

**DEVELOPMENT CONTROL COMMITTEE**

**2 SEPTEMBER 2020**

**OFFICER REPORT UPDATES**

## REPORT UPDATE

**Application no:** BN/39/20/PL  
**Page no:** 11  
**Location:** Land adjacent to Tars Farm House Church Lane Barnham  
**Description:** Erection of 4 No dwellings & associated works. This application is a Departure from the Development Plan.

### UPDATE DETAILS

#### Reason for Update/Changes:

The Council has consulted with the Cleansing Manager regarding the waste arrangements and a refuse vehicle will be able to access the site to collect waste but there would need to be an indemnity insurance in place so that the Council is not liable for any damage to the site roads etc. The applicant has been advised of this but this is not something that can be secured through the planning permission.

There are no detailed plans of surface water drainage at this time as these will be sought through discharge of the relevant conditions but essentially the scheme will include underground channels and pipes to discharge the surface water to the proposed attenuation feature. This will then treat the water and discharge it at a restricted rate (2 litres per second) to the Barnham Rife (subject to EA agreement).

The average levels loss from the top of the site to the bottom is 4.11m. Officers propose that an additional condition be included to control new ground and floor levels across the site. New condition 14 is shown on the amended replacement recommendation sheet.

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Erection of 4 No dwellings & associated works. This application is a Departure from the Development Plan.

Land adjacent to Tars Farm House  
Church Lane  
Barnham

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## RECOMMENDATION

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AC - Approve Conditonally

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- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby approved shall be carried out in accordance with the following approved plans  
  
Location Plan dwg 2.29 Rev B;  
Site Plan dwg 2.20 Rev B;  
Landscape Proposals Planting dwg 2009-TF-00-00-DR-L-1001 Rev 02;  
Plots 1 & 2 Proposed Floor Plans dwg 2.21;  
Plots 3 & 4 Proposed Floor Plans dwg 2.22;  
Elevations Plot 4 dwg 2.23;  
Elevations Plot 2 dwg 2.24;  
Elevations Plot 3 dwg 2.25;  
Elevations Plot 4 dwg 2.26 Rev A;  
Garages Plots 1 & 3 Floor Plans and Elevations dwg 2.27; and  
Street Scenes dwg 2.28.  
  
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, D SP1, QE SP1 and T SP1 of the Arun Local Plan.
- 3 Clearance of the site should only be conducted during the period of the year that reptiles are active (Mid March to Mid October) and supervised by an ecologist. Any vegetation to be removed shall be cut down to 10cm prior to any works taking place. Any dead wood, or rubble piles should be dismantled by hand and relocated elsewhere on the site.  
  
Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.
- 4 The development must be carried out in accordance with the submitted "Ecological Enhancement Plan" and "Ecological Enhancement Specification" both received 06/08/20. The enhancements and mitigation measures shown on the drawing shall be implemented in full prior to occupation of any of the houses and permanently maintained as fit for purpose.  
  
Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.
- 5 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 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.
- 6 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.

- 7 No development shall commence until an acoustic assessment has been undertaken to determine the impact of noise from the nearby railway line. The results of the assessment and details of a scheme of mitigation measures necessary to ensure an appropriate level of aural amenity within habitable rooms and in garden areas shall be submitted and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the internal noise levels within the residential units will conform to the "Indoor ambient noise levels for dwellings" guideline values specified within Table 4 under section 7.7.2 of BS 8233:2014. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details. The assessment and mitigation scheme shall be compiled by a competent acoustician on sound insulation and noise reduction for buildings. The scheme should take into account the correct number of air changes required for noise affected rooms.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan. This is required to be a pre commencement condition because it is necessary to ensure that noise mitigation measures are built into the construction of the houses.

- 8 No development shall commence until an odour assessment has been undertaken to determine the impact of odour from the nearby livery stables and other rural activities. The results of the assessment and details of a scheme of mitigation measures necessary to ensure an appropriate level of amenity within habitable rooms and garden areas shall be submitted and approved in writing by the Local Planning Authority. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details. The assessment shall be conducted by a suitably qualified odour assessor and be carried out in line with the Institute of Air Quality Managements 'Guidance on the assessment of odour for planning.'

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan. This is required to be a pre commencement condition because it is necessary to ensure that odour mitigation measures are built into the construction of the houses.

- 9 All activity at the site is to be carried out in strict accordance with: - Arboricultural Implications Assessment and Method Statement, Ref: 181087-AIA (27/02/19).

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

Reasons: To comply with BS5837 and policy ENV DM4 of the Arun Local Plan to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area. This is required to be a pre commencement condition because it is necessary to ensure that trees are fully protected before the ground is disturbed and works commence.

- 10 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert or other designated competent person representing the site owner(s) - at this meeting all protective fencing and ground protection measures will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the (Tree) Retention and Protection Plan, dwg. no. ECO 3 (Appendix 1 of the Arboricultural Implications Assessment and Method Statement, Ref: 181087-AIA, 27/02/19).

Reasons: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area. This is required to be a pre commencement condition because it is necessary to ensure that trees are fully protected before the

ground is disturbed and works commence.

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

- An indicative programme for carrying out of the works;
- Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- Measures to minimise the noise (including vibration) generated by the construction process to include proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- Measures to control the emission of dust and dirt during construction; and
- A scheme for recycling / disposing of waste resulting from demolition and construction works.

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

- 12 No development (including vegetation/ground clearance) shall take place unless and until the site has been thoroughly searched for hedgehogs and any hedgehogs or other small mammals that are found should be relocated away from the construction site into surrounding habitats.

Reason: To safeguard resident hedgehogs & small mammals in accordance with Policy ENV DM5 of the Arun Local Plan and the NPPF. It is necessary for this to be a pre-commencement condition because the commencement of development could result in harm to any such animals living within the site.

- 13 No development shall commence until details of fencing (including erosion guards) set 5m back from the edge of the Rife have been submitted to and approved in writing by the Local Planning Authority. The approved fencing shall thereafter be implemented in accordance with the approved details and retained in good working order throughout the construction of the development site.

Reason: Water voles use the Rife and therefore this is in accordance with the NPPF and policy ENV DM5 of the Arun Local Plan. This is required to be a pre-commencement condition because the Rife must be protected prior to construction starting.

- 14 Prior to the commencement of development a detailed level survey of the site including existing and resulting ground levels and the finished floor levels of the buildings the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy D DM1 of the Arun Local Plan. This is required to be a pre-commencement condition because site levels must be set prior to works commencing on the new houses as otherwise it would be difficult and expensive to rectify any changes.

- 15 The use of the access for the new dwellings shall not commence until visibility splays of 2 x 36 metres (Northbound) & 2 x 54.4 metres (Southbound) have been provided at the proposed site vehicular access onto Church Lane in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The splays shall be maintained and kept free of all obstructions over a height of 0.9 metre above adjoining carriageway level or as otherwise agreed.

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

- 16 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.
- Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and local character in accordance with policy D DM1 of the Arun Local Plan.
- 17 No development above damp proof course (DPC) level shall take place until details of all new screen walls and fences have been submitted to and approved by the Local Planning Authority and none of the approved dwellings shall be occupied until such screen walls/fences associated with them have been erected. The details to be provided shall also ensure that gaps are provided at the bottom of all boundary treatments to ensure that hedgehogs and other small mammals are able to move into/out of and around the development.
- Reason: In the interests of amenity and of wildlife in accordance with policies D DM1 and ENV DM5 of the Arun Local
- 18 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.
- Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.
- 19 None of the houses shall be first occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the dwellings and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.
- Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan.
- 20 Prior to occupation of any 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 NPPF.
- 21 No part of the development shall be first occupied until the vehicle parking (including the garages) and turning spaces have been constructed in accordance with the approved plan. These parking spaces and garages shall thereafter be retained for their designated use as parking spaces.
- Reason: In the interests of road safety and to provide adequate on-site car parking & turning space for the development in accordance with Arun Local Plan policy T SP1.
- 22 There shall be no occupation of the new dwellings until the vehicular access serving the development has been upgraded in accordance with the approved site plan.
- Reason: In the interests of road safety and in accordance with Arun Local Plan policy T SP1 and the National Planning Policy Framework.
- 23 No part of the new development shall be first occupied until the garages and car parking spaces have been constructed in accordance with plans to be submitted to and approved in writing by the Local Planning Authority. These spaces shall always thereafter be kept for their designated use.
- Reason: To provide car-parking spaces for the development in accordance with Arun Local Plan policy T SP1 and the National Planning Policy Framework.
- 24 No part of the new development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

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

- 25 No part of the new development shall be first occupied until the vehicle turning space has been constructed within the site in accordance with the approved site plan. This space shall always thereafter be kept for its designated use.

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

- 26 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.

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

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

- 28 During the construction phase, any trenches within the site must be either covered with something rigid overnight or a means of escape made available and all hazardous chemicals must be securely stored away so animals cannot access them.

Reason: To safeguard badgers and other small mammals in accordance with Policy ENV DM5 of the Arun Local Plan and the NPPF.

- 29 All bathroom and toilet windows hereby approved shall be glazed with obscured glass and permanently retained thereafter.

Reason: To protect the amenities and privacy of existing and future occupiers in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 30 No windows (other than those shown on the plans hereby approved) shall be constructed in the first floor flank elevations of any of the dwellings hereby approved without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of existing and future occupiers in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 31 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.

- 32 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read the New Connections Services Charging Arrangements documents which is available to read on the SW website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

- 33 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.

- 34      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.
- 35      INFORMATIVE: The Local Highways Authority (LHA) advises the applicant 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 the permission of a Vehicle Crossover (VCO) licence. Please see the following link on details pertaining to the licence application process: <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-application-form/>
- 36      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.
- 37      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:** F/15/20/WS  
**Page No:** 45  
**Location:** Ford Circular Technology Park, Ford Road, Ford, BN18 0XL  
**Description:** Demolition of existing buildings and structures and construction and operation of an energy recovery facility and a waste sorting and transfer facility for treatment of municipal, commercial and industrial wastes, including ancillary buildings, structures, parking, hardstanding and landscape works. This application is a County Waste Matter that will be determined by West Sussex County Council.

### UPDATE DETAILS

Reason for Update/Changes:

The application was discussed at a special meeting of the Ford, Yapton & Clymping Advisory Group on 25th August 2020. This Update summarises the steer given by the Advisory Group and it clarifies the recommendation.

### STEER FROM YAPTON, FORD AND CLYMPING ADVISORY GROUP

The Yapton, Ford and Clymping Advisory Group supports the officer recommendation to Object to the application and has undeniable concern about the proposed development for the following reasons:

- Impact of traffic during construction and operational phases;
- The impact upon Arundel and communities in the wider area, in addition to villages of Ford, Yapton and Clymping;
- Light pollution and impact on dark night skies;
- Noise levels in a rural location;
- The choice of technology to deal with emissions;
- The lack of satisfactory mitigation for the future residents of the strategic housing allocation;
- West Sussex should not become a net importer of waste;
- While the previous scheme was found to be acceptable, the current proposal is overdevelopment of the site; and
- The proposal is contrary to the Environment Bill 2020, which seeks to improve recycling and reduce the volume of residual waste incinerated.

### AMENDED RECOMMENDATION:

The recommendation is that an OBJECTION be raised to the proposal for the reasons set out below.

- The need for a facility of the proposed size, to enable West Sussex to achieve net self-sufficiency in waste management, has not been clearly demonstrated;
- The scale and height of the proposed development will have a significant adverse visual impact on the character of the landscape, local settlements including the town of Arundel and the South Downs National Park;
- It has not been demonstrated that the scale, form and appearance of the proposed buildings are of the highest quality;
- The amount and scale of development proposed for the site is too large to enable a comprehensive and effective landscaping scheme to be implemented;
- The cumulative impact of traffic on the local highway network, taking into account all existing, permitted, allocated or proposed development in the area, has not been satisfactorily addressed;
- The submitted noise assessment has not adequately considered all existing sensitive receptors or the whole of the surrounding strategic housing allocation;
- It has not been demonstrated that odour would not be a problem at sensitive receptors nearby, including the surrounding strategic housing allocation;
- The proposed lighting scheme is considered to be inappropriate for a rural/suburban location; and
- The proposal has not been designed in a comprehensive and co-ordinated manner to avoid potential conflicts with the surrounding strategic housing allocation.

Should West Sussex County Council be minded to grant planning permission, Arun District Council would request the imposition of conditions to secure the following:

1. The use of only white sound reversing alarms for vehicles on the site;
2. Deliveries to the site during specified hours only in both the construction and operational phases;
3. Mitigation measures to accord with the Air Quality and Emissions Mitigation Guidance for Sussex (2020);
4. Improved cycle and pedestrian access;
5. The use of electric vehicles on the site where possible;
6. Dust management plans to cover both the demolition/construction phase and the operational phase;
7. A scheme to deal with the risks associated with contaminated land; and
8. A comprehensive landscaping scheme.

## REPORT UPDATE

**Application no:** FG/6/20/PL  
**Page no:** 61-74  
**Location:** Hangleton Farm Livery Stables Wadars Animal Rescue Centre Hangleton Lane Ferring  
**Description:** 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.

### UPDATE DETAILS

Update/Changes:

Comments from National Park Authority:

No objection - Concern that the built development extends too far east (particularly wildlife rehabilitation unit) and that the scheme would better be accompanied by a robust landscape-led planting scheme that enhances what is currently a very degraded landscape.

If the scheme is to be approved, it is suggested a condition relating to the use of external lighting is imposed.

The applicant request that reference be deleted, in condition 8, to the isolation unit and that the number of dogs to be housed there does not exceed one.

An additional drawing 'Fencing Proposed Plan' has been submitted by the agent detailing boundary fencing and the extent of green metal fencing between the kennels. Each run is to be fenced in or each kennel block will be fenced in. This will ensure each section is self-contained to prevent a dog in Intake from entering the Homing or Isolation areas. The plan indicates where each type of fencing (ie either wooden to prevent line of sight, or green metal fence/gates) is proposed. Also photographs detailing the type of fencing have been submitted.

The number of representations has increased to a total of 37 objections, including the petition and 95 support. No new points have been raised in these later representations.

Officer Comment:

Given the location and size of the wildlife building it is not considered to have an adverse impact on the immediate area given the number of similarly sized buildings in the area where it is proposed to be sited. The recommendation already includes a lighting condition.

Further discussion has taken place with the agent regarding condition 8 and the number of dogs within the isolation unit. This condition has been varied to delete reference to occupation by only one dog at a time. Such wording does not meet the tests for imposition of conditions in that it would not be reasonable or necessary. Whilst it is hoped and unlikely that the unit would be used very often if at all (the cattery isolation block has never been used), if there were two or even three

dogs sick at the same time, it would be essential for them to be isolated to prevent spread of infection to other dogs.

If they are sick and housed in the isolation unit it is likely that they will be quiet and not have access to their outdoor exercise run, but the run is necessary in case a dog does need to go outside for a short time.

The plans condition has been amended to include reference this additional plan and an additional condition (13) is suggested requiring submission of details of fencing.

Note: The changes to recommendation, conditions and/or reasons are attached on the amended replacement recommendation sheet.

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.

Hangleton Farm Livery Stables  
Wadars Animal Rescue Centre  
Hangleton Lane  
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:

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  
Fencing Proposed Plan Dwg. no. 306/12 dated August 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.

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 Prior to the occupation of the 3 new dog kennels details of fences within and around the kennels indicated on 'Fencing Proposed Plan ' Dwg. no. 306/12 dated August 2020, shall be provided in accordance with details submitted to and approved by the Local Planning Authority and the details agreed shall be retained in perpetuity thereafter.

Reason: In the interests of amenity in accordance with policy D DM1 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: 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.

- 16 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

- 17 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.

- 18 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.

- 19 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>

- 20      **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.



## REPORT UPDATE

**Application no:** LU/149/20/PL  
**Page no:** 75-82  
**Location:** Littlehampton Wave Sea Road Littlehampton  
**Description:** Installation of a 4m high timber sculpture shaped in the form of 3 No. waves, fixed to a concrete base. This application is not CIL Liable (Zero Rated) as 'all other development'.

### UPDATE DETAILS

Reason for Update/Changes:

One additional Objection:

- The proposed structure advertising the 'Wave'. will be a laughing stock.
- We were given less than a month to object.
- Was it commissioned?
- Was it unwanted by Bognor, as Bognor seem to be the instigators?

Officers Comment:

The application has been advertised in accordance with procedure and there has been in excess of one month to comment. The advertising period expired a month ago.

The structure is linked to the swimming centre and has been designed to be installed in association with the swimming centre use of the site.