

PLANNING APPLICATION REPORT

REF NO: WA/52/24/RES

LOCATION: Land West of Yapton Lane
Walberton

PROPOSAL: Approval of reserved matters relating to appearance, landscaping, layout and scale for the erection of 48 dwellings, dental surgery (use class E(e)), substation, foul-pump station, public open space and associated works pursuant to outline application WA/2/22/OUT. This application may affect the setting of listed buildings and may affect the character and appearance of the Walberton Village conservation area. This application is in CIL zone 3 and is CIL liable for new dwellings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>The application seeks approval for the reserved matters of appearance, landscaping, layout, and scale following an outline permission (WA/2/22/OUT) that established the principle of 48 dwellings on this site, together with approval of the means of access.</p> <p>The proposal is for 48 dwellings of detached and semi-detached houses and apartments, all with front & rear gardens and parking. The mix features 1 bed units (6), 2 bed (20), 3 bed (14) and 4 bed (8). Four units are bungalows. Parking is on-plot driveway spaces and on street. The scheme includes 9 visitor spaces. Cycle storage will be in garages and in sheds to rear garden.</p>
TOPOGRAPHY	Predominantly flat.
TREES	Part of the site includes a linear copse, located to the west of Yapton Lane which comprises predominantly Sycamore, with occasional Beech, Hornbeam and Lime. There site features TPO/WA/1/21 and TPO/1/87 adjoins the boundary the north.
BOUNDARY TREATMENT	Flint walling and trees along road frontage. Vegetation along north, south and east boundaries.
SITE CHARACTERISTICS	The proposal comprises the northern part of an agricultural field to the west of Yapton Lane. There is a permissive footpath in the site along the eastern boundary through the copse.
CHARACTER OF LOCALITY	Semi-rural. To the north-west corner is a care home, Walberton Place. To the north-east corner is a commercial business (chainsaw/lawnmower) which is bounded by a mixed belt of low scrubby vegetation. To the north is a large, wooded copse which extends to Yapton Lane to the east. The copse, and the land to the north of it is in the Walberton Conservation

Area. To the south are community allotments, (a Local Green Space) and an area of open space, to the south of which are greenhouses and packaging buildings for horticultural use.

RELEVANT SITE HISTORY

WA/2/22/OUT Outline planning application with all matters reserved, Refused
other than means of access, for the construction of up to 25-04-22
48 dwellings (30% affordable homes) and dental/doctors'
surgery (Use Class E (e)). (This application may affect
the setting of a listed building & may affect the Walberton
Village Conservation Area).

**Appeal: Allowed+Conditions
05-04-23**

WA/2/22/OUT for 48 dwellings and a dental/doctors surgery (Class E) was approved on appeal in April 2023.

REPRESENTATIONS

The following is a summary of the representations received. Full comments are available to view on the Council's website.

Walberton Parish Council - Object

- Significant issues with flooding surface water and sewage flooding and increasing the load further will worsen the situation.
- The proposal includes a pumping station and concerns are had regarding the risk if this fails.
- A grampion condition should be included to restrict habitation until the sewage system has been upgraded.

68 objections received from 33 nearby occupiers.

- The entrance is inadequate and a serious road safety hazard.
- Concerns regarding the acoustic report and its assessment of surrounding noise impacts.
- Noise of traffic is a constant disturbance.
- Location of the pumping station is sub optimal and appears to enable future growth on the wider site.
- The drainage details are not sufficient.
- Omissions to the arboricultural information submitted under the OUT and this application.
- The foul sewerage provision is unacceptable with the existing sewer over capacity.
- Condition 30 on the outline requires works to Yapton Road prior to occupation. These appear to have been shelved following suspension of the A27 improvements and if there is no intention to improve the road, it should be refused.
- No more houses are needed.
- Further pressure on the drainage system will result in flooding.
- Walberton is poorly serviced and little choice but to use their cars.
- There is no pavement, therefore you couldn't walk to schools/shops from the new houses.
- The flint wall will be removed for access which is detrimental to the conservation area.
- The field is waterlogged at times and with hardstanding it will flood.
- The application should be refused until the drainage system has been upgraded.
- The houses would disrupt local businesses to the north of the site.
- The development does not align with the Neighbourhood Plan.
- It will ruin the village.

- A doctors would be better than a dentist.
- The development will destroy a bat colony.
- The transport statement is incorrect
- Walberton has satisfied its quota for new buildings.
- Loss of agricultural land.
- No safe access to village by pedestrians from the site.
- The travel plan is inadequate and is lacking in key assessment and information.
- The travel plan does not include measures for accessibility of all users.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and will be addressed in the conclusion.

Condition 30 on the OUT (outline) require works to Yapton Road prior to occupation. If this condition cannot be complied with, an application would be required to remove or vary the condition. This is not something that would be considered under this application.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WEST SUSSEX FIRE AND RESCUE - No objection subject to conditions relating to details of fire hydrants.

PARKS AND LANDSCAPE

- Comments made under the OUT objected to the landscape details. This application still requires amendments. POS should be increased with a change to the path material for all weather useable surfacing. Soft landscape proposals appear broadly suitable. A standalone LAP (Local Area of Play) needs to be incorporated outside of the LEAP (Local Equipped Area of Play). The equipment choice for the LEAP needs improvement. The SuDS should not impact the usable POS (Public Open Space).

Updated comments - No objection. 28/1/25

- The applicant responded very positively with the changes resulting in a vast improvement.
- There is a greater diversification and species composition to include extra heavy specimens.
- A robust and detailed landscape scheme has been proposed.

ADC TREE OFFICER - Object

- The construction of the footpath and its route through the high value trees is too important to be dealt with under condition and details should be provided under this application.
- Suggest additional measures incorporated into the method statement to ensure protection of trees in G13-9.
- There does not appear to be an approved surface water design and this should avoid the root protection area of trees.

ENVIRONMENTAL HEALTH

- Concerns regarding the noise and the impact it may have upon amenity.

Updated comments - No objection- 21.01.25

- If the recommendations and mitigation is fully implemented then there are no grounds to object.

LEAD LOCAL FLOOD AUTHORITY - Object

- Further information is required to demonstrate the method of surface water drainage.

CONSERVATION OFFICER

- The materials are at odds with the area, the flint should cover the entire elevation and black weatherboarding is not vernacular to the area.
- Further details are required regarding the removal of the flint wall.
- The impact is described as having less than substantial harm and public benefits will need to be considered.

Updated comments 29/1/24

- The designs are an improvement. The introduction of further planting to the north is also positive.
- The works to the flint wall are problematic.
- Such as loss would greatly impact upon the wall and would be harmful and is not supported.
- New flint should be coursed to match existing and a sample should be provided via condition.

CONSERVATION AREA ADVISORY PANEL - Object

- The buildings in their form detached and semi detached are out of character.
- If minded to approve, north and south frontages should use plain clay tiles instead of black weatherboarding.

WSSC HIGHWAYS

- Access has been approved under the outline.
- Footpaths are not continuous with a length missing outside plots 41-48. If the road is to be adopted, continuous footway are essential. It would helpful to understand the applicants intention for concerning adoption.
- Car parking complies with ADC standards.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in the below and in the conclusion.

ADC TREE OFFICER

Whilst it is not ideal that footway path detail has not been provided in this application condition 23 of the outline secures the submission of all details of the permissive route through the trees. The Inspector decided these details, and their implementation need to be implemented by first occupation of any dwelling and it is not required to be dealt with at reserved matters stage.

The applicant accepts the comments made for additional protection measures and these will be conditioned.

LEAD LOCAL FLOOD AUTHORITY

The consultation response lists the document that had been assessed. This did not refer to the newest document uploaded with the application. The response appears inaccurate as it did not assess the newest information. Condition 26-29 on the outline requires submission of details regarding drainage details and is not required to be dealt with at reserved matter stage.

CONSERVATION AREA ADVISORY PANEL

The black weatherboarding has been replaced with tile hanging which addresses their comments.

WSSC HIGHWAYS

The applicant has confirmed the internal roads will not be offered for adoption.

POLICY CONTEXT

- Current/Future Flood Zone 1.
- No known Surface Water Flooding.
- Medium risk of Groundwater Flooding.
- Tree Preservation Orders refs 3/53/21 & 3/161/90.
- Area of Special Advert Control.
- CII Zone 3; and
- Adjoins the Walberton Conservation Area on the northern boundary.

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

AHSP2	AH SP2 Affordable Housing
WMDM1	WM DM1 Waste Management
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HDM1	H DM1 Housing mix
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
QEDM1	QE DM1 Noise Pollution
TSP1	T SP1 Transport and Development

<u>Walberton Neighbourhood Plan Policy 2019-2031 GA1</u>	Open Access and Permissive Paths
Walberton Neighbourhood Plan Policy 2019-2031 HP13	Design Guidance
Walberton Neighbourhood Plan Policy 2019-2031 7 VE10	Biodiversity Corridors
Walberton Neighbourhood Plan Policy 2019-2031 VE12	Flint walls
Walberton Neighbourhood Plan Policy 2019-2031 VE3	Protection of Trees and Hedgerows
Walberton Neighbourhood Plan Policy 2019-2031 VE4	Conservation Areas and Areas of Special Character
Walberton Neighbourhood Plan Policy 2019-2031 VE7	Surface Water Management

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11 Arun Parking Standards 2020

SPD13 Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 would result in a development of an appropriate scale, layout and appearance which is not harmful to the character & appearance of the area, the existing trees or the amenities of existing residents.

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.

BIODIVERSITY NET GAIN

This application is not liable for Biodiversity Net Gain (BNG) as the application for the outline permission was made before 12 February 2024 but there was a condition placed on the outline permission requiring 10% BNG and this will be determined post permission.

CONCLUSIONS

PRINCIPLE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

WA/2/22/OUT established the principle of development for 48 dwellings with all matters reserved, other than means of access. Vehicular access was agreed to be from Yapton Lane. The outline permission established the principle of development including in respect of flood risk, traffic generation, highway safety, archaeology, impact on wildlife, loss of agricultural land, mineral safeguarding, impact on heritage, countryside location, foul drainage (the principle of the new dwellings connecting to the

network), public open space and provision of affordable housing. The Local Planning Authority can now only consider the outstanding reserved matters of layout, scale, appearance, and landscaping. It is only appropriate to consider development plan policy and material considerations in respect of the reserved matters.

OUTLINE PERMISSION COMPLIANCE:

It has been established by case law that applications for the approval of reserved matters must be within the ambit of the outline planning permission and must be in accordance with the conditions annexed to the outline planning permission. Certain conditions imposed by the outline set parameters for the nature and form of the Reserved Matters submission and these are analysed below. When determining whether reserved matters fall within the ambit of an outline planning permission the courts have allowed a little freedom of interpretation with the usual test being whether any changes make a material difference to the essence of what was approved.

Condition (3) requires the reserved matters scheme to be carried out in accordance with the approved Location Plan 20-1092-001-A, Parameters Plan(1xx_P01) and Proposed Access Plan (478/002 Rev.).

Condition (25) requires that the reserved matters include M4(2) and M4(3) provision in accordance with ADC's guidance.

Condition (32) requires that the reserved matters be accompanied by (a) a scheme and specification for the dentist/doctor's surgery building; and (b) details of proposed marketing for a minimum period of 6 months. The details should include when/where/how the marketing is to take place.

DESIGN AND VISUAL APPEARANCE

ALP policies D SP1 and D DM1 require development make the best possible use of land by reflecting or improving on the character of the site/surrounding area. Policy HP13 of the WNDP refers to design.

The Arun Design Guide (ADG) suggests a density of 15-25 (dph) for detached/semi-detached houses in village locations and states density should decrease with distance from the centre of a settlement, to ensure development relates sensitively to its setting and addresses edges of the site in a positive way. The density for this development would be 19.5 dph and this is within the range and is acceptable. This complies with policy HP1 of the WNDP which refers to density.

The layout is required to be in accordance with the parameter plan as per condition 3 of the outline decision and the layout achieves this. This essentially secures the substantial tree planting to the boundaries of the site, predominately along the eastern boundary adjoining Yapton Lane.

The scale of the buildings is in keeping with the wider area which features a mixture of larger detached houses and older terraced properties. There are two apartment blocks proposed and whilst flatted development is not common with Walberton, the largest building (plot 12-16) is not in a prominent location, situated to the northwest corner it does not appear at odds with the general layout and appears acceptable. The apartments are two storey, which is consistent with neighbouring development and would not appear unduly dominant.

The ADG states 'entrances to a development should be clearly defined through the use of pinch points, corner or feature buildings'. Predominant views upon entering the site will consist of the dental surgery which is situated to the north of the internal access. The dental surgery will form a feature building. This largely embodies the characteristics of a residential dwelling rather than a commercial building but with design changes to make it clear to visitors that it is not a dwelling conversion. Whilst its side elevation is highly visible upon entry to the site, it does have elevational detail with 4 windows and part timber

cladding and remains to be reflective of the wider area in relation to its scale in compliance with the guide.

Materials for this property consist of red brick with a slate roof. The roof material is in contrast to direct neighbouring properties although in keeping with the wider development site. Other dwellings on site have a mix of external elevations featuring red and brown brick, some with tile hanging at first floor and some with a full flint elevation. Roof tiles consist of red/brown clay tile and slate. Weatherboarding was proposed to the flatted development. Following comments from the Conservation Officer this was removed and replaced with tile hanging.

Street scenes show a mix of dwelling designs featuring both single and two storey scale. The planning statement demonstrates how the layout area has been split into character areas with each having specific features and variation between each. The central element of the site will have low level garden walls with flint details with undulating roof scape, the northwest of the site takes cues from the nearby semi agricultural buildings, whilst those to the southern end will be mainly detached with timber gable features.

The access approved by the outline will be situated to the eastern boundary extending through the treeline where it will then split to provide a road connection south around the perimeter of the site and directly through the development where will then extend north. The main access road will comprise a 5.5m wide carriageway.

Affordable housing is spread across the site although there are two small clusters to the northwest corner of the site and northeast. It is accepted the need to ensure the same tenure in the flatted buildings and the affordable units in Plots 12-16 and 1-4 are acceptable. A further unit is situated to the western boundary. The location of the affordable housing is acceptable.

The open space is largely towards site boundaries, predominately to the southern end. Whilst it would be a positive to have the open space more central on the site, as a result of the requirements to comply with the parameter plan and due to the substantial tree lined boundary it is not feasible and would require the formal variation of the outline condition. The provision and siting of open space is acceptable. The LEAP/LAP (Local Area of Play) and SuDs feature is to the southwestern corner. Some attempt has been made to screen the development from the road through the retention of trees and the serpentine access road. The planting of extra heavy standard trees has been increased which will provide a greater instant impact and aid visual amenity to the development green edge.

A foul pumping station is to the southwestern corner of the site. This is set within a single storey pitched, slate roof building. This will have black metal double doors for access. This is minor in scale and its materials are in sympathetic to that of the development site and wider area.

The proposed design and layout of the dwellings appears reflective of the wider character of the area in compliance with ALP policies D DM1 and D SP1, HP13 of the WDNP and the Arun Design Guide.

RESIDENTIAL AMENITY

ALP policies D DM1, D DM2 and QE SP1 are relevant. The ADG sets out guidance on interface distances between houses:

- Back-to-back: min. 21m between habitable rooms of properties or to existing buildings.
- Back/front to side: min. 14m between habitable rooms and side gable of adjacent property (technically, there is no stated requirement for front to side, but the impact is the same therefore it is appropriate to consider this).
- Front to front: min. 16m between habitable rooms and site boundary to existing landscaping.

- Front gardens should provide a minimum of 2m defensible space; and
- The rear gardens of residential houses should be at least 10.5m deep

The layout generally complies with the guidance above. There is minor shortfall with the front to side distance between apartments 13 - 16 to 11. Plot 18 - 22 is slightly short at 13m instead of 14m. This is minor and with the road running between the properties, it would not result in adverse harm between residential properties.

There are commercial businesses to the north of the site at DM chainsaws and Walberton Care Home. Concerns were raised about noise from these premises upon the new occupiers of the development. A 2m high masonry wall is proposed to form an acoustic barrier. This is situated where the boundary adjoins DM chainsaw to the north. Upon further discussions between the agent and the Environmental Health officer, it was confirmed that if all recommendations and mitigation are fully implemented, they do comply with the guideline levels set out in conditions 12 and 13 on the outline. These conditions refer to internal and external noise levels. Condition 8 on the outline requires an acoustic assessment be undertaken and this has informed the mitigation that is required. Conditions mentioned which relate to noise still require discharging and sufficient detail will still be required to be submitted and approved following the reserved matters application to demonstrate internal/external noise levels are acceptable.

The proposal would not result in adverse harm upon the wider amenity in compliance with ALP policy D DM1.

INTERNAL AND EXTERNAL SPACE STANDARDS

As per ALP policy D DM2 it is necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard or NDSS) to determine if the buildings will be suitable for future residential occupiers.

All of the properties comply with requirements.

With regards to external amenity space, the ADG states private rear gardens should be at least 10.5m deep and that front gardens should be 2m deep. All of the dwellings provide residential gardens which meet or exceed the guidance. The two flatted developments also have their own communal space to the rear of the site which is of an acceptable size.

The proposal complies with relevant policies of the ALP and the Arun Design Guide.

HOUSING MIX

ALP policy H DM1 provides for a mix of housing to meet local needs and requires all housing development to provide a mix of dwelling types and sizes to address this need and demand. The policy acknowledges the final mix will be negotiated on a site-by-site basis, having regard to the most up to date Strategic Housing Market Assessment (SHMA).

The scheme provides the following housing mix:

6 x 1 bed, 20 x 2 bed, 14 x 3 bed and 8 x 4 bed.

The proposal provides a mix of market housing which largely consists with the need identified in the SHMA. Below is the suggested broad mix of market housing by size for the District:

Policy requirement

1 bed - 5-10%

2 bed - 40-45%

3 bed - 35-40%

4 bed -10-15%

The scheme proposes the following mix: 12% 1 bed, 42% 2 bed, 29% 3 bed, and 17% 4 bed. This mix provides a slightly higher percentage of 1 and 4 bedroom units and a slightly lower percentage of 3 bed dwellings however the variation is minor and is acceptable.

The proposal will also deliver 30% affordable housing. The Councils policy requires a tenure split of 67% rented, 25% First Homes and 8% intermediate. The overall number of units and tenure split which would consist of 4 First Homes, 9 affordable rent and 1 shared ownership and is acceptable.

The proposal complies with ALP policy H DM1.

HOMES FOR OLDER PEOPLE

ADC policy on the provision of housing accommodation to provide for an ageing generation ("Accommodation for Older People and People with Disabilities", 2020). This has some weight as a material planning consideration. It is supported by references in ALP Policies D DM1 & D DM2.

Condition 25 of the outline consent states: "Detailed plans and particulars of the Reserved Matters submitted to the local planning authority for approval shall ensure that the scheme makes provision for accommodation to meet the Building Regulations Standards M4(2) and M4(3) in accordance with the council's guidance note entitled "Accommodation for Older People and People with Disabilities Guidance"."

The guidance states that for developments between 11-50 units 30% of the dwellings should be designed to Part M4(2) and two additional units to be designed to M4(3). The application proposes 23 dwellings to be part M4(2) compliant, this equates to 48% of dwellings and 2 dwellings will be Part M4(3) compliant. This complies with guidance.

PARKING

ALP policy T SP1 is relevant and the Arun Parking Standards SPD. Policy GA1 of the WDNP support proposals that provides footpaths within the parish.

The location of the access to the site was established under the outline application and the site will be accessed via a new junction from Yapton Lane and will form a single point of access into the site. This access is via a 5.5m wide road and when scaled appears to reduce slightly to 5m as it extends throughout the development although WSCC Highways confirm 5m remains suitable for two vehicles to pass each other. Upon entering the site, the road separates and continues through the centre of the development and also extends along the southern elevation around the boundary of the site where it will join back up with the central route and extend north to form a turning head.

Footpaths are provided on the main access road and connect with the permissive path approved under the outline. The footpath will run along the eastern boundary extending north where residents would then be able to link up with existing pavement outside 'Walberton Lodge' where it extends to 'The Street'. Footpaths within the site transition to a shared space outside plot 9 to the north and plot 41 on the southern side. WSCC Highways commented regarding the pavements which do not run along the full site and become a shared space which would not allow for the highway to be adopted. The applicant confirmed the site will not be offered for adoption and a shared space is acceptable.

Suitable details have been submitted which demonstrate that refuse vehicles will be able to enter, turn and exit the site and a turning head is provided for manoeuvrability.

ADC Parking Standards for a 1-3 bed property in this location (Parking Behaviour Zone 1) requires an expected level of 2 car parking spaces on site. 4-bedroom dwellings would require 3 parking spaces. The scheme complies with guidance and delivers a total of 119 allocated spaces which include 9 visitor space which meets the 20% as per the ADC Parking Standards.

The majority of parking spaces are provided as tandem spaces situated to the side of the dwellings. Where spaces have not been provided within the curtilage, frontage parking is sought for plots 20,21,22,34. Where 3 spaces are required for the four bedroom units, 1 of these spaces will be located along the frontage to the south. Each of these dwellings also has 2 parking spaces within the curtilage and a garage and therefore they may not be used. 17 garages are proposed across the site however these are in addition to parking spaces and do not count towards parking provision. There is also a requirement under the Manual for Streets (MfS) and the Parking SPD for the provision of disabled parking spaces on the site at 5% of all spaces. This should measure 2.4m wide by 4.8m long with a zone 1.2m wide provided between designated spaces and at the rear outside the traffic zone, 9 disabled spaces are provided, these are distributed across the site and comply with requirements.

Courtyard parking is at a minimum, only for apartments 1-4 and 13-16. These are set back behind the buildings which helps to screen the parking area from immediate view and features sufficient planting. Cycle parking is also provided. Sheds will be provided to the rear garden for enclosed and covered storage and for the dwellings that have a garage, cycle storage will be within. All properties with a driveway or garage will be provided with an EV charging point and 20% of spaces not within the curtilage of a property will be fitted with a charger also.

Condition (6) on the outline requires submission of details for EV charging to be submitted. Condition (31) requires a travel plan to be submitted and approved. A draft Travel Plan has been provided which details the measures that will be implemented to encourage residents to use sustainable measures. Representation noted that it does not include measures for all users such as those with mobility issues and this should be considered. The travel plan appears largely acceptable although will need to be formally discharged.

Comments have been made that there are multiple access routes onto site. Only one vehicular access has been approved to serve the development and no other should be utilised.

Parking provision on site is acceptable and accords with ALP policy T SP1 and GA1 of the WDNP.

SURFACE WATER DRAINAGE

ALP policy W DM3 requires all development identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process. Policy VE7 of the Walberton Neighbourhood Plan states that new development should aim to reduce the overall level of flood risk through a series of criteria.

Detailed drainage matters are already covered by conditions 27-29 on the outline planning permission and will be agreed through the discharge of such conditions.

Condition (27) states: "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 LPA."

Condition (28) states: "Development shall not commence, other than works of site survey and investigation 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."

Condition (29) states: "Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose."

The drainage strategy confirms that run off will be discharged to the ground via infiltration with permeable paving and with an infiltration/basin pond to the southwest corner.

The application attracted an objection from the Lead Local Flood Authority (LLFA) who stated further information is required to demonstrate the method of surface water discharge. However, it appears as if the wrong information was reviewed. The consultation response noted the 2022 drainage strategy was reviewed. Newer information was available on the planning website. As a result, the consultation response appears incorrect as it has not reviewed the most up to date information available. Whilst a number of attempts have been made to address this with the LLFA, no further response has been received.

Drainage is not a reserved matter (RM) and is controlled by a condition imposed on the outline. Should there be a situation where the drainage condition cannot be agreed in the future due to the layout not providing sufficient space then a new RM application would need to be submitted to account for the necessary changes.

On this basis, this RM application can be determined without the support of the Lead Local Flood Authority and it is not necessary to demonstrate compliance with the relevant policies at this time. The applicant is aware of the objection and that it could result in a new RM application and an informative has been included to this effect. On this basis, there is no conflict with ALP policy W DM3.

FOUL DRAINAGE

ALP policy W DM1 states that all major developments must demonstrate that adequate drainage capacity exists or can be provided as part of the development. Where adequate capacity does not exist, there will be a requirement that facilities are adequately upgraded prior to the completion and occupation of development.

Condition (26) on the outline consent states: "Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the local planning authority (including details of its siting, design and subsequent management / maintenance) and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details."

The development proposes to install an adoptable pumping station. This is located within the confines of the site to the southwest corner with offsite connection to Southern Waters public foul sewer. The foul sewer in which it is proposed to connect is located west of the roundabout on Yapton Road/The Street with routing along Yapton Road approximately 170m north of the site.

Southern Water has not provided comment, however, final details are required to be submitted and approved as per the above condition and there is no conflict with policy.

ECOLOGY/ BIODIVERSITY NET GAIN

ALP policy ENV DM5 states development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. Policy VE10 of the WDNP refers to biodiversity.

The corresponding outline application was received prior to the introduction of statutory BNG and so there is no requirement for 10% BNG and instead the applicant needs only to demonstrate a net gain.

Biodiversity is not a RM and was assessed at outline stage with the Council's Ecologist and there are a number of conditions on the outline that relate to biodiversity. Condition (16) requires a Biodiversity Gain Plan to ensure that there is a minimum 10% net gain in biodiversity. Condition (14) requires mitigation measures and/or works to be carried out in accordance with the details contained in the Ecological Impact Assessment, (Ecosupport, October 2022) that was submitted under the outline and submission of a lighting scheme suitable for biodiversity is also required for discharge.

As biodiversity has already been assessed under the outline application and with a number of suitable conditions that are required for discharge the application will have to provide a biodiversity net gain on site and will accord with ALP policy ENV DM5.

TREES AND LANDSCAPING

ALP policy D DM1 requires developments to incorporate new tree planting and to improve upon character through landscaping. Policy ENV DM4 states TPO protected trees, those in ancient woodland, in a Conservation Area or trees that contribute to local amenity should not be damaged or felled unless the development meets the certain criteria including that the benefits outweigh the loss of trees or woodland.

The site is subject to TPO/WA/1/21. This covers the woodland to the east of the site. To the north is TPO/WA/1/87 with the root protection area (RPA) of some of these trees falling in the site boundary.

There will be a number of trees removed from G14 to the northwest corner. These trees are of smaller, lower quality and do not form part of a TPO. A number of Sycamores from G6 and an individual Beech (T2) will also be felled, and these are to the eastern boundary of the site. The trees are all Category C or U trees. The loss of trees to the east of the site is unfortunate. This is to facilitate the access arrangements and those that will be removed are of lower quality and do not form part of the TPO.

The rear garden of plots 18-21 in the northwest corner intrudes into the root protection area of some of the high value off site trees. There is potential for works such as landscaping and fencing to cause potential harm to these. Whilst this may not normally be acceptable, in this case, the Tree Officer confirms it is reasonable to include these in an irregular parcel of land which will form a garden to avoid it being isolated with no purpose. Additional protection measures have been requested to ensure protection of these trees and this will be conditioned.

As part of the development a footpath is proposed which would run along the eastern side of the site through the woodland. Details for the exact route and the material was requested by the Tree Officer. Condition (23) of the outline secures the submission of all details of this permissive route. These details, and their implementation need to be implemented by first occupation of any dwelling. The information requested does not need to be submitted under this RM application and it would be unreasonable to refuse for this reason.

With regard to wider landscaping, amended plans were submitted to increase the number and species mix of the planting proposed at the site, with particular focus upon the south, southwest and northern boundary to rapidly establish a landscape buffer. There will be a mixture of hedging species, consisting of mixed and instant hedging and these will be planted at 1m and maintained at 1.8m in height where it is positioned along site boundaries. There will also be a mixture of planting of both native and decorative scrub mix. There will also be a large number of trees planted across the site including 66 extra heavy standard trees so they are at a size that will provide instant visual amenity along with specimen trees which are planted to be the focal point of a garden. Front gardens will have a mixture of hedging, grass

and shrubs.

Hard landscaping will feature charcoal herringbone paving on the roads, with communal parking areas in an alternative colour to provide differentiation. Saxon concrete paving will form pathways to the houses. Boundary treatment will also vary across the site consisting of timber fencing at 1.8m to gardens. Boundaries that are prominent in locations, (31,48,9,41,39) will feature masonry brick wall with close board timber infill panels to provide some detail. The rear boundary of plots 21-17 will have 1.1m post and rail fence where it adjoins the conservation area. A 1.1m high estate railing fence will be situated to the southern elevation of the site to ensure it does not result in an enclosed boundary but enables views across the adjoining field. A 0.45m high masonry & flint wall will be situated to the front of plots along the central access road.

The Councils' SPD "Open Space, Playing Pitches, Indoor and Built Sports Facilities" (January 2020) sets out a requirement of 3960m². The scheme proposes POS (public open space) (excluding the pond and play space) of 5698m². This complies with requirements. The indicated areas of POS would appear to be heavily dominant with SuDS features. The landscaping proposal demonstrates that the POS is separate to the SuDs pond.

The development is also required to provide one LEAP(Local Equipped Area of Play) and LAP (Local Area of Play) The design has been amended to separate and provide two individual play areas. The LAP comprises natural elements including a seat, bin and planting and natural play elements such as play boulders. The LEAP includes a range of equipment such as swings, slide, timber climbing stack, rockers and items for sensory play to ensure it is inclusive for all ages.

The primary footpath route linking both the proposed LEAP and LAP play areas surfacing material, has also now been amended to reflect a macadam footpath in line with the play guidance requirement.

The hard and soft landscaping appears acceptable and includes variation in the species and boundary treatments that are on site. The amount of open space that is provided complies with requirements and complies with relevant ALP policies.

MARKETING STRATEGY

Condition (32) of the outline consent states: As part of the approval of the reserved matters, the following shall be submitted to and approved in writing by the local planning authority in respect of the dentist / doctor surgery building:

- a. A scheme and specification for the dentist/doctor's surgery building.
- b. Details of proposed marketing for a minimum period of 6 months. The details should include when/where/how the marketing is to take place.

If the unit is not let/purchased following 6-month marketing and 4 month post completion of the contract it will revert to open space with specific timescales.

A scheme and specification for the building has been provided. This details the design and its internal arrangements and complies with (a).

A marketing strategy has been submitted. This demonstrates that marketing will take place for a period of 6 months. Updates on offers and enquires will be reported to the Council every two weeks. This will be advertised on right move, social media and the development land database. A for sale board will be erected following a reserved matters application. A marketing brochure has been provided which details the site for sale and complies with part (b) of the condition.

The marketing strategy provided is acceptable. Should a sale of the building not succeed the site will

revert back to open space as per the condition above.

HERITAGE

ALP Policy HER SP1 seeks to conserve the historic environment through protecting designated and non-designated heritage assets. Policy HER DM3 outlines how the Council will preserve and enhance the character and appearance of the setting of Conservation Areas. Policy HER DM1 set out criteria for assessing the impact on proposals in relation to the setting of Listed Buildings. WDNP Policy VE 4 states that proposals that adversely affect the setting of the Conservation Areas will not be supported.

Para 207 of the NPPF requires the significance of the heritage asset affected by a proposed development to be identified. Paragraph 208 of the NPPF requires LPAs to identify and assess the significance of a heritage asset that may be affected by the proposal.

The development site is not within the Walberton Village Conservation Area although it does abut the boundary of it and therefore forms part of the setting. The Conservation Area contains historic buildings, some of which are listed and contributes to its historic interest.

The general form and street pattern is very simple, and the Conservation Area can be divided into a number of distinct character areas. Its significance is derived a range of features such as from the use of traditional building materials, especially flint and brick, its scale being two storey buildings, extensive uses of traditional boundary treatments including stone walls. The fields also contribute to the significance as the rural edge of the village.

It has already been established by the Planning Inspector, that the proposal would result in some harm to the Conservation Area as a result of development within part of its setting. The Inspector stated 'the field in which the appeal site is located can be seen as part of this setting in glimpsed and filtered views, however any intervisibility with the Conservation Area itself is limited. The contribution of the appeal site to the significance of the Conservation Area setting is therefore modest. The harm to the significance of the setting and small incursion into the Walberton Village Conservation Area would be less than substantial and low level and the identified public benefits would outweigh the harm on this occasion'.

The Conservation Officer provided comment that the dwellings would result in a more standard suburban appearance which would not reflect the existing rural character of the site or the Conservation Area. The development does not feature terraces which are also a common feature. It was also noted that the use of black weatherboarding and part flint elevation was out of character. Following these comments, the materials were altered with weatherboarding replaced with tile hanging and the part flint elevation altered to form a full flint elevation and this is confirmed by the Conservation Officer as a positive alteration.

The proposal has tried to replicate similar design principles from that of the wider area, introducing 3 character areas across the development. The material palette in the Conservation Area includes flint walling with quoining, brick, painted brickwork, render, vertical tile hanging, clay plain tiles and natural slate tiles. The development does include tile hanging, slate, flint and flint walling, incorporating some of the traditional boundary treatments and materials. Whilst terraces are not present within the layout, the scale is consistent with the wider area being of two storeys.

Alterations to enable the access are more problematic and would involve the removal of a section of the flint walling which encloses the site along the western edge of Yapton Lane. Policy VE12 of the WDNP seeks that flint walls are retained and the proposal does conflict with this, although there will be sections of new flint wall within the development.

Condition (3) of the outline consent requires development to be in accordance with approved plan "5478/002 Rev. F Proposed Access". This plan shows a 2.4m x 120m splay to the north and 2.4m x 125m

to the south.

Condition (22) further states: "No part of the development shall be first occupied until visibility splays of 2.4 metres by 120 metres to the north and 125 metres to the south have been provided at the proposed site vehicular access onto Yapton Lane in accordance with the details shown on the drawing titled 'Land to the West of Yapton Lane' and numbered 5478/002 Revision F. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed."

The access was approved at outline and whilst the Inspector noted 'a small amount of flint wall would need to be removed', a length of 165m is to be removed and this is substantial, and the loss would greatly impact upon the wall. It is not clear as to what information the Inspector based this comment on nor what the Inspector considered to be 'small'. Given the imposition of the condition it is likely the Inspector had considered the visibility requirements and the amount of flint wall that would be lost. Brick piers will be constructed to the ends of the wall with reclaimed bricks to match the height of the existing.

The proposal is such that the impact can be described as causing less than substantial harm in accordance with paragraph 215 of the NPPF (2024). The public benefits of the application will need to be assessed.

Public benefit should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits. The proposal has outline permission for 48 dwellings of which 30% are affordable. The development also provides a dental surgery which can be utilised by those in the wider area. Although great weight should be given to the conservation of heritage assets, the public benefits would outweigh the harm on this occasion.

The public benefit of the development would outweigh the harm to the significance upon the setting of the Walberton Village Conservation Area and from the loss of part of the non-designated, flint wall. Conditions will be included for a sample of the brick and a flint panel to be submitted and approved.

The proposal would comply with relevant policies of the Arun Local Plan, policy VE4 of the Walberton Neighbourhood Plan and the NPPF.

SUMMARY:

The principle of 48 dwellings site has been established at outline stage and the reserved matters details submitted in this application accord with the relevant development plan policies as a whole. It is recommended that the reserved matters be approved, subject to the following additional conditions alongside the conditions previously imposed on WA/2/22/OUT which still apply.

HUMAN RIGHTS ACT

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

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

property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

CIL DETAILS

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

- Location Plan - 100_P1
- Proposed Site Layout - 101_P2
- Proposed Site Sections - 102_PL
- Plots 1,2,3 & 4 Proposed Floor, Elevation and Roof Plan - HTABA_P1
- Plot 5 and 24 Proposed Floor, Elevation and Roof Plan - HTB_P1
- Plot 6 Proposed Floor, Elevation and Roof Plan - HTB_p1
- Plot 7,8,44 & 45 Proposed Floor, Elevation and Roof Plan - HTA_P1
- Plot 9 Proposed Floor, Elevation and Roof Plan - HTE_P2
- Plot 10 & 11 Proposed Floor, Elevation and Roof Plan - HTC_P1
- Plots 12,13,14,15 & 16 Proposed Floor and Roof Plan - HTABB_P1
- Plot 12,13,14,15 & 16 Elevation Plan - HTABB_P2
- Plot 17,18.20 & 21 Proposed Floor, Elevation and Roof Plan - HTA_P2
- Plot 19 Proposed Floor, Elevation and Roof Plan - HTJ_P1
- Plot 22,23,32,33,46 & 47 Proposed Floor, Elevation and Roof Plan - HTA_P1
- Plot 25 & 26 Proposed Floor, Elevation and Roof Plan - HTA_P1
- Plot 27 Proposed Floor, Elevation and Roof Plan - HTB_P1
- Plot 28 Proposed Floor, Elevation and Roof Plan - HTE_PL1
- Plot 29,30 & 40 Proposed Floor, Elevation and Roof Plan - HTG_P1
- Plot 31 Proposed Floor, Elevation and Roof Plan - HTH_P2
- Plot 34 Proposed Floor, Elevations and Roof Plan - HTF_P1
- Plot 35 Proposed Floor, Elevation and Roof Plan - HTE_P1
- Plot 36 Proposed Floor, Elevation and Roof Plan - HTE_P2
- Plot 37 & 38 Proposed Floor, Elevation and Roof Plan - HTE_P1
- Plot 39 & 41 Proposed Floor, Elevation and Roof Plan - HTD_P1
- Plot 42 Proposed Floor, Elevation and Roof Plan - HTH_P1
- Plot 43 Proposed Floor, Elevation and Roof Plan - HTJ_P1

- Plot 48 Proposed Floor, Elevation and Roof Plan - HTH1_P2
- Proposed Garden Wall Details - EW_600
- Proposed Sub Station - GAR_705_P1
- Accessible Parking Bay - 103_P1
- Dentist Surgery Proposed Floor, Elevation and Roof Plan - PL_DS_P1
- Dentist Surgery Refuse Store - GAR_704_P1
- Plot 1-4 Cycle Refuse Store - GAR_703_P1
- Single Garage Proposed Floor, Elevations and Roof Plan - GAR_702_P1
- Double Garage Proposed Floor, Elevation and Roof Plan - GAR_701_P1
- Proposed Site Sections - PL_102_P2
- Hard Landscape Proposals Sheet 1 - ELVS24539 12
- Hard Landscape Proposals Sheet 2 - ELVS24539 12
- Hard Landscape Proposals Sheet 3 - ELVS24539 12
- Hard Landscape Proposals Sheet 4 - ELVS24539 12
- Soft Landscaping Proposal Sheet 1 - ELVS24539 11
- Soft Landscaping Proposal Sheet 2 - ELVS24539 11
- Soft Landscaping Proposal Sheet 3 - ELVS24539 11
- Soft Landscaping Proposal Sheet 4 - ELVS24539 11
- Play Area Proposals - Sheet 1 - ELVS24539 21
- Marketing Strategy - Dec 2024
- Brochure - Dec 2024
- Soft Land Management Maintenance Plan - June 2024 ELVS24539 MAN
- Soft Landscape Specification - ELVS24539 Rev A

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

- 2 Prior to occupation a sample panel of the flint work (including the proposed texture, style, coursing and mortar ratio) and bricks to be used for the remedial works to the flint wall to the eastern elevation and for the internal flint garden wall shall be submitted and approved by the Local Planning Authority and the sample panel approved by the Local Planning Authority shall be used in the construction of the wall.

Reasons: To enable the Local Planning Authority to control the development in detail in the interests of the heritage assets by endeavouring to achieve a building of visual quality in accordance with Arun Local Plan policy D DM1.

- 3 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 Arun Local Plan policy D DM1.

- 4 All activity at the site is to be carried out in strict accordance with: Arboricultural Implications Assessment & Method Statement and Tree Protection Plan' 201283-AIA4 10th June 2024.

The following below measures should also be complied with:

- Trees felled within the root protection areas of those retained may require stump extraction by heavy plant. If that is preferred to grinding by pedestrian-operated machinery, such plant

must operate only from outside of the live root protection areas or under the supervision of the project arboriculturalist.

- Installation of fencing must be undertaken with regard to the presence of structurally important roots when selecting the position of uprights; trial puts may need to be dug first to identify the optimum locations. Any excavations must be kept to a minimum size and depth and lined with an impermeable membrane if pouring concrete, as this is phytotoxic when curing.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree root protection areas/zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reason: To comply with BS5837:2012 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area in accordance with Arun Local Plan policies ENV DM4 and D DM1.

- 5 No development above damp-proof course (DPC) level shall take place unless and until details of the proposed location of the required fire hydrants have been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

Prior to the first occupation of any dwelling forming part of the proposed development, the applicant/developer shall at their own expense install the required fire hydrants in the approved locations to BS:750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrants shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner/occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with Arun Local Plan policies INF SP1 and T SP1 and with The Fire & Rescue Service Act 2004.

- 6 INFORMATIVE: Following approval of details showing the proposed location of all fire hydrant(s) or stored water supply (in accordance with West Sussex Fire and Rescue Service's Guidance Notes) and prior to the first occupation of any dwelling/building forming part of the proposed new development you are advised to contact West Sussex Fire and Rescue Service (WSFRS) make them aware of all the fire hydrants for the site and their locations. They can then be operated and tested, their location marked up locally and plotted on the water management system and mapping. This information is then available to all fire crews attending the site, essential for locating the nearest fire hydrants available in the vicinity of a fire without delay.

Without this information WSFRS would not be aware of any fire hydrants available on the site and lead to valuable time being spent looking for a water supply to keep the fire appliance supplied with water. Without a supply of water people's lives and properties could be put at undue risk in the event of a fire. Fire hydrant information is to be sent to either the Planning Officer or directly to the Water and Access Department, WSFRS on the details given below:

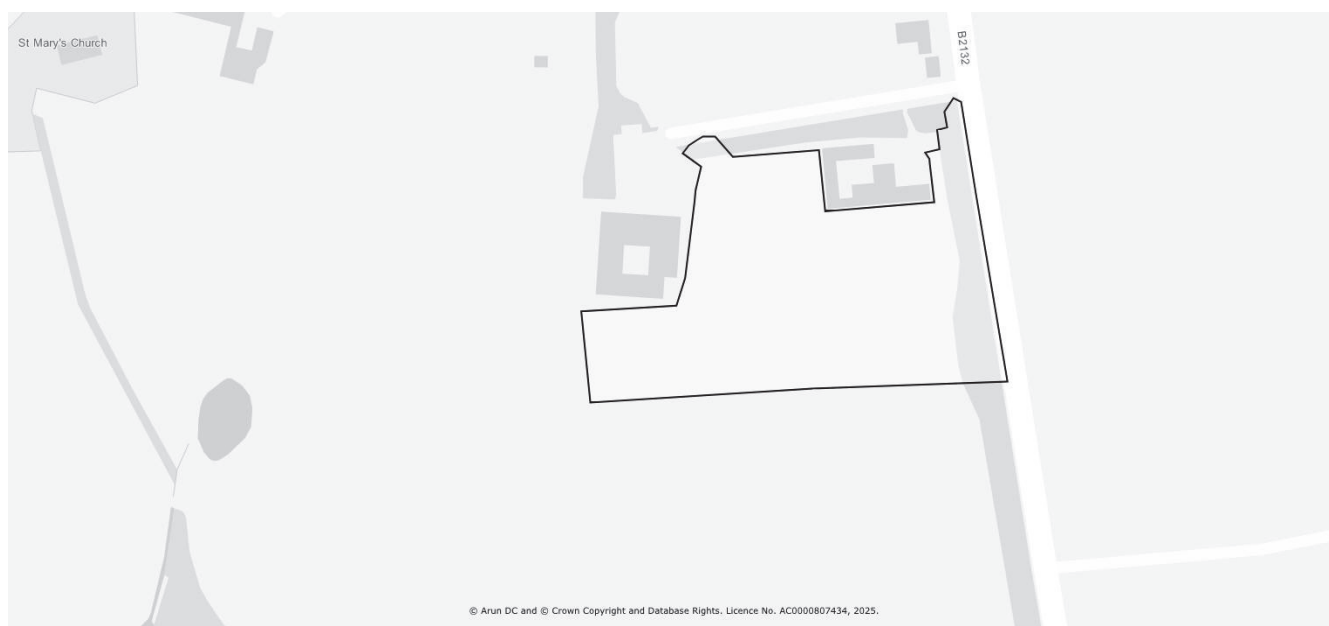
Frs.waterandaccess@westsussex.gov.uk

- 7 INFORMATIVE: This permission does not formally discharge any of the drainage conditions imposed on the outline planning permission and separate applications will be required to discharge these. In addition, the applicant should note that this layout has been approved without agreement of the Council's Drainage Engineers and therefore if it subsequently becomes clear that the drainage conditions cannot be agreed due to the layout not providing sufficient space for drainage then a new reserved matters application will need to be submitted as the Local Planning Authority will not be able to agree such changes through the Non-Material Amendment process. Please also note that any future submission to seek a discharge of the drainage conditions must be accompanied by full details in accordance with the guidance and checklist here <https://www.arun.gov.uk/surfacewater>.
- 8 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 9 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 10 INFORMATIVE: The applicant should note that this layout has been approved without agreement of the Council's Ecologist in respect of the ability to deliver the BNG required by condition 16 on the outline planning permission. If it subsequently becomes clear that the BNG condition cannot be agreed due to the layout not providing sufficient on-site BNG (and if it is not possible to secure it off-site), then a new reserved matters application will need to be submitted as the Local Planning Authority will not be able to agree such changes through the Non-Material Amendment process. You may however be able to provide additional on-site BNG such as additional hedging, planting, and say a wildlife pond through changes to the layout which could potentially be secured by a s96a application.
- 11 INFORMATIVE: All other conditions on the outline that require discharge will require separate applications to be submitted to discharge these conditions.

BACKGROUND PAPERS

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

WA/52/24/RES - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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