

PLANNING APPLICATION REPORT

REF NO: FG/6/20/PL

LOCATION: Hangleton Farm Livery Stables  
Wadars Animal Rescue Centre  
Hangleton Lane  
Ferring

PROPOSAL: Development of Animal Rescue Centre, to include new buildings for reception, training & education, cattery, kennels & associated ancillary accommodation, conversion of existing barn into staff accommodation along with driveways, car parking & landscaping. This application is a Departure from the Development Plan.

<b>SITE AND SURROUNDINGS</b>
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DESCRIPTION OF APPLICATION	<p>The development proposed is to expand the existing WADARS animal rescue centre to include the following:</p> <p>New Build</p> <ul style="list-style-type: none"> <li>- Main reception building 13.5 metres by 10.8 metres by 4.4 metres in height.</li> <li>- education and training building 13.2 metres by 10.5 metres by 4.4 metres in height.</li> <li>- 2 x cattery intake buildings 13 metres by 4.4 metres by 2.5 metres in height.</li> <li>- Store room 4.5 metres by 4.5 metres.</li> <li>- Canine rehoming building 20 metres by 13.5 metres by 4 metres in height.</li> <li>- Canine Intake building 15.5 metres by 13.5 metres by 4 metres in height.</li> <li>- Canine Isolation building 12 metres by 5 metres by 3.8 metres in height.</li> <li>- 5 x dog runs 10 metres by 5 metres.</li> <li>- Wildlife building 10.7 metre by 12 metres by 3.8 metres in height.</li> </ul> <p>Conversion of an existing building to staff accommodation measuring 10.5 metres by 5.5 metres by 5.5 metres in height.</p>
SITE AREA	6 hectares.
TOPOGRAPHY	Gently sloping upwards for south to north.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	A variety of fence types tot the side and front of the property. Open agricultural fields to the east and north east.
SITE CHARACTERISTICS	The site is a former livery stables now with planning permission converted to use as an animal rescue centre.

**CHARACTER OF LOCALITY**

The site is located towards the northern end of a country lane of sporadic development on the lower slopes of Hangleton Hill. The site is not particularly discernible in its own right at any distance due to the wide range of other buildings, uses and screening in the locality.

<b>RELEVANT SITE HISTORY</b>
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FG/101/18/PL	New cattery for animal rescue centre. This application is a Departure from the Development Plan.	ApproveConditionally 09-08-18
FG/128/13/	Alterations and change of use of buildings B through to K from equestrian/agricultural to animal rescue centre.	ApproveConditionally 15-01-14
FG/129/13/	Internal alterations and partial change of use of main building (Building A) from equestrian/agricultural to animal rescue centre comprising offices at ground floor and associated staff accommodation at first floor level.	App Cond with S106 01-10-14

Planning permission has been granted and implemented to run the site as an animal rescue centre to include the kennelling of dogs and staff accommodation by planning permissions FG/128/13 & FG/129/13.

Application FG/128/13/ granted permission for the change of use of 8 equine stable blocks amounting to 84 stables for accommodation for cats, dogs and other small animals. Many of these equine stable blocks have now been demolished and it is proposed to new build the new accommodation in this application.

This application proposes an extension of the use of kennelling for dogs from 2 buildings approved by FG/128/13 to 3 buildings in this case. One of those buildings is now proposed abutting the boundary with the neighbouring equestrian centre to the north.

<b>REPRESENTATIONS</b>
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**REPRESENTATIONS RECEIVED:**

Ferring Parish Council

Whilst appreciating the good work done by WADARS object on the following grounds;

- The canine units will create an unacceptable noisy environment to neighbouring residential and equine uses.
- Additional traffic created will conflict with public footpath/bridleway on Hangleton Lane and use of car dealership on the Littlehampton road.
- Flooding. Arun Council drainage engineers conditions should be imposed if approved.

88 representations of support:

- Good work done by charity.
- Traffic outside peak hours.
- Provide employment opportunities.
- Benefit to flooding from Swale and removal of concrete.
- Benefit to education and training.
- Improve carbon footprint of Wadars as need to travel less.
- Appropriate use for countryside/strategic gap.
- Planting will encourage wildlife.

27 representations of objection plus a petition of 52 signatures objecting to the dog kennels by the riding school:

- Noise report does not include the impact on Reynards Nursery 134 metres from the kennels and a further dwelling which is 104 metres from the kennels.
- Noise pollution from dog kennels on residential properties.
- At such close proximity noise pollution from dogs will have a dangerous impact on horses/riders at neighbouring equestrian business.
- Odour pollution in summer.
- Flooding from Wadars.
- Danger from increased traffic.
- Built form will impact on openness of area.
- Inadequate consideration of biodiversity.
- Unsustainable materials.
- No attempt to integrate and support biodiversity.
- Residential element not acceptable.
- Dispute findings of noise report.

#### **COMMENTS ON REPRESENTATIONS RECEIVED:**

Condition 5 of FG/128/13 specified that no more than 24 dogs should be kept at the site. Other issues raised are addressed in the Conclusions section of the report below.

Additional information from the applicant

Whilst there are 21 kennels shown (3 in isolation unit and 9 in each of the intake and rehoming units) the isolation unit would take a dog from any of the other two units as this would be a dog that would develop a serious illness whilst at the centre which means that at full capacity the centre would hold 20 dogs.

The applicant has also confirmed that the previous consent allowed for 24 kennels.

#### **CONSULTATIONS**

Ecology Advisor

Parks and Landscapes

Economic Regeneration

Engineering Services Manager

Engineers (Drainage)

WSCC Strategic Planning

WSCC Strategic Planning

Surface Water Drainage Team

Environmental Health

Arboriculturist

WSSC Strategic Planning

### CONSULTATION RESPONSES RECEIVED:

West Sussex County Council Highways - No objection subject to conditions. Whilst trips to the site will increase the Local Highway Authority does not consider that the proposal would have an unacceptable impact on highwaysafety or result in 'severe' cumulative impacts on the operation of the highway network in conflict with the Naional Planning Policy Framework paragraph 109.

WSSC Lead Local Flood Authority - No objection. The area of the proposed development is shown to be at moderate risk from groundwater flooding based on current mapping and means that the site will not suffer groundwater flooding.

ADC Drainage - No objection subject to conditions.

ADC Environmental Health - No objection subject to conditions. The applicants submitted noise assessment report is considered to be satisfactory.

CDC Ecology Advisor - No objection subject to mitigation conditions.

ADC Economic Development - Support. Economic Development are keen to see additional jobs, work experience and volunteering opportunities in the District.

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

### POLICY CONTEXT

Designation applicable to site:

OUTSIDE BUILT UP AREA

RIGHT OF WAY

### DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
LANDM1	LAN DM1 Protection of landscape character
QEDM3	QE DM3 Air Pollution
ENVDM5	ENV DM5 Development and biodiversity
EMPDM1	EMP DM1 Employment Land: Development Management
HDM4	H DM4 Conversion of rural buildings for residential use
QEDM1	QE DM1 Noise Pollution
SDSP3	SD SP3 Gaps Between Settlements
TSP1	T SP1 Transport and Development

WDM2 W DM2 Flood Risk

[Ferring Neighbourhood Plan 2014 Policy 1A](#)

A Spatial Plan for the Parish

Ferring Neighbourhood Plan 2014 Policy 7

Land north of Littlehampton Road, encouraging of existing rural businesses

**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.

Policies 1A and 7 are considered relevant to this application.

**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 comply with relevant Development Plan policies in that the use of the premises has planning permission to be run as an animal care centre and the design of the proposed new buildings have an acceptable impact on the character/appearance of the area/strategic gap. The use of kennelling in closer proximity to the neighbour to the north as compared with previous permission would not unacceptably impact their residential amenity/business.

**OTHER MATERIAL CONSIDERATIONS**

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

**CONCLUSIONS****PRINCIPLE**

The use of the site for the care of animals is considered to be an acceptable use as recognised by previous planning permissions FG/128/13 and FG/129/13 which have been implemented. The proposed development however proposes a reorganisation and some new buildings within the site following the demolition of a number of the barns approved to be converted by earlier permission.

Policy SD SP3 requires that development in the settlement gaps should retain the separate identities of Worthing and Ferring in this case and prevent coalescence of settlements. Development will only be permitted within the gaps if it would not undermine the physical and/or visual separation of settlements,

would not compromise the integrity of the gap, either individually or cumulatively with other existing or proposed development and cannot be located elsewhere.

The development is not considered to undermine the physical and /or visual separation of settlements nor compromise the integrity of the gap. The only new building that extends the built form well into open fields to the east of the approved site is the proposed wildlife building. The other three new kennelling buildings are located within the established corridor of buildings and structures at the WADARS centre and Equestrian Centre to the north. The wildlife building would be viewed against the backdrop of other buildings in the area and on its own is not considered to compromise the integrity of the gap as required by policy SD SP3 of the Arun Local Plan.

The new buildings as a whole, due to their location and design, would not have significant impact on the setting of the South Downs National Park, approximately 460m to the north of the site, in compliance with policy LAN DM1 of the Arun Local Plan which requires that attention be paid to that setting. The policy requires that development must have special regard to the conservation of the setting of the National Park. It is considered that the building would not compromise, either individually or cumulatively the character or integrity of the settlement gap and, for the same reasons, the proposal would not have a significant impact on the setting of the National Park. They therefore accord with policy SD SP3 and LAN DM1 of the Arun Local Plan.

Policy 7 of the Ferring Neighbourhood Plan addresses development north of Littlehampton Road which includes this site. Developments are supported if they minimise visual impacts on the countryside, new buildings are located as part of the existing clusters of buildings and are screened within its wider setting of the National Park. As described above the new buildings are located within the existing cluster of buildings at WADARS and equestrian centre and due to built development to the north, the buildings would be screened within its wider setting of the National Park and as such comply with policy 7.

Paragraph 83 of the NPPF states that sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings will be supported.

#### BARN CONVERSION

Arun Local Plan policy H DM4 requires that conversion to residential use is part of a proposed business use, is capable of being converted without major rebuilding, will not have an unacceptable impact on the rural character of the area and the additional traffic can be safely accommodated.

The conversion of the barn for residential use complies with policy H DM4 and EMP DM1 (7) in that the residential use would be 'a subordinate part of a scheme for business re-use;' In addition the barn is proposed to be converted without significant alteration or extension and will not have an adverse impact on the rural character of the area nor generate any significant additional traffic.

#### DESIGN

Policy D SP1 Design states that development has to be designed in such a way that it reflects its immediate setting in terms of layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 as it only applies to the conversion of the barn for residential use sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They

generally seek to minimise the impact of the proposal on the character of the host building, its neighbours and the locality.

The design of the buildings is utilitarian providing the necessary facilities to care for animals. There is no particular type of built development in the immediate boundaries with a mixture of single storey agricultural buildings to the north and single storey light industrial structures to the south at the immediate boundaries to the site. The height and scale of the new proposed buildings would be well within the height and scale of surrounding buildings in particular the large barns of the equestrian centre to the north.

There would be a new road linking the front of the site to the wildlife centre at the back of the site. The road would be within the envelope of buildings and would not have a significant impact on the wider landscape. Part of the plan is to convert an existing barn into residential accommodation which would be of an acceptable design with no significant external changes.

The proposal is considered to comply with policies D DM1, D DM4 and D SP1 with respect to design.

#### RESIDENTIAL AMENITY

The site has residential neighbours to the north, south and west located at varying distances from the site. Hangleton Lane separates the site from residential properties to the west. The additional noise to be generated by the proposal has been quantified by way of a noise report and found to be acceptable by Arun Environmental Health officers. The noise report has been conducted to industry standards by a suitably qualified acoustic company.

The report states that 'noise modelling software was used to predict sound levels arising from the newly introduced 3 dog-kennels at the East of the site, which incorporated previously measured sound data for dog barking and animal boarding sites.' It goes on to say 'the noise modelling software assessed four scenarios as worst cases with all kennels occupied and 4 of the 5 external exercise yards in use (daytime only). The scenarios considered daytime uses with all kennel doors open and exercise yards used, doors closed with exercise areas used and night time without any external exercise yards being used. The night time assessment considered both LAeq and LAm<sub>ax</sub> values to determine how dog barking might be perceived at the receptor locations.'

It concludes that 'the design of the new kennels, their distance from receptors and the mitigation measures being proposed, that the noise impact from the new kennels remains well below measured background sound levels. Uncertainty and context, in line with the requirements of BS4142:2014 have been stated and discussed within the report.'

Given the above there is no reason to disagree with the Council's Environmental Health view that the report is acceptable and the proposed new buildings will not result in undue disturbance to neighbours and neighbouring uses by way of noise and disturbance.

A concern has been raised that the noise associated with the new dog kennelling buildings will cause serious harm to the operation of Hangleton Farm Equestrian Centre. In particular the use of the outdoor sand horse riding area which will be 5 metres from the nearest kennel. This is the isolation area kennel which is likely to be sparingly used where dogs will only go there if they become sick and will remain inside at all times.

The submitted noise report sets out a number of operational measures which are designed to keep the barking from the dogs to acceptable levels and thereby the impact on neighbouring occupiers. Sound proofing materials are proposed for all three kennels and a condition will be imposed that prior to their use by dogs samples of materials to be used will be submitted with a sound reducing specification that

will be assessed by Council officers before it is agreed.

The impact on neighbouring residential occupiers is therefore acceptable and accords with policies D DM1, D DM4 and QE DM1 with respect to residential amenity.

#### HIGHWAYS AND PARKING

Policy T SP1 states that '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'

The parking demand will rise from 20 spaces to 34 spaces. The total provision would be 42 spaces which would exceed requirements. A cycle rack is proposed in addition. The scheme is not considered to cause an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network.

The proposal, subject to conditions, is therefore considered to comply with policy T SP1 of the Arun Local Plan.

#### ECOLOGY

Policy ENV DM5 states that Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not).

The applicants have supplied a phase 2 ecology survey and a further bat survey which found no evidence of bats roosting on site. The Council's ecology adviser has accepted these reports subject to a number of mitigation measures included in proposed planning conditions. The proposal is considered to comply with policy ENV DM5 of the Arun Local Plan.

#### FLOODING AND DRAINAGE

A flood risk assessment has been submitted which demonstrates that there would be no unacceptable impact on flooding as a result of the development. Drainage officers have raised no objection to this assessment subject to conditions. The proposal is therefore in accordance with policy W DM3 of the Local Plan and Policy 10 of Ferring Neighbourhood Plan.

#### EMPLOYMENT

Policy EMP DM1 (3 & 6) sets out the development management criteria applicable to new economic development, including its expansion as is the case here, outside the built-up area. The proposal would allow the reorganisation of the site to provide 4 new commercial buildings in an area where a business use has already been approved.

In positively encouraging the regeneration and renewal of employment sites the policy states planning permission will be granted for appropriate sized extensions of an existing employment site, if it would not result, as is the case here, in an unacceptable intensification of use of the public access and takes into account landscape context and neighbouring residential properties. It also refers to being accessible by public transport and a satisfactory relationship with neighbouring uses and the surrounding area.

In this case the proposal is not in conflict with this policy as the proposal is considered to have an acceptable impact on the landscape context, neighbouring residential properties and its relationship with other neighbouring uses is also found to be acceptable. It is also accessible by public transport.



**CONCLUSIONS**

For the above reasons the proposed development is considered to comply with relevant policy the application is therefore recommended for approval subject to the following conditions:

**HUMAN RIGHTS ACT**

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

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

**DUTY UNDER THE EQUALITIES ACT 2010**

Duty under the Equalities Act 2010

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

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

**RECOMMENDATION****APPROVE CONDITIONALLY**

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

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

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

Sie Plan Dwg.no. 306/02 Rev A gated Oct 2019  
 Barn Conversion Proposed Plans Dwg.no. 306/10 dated Oct 2019  
 Reception Education Proposed Plans Dwg.no. 306/03 dated March 2019  
 Education Elevations Dwg.no. 306/05 dated July 2019  
 Reception Elevations DWg.no. 306/04 dated July 2019  
 Cattery Proposed Plans Dwg.no. 306/08 dated June 2019  
 Wildlife Proposed Plans Dwg.no, 306/07 dated June 2019  
 Kennels Dwg.no. 306/06 dated Oct 2019  
 Store Proposed Plans Dwg.no. 306/11 dated March 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 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 Development shall not commence, other than works of site survey and investigation, until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

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

- 5 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted 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.

- 6 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in

accordance with policy T SP1 of the Arun Local Plan.

- 7 Prior to the occupation of the 3 new dog kennels details of materials to be used for their construction together with expected sound attenuation specification shall be submitted to, and approved in writing by the Local Planning Authority. Details agreed shall be implemented and retained in perpetuity thereafter.

Reason: To protect the amenity of local residents in accordance with policy QE DM1 of the Arun Local Plan.

- 8 The number of dogs within the three new kennels (canine intake, canine rehoming and canine isolation units as shown on drawing 306/02 Revision A) shall not exceed 20 at any one time and there shall be no more than one dog at any one time within the canine isolation unit.

Reason: To safeguard the amenities of nearby residents in accordance with policy QE DM1 of the Arun Local Plan.

- 9 Noise mitigation measures as set out in the Acoustic Associates Sussex Ltd Noise Assessment Report dated 22/05/2020 shall be implemented and retained in perpetuity for the lifetime of the development.

Reason: To protect the amenity of local residents in accordance with policy QE DM1 of the Arun Local Plan.

- 10 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 and policy T DM1 of the Arun Local Plan.

- 11 An ecological enhancement scheme shall be submitted to and approved by the Local Planning Authority. The agreed scheme shall be implemented prior to the occupation of the new proposed uses and thereafter retained in perpetuity. The following measures shall be included as enhancements to the scheme:

- Any trees removed should be replaced at a ratio of 2:1.
- Wildflower meadow planting should be used.
- filling any gaps in tree lines or hedgerows with native species.
- Bat and bird boxes installed on the site
- Grassland areas managed to benefit reptiles.
- Log piles onsite.
- Gaps are included at the bottom of any fences to allow movement of small mammals across the site.
- A hedgehog nesting box included on the site.

Reason: In order to achieve a net biodiversity gain in accordance with policy ENV DM5 of the Arun Local Plan.

- 12 No external lighting shall be installed until details have been submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type, mounting height, aiming angles and luminaire profiles). The approved scheme shall be installed, fully assessed by a competent individual when operational to ensure no light creep/bleed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area/the environment and the wildlife/local residents from light pollution in accordance with policy QE DM2 of the Arun Local Plan.

- 13 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.
- 14 INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council [land.drainage@arun.gov.uk](mailto:land.drainage@arun.gov.uk)), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.
- The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.
- 15 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received.
- For further information please contact the Environmental Health Department on 01903 737555
- 16 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.
- 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: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:  
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or->

crossovers-for-driveways-licence/

Online applications can be made at the link below, alternatively please call 01243 642105.  
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform>

- 19 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 proposed development is being renovated to residential, the Council need to be satisfied that if any asbestos previously identified is still present, it is either removed or suitably managed 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.

#### BACKGROUND PAPERS

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

**FG/6/20/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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