

PLANNING APPLICATION REPORT

REF NO: CM/4/19/PL

LOCATION: Land south of the A259  
Grevatt's Lane  
Climping  
BN17 5RE

PROPOSAL: Construction of a crematorium comprising of a crematorium building & associated structures, car parking, access & landscaped spaces. This application is a Departure from the Development Plan.

<b>SITE AND SURROUNDINGS</b>
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## DESCRIPTION OF APPLICATION

The proposed development is to create a modern crematorium facility with a building in a contemporary style, with tiered, curving, vegetated roofs. The building will incorporate a vestibule and waiting areas, chapel, cremation equipment, ancillary office spaces and a "Changing Places Toilet" facility. It has been designed so that mourners will enter the chapel from the southern entrance and exit via the western exit lobby into a covered walled floral tribute area incorporating a pergola and water feature.

The site consists of a rectangular piece of land 18 metres wide by 30 metres deep situated to the south of the A259. The crematorium building will be situated centrally within the site and comprise a predominantly single storey complex. The layout is similar to the Applicant's existing premises at The Oaks Crematorium, Barton Road, Havant which was designed to sit within a defined settlement gap. The building would be a low scale design and use of appropriate elevational treatment.

The proposed building will be set well away from Grevatt's Lane by approximately 150 metres. To the front of the building a car park will be provided. The main car park will provide for 95 car parking spaces and 24 cycle parking spaces in total. Around the outside of the car park a driveway will be provided for use of hearses.

In addition to the main car park an overflow car park will be provided for an additional 55 cars. This would be surfaced in geotextile and grass seeded and would only be subject to infrequent use. The car parking echoes the shape of the building and is separated by trees and low planting.

Aside from the building and the parking areas the proposal would involve landscaping of the remainder of the site. Such

landscaping for the most part would involve low level shrubs and ornamental feature trees.

The site will be accessed from a new access off the A259 close to the existing farmer's access in the east of the site. A new right turning lane for traffic approaching the site from the east will be provided to prevent hold ups on the A259. This will require using part of the existing wide verge.

The chapel would provide seating for 84 people and employ 6 members of staff.

SITE AREA

4.5 hectares.

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Hedges and trees surround field boundaries.

SITE CHARACTERISTICS

The site It forms part of the coastal plain, with the coast line running almost parallel to the A259, 125 metres to the south. The land is currently an arable field with no trees or shrubs within it. However, a strong belt of trees borders the site to the north separating it from the A259. The southern site boundary follows the Ryebank Rife, a deep ditch which is hedged with mature trees along its course, mostly lying to the south of the ditch with occasional trees on the northern bank. There are banks lining both sides of the ditch to contain overflow water at times of flood.

CHARACTER OF LOCALITY

The site is surrounded on all sides by agricultural land on what is otherwise a relatively undeveloped space between Bognor Regis and Littlehampton. There are, however, exceptions, including Hobbs New Barn commercial estate approximately 300m to the east along Grevatt's Lane and Jaybelle Grange holiday lodges development approximately 600m further east. The main residential areas of Elmer, Climping and the western edge of Littlehampton lie approximately 500m south, 500m north east and 2.5 km east of the site respectively.

## REPRESENTATIONS

### REPRESENTATIONS RECEIVED:

Climping Parish Council

Objection:

- The proposed development is within the Gap between Settlements, Littlehampton to Middleton.
- The proposed development is in open countryside.
- There will be an unacceptable impact on the local highways infrastructure. The A259 is already overloaded with long tailbacks at peak times and this development will further increase traffic movements and exacerbate the problem. The junction onto the A259 from the site will be busy creating an additional hazard and adversely affect traffic flows.
- Council notes that there is a pending application for a crematorium on a nearby site and feels strongly that both applications should be considered by the Arun Development Control Committee at the same

time.

Middleton-on-Sea Parish Council:

- This is a Departure from Arun Local Plan.
- Neither the public, officers, councillors or the Planning Inspector identified a need for a further crematorium so the application should be refused.
- It is essential that the gaps between the settlements of Littlehampton and Middleton-on-Sea are maintained. This is particularly important at this location as there is an industrial site just a few hundred yards to the east and this application, if approved, will infill the gap and create a ribbon development along the A259.
- The local bus service data is inaccurate. These timings will not be appropriate for people wishing to attend the crematorium.
- The proposed access to the crematorium is dangerous and flawed.
- The proposed junction is on an unlit section of the A259 with a 60 mph speed limit.
- Based on the Traffic Statement data, traffic speeds are generally in excess of 50 mph. With slow moving corteges using this section of road, it will adversely impact other motorists. This will increase the risk of accidents particularly on winter afternoons when light levels are low.
- The experience of Comet Corner and The Oystercatcher junctions are that it can be particularly difficult to turn right at any time of the day. Fatalities have occurred at both Comet Corner and Oystercatcher junctions.
- If minded to approve the application it is requested that opening hours are limited to 09.00 -17.00 hours on Mondays to Fridays with a maximum number of services limited to 8 per day.

Yapton Parish Council - Objection:

- The proposed development is in open countryside within the Gap between Settlements, Littlehampton to Middleton.
- There will be an unacceptable impact on the local highways infrastructure.
- The Council notes that there is a pending application for a crematorium on a nearby site and feels strongly that both applications should be considered by the Arun Development Control Committee at the same time.

28 Objections:

- This is the Climping gap and needs to be protected. There have been numerous attempts to build on this land and so far all have failed. There is land to the North of the A259 that could be used.
- The A259 is already very busy with traffic queuing at least twice a day. Adding slow moving traffic to this will only make matters worse.
- There is no need for two crematoriums so close to each other.
- Application reference Y/103/18/PL should be approved instead as there is already development on the south side of the A259 and this application does not sever the recently installed shared use foot/cycle path that is on the north side of the A259.
- This is a departure from Arun Local Plan, where there is absolutely no mention for the need for a new crematorium here in Arun.
- It is contrary to the Clymping Neighbourhood Plan, where there is no mention for the need for a new crematorium.
- Application is full of errors regarding flooding, bus services and highway issues and accident levels.
- Due to the direction of the prevailing wind, its location will cause emissions to drift over housing.
- The proposed building is of a poor design. It would be massively visible from the road. Any landscaping of it would be completely out of place in what is flat, arable farming land.
- The site is not accessible by public transport as buses do not stop near it. Pedestrians would have to walk along the newly built cycle path as there is no pavement on the south side of the A259. Crossing the road would be extremely dangerous.

7 Support:

- There's a demand locally for a new crematorium.
- It will not cause any issues with residents nor affect other road users drastically.
- Would like a condition to control air pollution.
- Climping is ideally placed to address a lengthy wait for a slot at the inadequate facility at Chichester and a long distressing drive in unpredictable traffic to Worthing.
- The venue at Climping is a social need, a necessity for the wellbeing of the surrounding communities.
- There is no doubt that the Bognor Regis area would benefit from a crematorium since Chichester gets very crowded and has high charges because of the lack of competition.
- This proposal is well placed and well landscaped compared to existing Business Park which is an eyesore.
- As an Independent Funeral Directors based in West Sussex from our perspective we are aware that with a growing population and influx of new homes, there is a need for a purpose built facility that meets all modern day regulations without impacting on the environment. As well as providing respectful funeral services for future generations.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

The points are noted and where relevant considered in the conclusions section.

Whilst it is accepted that there are no crematorium allocations or policies in the development plan, this should not be taken to mean that there is no need for a crematorium. The Council is not required to plan for new crematoria and it should be noted the NPPF does not contain policy guidance on the need to plan for crematoria or burial grounds.

The comments are noted and where relevant considered in the conclusions section or covered by points made elsewhere in this section. The condition proposed by Middleton Parish Council regarding operating hours is to be imposed albeit also with opening on a Saturday.

**OTHER REPRESENTATIONS:**

The Conclusions section assesses the issues raised by other representations.

The two applications will be heard at the same meeting.

<b>CONSULTATIONS</b>
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- Environmental Health
- Arboriculturist
- Parks and Landscapes
- Engineering Services Manager
- Engineers (Drainage)
- Surface Water Drainage Team
- Ecology Advisor
- WSCC Strategic Planning
- Highways England
- Environment Agency
- Economic Regeneration
- Archaeology Advisor

Engineers (Drainage)

**CONSULTATION RESPONSES RECEIVED:**

County Highways - No Objection.

A stage 1 Road Safety Audit has been undertaken on the site access proposals and highlighted 11 issues to be addressed, 10 of which are accepted with additional information provided or to be addressed at the detailed design stage.

One area where the designer did not agree with the auditor is the recommendation to reduce the speed limit over the section of highway. An exception report has been prepared by the applicant and has been accepted by WSCC as the highway authority.

Economic Development - No Comment.

West Sussex County Drainage Engineer - No Objection.

The site is at low risk from surface water flooding. The majority of the proposed development is shown to be at high risk from ground water flooding based on the current mapping.

Ecology Officer - No Objection.

The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced for bats. This will include having a buffer strip around the hedgerows (5m) and during construction fencing should be used to ensure this area is undisturbed. Any gaps should also be filled in using native hedge species to improve connectivity. Where any hedge is to be removed as detailed within the survey, new hedgerow should be planted and controlled by condition.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area.

In certain case a full mitigation strategy for water voles may be required.

Hedgerows and scrub land around the perimeter of the site must be retained due to the likely presence of reptiles. If this is not possible full reptile surveys would be required.

Archaeology Officer - No Objection.

Condition requested.

Highways England - No Objection.

We are satisfied that the proposals will generate an acceptable change in traffic on the Strategic Road Network(SRN). We therefore consider that the development will not materially affect the safety, reliability and/or operation of the SRN in this location and its vicinity.

Environment Agency - No Objection. Conditions requested.

Environmental Health - No Objection. Conditions requested.

Drainage Engineer - No Objection. Request that the surface water drainage is conditioned.

Landscape Officer - First Response. Objection. Landscape information submitted within this application is significantly insufficient in detail.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted.

## POLICY CONTEXT

Designation applicable to site:  
 Outside Built Up Area Boundary.  
 Within Settlement Gap.  
 Classified Road.

## DEVELOPMENT PLAN POLICES

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

SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
SDSP3	SD SP3 Gaps Between Settlements
CSP1	C SP1 Countryside
GISP1	GI SP1 Green Infrastructure and Development
LANDM1	LAN DM1 Protection of landscape character
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
ENVSP1	ENV SP1 Natural Environment
HERSP1	HER SP1 The Historic Environment
ENVDM5	ENV DM5 Development and biodiversity
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment

<u><a href="#">Clymping Neighbourhood Plan 2015 Policy CPN10</a></u>	Protection of high grade Agricultural Land
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
Clymping Neighbourhood Plan 2015 Policy CPN7	Protection of open views
Clymping Neighbourhood Plan 2015 Policy CPN8	Protection of Trees and Hedgerows

## 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 Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

The relevant policies of the Climping Neighbourhood Plan are considered in this report.

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

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

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

The proposal is considered to conflict with the relevant Development Plan policies in that the proposed site lies in the countryside and the proposal does not meet any of the criteria in the policies of the development plan with respect to new development in the countryside. The proposal results in the loss of moderately high value (grade 3a) agricultural land and some of the site is in an area at high risk of flooding.

#### **OTHER MATERIAL CONSIDERATIONS**

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as detailed in the Conclusion section. These are as follows:

- (1) The quantitative and qualitative need for the proposed crematorium as evidenced by the submitted Need Assessment and also by application Y/103/18/PL for a site to the west of the application site;
- (2) The assessment of other suitable sites within the Arun District;
- (3) The National Planning Policy Framework and associated planning practice guidance;
- (4) The presumption in favour of sustainable development;
- (5) The requirements in respect of location constraints as set out in the 1902 Cremation Act;

#### **CONCLUSIONS**

##### **PRINCIPLE**

Policy C SP1 Countryside of the Arun Local Plan relates to development of land outside of the defined built up area Boundaries (BUAB) and ensures that it "will be recognised for its intrinsic beauty". This policy sets out the types of development which will be permitted in the countryside. Crematoriums are not mentioned specifically anywhere in this policy or within the Local Plan and as such the proposal is contrary to adopted countryside policy. However crematoriums are often considered to be antisocial and not welcomed near to residential areas and as a result are often located in the countryside.

##### **Climping Neighbourhood Development Plan:**

The Climping Neighbourhood Plan (CNDP) was made in January 2016 on the basis of saved policies in the 2003 Arun Local Plan and draft policies in the 2014 publication version of the then emerging Arun Local Plan. The site lies outside the BUAB in the CNDP and therefore is also defined as countryside.

##### **SETTLEMENT GAP POLICY**

Policy SD SP3 of Arun Local Plan relates to development in Gaps between Settlements. The site lies in

the Littlehampton to Middleton-on-Sea Gap. It states the generally open and undeveloped nature of the gaps identified on the Policies Maps will be protected to prevent coalescence and retain their separate identity. Development will only be allowed where:

- It would not undermine the physical or visual separation of settlements.
- It would not compromise the integrity of the gap either individually or cumulatively with other existing or proposed development.
- It cannot be located elsewhere.
- It maintains the character of the undeveloped coast.
- Or if a subsequent DPD or Neighbourhood plan deems it appropriate through an allocation.

Buildings and hard surfaces in this case would account for a small proportion of overall site coverage, in this case less than 20% overall. The site coverage of the building constitutes less than 4% of the total site area.

The new building will be single storey, flat-roofed and low height, which will enable it to assimilate discreetly into its landscaped setting. Given the landscaping that will both be retained and provided at the site boundaries the low scale of the proposed building is such that it will be well screened in longer distance views across the settlement gap.

The remainder of the site will be landscaped, and on that basis therefore, it is clear that the majority of the site, in excess of 80% will remain open and free of buildings or hard surfaces. This reduces the impact on the settlement gap and preserves its integrity.

The submitted accompanying Needs Report and Site Alternative Sites Assessment demonstrates why the application site was selected for the development. Section 6 of this Statement and the accompanying Landscape and Visual Impact Assessment, Landscaping Strategy and Landscape Plan demonstrates how the proposal has been designed to blend into the existing landscape, resulting in limited impact on wider views towards the site and limited impact on the landscape character of the area or integrity of the settlement gap.

#### LOSS OF AGRICULTURAL LAND

Policy SO DM1 'Soils' of Arun Local Plan confirms that, unless designated by the Local Plan or a Neighbourhood Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term. Policy CPN10 of the Neighbourhood Plan 'Protection of High Grade Agricultural Land' reflects this and advises that development will not be permitted on the best and most versatile agricultural land unless there are special circumstances which include whether is an overriding need for the development in the proposed location. The proposal, being on soil graded 3A, conflicts with these policies in principle but for the reasons set out below there is considered to be adequate justification for an exception.

The application is accompanied by an Agricultural Land Quality Report which assesses the land to be grade 3A land. In this case the proven need for the proposed development is considered to be the overriding factor. Evidence suggests that the majority of land in this area is either already identified as, or anticipated to be higher grade agricultural land.

#### OTHER MATERIAL CONSIDERATIONS:

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."

It is considered that there are other material considerations to warrant a decision to be made in conflict with ALP policies C SP1, SDSP1, SDSP2 & SO DM1 and with CNDP policy CPN10. These will now be discussed under the following headings:

1) The Quantitative and Qualitative Need for the Proposed Crematorium;

The Council has two applications (this and Y/103/18/PL) for a Crematorium with only 660m between the two. It is not considered likely that there is sufficient need to support both.

The application is supported by an Alternative Sites Assessment and a Crematorium Needs Assessment which identifies that existing crematoria facilities within the search area are amongst the busiest in southern England, suggesting that they are subject to heavier demand than average. It highlights that there appears to be a particular shortfall in capacity in the area around Worthing and Bognor Regis, where demand is only currently met by two existing facilities or by travelling further afield. Therefore, this area would be a reasonable location in which to provide additional crematoria facilities.

Although there are already crematorium facilities within the region evidence points to those crematoria being stretched in terms of capacity, which can lead to longer than ideal lead in time for cremation services. The proposed development will offer additional capacity locally, reducing wait times and provide a new, modern and purpose-built facility. The new facility can also be built to up-to-date environmental standards and offer people greater choice of where to cremate their loved ones with less time pressure on services that take place.

The applicant has identified a need for a new crematorium premises within the area based upon an assessment of local demographics and the high demand for existing crematoria in the area. They consider that there is a functional need for an additional crematorium facility within the area.

In 2017 the total number of deaths for the four Local Authorities of Chichester, Arun, Worthing and Adur, the highest contributor was Arun at 38%, with 25% from Chichester, 24% from Worthing and 13% from Adur.

The proposed crematorium, by reason of its position would primarily serve a customer base from Bognor Regis and Littlehampton as well as the surrounding towns and villages. Existing crematorium facilities in the region are spread out around the main centres of population.

Statistics from the Cremation Society of Great Britain for 2017 show that Worthing Crematorium was the third busiest crematorium in the UK by the overall number of cremations undertaken that year (3,626). By the same measure Chichester Crematorium is less busy, handling a total of 1838 cremations in 2017, but that still makes it amongst the more intensively used crematoriums in the country.

In terms of the possibility of expansion of existing crematoriums at Chichester and Worthing it is notable that Chichester Crematorium is within the built-up area of the city and is constrained by built development on all sides. Worthing by contrast is in a more rural location but in the South Downs National Park where significant expansion may be difficult due to environmental impact.

The future additional demand may or may not be able to be met by the existing facilities, and whilst it is of course the case that people have the choice to travel to crematoria further away if they wish, to do so does not represent a sustainable solution, and nor should they be obligated to do so. There is a clear quantitative need for a new crematorium in this location.

(2) The Availability of other Suitable Sites within the Arun District;

A site assessment was carried out which sought to identify which is the most appropriate site for the proposed use and whether there are any suitable, available and viable alternative sites for the development that may be in more preferable locations. In order to carry out the site search it was necessary to identify the minimum site requirements for the proposed development, as that is a starting point for defining what sites are reasonable alternatives. In this case the minimum site requirements are;

- A site area of at least 4 Ha, which is considered the minimum necessary to provide sufficient space for a crematorium building, car parking and landscaping.
- Appropriate access (direct access to highway and other established infrastructure).
- The site should be free of any significant on site ecological or topographical constraints.
- A separation of at least 200 yards to the nearest dwelling-house, except with the consent, in writing of the owner, lessee and occupier of that house.

Much of the catchment area is already covered by built development or is within the National Park and must therefore be excluded from this assessment.

(3) The National Planning Policy Framework (NPPF);

The NPPF is an important material consideration in the determination of planning applications. Although there is no reference to crematoria in the document, there is other guidance which is relevant to this application.

Paragraph 83 which states planning decisions should enable: (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well designed new buildings.

Secondly, paragraph 84 which advises that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.

(4) The Presumption in favour of Sustainable Development;

Policy SD SP1 'Sustainable Development' of the Arun Local Plan confirms that the Council will take a positive approach that reflects the presumption in favour of sustainable development in the NPPF and that it will work pro-actively with applicants to jointly find solutions which mean proposals can be approved wherever possible.

The NPPF defines the achievement of sustainable development as meeting three interdependent objectives - economic, social and environmental. These need to be pursued in mutually supportive ways.

It is not considered the location of the site is sustainable from the point of view of access by non-car modes of transport. Demand for the facility is unlikely to be local enough to mean that there will be many visitors walking, cycling or taking the bus to access the site. Although there are bus stops on the A259 close to the junction with The Street, the bus service is not considered to be sufficiently regular to prove attractive to staff members. It is noted there is no pavement or street lighting on the southern side of the A259. It is accepted that staff and locally based guests could cycle to the site given the flat landscape and the cycle path along the A259.

There will be environmental costs in respect of the loss of some grassland wildlife habitat and a visual

change to the landscape. The proposal demonstrates environmental gains through biodiversity enhancements. In the long term additional planting will result in a benefit to the local landscape.

A new Crematorium located between existing facilities at Chichester and Findon will mean people in the areas between the two existing facilities will have less far to travel to access a crematorium. Therefore, these visitors will not contribute to congestion on certain roads between their homes and the existing facilities such as the A27 and its pinch points around Arundel, Chichester and Worthing. The location of the Crematorium reduces travel time that would have been necessary to the existing facilities and result in lower vehicle emissions. However, there will be a similar amount of people accessing the new site as would access the existing facilities.

The proposal will result in new employment & other economic benefits and meet an existing social/community need. There is a loss of agricultural land to consider, however the impact will be small scale and will be much lower than the value of the new crematorium business.

On balance it is considered that the proposal does represent sustainable development and would therefore comply with policy SD SP1

(5) The 1902 Cremation Act;

The 1902 Cremation Act sets out locational criteria for new crematoria. It states crematoria must be at least 200 yards (183 metres) from any dwelling unless the owner, lessee or occupier has given their consent in writing, and at least 50 yards (46m) from a public highway.

This effectively means that it is not possible to develop crematoriums in or adjoining the built up area boundary and pushes the search for new sites into the countryside.

The edge of the site is around 500m from the nearest residential dwelling.

(6) Decisions taken elsewhere in the South East for new Crematoriums in the Countryside.

The officer report for a proposal at Horam in the Wealden District (App ref WD/2016/2533/MAJ) stated:

"There is a quantitative and qualitative need for a crematorium in this area. This consideration is one of considerable weight in favour of the proposal. As any new crematorium would have similar implications for openness and countryside character this adds further weight to this finding. The applicant has been reviewing other sites for some time. Whilst no applications have ever been lodged, this is because few if any sites have come up. Those that have come to the market were in considerably more restricted locations and/or remote from the main highway network. There is no other realistic option that would have less of an impact on the countryside than the proposal. This is a matter of further weight in favour of approval."

And that:

"It is also material that The Cremations Act advises that crematoria sites should be at least 200 yards (183 metres) from any dwelling unless the owner, lessee or occupier has given their consent in writing, and at least 50 yards (46 metres) from a public highway. Whilst this would not necessarily preclude urban sites, in order to meet these requirements, there does seem to be support for the contention that crematoria should be situated within rural locations and in all likelihood, within the open countryside. This conclusion is consistent with the views reached by Inspectors on several appeal decisions dealing with crematoria even where within more protected landscapes."

## Summary of Material Considerations

Although the principle of development on this site in the countryside is considered to be contrary to the development plan, it is considered the proposal represents sustainable development and that other material considerations as set out above (including the need for the proposal and the need for a countryside location) combine to allow for a decision to be taken to allow the principle of development on this countryside site and the loss of the grade 3a agricultural land.

Whilst there are constraints in this location, in particular the settlement gap designation, it is considered that those constraints can be satisfactorily addressed through design. A crematorium use is for the most part open and can therefore be integrated successfully into a countryside setting. The gardens and landscaped spaces preserve openness, and buildings and the visual impact of gardens and buildings can be ameliorated through design (discussed in further detail below). Therefore, the principle of a crematorium development within the settlement gap is considered to be appropriate having regard to the need that exists in this case.

The site is relatively more visually contained than some of the other search areas by reason of hedgerows and tree belts. It is also well located within the entire search area by virtue of being on the main road between the two largest centres of population within the catchment area for the proposed crematorium. The site is large enough for the proposed use, with direct access onto the A259, and the land is known to be available. This contrasts with other parts of the search zone where land owners may either have no aspiration towards a land sale, or alternatively be holding out with a view to a potential higher value land sale in future the proposed site represents the most viable, accessible and sustainable site for a crematorium within the search area.

### HIGHWAY SAFETY, TRAFFIC & PARKING

The application is supported by a Stage 1 Safety Audit and Designers Response. A swept-path assessment for a large refuse vehicle measuring 10.2m in length has been undertaken in accordance with Arun's refuse collection requirements, which is the largest typical vehicle anticipated to regularly and frequently visit the site.

A drawing has been provided to demonstrate forward visibility along Grevatt's Lane to a vehicle turning left into the site and waiting to turn right into the site, which demonstrates maximum achievable forward visibility of over 470m in each direction within the highway boundary.

A second drawing has also been prepared to demonstrate visibility in accordance with the speed limit of 60mph (215m). Highway works comprise the provision of a proposed ghost island right-turn junction access arrangement on land to the south of A259 Grevatt's Lane. In accordance with WSCC's requirements a pedestrian refuge island will be provided measuring 2.5m in width and 2.8m in length.

The main car park will be hard surfaced and provide for circa 100 car parking spaces and 24 cycle parking spaces in total. Around the outside of the car park a driveway will be provided for use of hearses and other similar vehicles.

In addition to the main car park an overflow car park will be provided for an additional circa 60 cars. The overflow car park would only be subject to infrequent use because for day to day use the spaces in the main car park would be ample to meet the needs of the development. In the normal operation of the crematorium there would only be one ceremony taking place at a time, and only in busy periods would people be waiting for the following ceremony. The overflow parking would only be needed during those occasions where a service has a particularly large number of guests.

Policy T SP1 'Transport and Development' of the Arun Local Plan requires new development to provide

safe access on to the highway network, provide sufficient on-site parking, contribute to highway improvements, and promote sustainable transport and Policy CPN14 'Traffic and the Environment' of the Neighbourhood Plan confirms that development which will have a detrimental impact on highway safety and the living conditions of residents will be resisted.

Policy T DM1 'Sustainable Travel and Public Rights of Way' of the Arun Local Plan requires new development to ensure ease of movement, prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport and community transport services where a need has been identified.

The proposal will provide a new access onto Grevatt's Lane which will be located and designed to ensure the required highway visibility to provide safe access and egress from the site.

Sufficient on-site parking is proposed to accommodate the operational needs of the development, together with an additional overflow parking area to accommodate the rare, particularly busy occasions which may require additional parking. It will not prejudice existing pedestrian and cycle access to the green infrastructure network.

The site is located within relatively close proximity to the built-up area and within easy access to the nearby coastal towns, including by public transport, with the site being within walking distance of bus stops providing services to within the crematorium catchment area. The application is accompanied by a supporting Highways Report which demonstrates that the proposal will preserve highway safety.

WSCC Highways are the Councils technical experts on such matters and given they raise no objections (and indeed support the application), it is not considered a refusal on the grounds of highway safety or highway convenience could be sustained on appeal. It is considered the proposal accords with the relevant development plan policies and with the NPPF in terms of highway safety.

#### DESIGN, LANDSCAPE & VISUAL AMENITY

Policy D DM1 of the Arun Local Plan requires the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. The policy requires that the scale of development keeps within the general confines of the overall character of a locality. It states that all development will be expected to incorporate existing and new tree planting as an integral part of development proposals. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

Policy LAN DM1 of the ALP builds on the above by seeking that the setting of the South Downs be protected.

Policy CPN7 'Protection of Open Views' of Climping Neighbourhood Plan requires all new development protect the open landscape character of the countryside, with the Climping Character Assessment being used as a reference to assess the impact of the proposals. For the reasons set out below the submitted scheme would meet these criteria.

Regard should be had to paragraph 127 of the NPPF which requires that planning policies and decisions should ensure that developments are sympathetic to local character while not preventing or discouraging appropriate innovation or change. Paras 122 and 130 are relevant. Para 130 states planning permission should be refused for development that fails to take opportunities available for improving character and quality of an area and the way it functions.

A Landscape and Visual Impact Appraisal (LVIA) has been submitted with the application. The site lies in

an area of open countryside. It forms part of the coastal plain. A public footpath runs along the western boundary of the site, linking Middleton on Sea and Yapton, part of a comprehensive network of footpaths in the area.

The land is currently a field with no trees or shrubs within it. However, a strong belt of trees borders the site to the north separating it from the A259. The southern site boundary follows the Ryebank Rife, a deep ditch which is hedged with mature trees along its course. There are banks lining both sides of the ditch. Overall the countryside to the south of the A259 consists of fields divided by areas of woodland and shelterbelts.

There are no views from the site of the coast owing to the abundant vegetation between nor is there a view to the South Downs owing to the tree belt along the A259.

The most recent landscape Character assessment was carried out on behalf of Clymping Parish Council in January 2015 in order to inform the Neighbourhood Plan. They divided the Parish into 5 character areas of which the first and last are relevant to this proposal:

- o The Open Countryside.
- o The Beach and Clymping coastline.
- o Traditional Clymping.
- o Horsemere Green and recent associated housing developments.
- o Along the A259.

The value to Clymping of the flat open arable farmland and countryside that separates it from neighbouring Parishes is paramount. "This separation is important to the village's distinctive identity" The paragraph titled Design Guidance for the Open Countryside reads:

"There are many open views toward Arundel and the South Downs, of the River Arun valley and to the coast and sand dunes which are important to retain".

The scheme includes landscaping which has been designed to mitigate identified visual and landscape effects. These proposals have taken on board the landscape management guidelines of the West Sussex County Council Landscape Character Assessment and the design guidance in the Clymping Character Assessment. Rather than screening the development the landscape proposals seek to integrate the proposals into the wider landscape and to provide ecological linkages in accordance with the objectives of the Local Plan to enhance the biodiversity and the appearance of the landscape.

Policy GI SP1 Green Infrastructure and Development of the ALP encourages all major developments to be designed to protect and enhance Green Infrastructure (GI) assets and the connections between them and specifically mentions that " The Green Infrastructure Network must be protected from light pollution". The GI study in paragraph 7.3.8 of the Arun Local Plan, identified a number of opportunities to strengthen the GI network and specifically noted the opportunity to strengthen the network within Gaps. The proposal would accord with these criteria.

A new 7 metre wide tree belt is proposed along the eastern site boundary to replicate the tree belts in the landscape further to the south. Screen planting is also proposed along the eastern edge of the public footpath to bolster the existing planting along this boundary; within the northern boundary of the site to the A257 and along the southern boundary to the Ryebank Rife. Native tree and shrub planting are proposed along these boundaries which will function as a continuation of the existing tree belt to the south, providing a new ecological corridor linking the roadside trees along the A259 to the existing woodland to the south.

The remainder of the site will be sensitively landscaped in grass with mown paths cut through it, with

more formal gardens along the site's eastern boundary. The car parking will be softened by planting of curving lines of ornamental trees.

Owing to the flat nature of the landscape and the preponderance of woodland and hedgerows through this part of the Coastal Plain, the Study Area chosen is quite small. The main effects will be experienced up to 500 metres from the site with some minor effects up to 1000 metres from the site.

The creation of a new access off the A259 and the resultant road widening will require the loss of some of the existing roadside vegetation, but this has been kept to a minimum and new planting to the south of the site boundary within the site will compensate for any minor losses.

In landscape terms the characteristics of the site can accommodate the development proposed without undue adverse effects. This is based on the flat and wooded nature of the landscape, limiting visibility of the site and to the low profile design of the new crematorium.

The amount of new built development results from the functional requirements of the proposal. The building is relatively small, with a footprint of circa 1000 sq m. The site coverage of the building constitutes less than 4% of the total site area.

The new building will comprise a high-quality contemporary single storey flat roofed building with rendered walls under a grass roof. The building has been designed to fit discreetly within the predominantly landscaped site, so that it will be visually unobtrusive in the landscape, having regard to the location of the site within the settlement gap, by means of its small footprint, low height and appropriate design and materials.

The elevations of the building will be finished in a combination of render and timber cladding, with the timber utilised on the tallest part of the building, that being the chapel area.

Policy D SP1 Design requires all development proposals to seek to make efficient use of land whilst reflecting the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. It advises that development proposals should have been derived from a through site analysis and contextual appraisal; adherence to objectives informing sustainable design; and the influence these objectives have on the form of development.

Policy D DM1 'Aspects of Form and Design Quality' confirms the aspects of design that the Council will have regard to when considering development proposals, namely: character; appearance/attractiveness; impact; innovation; adaptability; crime prevention; trees and woodland; solar gain; public realm; layout-movement; layout-legibility; public art; density; scale; and aspects of form and design quality. Policy CPN11 'Quality of Design' of the Neighbourhood Plan requires new development to be of a high-quality design and to protect and enhance the local character. The policy lists the criteria which comprise good design, including responding to, and integrating with, the local built environment and landscape context as described in the Climping Character Assessment.

The proposal would not result in substantial harm to the rural character of the locality and the landscaping will, in time, screen the site from view and enhance the wider landscape. The proposal accords with ALP policies D DM1, SDSP3, D SP1 & LAN DM1 and policy CPN 7 with the relevant guidance on design within the NPPF.

## FLOODING

The site lies partially within the Environment Agency flood zones 2 and 3 requiring compensatory water storage areas to be provided within the layout of the site. It is intended that this storage will be provided in the form of new ditches and swales.

The proposed crematorium building would be located within the part of the site identified as flood zones 1 and 2, and therefore falls partially within the flood zone. Ideally the building would be relocated to a position within flood zone 1 only in order that it would be entirely outside of the flood zone. However, in this case that is not possible due to the legislative requirement that new crematorium buildings not be located within 45 yards of a public right of way, which includes those on the north and west site boundaries. The memorial gardens to the rear of the crematorium building will fall within flood zones 2 and 3, but those elements of the proposals are not flood sensitive.

Policy W DM2 'Flood Risk' sets out the Council's criteria for allowing development in areas at risk from flooding, including the requirement to meet the sequential test, provide a site-specific Flood Risk Assessment, and identify adaptation and mitigation measures. This is reflected in policy CPN12 of the Neighbourhood Plan.

Chapter 14 of the NPPF is concerned with meeting the challenge of climate change, flooding and coastal change. Paragraph 155 confirms that inappropriate development should be avoided in areas of highest risk of flooding and steering new development to areas with the lowest risk of flooding. Paragraph 163 confirms that when determining planning applications, LPAs should ensure that flood risk is not increased elsewhere, and that, where appropriate, applications should be accompanied by site-specific flood-risk assessment.

Given the location of the crematorium building within an area of flood risk then in accordance with paragraph 158 of the National Planning Policy Framework the 'Sequential Test' needs to be applied to the proposed development. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available appropriate sites for the development in areas with a lower risk of flooding.

In accordance with this guidance it needs to be considered whether there are any reasonably available alternative appropriate sites for the development in areas outside of the flood zone. Fundamentally any potential 'available' site would either need to be already earmarked for such a development in the development plan, or be known to be available to the developer by reason of being on the market.

Any available land would then need to be assessed for its appropriateness to accommodate the proposed development. When considering appropriateness, in the light of a crematorium development, an assessment is required of a combination of factors including its locational requirements, planning policy constraints and also the legislative requirements.

The Alternative Sites Assessment report that accompanies the application sets out the process by which the search for a crematorium site was undertaken, the need for the use in this location already having been established. No land was identified as being available by the Applicants except for the land on the southern side of the A259. Much of this land is, like the application site, within the flood zone and therefore no more sequentially preferable in flood risk terms than the application site. Whilst the application has been submitted at the same time as that at 10 Acre Field (Y/103/18/PL) this application is to be determined at the same committee and there is currently no approved alternative site.

In landscape terms the proposed development site is considered to be the most appropriate location within the parcel of land on the southern side of the A259 that is available to the applicants. Whilst some of the neighbouring land falls outside of the flood zone now it is notable that all of it will fall within the flood zone once flood levels are adjusted accounting for climate change (see the FRA report). Therefore, none of that adjacent land is sequentially preferable to the proposed site.

On the basis of the above considerations it is therefore concluded that the proposals pass the sequential

test in this case. No alternative reasonably available appropriate sites for the proposed development have been identified in areas of lesser flood risk.

Having subjected the proposed development to the sequential test in accordance with the NPPF it may next be necessary to apply the 'Exceptions Test' to the development, as set out in paragraph 159 of the NPPF. In this case however, a crematorium use is a 'less vulnerable' use in flood risk terms and an exceptions test is not necessary in this case.

The proposed building has been designed with its ground floor level at an appropriate height, 4.64m AOD, such that it will be free from the risk of flooding. Additionally, the building will be designed to mitigate against future flood risk through the use of appropriate construction methods, and a detailed flood risk management strategy can be agreed prior to commencement of development through condition.

Policy W SP1 'Water' of the Arun Local Plan encourages new development to incorporate water efficiency measures, make active use of surface water as a design feature, and incorporates measures to improve and enhance waterbodies or provide additional flood relief Policy W DM3 'Sustainable Urban Drainage Systems' requires all new development to incorporate Sustainable Urban Drainage Systems into the design of the development.

The application is accompanied by a Flood Risk Assessment which confirms that the proposed development is appropriate on the site, having regard to the location of parts of the site within the Environment Agency moderate to high flood risk zones. It also demonstrates how the development will incorporate sustainable drainage measures within its design.

The proposal has been assessed by both the Council's drainage engineers and the Environment Agency who have not objected to the proposal on flooding grounds subject to the imposition of recommended conditions.

#### POLLUTION

ALP policies QE DM1, QE DM2 and QE DM3 seek to protect residential properties from adverse effects of noise, air and light pollution. Policy QE SP1 'Quality of the Environment' requires all new development to contribute positively to the quality of the environment and not have a significantly negative impact on residential amenity, the natural environment, or the enjoyment of leisure and recreational activities.

The 1902 Cremation Act states that crematoriums must be at least 200 yards (183 metres) from any dwelling unless the owner, lessee or occupier has given their consent in writing. The main residential areas of Elmer, Climping and the western edge of Littlehampton lie approximately 500m south, 500m north east and 2.5 km east.

There are no residential properties within the immediate vicinity of the application site. Crematorium emissions are covered by Environmental Health legislation and the applicant will be required to hold the relevant Environmental Permit. The application has been assessed by Environmental Health officers who raise no objections.

It is proposed to impose a condition to require the approval of lighting details post approval. These details would then be subject to agreement with Environmental Health officers and with the Council's appointed ecologist.

In terms of noise, a condition will be imposed to prevent services from being held outside of 9am and 5pm on Mondays to Saturdays with no services on Sundays or Bank Holidays. This will ensure any noise generated by the use will be within standard working hours.

Matters relating to scheme in respect of air quality, lighting and noise are acceptable. The proposal is therefore in accordance with policies QE DM1, QE DM2 and QE DM3 of the Arun Local Plan.

#### RESIDENTIAL AMENITY

ALP policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. D DM4 requires that extensions/alterations: do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Regard should be had to para 127 of the NPPF which states that development should provide a high standard of residential amenity for existing and future users.

Policy QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity".

The nearest residential property is more than 500m from the site. Therefore, there will not be any impacts on residential properties in respect of overlooking, loss of light or loss of outlook.

It is not considered that there would be conflict with policies D DM1, QE SP1 or para 127 of the NPPF.

#### BIODIVERSITY

ALP Policy ENV SP1 'Natural Environment' confirms the Council's commitment to encouraging and promoting the preservation, restoration and enhancement of biodiversity through the development process. Where possible new development will be expected to promote the creation of new areas for habitats and species. The development will result in an enhancement of on-site biodiversity through the retention of the existing mature boundary shrubs/hedging and trees together with the creation of new landscaped areas around the new building.

Policy ENV DM1 'Designated Sites of Biodiversity or Geological Importance' advises that development likely to adversely impact on land with designated features of any Site of Biodiversity or Geological Importance will not normally be permitted. The site is not located with a designated site of biodiversity or geological significance and the Preliminary Ecological Appraisal which accompanies the application confirms that there are no protected flora or fauna on site that would be harmed by the development proposals.

Policy ENV DM4 'Protection of Trees' states that new development does not have an adverse impact on existing trees of important amenity value. The application is supported by the required arboricultural reports to demonstrate that the existing visually significant trees adjacent to the site boundaries will be protected during the development. Also, new tree planting will be carried out as part of the landscaping proposals for the scheme.

Policy ENV DM5 'Development and Biodiversity' requires new development to achieve a net gain in biodiversity and protect existing habitats on site. Development should be designed to incorporate elements of biodiversity and landscape features.

Climping Neighbourhood Plan policies CPN8 'Protection of Trees and Hedgerows' and CPN9 Protection of Natural Habitats require new development to protect trees and hedgerows of amenity value. The policy requires development proposals to include a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to show how they will be maintained.

Para 175 of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a

last resort, compensated for, then planning permission should be refused;"

The application is supported by a Preliminary Ecological Appraisal (PEA) which confirms that no statutory or non-statutory ecological sites are present within 2km and as such no direct impacts on these sites are anticipated.

The built elements of the proposed development would occupy the northern half of the arable field, currently used for growing cereals, and of low ecological value. Site landscaping is proposed to take place in the southern half which would provide protection/buffering/enhancement for features such the Rye Bank Drain and off-site woodland.

The PEA has concluded that the proposed development of the site as a crematorium is unlikely to give rise to significant ecological effects provided that:-

- boundary vegetation is retained and buffered with new planting comprising appropriate species to the locality. Any localised removal to facilitate access is minimised and undertaken outside of the bird nesting season and is accompanied by measures to reduce any potential effects on reptiles;
- the construction and function of the proposed new drains/ditches does not adversely affect the existing ditches (i.e. through sediment mobilisation, major changes in water levels and pollution) and in particular their ability to support water voles (assuming their continued presence);
- a bat friendly lighting scheme is implemented; and
- the proposed site landscaping delivers biodiversity enhancement through the creation of wildflower grassland, woodland and ditches/swales.

Section 16 of the NPPF relates to conserving and enhancing the natural environment. It affirms that the most sensitive habitats and landscapes should be safeguarded. Paragraph 170 confirms that planning decisions should contribute to and enhance the natural and local environment including by: recognising the intrinsic character and beauty of the countryside, including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; d) minimising impacts on and providing net gains for biodiversity e) preventing new and existing development.

The proposal would accord with the NPPF para 175, with ALP policies ENV SP1, ENV DM1, ENV DM4 and ENV DM5 and CNDP policies CPN 8 and CPN 9 .

#### CLIMATE CHANGE

Policy ECC SP1 'Adapting to Climate Change' confirms that the Council will support development which is located and appropriately designed to adapt to impacts arising from climate change, including the increased probability of tidal and fluvial flooding. The proposed layout and design of the proposal incorporates elements of sustainable design, including the proposed green roof for the building and locally sourced building materials. The proposal has also been designed having regard to the location of the site within Flood Risk Zones 2 and 3, as demonstrated in the accompanying Flood Risk Assessment.

Policy ECC SP2 'Energy and Climate Change Mitigation' advises that all new development will be expected to be energy efficient and demonstrate how it will achieve energy efficiency measures, use design and layout to promote energy efficiency, and incorporate decentralised, renewable and low carbon energy supply systems. The policy requires all major developments to produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless this is unviable. The development incorporates appropriate elements of sustainable design and these will satisfy the requirements of this policy.

#### SUMMARY:

The principle of development is contrary to the development plan as it is located in a countryside location, within a settlement gap, in an area partially at high risk of flooding and on grade 3a agricultural land.

The proposal represents sustainable development where the need for a new crematorium has been established. The evidence indicates this is the only available site which meets all of the required criteria. The proposal will make an efficient use of an accessible site. It will provide modern, purpose-built crematorium facilities which are of an appropriate design and will respond positively to the character of the area. It will be readily accessible to the residents of the Bognor Regis and Littlehampton areas and the proposal will preserve the character and appearance of the area, using natural resources, landscaping and appropriate materials.

The siting of a crematorium in the countryside is supported by the NPPF and by decision making elsewhere in the South East. These material considerations are such that in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, a decision can be taken other than in accordance with the development plan.

The application is therefore recommended for approval subject to 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.

#### **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 Plan SC-CLMPG-V1-XX-DR-K-0505 1ST  
Site Plan SC-CLMPG-V1-XX-DR-K-0500 revF  
Main Building GF Plan SC-CLMPG-V1-00-DR-K-0501 rev B  
Main Building FF Plan SC-CLMPG-V1-01-DR-K-0502 revB  
Main Building Elevations SC-CLMPG-V1-XX-DR-K-0504 rev C  
Main Building Roof Plan SC-CLMPG-V1-XX-DR-K-0503 revB  
Book Room Elevations SC-CLMPG-V1-XX-DR-K-0508 1ST

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies QE SP1, D DM1, T, SP1 and CSP1 of the Arun Local Plan.

- 3 The Changing Places Toilet hereby approved as part of this development and shown on drawing SC-CLMPG-V1-00-DR-K-0501 revB "Main Building GF Plan" shall be first laid out in accordance with Arun District Council's "Changing Places Toilet Guidance" dated January 2019 (or any subsequent published version) and provided prior to use of the building. Thereafter, its special features shall be maintained in good working order.

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

- 4 The development must be carried out in accordance with the mitigation and enhancement measures as set out within sections 5.0 and 6.0 of the Preliminary Ecological Appraisal by SLR ref 402.05324.00005 (August 2018). The enhancements and mitigation measures shall be implemented as per the document and then permanently retained and thereafter maintained as fit for purpose.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 5 No development shall take place, including any works of demolition, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with West Sussex County Council and the Councils Environmental Health Officers). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters

- an indicative programme for carrying out of the works;
- the anticipated number, frequency and types of vehicles used during construction;
- the method of access and routing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste, including permitted times for deliveries;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- Measures to minimise the noise (including vibration) generated by the construction process

to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);

- measures to control the emission of dust and dirt during construction;
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination; and
- a scheme for recycling / disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenity of the occupiers of any nearby noise sensitive premises, the general amenities of the area and in the interests of highway safety in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

- 6 With the exception of the provision of deer proof fencing to the site boundaries, prior to the commencement of development, the developer shall provide a 5m deep buffer zone to the hedges and watercourses along the site boundaries to be secured by temporary security fencing. The habitat within the buffer zones shall be maintained as existing and there shall be no access to these buffer zones during the construction process. Once construction is completed, the fencing shall be removed and the buffer zones left as a natural area for wildlife.

Reason: In order to protect wildlife habitat (bats, reptiles, dormice and water voles) and in the interests of general biodiversity in accordance with policy ENV DM5 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to ensure that the wildlife habitat is protected prior to the start of construction works.

- 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. 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. No construction is permitted, which will restrict current and future land owners 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 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

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

- 10 No development shall commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: The site is of potential archaeological significance in accordance with Arun Local Plan Policy HER DM6. This is required to be a pre-commencement condition because it would not be possible to carry out surveys once the building work has started.

- 11 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings 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.

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the surrounding rural area in accordance with policy D DM1 of the Arun Local Plan.

- 13 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

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

- 14 Piling and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent pollution of groundwater in accordance with Arun Local Plan policy W DM1 and to protect the principal aquifer from contamination in line with paragraph 170 of the National Planning Policy Framework..

- 15 The development hereby permitted may not commence until a foul water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved and completed prior to the development being brought into use.

Reason: To ensure that the proposed non-mains drainage system does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework

- 16 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (ref 402.05324.00005 version 4 January 2019) and the following mitigation measures it details.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change in accordance with policies W SP1 and W DM2 of the Arun Local Plan.

- 17 Before the development is first occupied or brought into use a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall then be carried out as approved and permanently adhered to unless otherwise agreed in writing with the Local Planning Authority.

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

- 18 No part of the development shall be used until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled PROPOSED SITE ACCESS GENERAL ARRANGEMENT and numbered PROPOSED SITE ACCESS GENERAL ARRANGEMENT rev 5.

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

- 19 No part of the development shall be first brought into use 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 space for the use in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 20 No part of the development shall be first brought into use until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. The approved cycle storage/parking spaces shall thereafter be permanently retained in good working condition.

Reason: To provide alternative travel options to the use of the car in accordance with in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 21 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 22 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.

Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended and in accordance with policy ENV DM5 of the Arun Local Plan.

- 23 No crematorium services shall take place outside of the hours of 09:00 and 17:00 Monday to Saturdays and there shall be no more than 8 services per day. There shall be no operation on Sundays or Bank Holidays.

Reason: As agreed with the applicant and in the interests of the general amenity of the locality & to minimise the impact of traffic on the road network during peak hours in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 24 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 25 INFORMATIVE: This process may require a permit under the Environmental Protection Act

1990, Environmental Permitting

(England and Wales) Regulations 2010 before operations commence and the applicant is advised to contact the Environmental Health Department on 01903 737755.

- 26 INFORMATIVE: The discharge of effluent associated with this development will require an Environmental Permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted.

Additional 'Environmental Permitting Guidance' can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>.

- 27 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 percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 28 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.

- 29 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

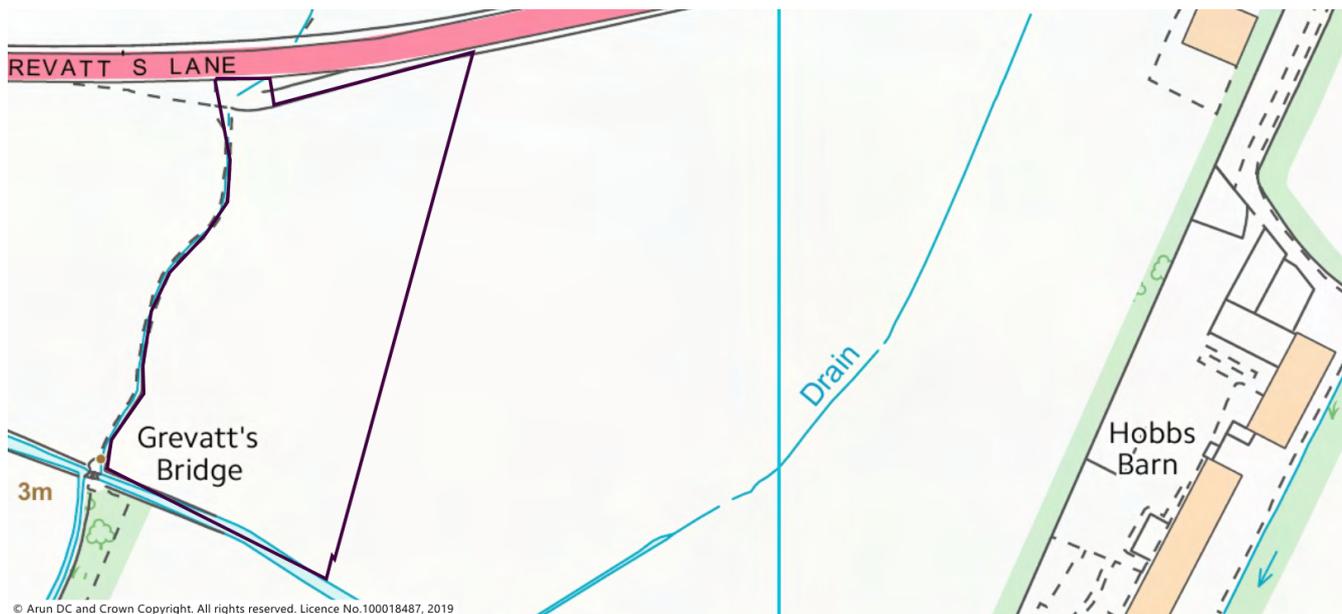
- 30 INFORMATIVE: Please note as the site is not particularly accessible by public transport it is recommended that the applicant consider the installation of electric vehicle charge points within the development. Installation at the construction stage is more economical and less intrusive than a retrofit and prepares the property for future changes in the vehicle mix, whilst encouraging the uptake of electric vehicles.

- 31 INFORMATIVE: Please note that this development may require an Environmental Permit, a

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variation of an existing permit or an exception from an Environmental Permit from the Environment Agency. The applicant must ensure that the operations at the site are in accordance with the Environmental permitting regulations 2008. The applicant is advised to contact the national Customer contact centre on 03708 506 506.

**CM/4/19/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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