Kimberley.

In terms of design and character, the proposed development causes no significant harm and accords with policies D DM1 & D SP1 of the ALP, Policy 11 of the CNP, and Section P of the ADG.

## RESIDENTIAL AMENITY

ALP policies D DM1(3) and QE SP1 indicate that development will be permitted if it does not result in significantly adverse impacts on adjoining occupiers, land, use or property, and requires development to contribute positively to its environment.

Section P of the ADG states 'back land developments should demonstrate an understanding of any potential effects on the character and amenities of the neighbouring urban area. Generally, back land developments should be subservient to existing properties, and their layout should seek to maximise the outlook of neighbours.'

Section H of the ADG states that amenity spaces should be of an appropriate size with rear garden depths of 10.5m but smaller gardens with adequate daylight and privacy may also be acceptable in certain circumstances, when justified.

In this instance rear garden depths are 11.5m. Their depth is above recommended levels and comparable to other gardens in the area. They also boast substantial widths and are clearly functional amenity spaces.

In terms of protecting privacy and reducing overshadowing, the ADG sets out recommended separation distances between dwellings. There is a front to rear relationship between Plot 2 and Pippins of 15.7m and a side to rear relationship between Plot 2 and Nos 25 and 26 Wooldridge Walk of approx. 12m. The ADG does not set out front to rear separation gaps, however in rear to rear relationships 21m is required as a minimum to protect the privacy of both properties. The 15m is considered sufficient in this instance. There are rooflights serving habitable rooms which would face toward the rear rooms of Pippins, however these rooflights are above 1.7m from finished floor level and as such, do not provide harmful views. The side to rear relationship is slightly lower than the distance of 14m stipulated within the ADG, however, there are no first-floor side facing windows to Plot 2, so the privacy of Nos. 25 and 26 will not be compromised. Additionally, the separation distances and height of Plot 2 are such that there would not be any significantly adverse impacts of overshadowing on these neighbours.

To the west, the dormer windows of Plot 2 face towards an existing holiday mobile home park, with one mobile home within 12.9m. This mobile home did have a section facing the application site which could be compromised by the proposed first floor windows. As the caravan park is for seasonal use only, despite ADG separation guidelines being breached the impact will not be regular and uninterrupted due

to the temporary use of the mobile homes.

The proposed buildings are orientated at right angles to each other so as not to compromise each other's privacy. Additionally, the rear to side relationship between Plot 1 and 2 is approx. 16m and views into Plot 2's garden from Plot 1 would be sheltered by their garage, which is located to the southern boundary of Plot 1.

Due to the reduced ridge height and northerly orientation, Plot 2 will not be overbearing on Nos. 25 and 26 Wooldridge Walk as per the effects of the proposal on Nos. 27 and 28 from Pippins.

The proposed dwellings will therefore, not significantly and negatively impact adjoining neighbours. The proposal accords with policies D DM1 & QE SP1 of the ALP, and sections P & H of the ADG.

#### QUALITY OF ACCOMODATION

Policy D DM2 requires new dwellings to accord with the Nationally Described Space Standards. For a 4-bedroom, 7 person dwelling over two floors it requires there to be 115sqm, Plot 1 is 145sqm approx. For a 3-bedroom, 5 person dwelling over two floors it requires 93sqm, Plot 2 is approx. 114sqm. Additionally, both dwellings feature floor to ceiling heights that are over 2.3m.

Both dwellings exceed the standards and as such the proposal accords with Policy D DM2 of the ALP.

#### HIGHWAY SAFETY & PARKING

Policy T SP1 of the ALP discusses transport issues including safe highway access. Policy CPN14 of the CNP seeks to reduce traffic impact from development on the local community and its environment and improve accessibility and safety for travel around the parish for drivers, pedestrians and cyclists.

Regard should also be had to paragraph 111 of the NPPF which states that: 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

The proposals would utilise an existing access onto Horsemere Green Lane measuring 3.2m wide. WSCC Highways have noted that this measurement is lower than the required distance of 4.1m to allow two vehicles to pass one another. Given the access point will serve only two dwellings this will not result in unacceptable conflict. No visibility splays have been provided however, it is noted that the access has served 4 caravans without incident for many years and is therefore acceptable.

The scheme provides adequate turning and parking provision for each house in accordance with the Arun Parking Standards. Plot 1 has a garage with 2 parking spaces and Plot 2 a garage and 1 parking space. The garages have an internal floor area of 6m by 3m which also accords with Section I of the ADG.

Adequate cycle storage space is accommodated next to the proposed garages and electric vehicle charging points are required and to be secured by way of condition.

The proposal accords with Policy T SP1 of the ALP, The Arun Parking Standards, Section I of the ADG, and with the NPPF.

#### FLOODING & DRAINAGE

Policies W SP1 and W DM3 of ALP and CPN12 of CNP require inclusion of appropriate sustainable



drainage systems in developments to prevent flooding.

Policy W DM2 of the ALP & Paragraph 167 of the NPPF requires proposals not to increase flooding elsewhere.

The Council Engineers have not objected to the proposal however, they have identified that the proposed surface water drainage system does not meet our policy requirements. They have therefore requested that conditions be attached for the submission of a drainage scheme that does meet these requirements before the development starts. It is noted that the previous engineer comments identified that there were trees out side of the site within the watercourse to the North of the site that would likely require removal. This has been proposed in this revised scheme however, being outside of the curtilage of this site, consent from the owner of these trees will be required prior to removal. The requested conditions and informatives from the drainage engineers have been attached to this recommendation, along with an informative identifying the need for consent to be sought from the owner of these trees prior to their removal.

Subject to the attached conditions, the proposal would adequately manage surface water drainage and flood risk both on the site and elsewhere. The proposal is in accordance with policies W SP1, W DM2, W DM3 of the ALP, CPN12 of the CNP, and paragraph 167 of the NPPF.

## TREES

Policy ENV DM4 of ALP states where there are existing trees on or adjacent to a development site developers will be required to provide (d) tree surveys, (e) a tree constraints plan and (f) an Arboricultural Impact Assessment inclusive of a tree protection plan and arboricultural method plan. Policy CPN 8 of CNP refers to protection of trees and hedgerows and states that development proposals should be accompanied by a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to demonstrate how they will be so maintained.

An Arboricultural Implication Assessment and Method Statement has been provided. There are no protected trees on site, there are various trees off-site that have been considered in the design proposal. It shows that 4 No. category C trees, from the site will be removed, including 1 No. tree within the ditch to the North of the site (outside the site). Various Category U (poor condition/little amenity) trees have also been proposed for removal which include 2 No. trees to the front of the site that are in poor condition. Trees to be retained have been considered, 6 No. new trees have been proposed for planting, and new native hedging is proposed to the East & South boundaries. The defunct hedge to the West and the hedge to the North of the site are proposed for removal.

The proposal accords with Policy ENV DM4 of the ALP and CPN8 of the CNP.

## ECOLOGY

Policy ENV DM5 of the Arun Local Plan relates to development and biodiversity. It states that development should seek to achieve a net gain in biodiversity and protect the existing habitats on site. Development should also seek to facilitate the emergence of new habitats. This can be done by a variety of different measures. Where there is evidence of an existing species on site, surveys should be undertaken, detailing the measures that will be incorporated in order to protect said species.

After receiving comments from the Council's Ecologist, it was found that the submitted ecological assessment displayed an inconsistency relative to the Drainage and Arboricultural information. Whilst the original Ecological assessment has addressed the previous reasons for refusal on ecological grounds, the inconsistencies brought into question the Ecologist comments on this proposal (No objection). As

such, an amended Ecological assessment has been submitted and the Council's Ecologist has been re-consulted to ascertain whether the amended Ecological assessment remains sufficient.

At this stage the amended ecological assessment has not been reviewed by the Council's ecologist and as such, we await their comments to ensure that protected species are protected and Biodiversity Net Gain is achieved. Any comments that are received will be reported to the Planning Committee.

At this time it cannot be satisfactorily determined that no significant harm will arise to protected species on the site or whether a biodiversity net gain is achieved, the proposal therefore, conflicts with Policy ENV DM5 of the ALP unless otherwise declared by the Council's Ecologist prior to the committee date.

## **SUMMARY**

The proposal is not in accordance with Policy C SP1 of the ALP, but as the Council cannot demonstrate an adequate 5-year housing land supply, Paragraph 11(d(ii)) of the NPPF applies and the 'tilted balance' is triggered.

Subject to the amended ecological assessment being assessed and deemed adequate, the presumption in favour of sustainable development would remain (as noted in Paragraph 182 of the NPPF) and the proposal would be in accordance with the remainder of the relevant Development Plan policies. As such, on balance, the proposal would have no significant or demonstrably harmful impacts and the benefits would therefore, outweigh any harm. The proposal is, therefore, recommended for approval subject to the following conditions, informatives, together with the assessment of the amended Ecological Assessment and any additional conditions as may be required.

## **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.

<b>CIL DETAILS</b>
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This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

<b>RECOMMENDATION</b>
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**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 Site Section, 20.
- Site Location Plan, 10.
- Proposed Street Scenes, 16.
- Proposed Site Sections, 19.
- Proposed Site Plan, 12.
- Block Plan, 11.
- Proposed Floor Plans & Elevations (Garages), 15.
- Proposed Floor Plans & Elevations (Plot 2), 14.
- Proposed Floor Plans & Elevations (Plot 1), 13.

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

- 3 Prior to occupation of any of the approved dwellings, the applicant or developer shall provide the dwellings 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 where appropriate 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 Parking Standards SPD and the NPPF.

- 4 The approved development shall include energy efficiency measures that reflect the current standards applicable at the time of submission and decentralised, renewable or low carbon energy supply systems. Any physical features that are required as part of the works must be installed prior to the occupation of each dwelling and shall be thereafter permanently maintained in good working condition.

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

- 5 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 adequate parking provision for the use in accordance with Policy T SP1 of the Arun Local Plan.

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

Reason: To provide sufficient cycle storage provision and sustainable alternative travel options in accordance with Policy T SP1 of the Arun Local Plan.

- 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 development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values and in accordance with current policies. No construction is permitted, which will restrict current and future landowners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 9 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'.

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

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

- 11      INFORMATIVE: The trees and hedging to the North of the site appear to be outside of the curtilage and may therefore, be under the ownership of another party. Consent should be sought from the proprietor of the land and therefore, this vegetation prior to its removal.

- 12      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.

**CM/24/23/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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