

PLANNING APPLICATION REPORT

REF NO:	A/122/19/OUT
LOCATION:	Land off Arundel Road Angmering BN16 4ET
PROPOSAL:	Outline application with some matters reserved for the erection of up to 160 dwellings with public open space, landscaping and sustainable drainage systems (SuDs), vehicular access point from Arundel Road; together with up to 1,393 square metres (15,000 square feet) of B1/B2 units with associated parking provision and vehicular access point from Arundel Road and land made available for expansion of current sports pitch provision (following the demolition of existing commercial units and one bungalow) (re-submission following A/36/18/OUT). This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS	
DESCRIPTION OF APPLICATION	This outline planning application is for the erection of up to 160 dwellings, the provision of B1/B2 employment uses and the supply of land for sports pitch provision on land west of Arundel Road, in Angmering. The applicant is applying for access to the site as part of this outline planning application. Details regarding the appearance, scale, layout and landscaping of the proposed development would be submitted for consideration as part of a reserved matters application.
SITE AREA	9.1 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	35 dwellings per hectare.
TOPOGRAPHY	Predominantly flat. Land rises to the north.
TREES	Two oak trees (T8 and T9) situated on the western boundary of the site have been protected by a Tree Preservation Order (TPO/A/2/19). There are no other individual trees affected by the proposed development which are worthy of retention.
BOUNDARY TREATMENT	The boundary treatment for the site varies and includes post and rail fencing, hedgerows and trees of various heights.
SITE CHARACTERISTICS	The site is in mixed use with 2.45 hectares on the eastern part of the site in residential use, comprising New Place Bungalow, together with an existing industrial estate which includes caravan storage in the south east corner. The western part of the site comprises open countryside in agricultural use.
CHARACTER OF LOCALITY	The site lies in a predominantly rural area which is characterised by a linear form of existing and approved residential development along the road frontage with Arundel Road. The site is bounded to the south by playing fields, sports pitches including a cricket pitch, a pavilion and a multi-

use games area (MUGA) at Palmer Road Recreation Ground. Open agricultural fields adjoin the site to the west. The site is bounded to the north by Steyne Wood and to the north west by Decoy Spring and ponds; and to the east by houses fronting onto Arundel Road, and a plot of land with planning permission (A/131/16/OUT) for 9 houses which also fronts onto Arundel Road. To the north east of Arundel Road is the woodland of Poling Furze fields.

## **RELEVANT SITE HISTORY**

A/36/18/OUT      Outline planning application with some matters reserved      Refused  
for the erection of up to 200 dwellings with access, public open space, landscaping and sustainable drainage system (SuDS) with vehicular access point from Arundel Road, one full-sized adult football pitch and the demolition of industrial units and one residential dwelling. Departure from the Development Plan.      07-09-18

The previous outline planning application (A/36/18/OUT) was refused on the following grounds:

- Outside the Built Up Area Boundary;
- No contribution towards infrastructure;
- Failed to identify an adequate affordable housing tenure split;
- Insufficient information to enable an assessment of the ability of the highway network to accommodate the development without adding to the hazards of highway users to an unacceptable degree; and
- The loss of an established employment site.

## **REPRESENTATIONS**

### **REPRESENTATIONS RECEIVED:**

Angmering Parish Council

Support the application.

The Parish Council agrees with the additional information on highways, parking and employment.

Fifty two letters of representation, together with a petition with 445 signatures, have been received from local residents and tenants of the industrial estate objecting to the proposed development on the following grounds:

- This is a departure from the Local Plan and Neighbourhood Plan. The site is not allocated for housing.
- Angmering has already taken enough new housing developments (600 homes over last 5 years).
- There is already enough housing granted planning permission off Water Lane, in Angmering.
- The schools and doctors cannot cope with all of the housing developments in Angmering.
- A new primary school must be opened before any further housing is granted in Angmering.
- There is no dental practice in Angmering.
- The junction from Arundel Road onto the A27 is dangerous enough without adding extra traffic.
- There is no right turn (eastwards) onto the A27 so cars will use housing estates as a rat run.
- Traffic signal controls are required at A27/B2225 junction incorporating pedestrian crossing phases.
- Arundel Road is already busy at school time.

- Arundel Road is congested with parked cars outside the primary school at the start/end of the day.
- The proposed access onto Arundel Road is sub-standard with a lack of visibility southwards.
- Arundel Road cannot accommodate the present level of peak time traffic.
- Arundel Road is used by people accessing the supermarkets in the area.
- The main supermarkets and shops are south of the village.
- An extra 400+ journeys a day would cause localised chaos on Arundel Road.
- The existing traffic speeds along Arundel Road are unacceptable.
- Heavy construction vehicles visiting the site would pass St Margaret's Primary School.
- There is no pavement on Arundel Road alongside School House.
- There is an open invitation from School House to experience the danger of crossing the road.
- Attempting to access and egress School House is a risk due to its location on a blind bend.
- The Travel Plan is inaccurate (there is no bus service on Sunday and Bank Holidays).
- The site is prone to flooding.
- The Flood Risk Assessment should investigate widespread infiltration to reduce flooding.
- Two parking spaces on Decoy Drive would need to be purchased to accommodate the development.
- Uninterrupted trading of existing businesses on the industrial estate should be allowed.
- There would be an unacceptable loss of 16 small businesses from the site.
- Will the new industrial units be constructed prior to the demolition of existing units?
- Two storey commercial units would cause noise pollution and be visible from existing houses.
- The proposed housing is in close proximity to existing houses on Arundel Road.
- The development would result in the destruction of wildlife and loss of green fields.
- The proposed development would add to air and noise pollution.
- The proposed development would result in a decreased quality of life for existing residents.
- The location of the LAP in close proximity to the road would be an unacceptable risk to children.
- A condition should be imposed securing Steyne Woods against unlawful activities.
- There is no need for a sports hub.
- There is a lack of detail on the sports hub in the planning application.
- The proposed sports hub is likely to encourage the LPA to grant permission for the development.
- Prior to determination of this application a feasibility study must be prepared to assess how S106 monies from developments on Roundstone Lane can achieve the requirements of the Playing Pitch Strategy at Palmer Road without the need for additional land.
- Why is there fencing and a site office area already established along the Arundel Road boundary?

The outline planning application was discussed at the Angmering Advisory Group meeting on 5th December 2019 and an update was provided on the consultee responses.

#### COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and issues addressed in the Conclusions section below.

<b>CONSULTATIONS</b>
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NHS Coastal West Sussex CCG

Ecology Advisor

Highways England

WSCC Strategic Planning

Southern Water Planning

Economic Regeneration

Environmental Health

Planning and Housing Strategy

Engineers (Drainage)  
Sussex Police-Community Safety  
Strategic Projects  
South Downs National Park  
Archaeology Advisor  
Surface Water Drainage Team  
Engineering Services Manager  
Sport England South East  
Highways England  
Parks and Landscapes  
Environment Agency  
Sport England South East  
Planning and Housing Strategy  
Sussex Police-Community Safety  
South Downs National Park  
Sport England South East  
Arboriculturist  
Economic Regeneration  
Conservation Officer

**CONSULTATION RESPONSES RECEIVED:**

**HIGHWAYS ENGLAND:**

No objection.

A condition is required to set out the improvement works at the A280 / A27 / Titnore Lane roundabout junction to ensure that the scheme is delivered in the event that the Land North of Water Lane (A/40/18/OUT) development does not come forward with its associated mitigation. Another condition should also set out the improvements to the existing pedestrian crossing points on the A27; while the crossing is in place, the signs as proposed are not.

**LOCAL HIGHWAY AUTHORITY:**

No objection.

Conditions are required regarding pedestrian links to Palmer Road Recreation Ground, the provision of a controlled crossing on Arundel Road, the construction of the new vehicular access serving the site, the provision of parking spaces, and the submission of a Construction Management Plan and a detailed Travel Plan. A developer contribution of £576,000 (i.e. £3,600 per dwelling) is requested towards improvements to the A280/A27/Long Furlong; and the A259 Junctions (A259/Station Road roundabout and A259/A280 roundabout); or the A280 Water Lane; or the 280/Titnore Lane/A27. A developer contribution of £550,000 is also requested towards the implementation of a cycle route from the A27 to Angmering village centre.

**ENVIRONMENT AGENCY:**

The Environment Agency has no comments to make as this application falls outside the Agency's external consultation checklist.

**SOUTHERN WATER:**

No objection.

There is an increased risk of flooding unless any required network reinforcement is provided by Southern Water. It may be possible for some initial dwellings to connect, pending network reinforcement. Southern Water will carry out detailed network modelling to establish the extent of works required and to design works in the most economic manner. The works would involve initial feasibility, detail modelling and preliminary estimates; flow monitoring; detail design; and construction. A condition is recommended requiring the phased occupation of the development to align with the delivery of any sewerage network reinforcement works.

**WSCC FLOOD RISK MANAGEMENT:**

No objection.

The site is at low risk from surface water flooding. Any existing surface water flow paths across the site should be maintained. The area is shown to be at low risk from groundwater flooding. The drainage designs should demonstrate that the surface water run-off generated up to and including the 100 year, plus climate change, critical storm would not exceed the run-off from the current site following the corresponding rainfall event. A developer contribution of £29,718 (£185 per home) is requested towards the Angmering Flood Alleviation Scheme to deliver sustainable water management for the Black Ditch catchment through Angmering.

**ADC DRAINAGE:**

No objection.

The application documents include a surface water drainage strategy. The strategy outlines that some infiltration testing has been completed and that poor infiltration results were found. More winter infiltration tests need to be completed to fully establish if infiltration is viable or not. Surface water drainage conditions are recommended.

**SPORT ENGLAND:**

No objection.

Sport England commented predominantly on the Palmer Road Recreation Ground (the sports hub). Angmering Cricket Club is interested in playing at the Sports Hub; on a non-turf pitch with a minimum boundary of 45.72 metres. The Local Football Facility Plan identifies the sports hub as top priority for a full size floodlit 3G pitch, improvement to the four grass pitches and new changing facilities. The Football Foundation supported investment into a new 3G pitch at the sports hub, rather than the creation of two new grass pitches on the application site.

**SOUTH DOWNS NATIONAL PARK AUTHORITY (SDNPA):**

No objection.

The site is outside the defined settlement boundary and the proposal would be a departure from the Local Plan and Neighbourhood Plan. It is not clear on the submitted plans whether off-site enhancements to the footpath to the west (FP 2176) would be proposed, or whether a cycle route alongside Arundel Road to the north would be provided. A future reserved matters application should include an appraisal of both internal and external lighting to consider what impact it may have on the dark skies of the National Park. Any floodlighting of the adjoining sports hub would need to consider the impact on the National Park. A cycle route from the A27 Hammerpot Junction to Angmering village centre; and a footpath link to the PRow to the west of the site are supported.

**ADC HOUSING:**

No objection.

The applicant has submitted a revised Affordable Housing Statement and is proposing to provide 48 (30%) of the 160 dwellings for affordable housing, which is acceptable. The Council's Affordable Housing policy requires a tenure split of 75% rented and 25% intermediate housing. As at August 2019, there were 792 households in housing need on the Council's housing register. The revised affordable housing mix is considered to be acceptable.

**ADC ENVIRONMENTAL HEALTH:**

No objection.

Conditions are requested regarding the submission of a further acoustic (noise) report, the submission of a construction management plan; conditions controlling the hours of operation of the 2 sports pitches and deliveries to the industrial units; the provision of external lighting details and Electric Vehicle charging points within the housing development; together with conditions regarding contaminated land and asbestos.

**ADC ECONOMIC DEVELOPMENT:**

No objection.

The revised commercial unit provision is now suitable and reflects the Economic Development Team's aspirations for future provision of commercial accommodation on sites such as this.

**ADC ARCHAEOLOGY:**

No objection.

The site has the potential to contain archaeological interest and it should be trial trenched ahead of development to identify deposits of significance that might be present and to enable the implementation of appropriate measures for their preservation, whether in-situ or through further investigation, recording and dissemination of the results. The imposition of an archaeological condition is requested.

**ADC CONSERVATION OFFICER:**

The application site is located in close proximity to the following listed buildings: New Place Farmhouse, a Grade II\* listed building and Decoy Cottage, a Grade II Listed Building; and Angmering Conservation Area, which contains a mixture of Grade II and II\* Listed Buildings, and various locally listed buildings. A heritage statement has been submitted assessing the significance of the assets and the potential impact of the development upon them. The location of the application site, along with the area of woodland which separates New Place Farm House and Decoy Cottage from the site; and the Conservation Area is some distance from the site and is separated from it by a significant amount of later development, mean that the impact of the development on the various heritage assets would be extremely limited. It is considered that the proposed development would not harm the significance of the heritage assets due to their location and the lack of inter-visibility between them.

**ADC GREENSPACE:**

No objection.

The proposal includes a LEAP and a LAP and land for the provision of two sports pitches. The locations of the LEAP and the LAP are supported. A NEAP contribution is also triggered from this scale of development; this should be sought through the provision of new play equipment on the Palmer Road Recreation Ground. A robust planting scheme would be required to be submitted at the reserved matters stage to compensate for the removal of vegetation and allow for the formation of a Green Corridor within the site; and as the site is in close proximity to Steyne Wood and the National Park, and the treatment of the northern boundary would require careful consideration at reserved matters stage. Footways and cycleways are to be provided on the site with connections to the wider network, which are supported.

**ADC ARBORICULTURE:**

No objection.

The loss of trees should be mitigated through the provision of significant tree planting set out on a landscape plan at reserved matters. An Arboricultural Method Statement and a Tree Protection Plan would be required at the reserved matters stage.

**ADC ECOLOGY:**

No objection.

The bat, dormice and reptile mitigation measures would be suitable; and should be conditioned. The hedgerows on site are used by bats and dormice for commuting and foraging and should be retained and enhanced. The lighting scheme would need to take into consideration the presence of bats in the local area. Due to the presence of badgers on the site, a 20 metre buffer needs to be included around the sett, by means of condition. The proposed management of the public open space and attenuation ponds would provide suitable habitat for amphibians and Great Crested Newts. The proposed on-site enhancements and mitigation measures are supported and should be conditioned.

**COASTAL WEST SUSSEX CLINICAL COMMISSIONING GROUP (CCG)**

Object.

A developer contribution is requested of £183,670, which would overcome this objection. The contribution would be used most likely towards developing Willow Green and/or Coppice Surgery and the integrated services site, which would serve the catchment population of this proposed development.

**SUSSEX POLICE:**

No objection.

The development should be designed to Secured by Design standards.

CCTV should be provided by means of condition for the commercial units. The revised location of the LAP away from the site entrance is acceptable. Provision should be made to prevent the access of vehicles and motorcycles using the perimeter pedestrian recreational route or accessing the south side of Steyne Wood. Sussex Police are requesting developer contributions totalling £29,778.70 for the following:

- £2,110.59 towards officer start-up equipment cost in the Angmering Neighbourhood Policing Team.
- £2,675.40 towards officer start-up recruitment and training in the Angmering Neighbourhood Policing Team.
- £625.80 towards staff start-up equipment cost at Littlehampton Police Station.
- £318 towards staff start-up recruitment and training at Littlehampton Police Station.
- £18,560.91 towards the cost of accommodating a minimum of 2.5 additional officers/staff (which are required to police this development) at Littlehampton Police Station.
- £5,488.00 towards the vehicle fleet in the Angmering Neighbourhood Policing Team.

**WSCC INFRASTRUCTURE:**

WSCC is requesting developer contributions towards:

- Education: No spare primary / secondary / further secondary schools in catchment areas have spare capacity to accommodate the children generated. Formula based contribution into S106 Agreement so that the education contribution may be calculated at a later date. The contributions generated by this proposal shall be spent on the new primary school for Angmering or towards additional facilities at St Margaret's CE Primary School. The secondary contributions will be spent on phase 1 of the new secondary school serving Arun. The further secondary contributions shall be spent on additional facilities at the Angmering School Sixth Form.
- Library: A contribution generated by this proposal shall go towards development and enhancement of existing library services at Angmering Library.
- Fire and Rescue: Formula based contribution into S106 Agreement so that the fire service contribution may be calculated at a later date. The Fire and Rescue Service Contribution should be used towards the re-development of Littlehampton Fire Station.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted and issues addressed in the Conclusions section below.

Designation applicable to site:  
Outside the Built-up Area Boundary in the Local Plan.

## DEVELOPMENT PLAN POLICIES

### Arun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
HDM1	H DM1 Housing mix
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERDM6	HER DM6 Sites of Archaeological Interest
HWBSP1	HWB SP1 Health and Wellbeing
SKILLSSP1	SKILLS SP1 Employment and Skills
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INFSP1	INF SP1 Infrastructure provision and implementation
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SODM1	SO DM1 Soils
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

### Angmering Neighbourhood Plan 2014 POLICY Health Facilities CLW4

Angmering Neighbourhood Plan 2014 POLICY HD1 Built-up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY HD3 Housing Mix

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form



Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design  
Angmering Neighbourhood Plan 2014 POLICY HD7 Housing Density  
Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments  
Angmering Neighbourhood Plan 2014 POLICY HD9 Phasing of Residential Development  
Angmering Neighbourhood Plan 2014 POLICY TM1 Local Highways  
Angmering Neighbourhood Plan 2014 POLICY TM2 Cycling Walking & Equestrian

**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 policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan.

Relevant Angmering Neighbourhood Plan (NP) policies have been taken account of and are addressed in the Conclusions section of 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 it would result in development in the countryside outside of the defined settlement boundary within the Arun Local Plan and the Angmering Neighbourhood Plan (NP).

**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:

- The result of the Governments 2018 Housing Delivery Test which states Arun have under-delivered on its housing targets and recommends that an Action Plan be published to set out how delivery rates will

be improved (this was published in June 2019);

- The Council's Authority Monitoring Report (AMR) as considered at the Planning Policy Local Plan Sub-Committee on 17th December 2019 showed the Council can no longer demonstrate a 5 year Housing Land Supply (HLS) as required. The AMR shows there is 3.7 year supply.
- The National Planning Policy Framework (NPPF) and associated guidance particularly in respect of the presumption in favour of sustainable development;
- The Councils' 2018 HELAA (updated March 2019) assessed the site (HELAA Site Ref. 40) as being deliverable and noted it was considered suitable with no major constraints to overcome.
- the proposed employment development would match the amount of land that is currently classed as industrial uses at the site;
- the proposal to gift an area of land measuring 2.1 hectares for sports pitches would enable the land to the south to be re-developed into a Sports Hub, serving residents in the eastern part of the District.

## CONCLUSIONS

### PRINCIPLE:

This is an outline application with means of access details only. An indicative site layout plan has been submitted which demonstrates up to 160 dwellings could be provided together with 1,393 square metres of industrial floor-space, access roads, footpaths, public open space (including a LEAP and a LAP), parking and landscaping, together with 2.1 ha of land to be gifted to the District Council.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the plan unless material considerations indicate otherwise. The development plan for the Arun District currently comprises the Arun Local Plan 2011-2031, the Angmering Neighbourhood Development Plan (March 2015) and the West Sussex Waste and Minerals Plans.

However, section 38 (5) states: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document". Any conflict between the Angmering NP and the Arun Local Plan, should therefore be resolved in favour of the latter.

All development policies that relate to the supply of housing in the Local Plan (policies C SP1, SD SP2) have reduced weight because Arun cannot demonstrate an adequate supply of housing land (only 3.7 years). Policies in the Angmering Neighbourhood Plan that relate to the supply of housing have greater reduced weight because they relate to out of date housing needs as the policies were based on the 2003 Local Plan.

Paragraph 14 of the NPPF states that in situations where the 'presumption in favour of sustainable development' applies to applications involving the provision of housing, then the adverse impact of allowing development that conflicts with the neighbourhood plan will not significantly and demonstrably outweigh the benefits if four specific criteria apply. In this case, criteria (a) to (d) are not all applicable because the Neighbourhood Plan was made over two years ago. Therefore, the presumption in favour of sustainable development is unaffected by the Neighbourhood Plan.

The Arun Local Plan:

The key policy considerations in the determination of this application are considered to be H SP1, SD SP1, SD SP2 and C SP1 of the Arun Local Plan (ALP) 2011 - 2031.

Policy H SP1 "The Housing Requirement" sets out an overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes a reference to additional non-strategic

allocations being made across the District through reviews of Neighbourhood Plans and in cases where there is no up-to-date Neighbourhood Plan, through the publication of a "Non-Strategic Site Allocations Development Plan Document" (NSS-DPD).

This document will fulfil an identified deficit of 1,250 houses from smaller sites (under 300 units each) in the Local Plan. The NSS-DPD has not yet been published for Regulation 18 and it is currently anticipated that an Issues/Options document will be available in summer 2020. Angmering Parish Council are currently working on a review of their Neighbourhood Plan, but they have not yet reached the Regulation 18 stage in this process.

Policy SD SP1 "Sustainable Development" states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work to secure development that contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland).

The site is in a sustainable location, just over 15 minutes walking distance of a range of local shops, services, health and education facilities. There are bus services which enable access to Angmering railway station and the surrounding area. Whilst the private car could be required for longer distances, future residents would not need to rely on a car to be able to live comfortably.

Policy SD SP2 "Built up Area Boundary" states that the Built-Up Area Boundary (BUAB) is defined for the main towns and villages in the District and shown on the Policies Maps. Development should be focused within the BUAB and will be permitted, subject to consideration against other policies of the Local Plan.

The site lies outside the BUAB. The site does not form part of any proposed Local or Neighbourhood Plan allocation; but the Neighbourhood Plan Team are currently at the call for sites stage.

Policy C SP1 "Countryside" states that residential development in the countryside outside the BUAB will not be permitted unless in accordance with policies in the Plan which refer to a specific use or type of development. It is noted that none of these relate to the proposed development at the application site.

As this site lies outside the nearest BUAB, it is categorised as being within the countryside and the scheme would therefore conflict with Local Plan Policies SD SP2 and C SP1.

Angmering Neighbourhood Plan:

The Neighbourhood Plan (NP) was made on 11th March 2015. Policy HD1 of the NP seeks to focus development within the BUAB as defined in the neighbourhood plan. The application site is therefore classed as countryside by the Angmering NP; and the outline planning application conflicts with the Angmering NP.

Other Material Considerations:

The following sets out whether there are any material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

(1) The Council's Housing Land Supply as set out in the Local Plan:

Members should note that the housing land supply target set out within the Local Plan includes a provision of at least 1,250 homes to be identified through both the review of Neighbourhood Plans and through a Non-Strategic Site Allocations Development Plan Document (NSS-DPD). The NSS-DPD is not

yet out for consultation and whilst there remains potential for the site to also be promoted through this document, only limited weight can be attributed to this consideration at the current time.

## (2) The Council's Current Housing Land Supply Data

In February 2019, the Government published results of its Housing Delivery Test. This shows that Arun has under-delivered on its housing targets (achieving only 91%). The Test recommends that all Councils achieving less than 95% prepare an Action Plan to set out how delivery rates will be improved.

The Council's Authority Monitoring Report (AMR) was considered at the Planning Policy Local Plan Sub-Committee in December 2019 and showed that the Council could no longer demonstrate a 5-year Housing Land Supply (HLS) as is required by the NPPF. Indeed, the AMR showed there is currently only a 3.7 year Housing Land Supply.

The reasons for the lower projected delivery include planning delays on some Strategic Allocations; poor quality schemes delaying approvals; developers unable to meet stated and committed timescales; strategic site applications not coming forward as anticipated and developer/market factors outside of local authority control.

The Council's Action Plan was published in June 2019 and makes a series of recommendations in order to boost housing delivery. This includes use of the 'presumption in favour of sustainable development' until such time as the 5-year housing land supply re-established. It recommends that applications be invited from landowners/developers on 'deliverable' HELAA sites to re-establish the 5 year housing land supply.

The release of further land for housing will help to maintain delivery rates. This may have to include sites outside the built-up area boundary and it would be preferential if such sites were located close to the edge of the BUAB and in sustainable locations which minimise the need to use the private car.

## (3) 2019 HELAA Report:

To boost housing land supply in advance of the adoption of the current Local Plan, in early 2017, the Council invited applications on sites identified as 'deliverable' by the HELAA where they were considered sustainable and would not prejudice the emerging local plan and/or infrastructure delivery.

The 2019 HELAA report assessed the site (HELAA Ref. 40 - Land at Seven Acres and New Place Nursery) as "developable" with a yield of 95 dwellings, and a density of 30 dwellings per hectare. The report stated: "the site is considered to be viable and achievable." It was on this basis that this outline planning application (A/122/19/OUT) was submitted.

## (4) The NPPF & the Presumption in Favour of Sustainable Development;

The National Planning Policy Framework (NPPF) 2019 is a material consideration in determining planning applications. As the Council cannot currently demonstrate a 5-year HLS, paragraph 11 (d) of the NPPF and the application of the 'presumption' for sustainable development is triggered.

This means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (such as where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), planning permission should be granted unless (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against

the policies in the NPPF as a whole.

There is no question that (i) does not apply to this determination as the site does not lie in a protected landscape. In respect of (ii), the remainder of this report will show that there are no adverse impacts associated with the proposal. The presumption in favour of sustainable development would apply.

Paragraph 8 of the NPPF states that in order to achieve sustainable development; economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The following is an analysis of the sustainable nature of the site and proposal:

The site is environmentally sustainable as it lies on the northern edge of Angmering and it will be possible for residents to use non-car means of transport to access schools, shops and other services. Pedestrians would have the benefit of a street lit pavement on Arundel Road to access services to the south of the application site in the village centre.

The proposal could help to support the local community by providing up to 160 dwellings with a mix of bedrooms (and 48 affordable homes) to meet future needs; and support the local economy by providing jobs in the Employment/Commercial Centre which would provide 1,393 square metres of floor space, and 2.1 ha of land is to be gifted to the District Council towards the delivery of the Sports Hub on the Palmer Road Recreation Ground. If approved, the development would be required to contribute towards local schools, libraries, the local health service and to contribute to a new cycle route. As such, there would be a further benefit to the local community.

The development will likely result in economic benefits to the local area in the form of the following:

- \* An increase in Council Tax receipts;
- \* Potential 'New Homes Bonus' payments from the Government;
- \* The creation/maintenance of construction jobs; and
- \* Additional spending by new residents on local goods & services.

There is potential for an economic cost due to the loss of Grade 2 Agricultural Land.

#### (5) Site Location:

The application includes a location plan and a Development Framework Plan. The Development Framework Plan shows the site in relation to a recently permitted residential development for 9 houses on land fronting Arundel Road. The BUAB in this part of Angmering excludes the application site and as a result, the application site has committed residential development for 9 houses outside of the BUAB to the east.

It is considered that there would be limited harm to the character of the countryside if the application site was developed. If development on this site was allowed, it would be possible to secure a footpath link to the PRow which runs to the west of the site and make contributions towards the delivery of a cycle route from the A27 in the north to Angmering Village Centre to the south.

It is not enough to simply refuse an application on the grounds of being in the countryside without there being some form of demonstrable harm to the character or beauty of the countryside.

#### Employment/Commercial Development:

Policy EMP DM1(6) of the Local Plan says: "planning permission will be granted on sites outside the built-up area, provided that the proposals comply with criteria a-h. The proposed Commercial /

Employment Centre comprises the re-development of existing commercial premises on the site, in accordance with Policy EMP DM1(6.a). The proposed Commercial / Employment development would cover approximately the same amount of industrial floor-space as the existing employment uses on the site and consequently, it is considered that it would not intensify uses at the site to the detriment of existing routes and highways, in accordance with Policy EMP DM1(6.b). The detailed design, layout and landscaping of the site required by Policy EMP DM1(6.c) would be dealt with at the reserved matters stage. The accessibility of the site by public transport and by foot and by bicycle, as required by Policy EMP DM1(6.d) and the access and parking facilities required by Policy EMP DM1(6.e) are addressed in the Transport section of this report. The impact of the proposed Commercial / Employment Centre on the landscape, ecology and heritage assets in the surrounding area are considered in the respective sections of this report below, to ensure the development complies with Policy EMP DM1(6.f). The impact of the proposed Commercial / Employment Centre on neighbouring residential amenity is considered in the Residential Amenity section of the report below, so as to ensure the development complies with Policy EMP DM1(6.g). In terms of crime prevention, Sussex Police have submitted representations on the Development Framework Plan (i.e. the indicative layout plan) and amendments have been made to ensure crime prevention measures are incorporated, to ensure the development complies with Policy EMP DM1(6.h); and Sussex Police will be consulted on the detailed design of the Commercial / Employment Centre at the reserved matters stage.

Policy ER2 of the Angmering NP states that "there will be a general presumption against the loss of locations that provide employment within the Parish."

One of the reasons that the previous planning application (A/36/18/OUT) was refused permission was due to the loss of an established employment site and the fact that no provision was made for replacement employment provision on the site.

The existing industrial buildings have a floor area of approximately 1,389m<sup>2</sup> and the proposed employment development in the current planning application (A/122/19/OUT) comprises the provision of 1,393 square metres. Approximately 1.6 hectares of the site is currently occupied by caravan and car storage.

A Commercial Provision Statement has been submitted which confirms that the proposed B1/B2 element of the current outline planning application has increased significantly from when the application was initially submitted to the LPA. The employment provision has increased during the consultation period from 557 square metres up to a revised proposal for 1,393 square metres on the site, which would be spread over two storeys. The proposed employment floorspace would provide approximately the same amount of floorspace as currently exists within the application site (i.e. 1,389 square metres).

The employment site is currently occupied by 9 businesses, including vehicle repair shops and a pvc window showroom and workshop. The wider employment site is used for the storage of cars and caravans. There are approximately 16 full time and 4 part time employees based on the site. The existing businesses are accommodated in converted second world war structures (i.e. Nissan huts).

It is proposed that flexible floorspace would be provided including units of 500 to 1000 square feet through to 2,500 square feet units, as required. The Development Framework Plan shows 6 equally sized units of 2,500 square feet. The precise details of the B1/B2 floorspace would be determined at the reserved matters stage. The proposed development would provide a significant qualitative enhancement on the existing employment offer at the site, capable of supporting small offices or be sub-divided into services office space or provide industrial workshop space.

The floorspace proposed consists of Class B1 and Class B2 uses (which include offices, research and development, and general industrial). Class B1 uses are appropriate within residential areas. As there is

sufficient space within the Development Framework Document (the indicative layout plan) to accommodate the Commercial / Employment Centre without having a detrimental impact on existing houses on Arundel Road or on the proposed residential amenity, it is considered that Class B2 (general industrial) uses would be appropriate uses on this mixed use site. However, it is considered necessary to impose a condition restricting the ridge height of the employment buildings to 12 metres and no more than 2 storeys in height, limiting the uses to B1 and B2 due to the proximity to the South Downs National Park and to a development that would include 160 new dwellings; and to the amenity of the existing residents of Arundel Road and Palmer Road.

The detailed design, layout and landscaping of the units at reserved matters stage should take into account and respond to the sensitivity of the setting, as the site is only separated from the National Park by the A27 and Steyne Wood.

Subject to the imposition of conditions, the proposed employment part of the mixed use development is considered to be acceptable and complies with Policy EMP DM1(6) of the Local Plan and Policy ER2 of the Angmering NP.

#### Conclusion on Matters of Principle:

The principle of mixed use development (comprising residential and employment and the gifting of land for sports provision) on this site is clearly contrary to the policies within the Development Plan. However, the policies of the Local Plan that relate to the supply of housing have reduced weight due to the Council not being able to demonstrate an adequate supply of housing land. In addition, policies in the Angmering Neighbourhood Plan that relate to the supply of housing have greater reduced weight because they relate to out of date housing needs as the policies were based on the 2003 Local Plan.

The proposal represents sustainable development and the NPPF 'presumption in favour of sustainable development' is engaged. This and the other material considerations set out above combine to outweigh the conflict with the policies of the development plan and serve to allow for the principle of the application to be supported.

The proposed development of up to 160 houses on the site would go a considerable way in achieving the Council's Five Year Housing Land Supply. The proposed employment development would match the amount of land that is currently classed as industrial uses at the site, much of which is occupied by car and caravan storage. The proposed gifting of 2.1 ha of land for sports pitches in the south western part of the application site would also enable the land to the south known as Palmer Road Recreation Ground to be re-developed into a Sports Hub, serving the eastern part of Arun District, as identified in the Infrastructure Delivery Plan (the IDP). It is considered that these material considerations overcome the out of date policies in the Development Plan and justify the granting of planning permission for the mixed use development on this site.

#### TECHNICAL MATTERS

##### AGRICULTURAL LAND

The latest available classification map suggests that the site is both Grade 2 and either Grade 3A or 3B and is therefore to be considered as 'best and most versatile agricultural land (BMV)' which is the most flexible, productive and efficient. The NPPF (paragraph 170) requires that the Council takes into account the economic and other benefits of this type of land. The Local Plan's Sustainability Appraisal recognised that most of the undeveloped coastal plain within the District is high grade agricultural land. The loss of BMV is one factor in the decision making process.

Policy SO DM1 of the Local Plan states that "Unless designated by this Plan or a Neighbourhood

Development 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 SO DM1 requires the submission of an Appraisal of Agricultural Land Quality and a Soil Resources Plan with this outline planning application, which demonstrates that care will be taken to preserve the soil resource, such that it can be incorporated into a productive green environment following development. An Appraisal of Agricultural Land Quality, a Soil Resources Plan and a Sustainability and Options Appraisal are currently being prepared and an Update will be provided.

#### **ILLUSTRATIVE LAYOUT AND DESIGN**

Policy D DM1 of the Local Plan requires proposed developments to "deliver or contribute to the ease of navigation within a new or existing development scheme through use of focal points (landmarks, gateways, vistas, corner buildings, active edges, existing topography), and/ or a variety of detail within the public realm".

Policy D SP1 of the Local Plan requires "all development proposals should be of good quality and demonstrate a high standard of design". Policy EMP DM1 of the Local Plan refers to a high standard of design and landscaping appropriate to the context.

The District's draft Design SPD says "the first step in the design process should be to carry out a detailed appraisal of the development plot and its surrounding context in order to ensure a clear understanding of the site and its wider setting. The appraisal should identify the constraints and opportunities presented by various aspects of the site and its surrounds, which will inform the upcoming development proposal. Major housing and masterplanning projects should approach site appraisal strategically, considering aspects such as surrounding settlements or landscapes, drainage patterns and transport networks." (Section D.01: (Site Appraisal))

Policy HD5 of the Angmering NP says new developments should demonstrate how they have considered their impact on the surrounding area.

Policy HD6 of the Angmering NP says "proposals for new development should demonstrate high quality design, reflect local distinctiveness, and seek to incorporate local design features evident in buildings in the surrounding area".

The Design and Access Statement provides an analysis of the site area and the wider context. The Statement addresses the following issues, which would be a matter for the detailed Reserved Matters stage, but provides an indication of the ability to deliver an acceptable scheme.

The Design and Access Statement states that the development will be set within an attractive landscape framework and has been structured to create a firm, green boundary to the settlement edge. New areas of open space will accommodate a range of green infrastructure uses. New recreational routes will meander through the open spaces around the development and provide key links to Arundel Road and to Palmer Road Recreation Ground. A new attenuation basin would be located within the north western corner of the site.

The Development Framework Plan (i.e. the indicative layout plan) shows a centrally located area of public open space, integrated within the housing layout which would be beneficial in the linking of all these areas allowing the greening of the development and for wildlife corridors to be established, increasing biodiversity across the application site.

The Development Framework Plan has been revised several times and the layout of the residential and



employment development; the green corridors of public open space running through the site together with the locations of the LEAP and the LAP; the location of the surface water attenuation basin in the north west corner of the site; and the land for pitches located in the south west part of the site are considered to be acceptable.

The indicative layout of the residential and employment development on the site shown on the Development Framework Plan (CSA/3467/136 Rev. G), and the site's relationship to the Palmer Road Recreation Ground to the south is considered to be acceptable in principle. The detailed site layout would be dealt with at the reserved matters stage.

#### **CHARACTER AND APPEARANCE**

The Design and Access Statement includes 4 Character Areas: Spine Street, Secondary Streets; Lane and Private Drives, and recreational routes. The Character Areas are defined by the road hierarchy that is proposed to be implemented within the residential part of the development.

It is considered that the character areas would need to be developed further at the reserved matters stage to include the proposed employment development, and move away from road hierarchy based character areas towards themed character areas based on the site itself, such as Gateway Character Areas alongside the new access road, Village Edge Character Areas alongside Arundel Road, and a Woodland Edge Character Area next to Steyne Wood, and so on. This would be achieved by imposing a condition requiring a design code masterplan to be submitted prior to the submission of the reserved matters stage.

The Design and Access Statement acknowledges that it is important that the new dwellings draw upon the traditional characteristics of the local vernacular architecture in Angmering Village to reinforce the sense of place established by the layout of the development in terms of the hierarchy of movement routes, the location of small open spaces along the spine streets and the provision of green infrastructure which encloses the residential development area. The use of traditional local vernacular in the residential development is supported in principle, due to the proximity of the site to Angmering Village Centre.

However, the Design and Access Statement is silent on the external appearance of the building in the proposed employment area. The reserved matters application would need to include information on the elevations and floor-plans of the employment building; and information on external storage space.

#### **DENSITY AND SCALE**

Policy D DM1 of the Local Plan says "the density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity" (Policy D DM1(13)).

Policy HD7 of the Angmering NP seeks to ensure that the density of new development is in keeping with the surrounding area and should be complied with.

The Design and Access Statement states that higher densities of development would take place along the Spine Streets, which would create strong building frontages. Lower density development would front onto the green infrastructure along the northern, southern and western edges of the site. Lower density development would overlook the proposed housing along Arundel Road so as to respect the character of the existing housing on Arundel Road. The density of development on the site would be set out in more detail at the reserved matters stage.

The new houses would generally be 2 storey in height, but 2 and a half storey houses would be

introduced to emphasise the Spine Streets; overlook and frame areas of open space; terminate vistas and punctuate the street scene. The scale and height of the buildings would be dealt with in more detail at the reserved matters stage, but the principle of using 2 storey and 2 and a half storey houses is considered to be acceptable.

The Design and Access Statement is silent on the scale of the building on the employment site. Bearing in mind the relationship of the employment site and the existing houses on Arundel Road; and the location of the South Downs National Park, it is considered appropriate to restrict the height of the employment building to 2 storeys, by means of a condition.

Subject to a condition restricting the height of the buildings on the Commercial / Industrial area, the proposed densities set out in the Design and Access Statement showing the building heights and the different densities of development across the site complies with Policy D DM1 and Policy ENV DM4 of the Local Plan and Policy HD5, Policy HD6 and Policy HD7 of the Angmering NP.

#### **AFFORDABLE HOUSING and HOUSING MIX**

Policy AH SP2 of the Local Plan says "for all developments of 11 residential units or more the Council will require a minimum 30% of the total number of units proposed on site to be provided as affordable housing on the same site in the first instance".

One of the reasons that the previous planning application (A/36/18/OUT) was refused permission was due to the failure to identify an adequate affordable housing tenure split.

A revised Affordable Housing Statement was submitted during the consultation period for the current planning application (A/122/19/OUT) and the residential development on the site includes 48 affordable houses (30% provision which accords with the affordable housing policy in the Local Plan), and comprises 75% Affordable Rent and 25% Shared Ownership. The proposed quantum of affordable housing is considered to be acceptable.

The types and sizes of the houses would be provided at the reserved matters stage. The applicant will need to ensure at the reserved matters stage that the affordable housing would be pepper potted around the site and would not be clustered entirely in one location on the site.

The revised Affordable Housing Statement sets out the following housing mix:

Rented:

20 x 2 bed house

14 x 3 bed house

2 x 4 bed house

Intermediate:

8 x 2 bed house

4 x 3 bed house

The LPA requests that the applicant engages with one of the Council's preferred registered providers or an approved non-registered partner for the acquisition of the affordable housing. All of the necessary affordable housing requirements will be secured via a Section 106 Agreement.

Consequently, it is considered that the proposed development complies with Policy AH SP2 of the Local Plan, in terms of the provision of affordable housing.

#### **ACCOMMODATION SUITABLE FOR OLDER PERSONS AND PEOPLE WITH DISABILITIES**

Policy HD3 of the Angmering NP requires at least 25% of homes to be built to a Lifetime Homes standards. The equivalent standard to Lifetime Homes is Category 2 M4(2).

The LPA has a Guidance Note setting out standards aimed at securing a percentage of homes as disabled friendly and adaptable, meeting suitable standards. Under building regulations optional requirement M4(2): Category 2 - Accessible and adaptable dwellings can be enforced where it is required by a planning condition, in accordance with Policy D DM1 of the Local Plan. For schemes greater than 51 unit inclusive - 15% of units need to be designed to M4(2) standard plus two additional units to be designed to M4(3) wheelchair accessible, for every 50 units proposed thereafter. However, there is an aspiration to secure 100% M4(2). It is considered that this can be secured adequately via a suitably worded condition. As a condition was imposed on Land North of Water Lane, Angmering (A/40/18/OUT) for 10% of the units to be designed to M4(2), it is considered that this percentage (i.e.10%) should be imposed on a condition for this proposed development too, as it is reasonable to impose the same requirements on both developments.

#### OPEN SPACE PROVISION

Policy OSR DM1(2a) of the Local Plan says: "housing will be required to contribute towards open space provision in accordance with guidance set out in the current Open Space Study. In some parts of the district open space provision is identified as being sufficient in terms of quantity. Therefore, provision of new open space is not deemed necessary but what is needed is to seek contributions for quality improvements and/or new off-site provision in order to address any future demand."

The outline planning application includes 2.07ha of open space on the Development Framework Plan (i.e. the indicative layout plan). The requirement of 37 metres square per person results in a requirement of 1.30ha of open space. The proposed development includes an over-provision of on-site public open space and consequently it accords with the Open Space Playing Pitches, Indoor and Built Sports Facilities SPD.

Sufficient open space was proposed on the indicative layout plan of the site to enable 0.1 hectares of the proposed public open space to be transferred to the sports pitches to enable the pitches to be squared-off in the south west part of the site.

It is considered that the provision of 1 LEAP and 1 LAP on the site as proposed in the Development Framework Plan (i.e. the indicative layout plan) would be acceptable in terms of the quantity of play areas. The provision of a LAP and a LEAP onsite would be sought via a Section 106 Agreement. The proposed location of the LEAP within the village green in the centre of the site is considered to be acceptable; as is the location of the LAP in a green space within the site. The open spaces with the LAP and LEAP shown on the indicative layout plan have the potential to link up so as to ensure connectivity across the Green Infrastructure network running south to north through the site, towards Steyne Wood. This Green Infrastructure network needs to be strictly adhered to at the reserved matters stage.

The applicant has demonstrated that the outline planning application meets the requirements for the provision of on-site public open space in terms of quantity in accordance with Policy OSR DM1(2a) of the Local Plan and the new SPD.

#### SPORTS PITCH PROVISION

Policy OSR DM1 requires open space and playing pitch and indoor sports facilities to be provided within new developments and Policy HWB SP1 requires all developments to be designed to maximise its impact on promoting healthy communities and reducing health inequalities.

Section 8 of the National Planning Policy Framework states that planning decisions should aim to achieve healthy, inclusive and safe communities.

The Open Space, Playing Pitches, Indoor and Built Sports Facilities SPD says "there are three

community sports hub sites recognised by ADC as a priority for progressing, including Palmer Road Recreation Ground in Angmering." (Paragraph 3.3 of the SPD, January 2020)

The proposed development includes the gifting of 2.1 hectares of land to the District Council to enable the re-modelling of the existing playing pitch provision for the development of the sports hub. The land that is proposed to be gifted to the District Council is located within the red line boundary of the application site. The sports hub would be centred on the Palmer Road Recreation Ground to the south of the application site. The gifting of the land for the provision of sports pitches would be dealt with in a Section 106 Agreement.

The provision of sports pitches in the south western part of the site would extend the sport facilities on offer in Angmering and the existing wider leisure facilities at Palmer Road and positively contribute towards the delivery of a Sports Hub on the land to the south of the application site. Parking for the proposed football pitch is identified indicatively on the Development Framework Plan (the layout plan) on land outside the application site, which is part of the Palmer Road Recreation Ground.

The proposed gifting of 2.1 hectares of land to the District Council for use as sports pitches within the Sports Hub would comply with the recommendations in the Open Space, Playing Pitches, Indoor and Built Sports Facilities SPD and Policy OSR DM1 and Policy HWB SP1 of the Local Plan.

#### **TREES**

Policy ENV DM4 of the Local Plan requires developers to provide land and tree surveys (d), a tree constraints plan (e) and an Arboricultural Impact Assessment (AIA) to include a tree protection plan and Arboricultural Method Statement (f), which will ensure that development is planned to take a comprehensive view of tree issues at an early stage in the design process and that development works do not have a negative impact on existing trees.

The Angmering NP includes Policy HD6 whereby "layouts must retain important trees and hedgerows. The planting of new trees and shrubs of similar species to those already evident in the immediate surroundings shall be encouraged".

A Tree Survey and Arboricultural Impact Assessment were submitted with the outline planning application. There is a block of deciduous woodland alongside the northern boundary of the site and individual trees in the south west corner of the site. There are 2 Category A Oak trees on the western boundary of the site. A Tree Preservation Order (TPO/A/2/19) was confirmed and made on 9th January 2020 for the protection of the 2 Category A Oak trees. A number of lower quality trees would need to be removed to accommodate the new access which would serve the residential development on the site; to accommodate the residential and commercial developments on the site; and on the land that is to be gifted for use as sports pitches in the south west part of the site.

The ADC Arboricultural Officer is satisfied with the level of tree removal proposed on the site and has requested that an Arboricultural Method Statement and a Tree Protection Plan be submitted at the reserved matters stage.

Subject to the imposition of a condition requiring the Method Statement and Protection Plan, it is considered that the proposed mixed-use development on the site complies with Policy ENV DM4 and Policy HD6 of the Angmering NP.

#### **LANDSCAPE**

Policy LAN DM1 of the Local Plan says: "development within the setting of the South Downs National Park must have special regard to the conservation of that setting, including views into and out of the Park, and will not be permitted where there would be harmful effects on these considerations."

The site is in close proximity to the South Downs National Park. The statutory purposes of the National Park are:

- 1) to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and
- 2) to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public.

It is a duty of the LPA to assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Paragraph 172 of the NPPF (February 2019) sets out the Duty of Regard for LPAs when dealing with planning applications within or affecting the setting of a National Park: "great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks". Policy HD5 of the Angmering NP says: "New development must not adversely impact upon the landscape setting or views into or out of the South Downs National Park."

A Landscape and Visual Impact Assessment which was submitted with the outline planning application concluded that views of the proposed development would be largely confined to vantage points located to the south and west of the site. Views of the site from the north and east would be restricted by woodland surrounding the site, including Steyne Wood. There are views of the site from the Palmer Road Recreation Ground to the south and the housing estate to the south, together with views from public rights of way to the south west. Views of the application site from the South Downs National Park are restricted by the enclosed nature of the site and intervening developments and woodland. The extensive woodlands in the Angmering Estate ensure that the site is screened from view from the National Park immediately north of the A27. Views from Highdown Hill provide far reaching views across Angmering, but intervening development and woodland on the eastern edge of Angmering and at Poling Furzefields would disrupt the views of the site.

It is considered that the site would be acceptable in visual terms and would not have an adverse visual impact upon the South Downs National Park; nor would views into the site from the National Park be significant visually due to the existing woodland cover to the north and north east of the application site at Steyne Wood and Poling Furzefields. Consequently, the proposed development is acceptable visually and complies with Policies LAN DM1 and D DM1 of the Local Plan and Policy HD5 of the Angmering NP.

## TRANSPORT

Policy T SP1 of the Local Plan says that "to ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network".

Policy TM1 of the Angmering NP requires that proposals for new development shall demonstrate that adequate and satisfactory provision has been made to mitigate the impact of traffic generated both during construction and on completion.

One of the reasons that the previous planning application (A/36/18/OUT) was refused permission was due to insufficient information to enable an assessment of the ability of the highway network to accommodate the development without adding to the hazards of highway users to an unacceptable degree; and both Highways England and the Local Highway Authority objected to the previous planning application.

**Site Access:**

Two site accesses are proposed including a new access at the northern end of the site, which would be the main vehicular, pedestrian and cycle access into the proposed residential area. The proposed new access road would have a carriageway measuring 5.5 metres wide with 2.0 metre wide footways on both sides, together with a 3.0 metre wide right hand turning lane on Arundel Road. A revised Drawing (Ref. 2020-F01 Rev. D) has been submitted which details that the maximum achievable visibility splay is 2.4 metres x 77 metres, which is considered to be acceptable in terms of highway safety.

The existing access road to the industrial site at the southern end of the site would be improved, to serve the proposed employment area and the adjacent Sports Hub on the Palmer Road Recreation Ground. Two metre wide footways would be provided on both sides of the road to link in with the existing footway on the western side of Arundel Road, in accordance with Drawing Number 2020-F03 Rev. B.

The proposed development includes the provision of a controlled crossing on Arundel Road. The proposed pedestrian crossing (shown on Drawing No.2020-F05 Rev. A) at the site of an existing dropped kerb crossing is close to one of the school pedestrian access points at St Margaret's Primary School. This is considered to be an improvement on the existing uncontrolled provision and is acceptable.

It is considered that the proposed mixed use development with two vehicular access points onto Arundel Road would provide safe access onto the highway, in accordance with Policy T SP1 of the Local Plan.

**Trip Generation, Distribution and Assignment:**

A Transport Assessment accompanied the planning application as required by Policy T SP1(e) of the Local Plan. The proposed development of up to 160 houses on the site is anticipated to generate 88 two way vehicle movements in the AM peak and 92 two way vehicle movements in the PM peak. The proposed development of up to 1,393 square metres of B1 and B2 employment space on the site is anticipated to generate 25 two way vehicle movements in the AM peak and 21 two way vehicle movements in the PM peak. The employment space would be unlikely to result in an additional impact on the local highway network over that previously tested for the original proposal for 557 square metres of employment space.

**Junctions:**

Highways England has requested conditions be imposed on this outline planning application requiring the inclusion of the junctions A280/Water Lane and A280/Titnore Lane/A27 secured for implementation via the Section 106 Agreement which accompanied outline planning permission A/40/18/OUT for Land North of Water Lane (i.e. part of the strategic housing allocation in the Local Plan). The current planning application (A/122/19/OUT) has relied upon these junction improvements being in place and not provided an assessment without the schemes. Therefore, should outline planning permission A/40/18/OUT for Land North of Water Lane not be implemented then improvements would be required as part of the current outline planning application (A/122/19/OUT).

The Local Highway Authority has requested that developer contributions from the Section 106 Agreement for this application (A/122/19/OUT) should go towards the following junctions:

- Improvements to the A280/A27/Long Furlong; and / or
- A259 Junctions (A259/Station Road roundabout and A259/A280 roundabout).

The proposed development has demonstrated that the transport effects on the local and strategic road network can be satisfactorily mitigated by means of planning conditions and a Section 106 Agreement.

It is therefore considered that, subject to conditions and developer contributions toward junction improvements as set out in the draft Section 106 Agreement, the proposed development on Land off

Arundel Road, accords with Policy T SP1 of the Local Plan and Policy TM1 of the Angmering NP.

**Public Transport:**

Policy T SP1 of the Local Plan says "the Council will support transport and development which is designed to reduce the need to travel by car by identifying opportunities to improve access to public transport services and passenger transport services" (Policy T SP1(a)).

The nearest bus stop is located 600 metres south of the application site on Arundel Road. There is another bus stop on Chantryfield Road, to the south east of the application site. The Number 9 bus service travels along Arundel Road and Chantryfield Road once an hour and provides links to Angmering Railway Station, towards Arundel, Shoreham by Sea, East Preston, Worthing and Lancing.

Consequently, it is considered that the proposed development complies with Policy T SP1(a) of the Local Plan by improving access to public transport services.

**Footways and Cycle Provision:**

Policy T SP1 of the Local Plan says: "The Council will support transport and development which gives priority to pedestrian and cycle movements". Policy T DM1 of the Local Plan says "proposals for all new development must contribute towards the provision of a joined cycle network and Public Rights of Way network, taking into account the aspirational cycle network, which provides convenient, accessible, safe, comfortable and attractive routes for pedestrians and cyclists both in the development and in the form of links between the development" Policy T DM1(d)).

Policy TM2 of the Angmering NP gives support to proposals which improve or increase existing footpaths.

The Local Highway Authority requested the provision of a pedestrian link onto the existing PRoW network (i.e. FP2176) which runs to the west of the application site, which due to third party land ownership issues on the land immediately west of the application site, would be achievable via the Sports Hub site on the Palmer Road Recreation Ground to the south. Consequently, if the land is gifted to the District Council, ADC would then have to deliver the footpath link to the PRoW. The footpath link on the Palmer Road Recreation Ground to the PRoW (FP2176) would be achievable through the Section 106 Agreement. The footpath link from the application site to the Palmer Road Recreation Ground would be achievable by means of a condition.

The LPA requires the provision of a cycle route running from Angmering Village Centre; linking up with the site and continuing north along Arundel Road to the A27 Hammerpot Junction, from where the cyclepath would link up with existing routes into the South Downs National Park. A developer contribution is required towards a cycle route along Arundel Road from the Hammerpot Junction on the A27 to the north of the site and running south all the way to Angmering village centre. This would be dealt with in the Section 106 Agreement.

It is considered that the proposed footways and cycleway provisions, deliverable by means of conditions and the Section 106 Agreement would ensure that the development complies with Policy T SP1 and Policy T DM1 of the Local Plan and Policy TM2 of the Angmering NP.

**Parking provision:**

Policy T SP1 of the Local Plan says "The Council will support transport and development which incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact upon on-street parking" (Policy T SP1(d)).

The proposed residential development of 160 dwellings is indicative on the Development Framework Plan (layout plan), but the reserved matters stage needs to ensure there are 2 car parking spaces per dwelling, in line with the recommendations in Table 3.1 of the ADC Parking Standards SPD, which was issued in January 2020.

The proposed commercial / employment development would accommodate a total of 30 car parking spaces, which is based on 5 spaces per unit, plus 3 visitor spaces and 1 medium/heavygoods vehicle parking space, providing 34 spaces in total. The total parking figure is below the parking provision for B1 uses as set out in Table 4.1 of the ADC Parking Standards. If the commercial / employment development was occupied solely by B1 uses (i.e. 1 space per 30 square metres) then up to 46 parking spaces could be provided. However, the total figure matches the parking provision for B2 uses as set out in Table 4.1 of the Standards (i.e. 1 space per 40 square metres) when up to 34 parking spaces could be provided.

Parking will be dealt with at Reserved Matters stage, but from the indicative layout plan, the quantum of car parking spaces for the proposed commercial / employment development would comply with the District Council's new Parking Standards SPD for B1 uses and would be in accordance with Policy T SP1(d) of the Local Plan and Policy HD8 of the Angmering NP.

#### Travel Plan:

Policy T SP1 of the Local Plan says "The Council will support transport and development which is supported by a Travel Plan, which is effective and deliverable" (Policy T SP1(e)).

A high level residential Travel Plan has been submitted with the current application (A/122/19/OUT) which aims to encourage residents to use sustainable modes of transport; reduce reliance on single car occupancy journeys; and generally reduce traffic related pollution and noise.

A detailed Travel Plan, which covers the employment uses as well as the residential development on the site should be provided by means of a condition.

It is considered that, subject to the detailed Travel Plan condition, the proposed development complies with Policy T SP1(e) of the Local Plan and Policy TM2 of the Angmering NP.

#### ECOLOGY

Policy ENV DM5 of the Local Plan says that "development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site".

An Ecological Mitigation and Enhancement Strategy was submitted with the outline planning application which recommended a number of on-site enhancements and mitigation measures. The on-site enhancements and mitigation measures comprise the provision of bat, bird, dormouse and invertebrate boxes and bat tubes; the retention of hedgerows with 5.0 metre buffer strip, scrub, trees and woodland edge to be retained; new woodland belt planting (0.5ha) and new thicket planting (0.4ha). The ADC Ecological Advisor supports the proposed on-site enhancements and mitigation measures and requests that they be conditioned.

The proposed on-site enhancements and mitigation measures include the provision of new habitats on the site comprising of 5.0 metre buffer strip around the hedgerows, the provision of a 0.5ha of woodland planting and 0.4ha of new thicket planting, together with the bat, bird, dormouse and invertebrate boxes. It is considered that the proposed enhancements/habitat creation are comprehensive and would constitute a biodiversity net gain.

The provision of a 20 metre buffer around the badger sett is considered to be acceptable and is achievable by means of a condition. The badger sett is located on land identified on the Development



Framework Plan (the indicative layout plan) for landscaping including thicket planting in accordance with the recommendations in the Ecological Impact Assessment (Ref. CSA/3467/07), dated July 2019.

Consequently, it is considered that subject to conditions including the provision of the on-site enhancements and mitigation measures, the proposed development accords with Policy ENV DM5 of the Local Plan in relation to the impact on protected species and the potential for the scheme to protect existing habitats where possible and provide enhancements.

#### HERITAGE ASSETS

Policy HER SP1 of the Local Plan states that designated heritage assets including listed buildings, structures and their settings; and Conservation Areas will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. Policy HER DM3(f) of the Local Plan says: "in order to preserve the character or appearance of the Conservation Area, planning permission will normally be granted for proposals within or affecting the setting of a Conservation Area, provided that it does not harm important views into, out of or within the Conservation Area".

Sections 66/72 of the Planning (Listed Buildings and Conservations Areas) Act, 1990 are relevant. Section 66 of the Act says: "in considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." In considering whether to grant planning permission with respect to any buildings or other land in a Conservation Area, the Council shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area (Section 72 of the Planning (Listed Buildings and Conservations Areas) Act, 1990.

Paragraph 190 of the NPPF (February 2019) requires great weight to be given to the conservation of heritage assets. Any harm resulting from the proposed development should be weighed against the public benefit in accordance with paragraph 196 of the NPPF (February 2019).

The proposed development needs to assess any impacts on New Place Farmhouse (Grade II\* Listed Building) and Decoy Cottage (Grade II Listed Building) and Angmering Conservation Area.

A heritage statement has been submitted with the outline planning application which assesses the significance of the heritage assets including the listed buildings and Angmering Conservation Area, in accordance with the NPPF, including paragraph 189. The application has been properly assessed, considering the significance of the assets and any potential impact of the development upon them.

An area of woodland separates New Place Farm House a Grade II\* listed building and Decoy Cottage a Grade II listed building from the site. The location of the application site in relation to New Place Farmhouse, a Grade II\* listed building along with the area of woodland in between is considered to ensure that the proposed development would not harm the heritage asset. Equally, the location of the application site in relation to Decoy Cottage, a Grade II listed building along with the area of woodland in between is considered to ensure that the proposed development would not harm the heritage asset. Consequently, it is considered that Section 66 of the Act has been met and been fully taken into account in terms of impact on the setting of the listed buildings.

Angmering Conservation Area, contains a mixture of Grade II and II\* Listed Buildings, and various locally listed buildings. Angmering Conservation Area is located some distance from the site and is separated from it by a significant amount of later development, which means that the impact of the development on the various heritage assets would be extremely limited. It is considered that the proposed development would not harm the significance of the Conservation Area, the Grade II and II\* Listed Buildings, and

various locally listed buildings due to its location and the lack of inter-visibility between the site and the Conservation Area. The benefits of the proposed development are detailed elsewhere in the report and so the test in paragraph 196 of the NPPF is met.

The heritage statement identifies that there is potential for non-designated heritage assets on the site in the form of former WWII structures. The information supplied as part of the application indicates that the Nissan hut buildings were not originally constructed on this site and were in-fact relocated from elsewhere. This removes them from their original context and reduces their heritage significance as non-designated heritage assets. The quality of the buildings have been allowed to deteriorate over the years which further denudes the quality of the buildings. The structures are therefore of limited heritage significance.

In weighing this application which directly affects a non-designated heritage asset, a balanced judgement is required to be made having regard to the scale of any harm or loss and the significance of the heritage asset, as required by paragraph 197 of the NPPF. The WWII structures which are the non-designated heritage assets on the site would need to be demolished to accommodate the proposed mixed-use development. It is considered that the loss of the non-designated heritage asset when weighed against the proposal is acceptable for the following reasons: the buildings have been compromised as they have been moved onto the site and the quality of the structures have denuded over time as they have not been maintained. The asset is of reduced significance and the public benefit that would arise from the development is seen to outweigh the loss. Consequently, the scale and significance of the loss of the WWII structures is considered on balance to be acceptable in accordance with paragraph 197 of the NPPF

Consequently, It is considered that the proposed development is acceptable and it complies with Policies HER DM1 and HER DM3 and HER SP1 of the Local Plan and Policy EH1 of the Angmering NP. The contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) have been taken into account.

#### LIGHT POLLUTION

Policy QE DM2 of the Local Plan emphasises the need to consider the impact of light on neighbouring uses and wider landscape, particularly with regard the South Downs International Dark Sky Reserve designation (a), light levels should be the minimum required for security and working purposes (b), and minimise potential glare and spillage (c); and the degree to which outdoor lighting can be powered by on-site renewable sources (d).

The application site is in a semi-rural area of the district, on the boundary of Angmering adjacent to the National Park. It is considered that a lighting condition be imposed on the residential and employment developments requiring the submission of details of luminaires that are more suitable to semi-rural areas on the fringes of built-up areas. This is reinforced by the ADC's Ecological Advisor's request that the lighting scheme for the site will need to take into consideration the presence of bats in the local area through the use of directional light sources and shielding. Environmental Health has not raised an objection in terms of light emissions from the proposed residential development on existing residential amenity.

The imposition of a condition ensuring that the external lighting scheme meets the limits the environmental zone E2 (as set out in the Institute of Lighting Professionals Guidance for Reduction of Obtrusive Light) is proposed. The guidance sets out limits for the main sources of light pollution (sky glow, glare and spill) and would ensure that the lighting is appropriate to the wider landscape setting and minimises the impact of the development on the Dark Sky Reserve designation within the SDNP.

Consequently, subject to the lighting condition, it is considered that the proposed residential and

employment development complies with Policy QE DM2(a), (b), (c) and (d) inclusive of the Local Plan.

#### **RESIDENTIAL AMENITY**

Policy D DM1(3) of the Local Plan says "have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance".

There are a number of housing estates located off Arundel Road including housing on Palmer Road and Chantryfield Road. The proposed residential layout includes sufficient space to accommodate landscaping which would ensure that neighbouring residential amenity of dwellings fronting onto Arundel Road is not adversely affected by loss of privacy or overlooking. Notwithstanding this, the detailed layout will be dealt with at the reserved matters stage.

There is sufficient space within the site to achieve separation distances between the proposed residential and employment development and the existing houses fronting onto Arundel Road. Elevational details and floor plans showing the location of habitable rooms and industrial uses on the Employment/Commercial Centre would be submitted at the reserved matters stage.

An Odour Assessment has been submitted with the outline planning application which considers the potential for odour from the Hammerpot Brewery which is located 1.1km north west of the application site, to give rise to an adverse odour effect at the proposed residential development. The Assessment concludes that there would be a negligible risk of odour effect due to the large distance between the brewery and the application site; and that odour from the brewery is likely to be diluted and dispersed before reaching the proposed development. The potential for odour effects at the application site from Hammerpot Brewery is 'not significant'.

Consequently, it is considered that the proposed residential and employment development as set out on the indicative layout plan complies with Policy D DM1(3) of the Local Plan in terms of impact upon neighbouring amenity.

#### **NOISE QUALITY**

The NPPF and Policy QE DM1 of the Local Plan emphasise that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses.

Policy QE DM1 of the Local Plan says: "developers proposing new noise generating development must seek advice from an early stage to determine the level of noise assessment required. Proposals will need to be supported by evidence to demonstrate that there are no suitable alternative locations for the development." (Policy QE DM1(2))

The proposed B2 general industrial development with the Commercial / Employment site would be a noise generating development. The benefit of providing replacement employment provision on this site is set out in the Principle section of this report above.

A Noise Assessment was submitted with the outline planning application which focussed on the residential part of the proposed development. The submitted noise assessment proposed mitigation measures to ensure that the required noise levels would be achieved in the living rooms and the bedrooms and the rear gardens of the dwellings the would be located closest to the A27 and Arundel Road. Acoustic ventilation would be required in the living rooms and bedrooms in the northern and north eastern parts of the site so that windows could remain closed and maintain adequate ventilation. The noise report recommends that standard close boarded fencing or 1.8m high walls are constructed in the rear gardens in the northern and north eastern parts of the site. The report confirms that the requirement for glazing and acoustic ventilation could be confirmed on a plot by plot basis at the reserved matters

stage. The noise report comments that mitigation measures would be incorporated into the design of the proposed employment area to ensure that the noise impacts from the premises are reduced to acceptable levels. However, the noise report does not provide any specific details of the mitigation measures for the employment area, as these would be predicated on the detailed design layout that would be provided at the reserved matters stage. The final layout submitted at the reserved matters stage would need to be informed by a further acoustic report. Sufficient space would be required to ensure that mitigation can be incorporated and that the neighbouring amenity is protected.

Consequently, Environmental Health has requested the submission of a further Acoustic Report prior to the determination of any subsequent reserved matters application. The further Acoustic Report should include the industrial units in the Employment/Commercial Centre and how the associated increased traffic flow would affect the proposed residential development and the existing houses in the immediate vicinity. The further Acoustic Report should include the noise effect of the new foul water pumping station to the north eastern boundary of the site.

Conditions are also required regarding the hours that deliveries may be made to the proposed industrial units.

Therefore, subject to noise conditions, it is considered that the future and existing residents would not be adversely affected by noise in accordance with Policy QE DM1 of the Local Plan.

#### **AIR QUALITY**

Policy QE DM3 of the Local Plan says "all major development proposals will be required to assess the likely impacts of the development on air quality and mitigate any negative impacts".

The proposed development is not located in an Air Quality Management Area. The applicant submitted an Air Quality Assessment report with the outline planning application which concluded that the proposed development would not lead to an unacceptable risk from air pollution. However, the report recommended mitigation measures to assist in reducing any potential impact in accordance with the Sussex Air Quality SPD including the provision of electric vehicle charging points, the implementation of the recommendations in the Travel Plan, and provision of cycleways and footways.

Environmental Health has requested a condition regarding the provision of electric vehicle charging points, so as to mitigate against any potential adverse impact of the development on local air quality. Petrol and diesel cars and vans will not be sold beyond 2040 .

It is considered that, subject to the imposition of conditions that the proposed development complies with Policy QE DM3 of the Local Plan, in terms of air quality.

#### **CONTAMINATED LAND**

Policy QE DM4 of the Local Plan says that "prior to any development, the Council will require evidence to show that unacceptable risk from contamination will be successfully addressed through remediation without undue environmental impact during and following the development".

Environmental Health have requested the imposition of conditions regarding contaminated land, which are considered to be acceptable due to the industrial activities that have taken place within the application site over the years.

Subject to the imposition of the contaminated land conditions, the proposed development complies with Policy QE DM4 of the Local Plan.

#### **SURFACE WATER FLOODING**

The NPPF requires that development does not give rise to an unacceptable risk of flooding detrimental to human health or property. Policy W DM2 of the Local Plan requires the submission of a site specific Flood Risk Assessment (FRA) which demonstrates that the development will be safe without increasing flood risk elsewhere and reduce flood risk overall; consider flood flow routing and utilise temporary storage areas.

Policy EH3 of the Angmering NP (Flood Prevention) seeks to ensure that any new development must ensure that the prospect of flooding within the development boundaries is mitigated; it does not increase the flooding impact it may have on surrounding properties and areas; and development at risk from flooding should incorporate a sustainable urban drainage system unless it is demonstrated that an alternative drainage system is appropriate.

A Flood Risk Assessment has been carried out which confirms that the application site is located in Flood Zone 1. As a result, the risk to the proposed development is considered to be very low from both fluvial and tidal sources.

The majority of the site would drain into an attenuation basin which would be located along the north western boundary of the site as identified on the Development Framework Plan. It is proposed that surface water would be piped to the attenuation basin; and an existing surface water outfall to the ditch along the western boundary of the site would provide a connection from the attenuation basin into the wider drainage network.

ADC Drainage Engineers have raised no objection to the proposed development, subject to conditions being imposed for surface water drainage.

Overall, sufficient information has been provided to demonstrate that a SuDs scheme for the site could be developed based on the principles in the Flood Risk Assessment and shown on the Development Framework Plan (i.e. the indicative layout plan), in accordance with Policy W DM2 of the Local Plan and Policy EH3 of the Angmering NP.

#### FOUL DRAINAGE

A Foul Drainage Analysis has been submitted with the outline planning application which proposes that the foul water would be discharged at an existing manhole adjacent to St Margaret's Primary School. Off-site sewers would be constructed in the public highway between the site and the proposed point of connection.

#### CLIMATE CHANGE

Policy ECC SP1 of the Local Plan says: "The Council will support development which is located and appropriately designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding; water stress; health impacts as a result of extreme temperatures and a decline in the quality of habitats and richness in biodiversity". Policy ECC SP2 of the Local Plan says: "All major developments must produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless it can be demonstrated that this is unviable".

The Development Framework Plan (indicative layout plan) submitted with the outline planning application does not set out the orientation of the houses so the LPA is not able to evaluate whether the orientation would ensure maximum solar gain, in compliance with Policy ECC SP1 of the Local Plan. The reserved matters application would need to maximise the number of houses set out in an east/west orientation so as to ensure maximum solar gain. The proposed residential and employment development could comply with Policy ECC SP2 through the imposition of a condition requiring 10% on-site generation from renewable or low carbon energy generation, plus the fabric first approach.

## SUPPORTING INFRASTRUCTURE

Development is only acceptable with the provision of or contributions to the necessary infrastructure and facilities to mitigate the impacts of the development. Policy HD9 (Phasing of Residential Development) of the Angmering NP seeks to make sure that new housing proposals demonstrate that there is the necessary capacity in the community and physical infrastructure and services are available to support the increase in population. Representations received raised concerns about the lack of capacity of education and healthcare facilities in the area.

One of the reasons that the previous planning application (A/36/18/OUT) was refused permission was due to no contributions were being proposed towards infrastructure. The applicant is fully committed to contribute to infrastructure as part of the current planning application (A/122/19/OUT) and this commitment is set out in full below.

WSCC have confirmed that the present primary and secondary schools within the catchment areas of the proposal would not have spare capacity and would be unable to accommodate the children from the proposed development. The financial contribution requested by the County Council would be based on the housing allocation at Angmering North and Angmering South and East providing a 2FE primary school expandable to 3FE. A developer contribution towards a new primary school serving Angmering or towards additional facilities at St Margaret's CE Primary School, based on the provision of 160 dwellings.

A site has been identified which would provide an extension to land that has already been secured for a new primary school in the south of Angmering as part of the S106 Agreement for A/40/18/OUT - Land North of Water Lane. The County Council is currently seeking to secure the land which would ensure that the primary school requirements can be met.

A formula based contribution is required towards Phase 1 of the new secondary school serving Arun. The applicant has confirmed their acceptance of the formula based approach which would be based on the actual mix. As the applicant has agreed to provide this contribution as part of the S106 agreement it is considered that the development would accord with Policy INF SP1 of the Arun Local Plan.

The further education contribution generated by this proposed development shall be spent on future expansion at the Angmering School Sixth Form, which is CIL compliant.

In addition the following contributions are considered to be CIL compliant and are required in order to mitigate the impact of the development:

- A formula based contribution towards the development and enhancement of existing services at Angmering Library.
- A formula based contribution towards the re-development of Littlehampton Fire Station, providing additional services for the residents of Angmering,
- £29,718 (£185 per home) towards the Angmering Flood Alleviation Scheme to deliver sustainable water management for the Black Ditch catchment through Angmering.
- £183,670 toward Willow Green and/or Coppice Surgery and the integrated services site.
- £29,778.70 to fund the future purchase of police infrastructure to serve the proposed development.

The proposal includes the gifting of 2.1 hectares of land to the District Council to enable the re-modelling of the existing playing pitch provision to accommodate the development of the Sports Hub. The need for the additional 0.1ha of land was identified to provide the pitches and it was valued at £355,000. This would be in lieu of the following contributions which would not be sought:

- £85,800 towards the provision of new play equipment at the Palmer Road Recreation Ground.
- £63,863 towards providing the flexible sports hall/activity and / or studio space at a Sports and Community Hub at Palmer Road in Angmering.

- £68,224 towards improving provision and increasing the capacity of swimming pools and associated wet side facilities for the District.
- £19,712 towards provision of additional health and fitness provision as part of a Sports and Community Hub at Palmer Road, Angmering.
- £6,160 (a formula based contribution) towards public art.
- = £243,759 in total.

The highways infrastructure and open space requirements are set out in the relevant sections above and further detail is set out in the S106 Agreement Table attached to this report.

The proposed on-site provision of 48 affordable housing units would be secured through Section 106 Agreement, in accordance with Policy AH SP2 of the Local Plan.

Angmering Parish Council was invited to submit CIL compliant schemes that could be provided in full or in part through developer contributions by means of a Section 106 Agreement to be implemented if outline planning permission is granted for A/122/19/OUT. The Parish Council proposed 17 infrastructure schemes. The following schemes are considered to be CIL compliant:

- Flood Prevention Scheme. A proposal to build an attenuation system on the Highdown side of the A280. The overall cost was broadly estimated at £1.5m of which Government finance would pay for 50% and the remainder had to be found 'locally'. The Lead Local Flood Authority has made a request for a contribution from this outline planning application to a flood prevention scheme.
- Footpath Provision: The proposed development includes a footpath link to the PRow which runs to the west of the application site; together with footpath links onto Arundel Road.

The following schemes are not considered to be CIL compliant for the proposed development as the developer contributions already proposed in the Section 106 Agreement are considered to be sufficient to deliver the requisite infrastructure to accommodate the proposed development.

- Village Centre Public Toilets.
- Village Centre Parking.
- Bus Shelter Installation Project.
- Bus Service Support. Maintain the Number 9 bus service through Angmering.
- Hazard Warning Signs in Angmering;
- New Parish Council Office & Business Hub.
- Play Area Review.
- Mayflower Park Skatebowl, Car Park, MUGA.
- Additional Lighting for Mayflower Park.
- Litter Bins.
- Dog Bins.
- Funding to support the start-up of Angmering Men in Sheds (community space for men to connect, converse and create).
- Village Centre reconfiguration: increase in parking spaces and seating areas.

The A280 Road Link is not considered to be CIL compliant; nor is the scheme for extra parking spaces on Arundel Road. It is considered that the provision of extra parking spaces in this location could compromise the route of the proposed cycle route from the Hammerpot junction on the A27 in the north, running down the length of Arundel Road to Angmering Village Centre.

The draft Section 106 complies with Policy INF SP1 and Policy INF 2 of the Local Plan by ensuring provision of the required infrastructure. A table setting out all of the draft Section 106 Agreement developer contributions is provided at the back of this committee report.

## SUMMARY

This outline application considers the development of this site with 160 residential dwellings; 1,393 square metres of industrial floor-space for B1 and B2 uses; and the gifting of 2.1 ha of land to the District Council towards the delivery of the Sports Hub on the Palmer Road Recreation Ground. Access is to be by a new access road to the north serving the residential development and by use of the existing access to the south which serves the existing industrial units on the site, but with some improvements to provide footways. Other matters regarding design, layout, appearance, scale and landscaping would be the subject of a reserved matters application.

The principle of development on this site is contrary to the policies in the development plan. These policies have reduced weight as the Council are not able to demonstrate an adequate supply of housing land. The proposal represents sustainable development and the NPPF presumption in favour of sustainable development is engaged. It is vital to consider additional sustainable housing developments to contribute to housing land supply and maintain/improve housing delivery rates.

This site was previously considered to be deliverable in the HELAA and is bounded to the east by committed residential development and to the south by existing housing off Palmer Road. The development would not result in harm to the character of the countryside.

The material considerations set out in this report 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.

There are not any other issues as highlighted above which warrant a refusal on grounds of principle or access. Matters of design will be considered at reserved matters stage.

The recommendation is for the Development Control Committee to delegate to the Group Head of Planning (in consultation with the Chairman and the Vice Chairman) authority to:

Grant planning permission subject to conditions and;

- a) If the grant is on or before 31 March 2020, subject to a Section 106 Agreement, the terms of which are substantially in accordance with those set out in this report with any minor amendments authorised by the Group Head of Planning in consultation with the Chairman and the Vice Chairman; or
- b) If the grant is on or after 1 April 2020, subject to the Community Infrastructure Levy payable.

#### **HUMAN RIGHTS ACT**

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

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

#### **DUTY UNDER THE EQUALITIES ACT 2010**



## Duty under the Equalities Act 2010

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

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

<b>RECOMMENDATION</b>
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**APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT**

- 1 Details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be submitted to and be approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act, 1990 (as amended).

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act, 1990 (as amended).

- 3 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act, 1990 (as amended).

- 4 The planning permission relates to the following approved plans:

Drawing Number CSA/3467/108 - Site Location Plan  
 Drawing Number 2020-F01 Rev. D - Proposed Access Arrangement  
 Drawing Number 2020-F03 Rev. B - Proposed Secondary Access Arrangement  
 Drawing Number 2020-F05 Rev. A - Proposed Controlled Crossing

Ecological Mitigation and Enhancement Strategy prepared by CSA Environmental (Ref. CSA/3467/09), dated July 2019.

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

- 5 Prior to the submission of any reserved matters application a design code masterplan shall be submitted to, and be approved in writing, by the Local Planning Authority.

The design code masterplan will provide further details on matters such as character areas, street hierarchy, building typologies, key buildings, the approach to car parking, structural planting, street furniture, lighting and treatment of the public realm. The development shall be carried out in accordance with the approved design code.

Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with

Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the design of the scheme goes to the heart of the planning permission.

- 6 The landscaping and layout particulars to be submitted in accordance with Condition 1 shall include details of the landscape treatment along the northern boundary of the site with Steyne Wood, including measures to deter unauthorised access by motor cycles and motor vehicles to the Wood; and details of the footpath links from the application site into the Sports Hub in accordance with the Development Framework Plan.

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

- 7 All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons 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 5 years from the completion of the 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.

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

- 8 Prior to the commencement, including any works of demolition, a Construction Management Plan shall be submitted for approval in writing by the Local Planning Authority. 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:

- The anticipated number, frequency, routing and types of vehicles used during construction,
- The method of access and routing of vehicles during construction,
- Full details of the construction compound,
- Soil resources plan,
- Dust mitigation measures,
- Noise reduction measures,
- The parking of vehicles by site operatives and visitors,
- The loading and unloading of plant, materials and waste,
- The storage of plant and materials used in construction of the development,
- The erection and maintenance of security hoarding,
- The provision of effective 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),
- Details of public engagement both prior to and during construction works.

Reason: For the avoidance of doubt and in the interests of amenity, the environment and highway safety, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to mitigate the impact of construction works and deliveries on neighbouring residential amenity.

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

Reason: In order to safeguard the amenity of neighbouring residents and highway safety, in accordance with Policy D DM1 of the Arun Local Plan.

- 10 No plant or machinery shall be operated, no process carried out and no deliveries taken or despatched from the Employment/Commercial Centre except between the hours of 07:00 and 18:00 hours on Monday to Fridays inclusive; 08:00 and 13:00 hours on Saturday; not at any time on Sundays or Public or Bank Holidays

Reason: In the interest of neighbouring residential amenity, in accordance with Policy D DM1 of the Arun Local Plan.

- 11 No dwelling and the Employment/Commercial Centre shall be occupied until refuse and recycling bins have been provided and space has been laid out for their storage in relation to that dwelling in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall not be used for any purpose other than the storage of refuse and recycling bins.

Reason: In the interests of the amenity of occupiers of nearby properties in accordance with Policy D DM1 and Policy WM DM1 of the Arun Local Plan.

- 12 Prior to the occupation of 80 dwellings on this site, the improvement works at the A280/A27/Titnore Lane Roundabout junction shall be completed and open to the traveling public as shown on I-Transport's drawing number "ITB9105-GA-024 Proposed Improvement Scheme to A280/A27/Titnore Lane Roundabout" (or such other scheme of works substantially to the same effect, as may be approved in writing by the Local Planning Authority in consultation with Highways England), including any necessary transfer of lands to enable the construction and maintenance of the scheme.

Reason: The modifications have been proposed to provide sufficient capacity at the A280/A27/Titnore Lane Junction, This is to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety, in accordance with Policy T SP1 of the Arun Local Plan.

- 13 Prior to the occupation of 80 dwellings on this site, the proposed improvements to the existing pedestrian crossing points on the A27 shall be completed and open to the travelling public as shown on Croft's drawing number "2020-06 - Proposed Improvements to existing pedestrian crossing points on A27" (or such other scheme of works substantially to the same effect, as may be approved in writing by the Local Planning Authority in consultation with Highways England), including any necessary transfer of lands to enable the construction and maintenance of the scheme.

Reason: To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety, in accordance with Policy T SP1 of the Arun Local Plan.

- 14 Prior to the occupation of the first dwelling on this site, details of the pedestrian links to the boundary of the site with the Palmer Road Recreation Ground should be submitted to and be approved in writing by the Local Planning Authority. The approved pedestrian links to the Palmer Road Recreation Ground should be retained thereafter.

Reason: To provide alternative travel options to the use of the car in accordance with Policy D DM1, Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 15 No more than 80 dwellings shall be occupied until such time that the controlled crossing on

Arundel Road, hereby approved, is implemented in accordance with drawing titled proposed controlled crossing (Drawing No. 2020-F05 Rev. A).

Reason: To provide alternative travel options to the use of the car in accordance with Policy D DM1, Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 16 No part of the residential development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on Drawing No. 2020-F01 Rev. D: Proposed Access Arrangement.

No part of the Employment/Commercial Centre shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on Drawing No. 2020-F03 Rev. B: Proposed Secondary Access Arrangement.

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

- 17 No part of the development shall be first occupied until a detailed Travel Plan, which will cover both the residential and employment uses, has been submitted to and been approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department of Transport or as advised by the Local Highway Authority.

Reason: To encourage and promote sustainable transport, in accordance with Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 18 No dwelling shall be occupied until space for that dwelling has been laid out for the parking of cars, motorcycles and cycles in relation to that dwelling in accordance with a drawing and schedule to be submitted to and be approved in writing by the Local Planning Authority. These areas shall thereafter not be used for any purpose other than the parking of cars, motorcycles and cycles.

Reason: In the interests of road safety and to accord with approved policy in accordance with Policy D DM1 of the Arun Local Plan.

- 19 Garages provided on the site shall measure a minimum of 6 metres x 3 metres internally.

Reason: To ensure that adequate and satisfactory provision is made for the parking (and garaging) of vehicles clear of all highways in accordance with Policy D DM1 of the Arun Local Plan.

- 20 No development shall commence until a scheme for the location and installation of fire hydrants has been submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition the scheme shall be in accordance with the Guidance Note: The Provision of Fire Hydrants and an Adequate Water Supply for Fire Fighting as published by West Sussex Fire and Rescue Services (as amended from time to time). No building hereby permitted shall be occupied until the fire hydrant(s) required to serve that building have been installed in accordance with the approved scheme.

Reason: In order to provide adequate infrastructure for emergency services, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure the safety of residents on the site.

- 21 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the

National Planning Policy Framework). Prior to the commencement of development details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

Reason: In order to secure on site renewable energy in accordance with national planning policy, and in accordance with Policy ECC SP2 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure the provision of decentralised and renewable or low carbon energy sources on the site.

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

Reason: To safeguard the amenities of residents in accordance with Policy D DM1 and Policy TEL SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the provision of broadband needs to be incorporated into the design for the site.

- 23 Prior to the commencement of construction and demolition works a Schedule of Works shall be submitted to the Local Planning Authority for approval and will be based on the recommendations within the supporting Ecological Mitigation and Enhancement Strategy. All approved details shall then be implemented in full and in accordance with the agreed timings and details.

The Schedule of Works shall include but not be restricted to:

- Timings for clearance of trees or scrub to avoid impacts on breeding birds;
- Grassland areas managed to benefit reptiles;
- Details of compensatory and additional tree planting;
- Details of compensatory boundary habitat planting and wildflower meadow planting;
- Details and locations of bat, bird, dormouse and invertebrate boxes, and log piles provided on the site;
- Measures to minimise the disturbance of badgers including details of a 20 metre buffer to the badger sett;
- Post development habitat management and dormouse population monitoring will include maintaining hedgerows and planting for the foreseeable future.

Should the detailed layout of the site require the removal of further trees which have the potential to support bats, a climbed tree inspection survey will be required.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national guidance and Policy ENV DM4, Policy ENV DM5 and Policy ENV SP1 of the

Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to protect wildlife and habitats on site prior to any disturbance.

- 24 Prior to the commencement of development, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the dwellings and the employment premises shall be submitted to the Local Planning Authority for approval in writing and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with Policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because of the need to ensure that the infrastructure for electric vehicle charging measures are in place in the residential development and in the industrial development.

- 25 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 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 Policy D DM1 and Policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the surface water disposal scheme is agreed before construction commences.

- 26 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 Policy W DM1, Policy W DM2 and Policy 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.

- 27 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 details. The agreed scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy D DM1 and Policy W DM3 of the Arun Local Plan.

- 28 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 Policy W DM1, Policy W DM2 and Policy 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.

- 29 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and be 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.

Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development.

Reason: To prevent pollution of water bodies and to ensure the satisfactory drainage of the site and to prevent flooding, in accordance with Policy W DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the dwellings are occupied.

- 30 Prior to the commencement of development, details of the proposed external lighting for the residential development and the Employment/Commercial Centre on the site shall be submitted and be approved in writing by the Local Planning Authority. The lighting details should include:

- a) Details of Zone E2 (Rural) lighting luminaires (lux levels);
- b) Mitigation measures to minimise potential glare and spillage;
- c) Location of lighting columns;
- d) Design and appearance of lighting columns;
- e) Timings of lighting (reduced coverage between 11.00pm and 7.00am); and
- f) Phasing for the implementation of the scheme.

The approved lighting system shall be implemented in accordance with approved details and be retained thereafter.

Reason: To reduce light pollution, in the interests of amenity and the environment and to satisfy minimum security requirements, in accordance with Policy D DM1 and Policy QE DM2 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the light levels for the site need to be approved and implemented before

the dwellings and the Employment/Commercial Centre are occupied.

- 31 No development shall commence until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and been approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

- 32 Prior to the commencement of development, an Arboricultural Method Statement (AMS) and a Tree Protection Plan shall be submitted for approval in writing by the Local Planning Authority, to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground.

Reason: In the interests of amenity and of the environment of the development in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure that trees are protected during the construction of the development hereby approved.

- 33 Prior to commencement of development the applicant shall prepare and submit for approval an Employment and Skills Plan. Following approval of the Employment and Skills Plan the developer will implement and promote the objectives of the approved plan.

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

- 34 At least ten percent (10%) of all dwellings shall be designed and constructed to M4(2) standard and in addition six (6) dwellings shall be designed and constructed to M4(3) wheelchair accessible standard in accordance with 'Access to and use of buildings: Approved Document M'.

Reason: To ensure that dwellings are adaptable and meet the diverse needs of future occupiers in accordance with Policy D DM1 of the Arun Local Plan and Paragraph 61 of the National Planning Policy Framework.

- 35 The employment uses on the Employment/Commercial Centre should be restricted to Use Class B1 and B2. No development within use Class B8 (storage and distribution) uses will be permitted on the site.

The employment uses on the Employment/Commercial Centre shall not exceed 12.0 metres in height to the top of the ridgeline/roofline.

Reason: To protect the environment and mitigate the visual impact of the Employment/Commercial Centre when viewed from the South Downs National Park, in accordance with Policy D DM1 and Policy EMP SP3 of the Arun Local Plan.

- 36 Prior to the occupation of the commercial buildings within the Employment/Commercial



Centre, a CCTV strategy (to include details of the location cameras and type of system) shall be submitted to and be approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to first occupation and be retained and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public safety in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-occupation condition because the site security needs to be approved and implemented before the commercial buildings within the Employment/Commercial Centre are occupied.

- 37 Prior to the commencement of development a further detailed Noise Assessment Report, shall be submitted to and be approved in writing by the Local Planning Authority. The further detailed Noise Assessment Report should demonstrate that the internal and external noise levels of the proposed dwellings will conform to the indoor ambient noise levels for dwellings and external noise levels for amenity spaces ie. gardens, as specified within BS8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings and Pro PG: 2017. The further detailed Noise Assessment Report should provide specific details of the mitigation measures to be installed on the Employment/Commercial Centre.

Prior to the occupation of the dwellings and the Employment/Commercial Centre any mitigation measures specified in the approved scheme shall be implemented in accordance with the approved details; and retained thereafter.

Post construction validation testing is to be carried out which demonstrates to the satisfaction of the Local Planning Authority that the requirements of the above British Standard, WHO and ProPG guidance and are achieved both in terms of LAeq and LAm<sub>ax</sub>.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the houses are constructed with the required noise mitigation measures.

- 38 Prior to commencement of the development hereby approved the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:
1. A Preliminary Risk Assessment which has identified: all previous (historical) uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.
  2. A Site Investigation Scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. Based on the Site Investigation Scheme and the detailed risk assessment (2), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. Verification Report providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components, (1) to (4) require the express written consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that remediation

shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a 'long-term monitoring and maintenance plan' for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification report, and for the reporting of this in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Arun Local Plan.

- 39 No development shall take place 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 archaeological significance in accordance with Policy D DM1 and Policy HER DM6 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because archaeology can only be investigated before construction commences.

- 40 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.

- 41 INFORMATIVE: The Highways Act 1980 (as inserted via The Infrastructure Act 2015) requires those proposing works affecting the public highway to enter into an agreement with the Strategic Highway Authority (Highways England).

This development involves work to the public highway that can only be undertaken within the scope of a legal Agreement between the applicant and Highways England. Planning permission in itself does not permit these works.

It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the Spatial Planning Team, Highways England, Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ. Highways England switchboard Tel. 0300 470 1370. Email: [planningse@highwaysengland.co.uk](mailto:planningse@highwaysengland.co.uk)

- 42 INFORMATIVE: The applicant is advised to enter into a Section 59 Agreement under the Highways Act, 1980, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The applicant is advised to contact the Highway Officer (Tel. 01243 642105) in order to commence this process.

- 43 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Local Highway Authority, to cover the off-site highway works. the applicant is requested to contact the Implementation Team Leader (Tel. 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.

- 44 INFORMATIVE: The applicant is advised that the erection of temporary directional signage

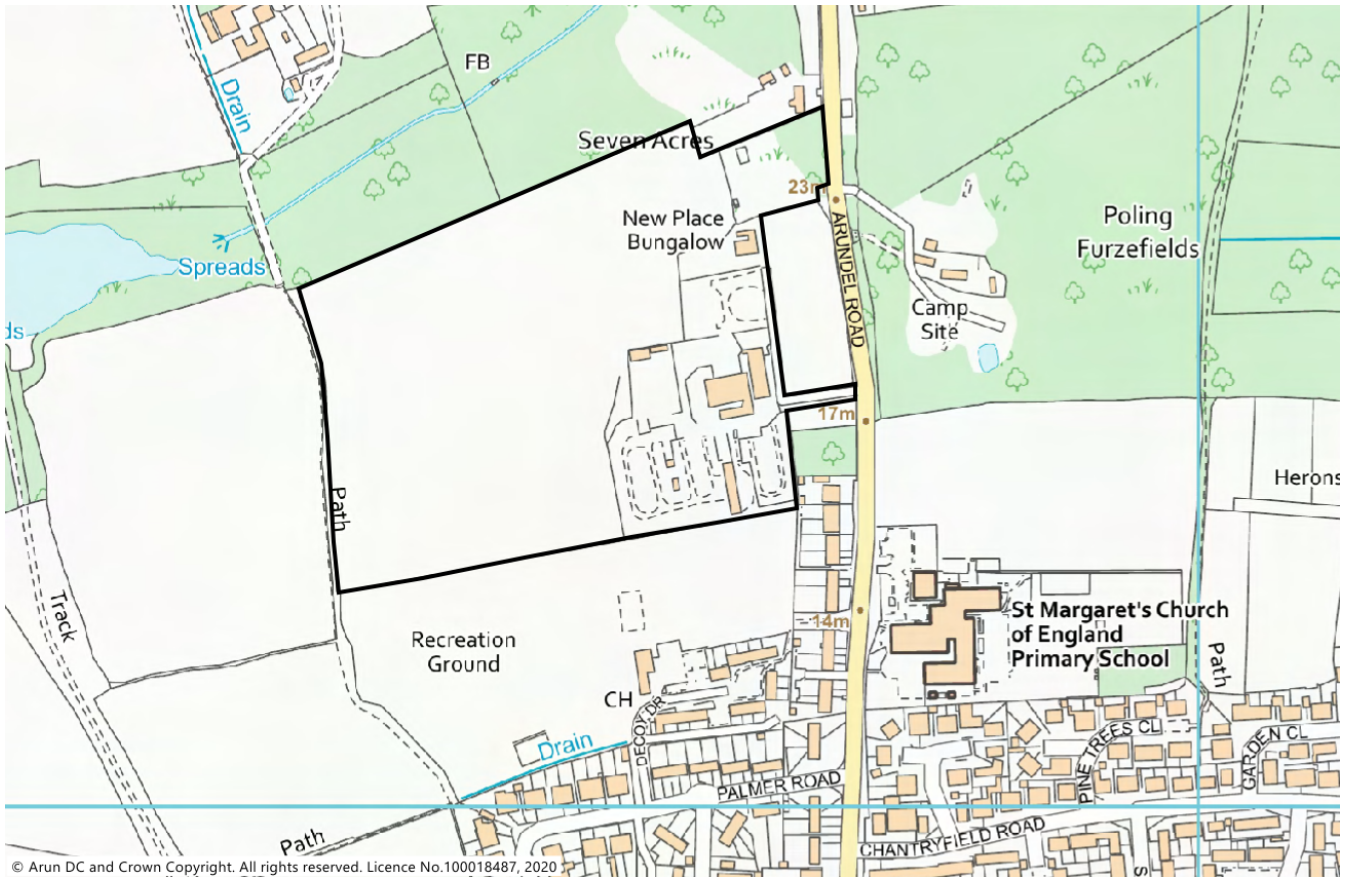
should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

- 45      INFORMATIVE: Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).
- 46      INFORMATIVE: The owner(s) of any commercial property (warehouses, offices, etc.) built before 2000 are legally obliged to hold a copy of an asbestos register for each property in their portfolio. As the commercial properties are demolished, the Council need to be satisfied that if any asbestos previously identified is still present, it is removed safely to minimise risk to human health as there is no safe threshold for asbestos exposure. A copy of the asbestos register, and any remedial strategy (where appropriate), must be provided in writing to the Local Planning Authority prior to any works commencing.

<b>BACKGROUND PAPERS</b>
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[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)

**A/122/19/OUT - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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