

REPORT UPDATE

Application no: AW/237/19/PL
Page no: 1
Location: The Former Ship Inn Aldwick Street Aldwick
Description: Variation of conditions imposed on planning reference AW/211/14/PL relating to condition 8 - delivery times & Condition 10 - delivery of goods serving the store in accordance to the Delivery Management Schedule

UPDATE DETAILS

Reason for Update/Changes:

The Council has received two additional objections. The first was sent to all Councillors on the 11th May and includes a critique of the application contained within the officer report. The applicant makes the following comments in response:

- Nearly all of the comments that are made in the documentation are relating to highways matters and as a whole, these matters have been responded to in depth, and in consultation with ADC and County highways;
- The objection has been commissioned by 'The Friends of the Ship Inn' who are themselves trying to acquire the building and this disputes the objectivity of the document;
- The maximum size of refrigerated vehicle that the sub contractor currently operates is 2.5m wide as per the rigid vehicle tracking drawing;
- However, should a 2.6m wide vehicle be used in the future then a 50mm extra width each side will not have any material effect on tracking diagrams or the highway conditions;
- Car widths vary greatly from a small car width of 1.414m through to SUV's/4X4's having a maximum width of 2.035m;
- The tracking diagrams are produced using Autodesk AutoCad 2019 which gives 1.715m as the average vehicle width and is therefore appropriate to use.

WSCC Highways have also been asked to comment and have said that their response will either be provided before the Committee (to be given verbally) or will be given in person at the Meeting.

The second objection raises the following points:

- The building is over 200 years old and was designed and built to be a public house in days when the road traffic was rather different;
- If this building had been designed at the outset for use as a convenience store with appropriate access for deliveries and customers, then all of these professional reports would be unnecessary;
- The applicant's professional advisers are trying convince others that this is a suitable building in a suitable location for a convenience store when all it ever was a public house; and
- This building should be refitted and reopened as the public house, if only someone is willing to pay for this.

Officers Comment:

In response to the first response, officers consider that the Council has more than sufficient information with which to make an informed decision on the specific proposals; that being only an amendment to the delivery schedule. The Council's highways advisor has now inspected the proposals on two occasions and considered the further information. They have raised no objection to the proposals and there are no technical highways reasons that would justify a refusal of planning permission and there is no reasonable reason to not determination the application.

Much of the issues raised in the first response is that two cars would not be able to pass if a delivery vehicle were parked outside of the store making a delivery. This arrangement is already approved and it is only the additional deliveries that are for consideration in this application. At the previous meeting, officers from WSCC confirmed that it was unlikely that two cars would be able to pass each other when a delivery vehicle is parked outside. However, this is an 'inconvenience' for a short period of time only; not a significant impact on highway safety that would justify a refusal. Further, HGV's and buses could pass on the carriageway resultant width if a delivery vehicle was parked up for a short period of time.

In response to the second response above, it has to be recognised that the use of the building has already been granted planning permission.

REPORT UPDATE

Application no: BE/89/19/PL
Page no: 11
Location: Babsham Business Centre Babsham Lane Bersted
Description: The change of use of land for the storage of building materials, equipment & plant & for the parking for fixed body vehicles together with part boundary screen fence with a secure gated access point to the site.

UPDATE DETAILS

Reason for Updates:

1 further letter of objection received:

- No hours of site usage, apart from those requested by Bersted Parish Council, have been requested.
- The plans submitted show 2 pens; the larger currently full of waste the other full of vegetation. Neither pen is shown on the plans as being used.
- Request that all vehicular movements on the lane is restricted to 15mph.

Officers Comment:

- The operating time will be restricted by the condition.
- The condition restricting waste materials to be stacked or stored on the site at any time will be imposed to the decision.
- Babsham Lane is a public road maintained by West Sussex County Council and they have not objected to the proposal.

There are no changes to recommendation or conditions.

REPORT UPDATE

Application no: BE/109/19/OUT
Page no: 23
Location: Land east of Shripney Road & south of Haddan House Shripney Road Bersted
Description: Outline application with some matters reserved for up to 46 No dwellings together with access. This application is a Departure from the Development Plan & may affect the character & appearance of the Shripney Conservation Area.

UPDATE DETAILS

Reason for Update/Changes:

In respect of Agricultural Land, the report advises that the need for this housing development to boost the Council's severe housing land supply shortfall is such that the loss of the grade 2 agricultural land can be outweighed particularly as the land is not currently used for agriculture and there is no realistic possibility of it being so used. This echoes the approach taken by an appeal Inspector concerning the site at Clays Farm, Yapton. This report concludes that although the loss of the grade 2 agricultural land does represent harm, there is no conflict with Policy SO DM1 as it allows for the harm to be outweighed where the need is greater.

Since the report was completed, officers have reconsidered policy SO DM1. The policy makes it clear that in order to outweigh the loss of the agricultural land the criteria should be met. In this case, the applicant has not supplied any reports to comply with the criteria and there is therefore conflict with this policy.

Notwithstanding, although the proposal is in conflict with policy SO DM1, officers are of the view that the conflict with the policy is outweighed by the need for new housing in a sustainable location in order to boost the Councils current housing land supply (HLS) shortage when considering the Plan as a whole (as set out in the officer report) and the fact that the site is not in agricultural use and has not been for a long time.

In addition, a further letter of objection has been received which raises the following points:

- (1) Houses to face North/South;
- (2) Houses to be styled in the village in keeping;
- (3) Village environment must be maintained;
- (4) Operating times imposed on the builders;
- (5) No parking off site in the service road opposite;
- (6) Safety cameras installed and reduction in speed limit;
- (7) In the 100 yards of road from Shripney Road to Premier Inn, there will be 6 entry exit points plus U turning traffic back to their houses Southbound. Plenty of scope for accidents and adding to the deaths already incurred;
- (8) All these comments would disappear if we had the Shripney Bypass and exit/entry from the back of the field;

(9) It's estimated that when BEW is complete and Salt Box and no level crossing the gap between traffic will be 3/5/7 seconds. Good luck to those who will experience it; and
(10) Good luck to all protesters and hope the planners see sense.

Regarding point (4) a working hours condition was not recommended by Environmental Health and so has not been included. The other points are already covered by the officer report.

Officers Comment:

There are no changes to the recommendation, conditions or informatives.

REPORT UPDATE

Application no: FG/8/20/PL
Page no: 55
Location: Eastlands Littlehampton Road Ferring
Description: Erection of 1 No. equestrian dwelling & retention of 1 No. gazebo & 2 No. carports. This application is a Departure from the Development Plan & may affect a Public Right of Way.

UPDATE DETAILS

Condition 2 omitted to include the site plan as submitted and therefore has been updated to include it.

Condition 2

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

Proposed Site Plan Dwg.no. OV/DB/CE/02(A) dated 09/01/2020

Proposed Elevations and Floorplans dwg.no. OV/DB/CE/01(A) dated 18/12/2019

Parking Plan Dwg.no. SD/1 dated 02/03/2020

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

Erection of 1 No. equestrian dwelling & retention of 1 No. gazebo & 2 No. carports. This application is a Departure from the Development Plan & may affect a Public Right of Way.

Eastlands
Littlehampton Road
Ferring

RECOMMENDATION

AC - Approve Conditonally

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Proposed Site Plan Dwg.no. OV/DB/CE/02(A) dated 09/01/2020
Proposed Elevations and Floorplans dwg.no. OV/DB/CE/01(A) dated 18/12/2019
Parking Plan Dwg.no. SD/1 dated 02/03/2020

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.
- 3 Prior to occupation of the dwellings details of any external lighting for the site shall be submitted to and approved by the Local Planning Authority and should take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The development shall proceed in accordance with the approved details and any further external lighting shall be subject to the prior permission of the Local Planning Authority.

Reason: In the interests of protected species in the locality in accordance with policy ENV DM5 of Arun District Local Plan.
- 4 The occupation of the residential unit shall be limited to a person solely or mainly working at the equestrian centre at Eastlands.

Reason: In the interests of preserving the residential unit for agricultural/equestrian purposes in accordance with policy C SP1 of the Arun Local Plan.
- 5 Prior to occupation of the dwellings details of a bird box and bat box to be attached to the approved and/or trees within the grounds of the property shall be submitted to and approved by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: In the interests of protected species in the locality in accordance with policy ENV DM5 of Arun District Local Plan.
- 6 Prior to occupation of the dwelling, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwelling shall be submitted to the Local Planning Authority for approval 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, diesel and hybrid cars/vans will not be sold beyond 2035, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c), TSP1 and ECCSP2 of the Arun Local Plan, the Arun Parking Standards SPD and

the National Planning Policy Framework.

- 7 No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details as submitted. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use in accordance with policy T SP1 of the Arun Local Plan.
- 8 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with submitted details.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with policy T DM1 of the Arun Local Plan..
- 9 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 10 INFORMATIVE: The surface water drainage proposals of the site shall be in accordance with the Building Regulations as agreed by Building Control.
- 11 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 12 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

REPORT UPDATE

Application no: FG/152/19/PL
Page no: 67
Location: 40 Little Paddocks Little Paddocks Ferring
Description: Erection of 2 x 3 bed detached chalet bungalows with associated parking and amenity space including the demolition of the existing house and garage.

UPDATE DETAILS

Reason for Update/Changes:

Consultation response received from Environment Officer.

Officers Comment:

The Environment Officer has been consulted and her view is that there is scope for roosting bats on the site. This will be addressed by way of a condition and informative, which is now Condition #4 on the amended recommendation sheet attached.

Erection of 2 x 3 bed detached chalet bungalows with associated parking and amenity space including the demolition of the existing house and garage.

40 Little Paddocks
Little Paddocks
Ferring

RECOMMENDATION

AC - Approve Conditionally

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

- Site Location Plan - RS18.54.SP01 - Nov 19
- Proposed Block Plan - RS18.54.BP01C - Nov 19
- Proposed Ground Floor Plan - RS18.54.SL05A - Jan 2020
- Proposed First Floor Plan - RS18.54.SK06A - Jan 2020
- Proposed Roof Plan - RS18.54.SK04B - Jan 2020
- 39 Proposed Plans and Elevations - RS18.54.PL05H - Aug 2019
- 40 Proposed Plans and Elevations - RS18.54.PL04J - Aug 2019

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

- 3 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 No demolition shall commence until a bat survey has been submitted to the Local Planning Authority determine if there are bats roosting in the building. If there is evidence of bats, further bat activity surveys should be undertaken and submitted together with mitigation strategies. The mitigation measures identified, shall be agreed in writing by the Local Planning Authority and carried out in accordance with the details and timescales in the report.

Reason: To safeguard the ecology of the area, and in the interests of bats/owls to ensure that a habitat remains for them during and after development in accordance with ENV DM5 of the Arun Local Plan. This is a pre-commencement condition due to the level that bats are protected within European legislation, if bats are found to be roosting onsite the application will also require a Natural England Protected Species Licence for the works.

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

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

6 Prior to the occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval 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, diesel and hybrid cars/vans will not be sold beyond 2035, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

7 The dwellings shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the houses will incorporate decentralised, renewable and low carbon energy supply systems and use sustainable construction methods. The approved scheme shall thereafter be implemented prior to occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient, and in accordance with policy ECC SP2 of the Arun Local Plan.

8 Unless otherwise agreed in writing, the existing landscaping on the Northern and Western boundaries of the application site shall be retained in perpetuity as existing on the site.

Reason: In order to prevent harm upon the character of the locality, in conflict with D DM1 of the Arun Local Plan.

9 No construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no noisy work on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan.

10 Details shall be submitted to and approved by the Local Planning Authority of acoustic fencing and associated tree and shrub planting along the boundary between the two dwellings, and bordering the application site. The dwellings shall not be occupied until such acoustic fencing and associated tree and shrub planting has been installed/planted in line with the approved details and retained as such in perpetuity.

Reason: In the interests of the environment of the development, in accordance with Arun Local Plan policies D DM1 and QE DM1.

11 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated parking purpose.

Reason: To provide car-parking space for the use, in accordance with T SP1 of the Arun Local Plan.

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

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies, including T SP1 of the Arun Local Plan.

13 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved 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 the following details:

- a) An indicative programme for carrying out of the works;
- b) The parking of vehicles of site operatives and visitors;
- c) Loading and unloading of plant and materials, including permitted times for deliveries;

d) Storage of plant and materials used in constructing the development;

Reason: To protect the local highway amenity of the area in accordance with Policy TS SP1 of the Arun Local Plan.

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

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

- 15 **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 then an ecologist will need to check the site before any works take place.
- 16 **INFORMATIVE:** The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A Statutory Nuisance may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.
- 17 **INFORMATIVE:** The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A Statutory Nuisance may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.
- 18 **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.

REPORT UPDATE

Application no: LU/51/20/PL
Page no: 79
Location: The Look And Sea Centre Surrey Street Littlehampton
Description: Change of use of upper 2 floors from the existing mixed use to 6 No. suites for tourist accommodation (C1 Hotels). This application may affect the setting of a listed building & may affect the character & appearance of the Littlehampton (River Road) Conservation Area.

UPDATE DETAILS

Reason for Update/Changes:

Environment Agency response received:

No Objection - The proposed change of use to residential is only proposed for the first and second floors which will be above the climate change flood levels.