

REPORT UPDATE

Application No: AL/35/26/RES

Reason for the Update / Changes

Reason for Update/Changes:

Parks and Landscape Officer had no objection, although requested a change to the safety and pathway surfacing within the play area to ensure it is weather accessible which has been amended. The below plans are to be approved and secured under condition 1.

- Detailed Play Area Sheet 1 of 2 - D3555-FAB-00-XX-DR-L-1100
- Detailed Play Area Plan Sheet 2 of 2 - D3555-FAB-00-XX-DR-L-1101 PL01
- Detailed Soft Legend and Schedule - D3555-FAB-00-XX-DR-L-3000
- Detailed Soft Landscape Plan Sheet 1 of 2 - D3555-FAB-00-XX-DR-L-3001
- Detailed Soft Landscape Plan Sheet 2 of 2 - D3555-FAB-00-XX-DR-L-3002 PL00

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: AL/35/26/RES

LOCATION: Land rear of Meadow Way
Westergate

PROPOSAL: Approval of reserved matters following outline consent AL/178/22/OUT for appearance, landscaping, layout and scale for the construction of 89 No. residential dwellings, together with open space, landscaping and associated infrastructure, with access taken from Meadow Way (resubmission following AL/137/24/RES). This application is in CIL Zone 3 and is CIL Liable as new dwellings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Reserved matters for 89 dwellings with associated public space, landscaping, parking and ecological mitigation. Approval of scale, layout, external appearance, and landscaping are sought. AL/178/22/OUT approved access arrangements.

This is a resubmission of AL/137/24/RES and AL/50/24/RES (refused on appeal). The following changes have been made since AL/137/24/RES.

- Additional open space to the centre of the site, including a trim trail and local area of play (LAP).
- The three-storey flatted development has been removed.

REPORT_1011(ODB)

- Separation distances between properties increased.
- Includes items required by the outline conditions.
- Further information on the lighting strategy.
- Relocation of some of the affordable dwellings.
- Additional landscaping/tree planting along street frontages.
- Wider buffer zone between houses on south boundary.

27 will be affordable dwellings (7 first homes, 18 affordable rented, 2 shared ownership). 42 homes (27 market & 15 affordable) will be M4(2) Building Regulations standard and 4 will be to M4(3) standard.

The scheme includes 227 parking spaces, including 18 visitor spaces (7 accessible spaces are provided for visitors). 4 allocated spaces meet M4(3) standard and are provided for those dwellings. Cycle parking is to be in storage sheds in rear gardens or in garages.

As per the outline, the site has a main vehicular access onto Meadow Way to the east. This has a 5.5m wide carriageway with a 2m footway on one side. These dimensions and arrangements continue through the layout via the main estate road. A footpath will be provided on the western side to meet Hook Lane and there will be links to the footpath (PROW) that runs parallel to the southern boundary.

The main Public Open Space (POS) is to the east, although this is also shown as part drainage attenuation. This area includes equipped and unequipped play areas. A smaller area of open space runs vertically near the centre of the site. There are additional landscaped/wildlife buffer areas on north and south boundaries and at the west end. An electricity substation is adjacent to the estate road just in from the access.

TOPOGRAPHY

Predominantly flat.

TREES

There are no trees in the site area but there are trees, tree groups and hedges on all boundaries. The application proposes to remove part of tree group G6, the whole of G7 Beech, and part of G10 to facilitate site access from Meadow Way. Part of the hedge on the south boundary (H2) will be removed to create openings to the footpath.

There is an adjacent Tree Preservation Order (TPO) which protects 2 Oaks and 2 Coast Redwoods on the west boundary and 2 Oaks on the east boundary. Other (non-TPO) pruning works are:

T1 & T2 - Crown lift radially to provide circa 2.5m vertical ground clearance.

H2 - Selectively prune the hedgerows eastern and western extents by circa 1.5m to provide sufficient room for construction.

G3 - Selectively prune oversailing parts of the group's eastern crown spread by up to circa 1.5m to enable the erection of boundary treatments.

G6 - Selectively prune western crown spread by up to circa 1.5m to provide working room during outfall installation.

BOUNDARY TREATMENT

The site is bordered by mature trees to the west, a hedgerow to the south, hedgerows/mature trees to the north, and mature trees/residential fences to the east.

SITE CHARACTERISTICS

Large arable field bordered to the south by a footpath with residential development beyond, to the west by a dwelling and Hook Lane, to the east by dwellings on Meadow Way and to the north by a field with agricultural buildings.

CHARACTER OF LOCALITY

The site is to the north and west of residential dwellings which is predominantly low density and one or two storeys high.

RELEVANT SITE HISTORY

AL/137/24/RES	Approval of reserved matters following outline consent AL/178/22/OUT for appearance, landscaping, layout and scale for 89 No. dwellings with open space and associated works (resubmission following AL/50/24/RES). This application is in CIL Zone 3 and is CIL Liable as new dwellings.	Refused 19-03-25
AL/50/24/RES	Reserved matters application for the appearance, landscaping, layout and scale (pursuant to outline permission AL/178/22/OUT) for the construction of up to 89 residential dwellings, open space, and associated works. This application is in CIL zone 3 and is CIL liable as new dwellings.	Refused 14-08-24 Appeal: Dismissed 23-05-25
AL/178/22/OUT	Outline planning application with all matters reserved, except principal means of access and demolition of 24 Meadow Way, for the construction of up to 89 No residential dwellings, with access taken from Meadow Way, together with the provision of open space, landscaping and associated infrastructure.	Refused 26-04-23 Appeal: Allowed+Conditions 08-12-23

AL/178/22/OUT was allowed on appeal in December 2023. The land to the immediate south was granted reserved matters in 2017 (AL/107/16/RES) for 79 dwellings and has been completed.

AL/50/24/RES was refused for 4 reasons in August 2024. This was upheld on appeal in May 2025.

REPRESENTATIONS

Aldingbourne Parish Council - objection

- No clear changes to the refused scheme.
- Previous application refused based on affordable housing due to clustering and this is still the case.
- Affordable rent housing has a gross internal area (GIA) of 71.6sqm when compared to open market properties at 119sqm and is very distinguishable.
- Disappointed that 89 units are sought when previous comments suggest this is too many.
- Southern Water highlight capacity issues and permission should be subject to this being resolved.
- Drainage remains an issue and proposals do not properly address previous concerns and do not comply with ANP EH5.
- Footpath provision has worsened with this application.
- It is not clear if PROW 299 will be left unlit or if it is intended to widen it to a cycle path.
- The Hook Lane entrance does not have a gate - concerns it will be used for vehicular access.
- An absence of information to demonstrate compliance with energy efficiency and climate change.
- It does not show whether the dark skies policies is complied with.
- The development is not sustainable.
- Breaks in the hedge to the south boundary have been increased from one to three which may impact bats and conflicts with Neighbourhood Plan policies.
- The A29 realignment should be in place before development starts.
- Traffic impacts are not addressed.

95 objections from 87 nearby occupiers and 1 no objection

- There is inadequate drainage and the site floods every year. This will worsen.
- Flood risk will increase to properties on Hook Lane.
- The field is used for dog walking.
- There are no school places.
- Dark sky issues.
- Anti-social behaviour is being experienced in rural communities.
- The development will not support biodiversity.
- Layout of affordable housing does not appear to have significantly changed and does not create a mixed and balanced community.
- Youths will congregate at the unlit footpath.
- Concerns regarding the footpath that joins Hook Lane along the southern boundary and anti social behaviour as it is close to affordable housing.
- There is a risk the path to the southwest will be used for traffic.
- The surrounding area is predominately bungalows which is not taken into account.
- There are insufficient visitor bays.
- There are insufficient trees and no orchard proposed.
- There is overlooking from the affordable housing affecting privacy and right to light.
- The infrastructure cannot cope, with no dentists, schools, doctors or police.
- The market is already with unsold new builds/no need for more houses.
- The road is too busy.
- Little to no correspondence has been circulated to residents.
- No party wall agreement for access into the site.
- The land is farmland.
- Given the age of survey data, an updated survey should be commissioned.
- The Meadow Way junction is the most dangerous along the A29.
- Impact upon local residents through increased, noise, traffic and lighting.
- A change in the character.
- Cumulative impact of ongoing development is not being properly addressed.
- The plans have not overcome the concerns raised in the appeal.
- Environmental Health have concerns about noise.
- Populations of bats, birds, slow worms have been recorded.

- Plan to remove hedgerows and tree felling and crowing pruning are not acceptable.
- CO2 emissions from building process and materials.
- Overdevelopment.
- Loss of privacy for existing residents.
- The cluster of surrounding villages are becoming unrecognisable.
- Developers should contribute to the local community.
- Should include bungalows.
- It should be made clear whether the Council plan to purchase the affordable housing.
- No vehicle access should be from Hook Lane.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted and addressed in the conclusions.

The GIA for affordable rent units vary depending on the number of bedrooms. When comparing the same bed size to the market housing, the size is comparable with affordable homes of 2 beds between 71-93sqm and market housing between 66-91 sqm. The 3 bed affordable unit has a GIA of 94.5sqm. The smallest market housing 3 bed is 77sqm.

No alterations are proposed to the PROW 299. An updated ecological survey was undertaken in June 2026 and new bat emergence surveys. There is no planning requirement for the applicant to do community consultation. The lack of an agreed party wall agreement with no. 23 is not a material planning consideration. Plans show a metal collapsible bollard to prevent vehicular access from Hook Lane. Conditions on the OUT permission require full details of surface/foul water drainage.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Sussex Police - No concerns raised. Full comments can be viewed online.

ADC Ecologist - Details are sufficient to meet requirements of condition 4 on the OUT application. As the application was submitted before BNG became mandatory the gain is acceptable.

Southern Water - Adequate capacity in the network to accommodate a foul flow. A condition should be attached to protect existing sewers.

WSCC Fire and Rescue - Conditions are requested for the details of fire hydrants to be provided.

Environmental Health - No objection provided the recommendations as per the lighting statement are followed. A condition is requested regarding noise from the shooting club.

WSCC Public Right of Way (PROW) - No objection. The application does not impact upon or propose any alteration to the PROW.

WSCC Highways - No objection. Actions raised by the transport consultant have been acknowledged. New plans are not included and Arun may wish to condition the changes.

WSCC Lead Local Flood Authority - No objection subject to discharge of conditions on outline.

WSCC Fire and Rescue - Conditions requested relating to details showing the location of fire hydrants.

ADC Drainage Engineers - Pre-commencement conditions were applied at outline stage. They do not prescribe that any element of surface water drainage for the site must be agreed with the submission of reserved matters. Comments for advice only. Full comments can be viewed online.

ADC Parks and Landscaping - Insufficient detail. Landscape proposals appear indicative and do not show quantities and stand alone play proposal drawings are required.

COMMENTS ON CONSULTATION RESPONSES:

Additional plans addressed WSCC comments. As a result, the changes do not need to be conditioned. Condition 20 on the OUT requires details of fire hydrants. Additional detail regarding landscaping/play equipment has been requested and will be provided as an update.

POLICY CONTEXT

Designations applicable to site:

- Outside the Built-Up Area Boundary (BUAB).
- Current/Future Flood Zone 1.
- Lidsey Treatment Catchment Area.
- Tree Preservation Order ref TPO/AL/2/23
- Public Right of Way (PRoW) ref ALD/299/1 along the southern boundary.
- WSCC Mineral Safeguarding Area (Sharp Sand & Gravel).
- ANDP Biodiversity Corridor (Hook Lane).
- CIL Zone 3.
- Within 12km of the Singleton & Cocking Tunnels Special Area of Conservation.
- Archaeological Notification Area.

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HDM1	H DM1 Housing mix
HWBSP1	HWB SP1 Health and Wellbeing
OSRDM1	Protection open space, outdoor sport, comm, rec facilities
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development

[Aldingbourne Neighbourhood Plan 2019-31 Policy EH6](#) Protection of trees and hedgerows

Aldingbourne Neighbourhood Plan 2019-31 Policy GA1 Promoting sustainable movement

Aldingbourne Neighbourhood Plan 2019-31 Policy H3 Housing Density

Aldingbourne Neighbourhood Plan 2019-31 Policy Attention to detail

H9

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD12	Open Space, Playing Pitches, Indoor, Built Sports Facilities
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

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

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal complies with relevant Development Plan policies in that it would result in a development of an appropriate scale, layout and appearance which is not harmful to the character & appearance of the area, important trees or the amenities of existing and future residents.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is not liable for statutory Biodiversity Net Gain (BNG) but provides 6.4% in habitat units and 15.23% in hedgerow units.

CONCLUSIONS

PRINCIPLE

The principle of the development has been established through the outline.

AL/178/22/OUT allowed up to 89 dwellings with open space, landscaping, and associated infrastructure. Vehicular access was agreed from Meadow Way (via demolition of no. 24) and there would be pedestrian access to Hook Lane. The outline established the principle in respect of flood risk, traffic generation, highway safety, archaeology, impact on wildlife, loss of agricultural land, mineral safeguarding, countryside location, foul drainage (the principle of new dwellings connecting to the network) and provision of affordable housing, public open space & children's play.

COMPLIANCE WITH OUTLINE CONDITIONS

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

(3) The Reserved Matters (RM) is to be in accordance with the Site location plan 1318.01; Parameter plan 13.18.03; Proposed Site Access drawing 1809023-04 Revision C; Improvements to Pedestrian Route and Bus Stops at Westergate Street drawing 1809023-06 Revision B; and Hook Lane Pedestrian / Cycle Access Arrangement drawing 1809023-07 Revision A.

The scheme is in accordance with these drawings. The parameter plan shows the vast majority of Public Open Space (POS) on the eastern side of the site and the layout reflects this.

(4) The RM must include details of existing trees/hedges, landscaping (including 2:1 new planting & native trees), boundary treatments including hedgehog gaps, external lighting, POS & play provision, a Biodiversity Gain Plan, a reptile mitigation strategy, and a biodiversity enhancement strategy.

The RM application includes all of these requirements. The applicant provided plans to show the location/type of lighting proposed. No lighting is proposed on house elevations with all lighting in the public areas of the layout and comprises either columns or bollards. Tree planting has been increased since the previous applications with 117 trees to be planted.

(5) The RM must include details of electric vehicle charging points (EVCP), a levels survey, cycle storage details (including elevations) and a colour materials schedule.

The RM application includes all these requirements. Plans have been provided that demonstrate the location of EV charging and elevations showing cycle storage. A schedule has been provided showing the material distribution across the site.

(6) The RM is to include details of any temporary sales areas.

A plan showing the temporary sales area has been provided with this being to the eastern side, adjacent to the open space and play area.

(7) The RM is to include details of provision of M4(2)/M4(3) housing to meet council's policies.

This has been provided and the provision complies with requirements.

(8) The RM is to include details of roads, paths, and parking areas.

This has been provided. Amendments have been made to materials as requested by WSCC Highways to ensure they have been designed for inclusive mobility.

DESIGN, APPEARANCE, LAYOUT AND SCALE

NPPF policy DP3 relates to design and provides principles that should be achieved for well-designed places. This includes aspects such as liveability; including features for social interaction, built form; creating focal points and using buildings to define street arrangements and nature; enhancing tree cover, multi functional green infrastructure for healthy living.

Arun Local Plan (ALP) policies D SP1 and D DM1 require development make the best possible use of land by reflecting or improving on the character of the site/surrounding area. Policy AH SP2 seeks to ensure affordable housing is visually indistinguishable from market housing and layouts avoid large clusters. ANDP policy H3 states density should be appropriate to location whilst policy H9 requires that house designs include certain 'add-on' items (e.g., gutters, satellite dishes, meter boxes).

The Arun Design Guide (ADG) suggests a density of 15-25 for detached/semi-detached houses in village locations and states density should decrease with distance from the centre of a settlement, to ensure development relates sensitively to its setting and addresses edges of the site in a positive way. The overall density is within this range and the layout transitions from a dense form of development (terraced/semi-detached dwellings) on the southern boundary to a more spacious form (larger detached dwellings) on the northern edge. As such the density is acceptable in this instance.

The flatted three storey building in previous applications has been removed and replaced with two storey dwellings which is positive, with three storey development out of keeping with the wider area.

The previous report noted it would be positive if the layout was divided into character areas with specific features and variation between each. Previous designs were deemed as haphazard with a mix of designs and material colours with no overall sense of place. It is clear from the plans that there is more cohesion in style and material choices in this application. Housing style varies across the site, although this is more subtle and the design statement makes reference to the inclusion of character areas. The central and southern part form one character area and features higher density, more structured, street-facing elevations, as opposed to the rural fringe character area to the north edge, with detached dwellings and lower density outward facing towards the countryside. Density decreases towards the north, which accords with ADG.

Red/orange brick is utilised with grey/red roofs throughout the site. The layout includes landmark buildings. These predominately feature white render which sets them apart from other buildings, located primarily to the street corners.

Concerns were previously raised about clustering of affordable housing which were along the south boundary. Large clusters must be avoided, and affordable housing should be spread throughout a site. Whilst they are still predominately to the south, layout changes show 7 dwellings located further north on the spine road. This results in market dwellings being situated amongst affordable housing in the south. The revised layout provides some separation with two smaller clusters to the southwest corner and southeast with 11 market dwelling scattered in between the groups.

There should be a mix of house types and this application provides affordable housing in detached, semi-detached and terraced forms. This amends the previous application which allocated them as terraced dwellings. In terms of appearance the affordable and market dwellings are not distinguishable from each other.

The overall design and appearance of the dwellings, as well as the layout has improved.

An additional area of public open space (POS) has been added. This is just west of the centre of the site, extending to the north/south. Plots 71 and 64 front the open space whilst other plots face side on. This addition is positive and provides open space more centrally in the site, as opposed to earlier layouts which focused it to the east end.

Representations requested that bungalows are included. There are no policy requirements for bungalows. M4(3) dwellings are included which have to be wheelchair accessible. Two storey dwellings reflect the recent housing development to the south and the absence of bungalows is not out of character with the wider area.

The submission includes a levels plan which is relevant to consideration of scale. This shows that whilst the homes will be raised above the existing ground level, this will not be by a significant amount (a maximum of 0.5m but mostly less than this).

Revisions to design and layout have suitably addressed previous concerns and represent a marked improvement with a more effective and coherent scheme. The proposal is in character with the surrounding area and accords with the ADG when considering appearance and layout of the site and is in compliance with relevant ALP and ANDP policies.

LANDSCAPING AND TREES

ALP policy LAN DM1 requires that development have special regard to the conservation of the setting of the South Downs National Park (SDNP), including views into and out of the park. Development must also respect the particular characteristics and natural features of the relevant landscape character areas. ALP policy D DM1 requires new landscaping. ALP policy ENV DM4 states TPO protected trees or those that contribute to local amenity should not be damaged or felled unless the development meets certain criteria including that the benefits outweigh the loss of trees or woodland.

NPPF policy N3.1 (a) states development proposals should make new streets tree lined. The layout has complied with this. Policy N2.1 (d) seeks appropriate landscaping to help create a well-designed place and integrate the development into its surroundings.

Planting has increased with 117 trees to be planted. These will be distributed across the site although specifically on the main spine road and to the north, with emphasis on tree lined streets to help break up the frontage parking.

A number of trees would be felled to allow the estate road to meet the agreed vehicular access point. Minimal pruning is proposed. The proposal provides detail on planting proposed across the site which includes native hedging and shrubs, with a variety of tree species including fruit trees, along with ornamental planting. Bramble has been replaced with holly in the native hedgerow mix and a specific seed mix has been introduced following comments from the Councils Ecologist.

There are off site TPO trees adjoining the boundary with an Oak to the northwest boundary. Concerns were previously raised about the distance between the dwelling and the tree. The root protection area (RPA) does extend slightly across the corner of the garden with 12m retained to the rear of the dwelling. During the appeal, the Inspector deemed the relationship acceptable (previously plot 37). To the southwest, branches from two Redwood trees would overhang gardens and may create some debris such as leaves. The gardens have been increased by 1.6m and the disturbance reduced. These concerns were not upheld at appeal.

The Tree Officer provided no objection. Whilst the layout does carry an avoidable risk to important trees, as the Inspector's decision dismissed these concerns it would not be reasonable to maintain an objection. Restrictions on outbuildings/hard surfacing are requested to a small number of plots to help safeguard trees.

The proposal complies with relevant policies.

PUBLIC OPEN SPACE (POS) AND PLAY

NPPF policy DP3.2 is relevant and lists nature, movement and public space as some of the principles that contribute towards well- designed places. These principles support opportunities for recreation and healthy living.

ALP policies OSR DM1 and HWB SP1 are relevant to the consideration of Public Open Space (POS) and play provision but there are no applicable policies in the ANDP. The Council's supplementary planning document (SPD) for 'Open Space, Playing Pitches, Indoor and Built Sports Facilities' (January 2020) sets out specific requirements for on-site POS and play provision.

The SPD sets out an overall requirement of 7,343sqm POS (this total includes 1,077sqm of play) to include an equipped play area (LEAP) and at least two unequipped play areas (LAPs). The previous application indicated 8,108sqm of POS including buffer areas on northern and southern boundaries and other minor elements which were not useable spaces. The play space was solely to the east and it was short on Local Area for Play (LAP) requirements.

This application proposes 7,533sqm of POS. A plan has been provided to demonstrate how this has been calculated. It includes buffer areas to the north and south. The buffer to the south has been slightly increased in depth to approx. 6m and it is possible that those dwellings alongside may use the space and this will be counted. The buffer to the north is relatively narrow and is not considered useable for open space. If this area is excluded the site is short of open space, with approximately 5,500sqm provided.

An additional area of POS has been provided towards the centre of the site which extends north/south forming a linear corridor. This includes a trim trail and a second LAP which was missing from previous proposals and secures a second area of useable space in the site. The Locally Equipped Area for (LEAP) to the east includes provision such as a playhouse, slide, pendulum swing and the two LAPS include smaller play pieces such as boulders, balances beams and stepping poles.

The Landscaping Officer noted that insufficient detail is provided regarding play proposals. Whilst some detail on the play equipment has been provided, a standalone plan showing play pieces/equipment proposed should be submitted. With regards to the planting, whilst the species, densities and size at the timing of planting have been provided, the locations of planting have not. This has been requested.

Whilst the site does not provide the required POS, the applicant has made amendments to the amount and distribution of POS and comments raised by officers have been taken on board and incorporated which is a positive. In the previous appeal the Inspector was satisfied with the quantum of open space but considered that the lack of meaningful space in the development area contributed to his concerns about the layout. This revised scheme incorporates new POS in the centre of the site along with a trim trail and fulfils the requirement for a second LAP and overcomes the concerns raised.

The proposal is acceptable with regards to open space.

RESIDENTIAL AMENITY

(B) Residential Amenity & Space Standards:

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

- Back-to-back: min. 21m between habitable rooms of properties or to existing buildings.
- Back/front to side: min. 14m between habitable rooms and side gable of adjacent property.
- Front to front: min. 16m between habitable rooms and site boundary to existing landscaping.
- Front gardens should provide a minimum of 2m defensible space; and
- The rear gardens of residential houses should be at least 10.5m deep.

The previous application identified shortfalls in compliance with interface distances. This application revised the layout in such that minimum separation distances between dwellings including back to back, front to front and back to side relationships are complied with.

Representations note there would be overlooking to properties along the south which are bungalows as the proposal seeks two storey dwellings. The new dwellings are side facing onto the southern boundary and do not result in direct overlooking. Of the side facing properties adjacent to the southern boundary, they have one first floor window which serves a landing and this would not give rise to adverse overlooking. Their position has been amended with the separation distance between the plots and boundary increasing from 5m to approx. 7m. This locates the dwellings further from existing properties.

In terms of garden depths plots 18 and 32 are short at 9.5m and 57,65,77,83 are short at 10m. The shortfalls relate to where it has been necessary for the applicant to provide rear garden access. This has been noted previously. The shortfalls have been reduced compared to the previous applications, with the gardens increased by around 1m depth.

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

The minimum gross internal floor areas of the houses meets the standards.

Interface distances between properties do comply in most aspects apart from a small number of rear garden depths. The shortfall is relatively minor and would not result in demonstrably adverse harm on living conditions and the proposal would be acceptable with regards to ALP policy D DM2 and the ADG.

HOUSING MIX

NPPF policy H08.1 states 'that development proposals should meet exceed up to date development plan requirement for the proportion and mix of affordable housing tenures...'

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

Paragraph 63 of the "Updated Housing Needs Evidence" (September 2016) stated the evidence highlights a direction towards the provision of 2 and 3 bed units for market units and smaller affordable units. Table 29 identifies a suggested broad mix of market housing by size:

- 1-bed dwellings: 5-10% of all dwellings.
- 2-bed dwellings: 40-45% of all dwelling.
- 3-bed dwellings: 35-40% of all dwellings; and
- 4+ bed dwellings: 10-15% of all dwellings.

The mix proposed is 15 x 2 bed (24%), 30 x 3 bed (48%), 17 4+ bed (27%). This not in compliance with the SHMA.

In terms of affordable housing, Policy AH SP2 sets out a mix comprising;

- 1-bed dwellings: 35-40%
- 2-bed dwellings: 35-40%
- 3- bed dwellings: 15-20%
- 4+ bed dwellings: 5-10%.

The mix proposed is 10 x 1 bed (37%), 12 x 2 bed (44%), 4 x 3 bed (15%) and 1 x 4 bed (4%). This has been amended since the previous application and slightly exceeds the requirement for 2 bed dwellings and under provides on the 4+ bed.

In terms of the tenure mix, there will be 18 affordable rent, 2 shared ownership and 7 first homes. The mix is secured by the S106.

ALP policy H DM1 allows for the mix to be negotiated on a site-by-site basis, and this does not need to be in complete accordance with the latest SHMA. The increased use of larger homes results in a reduction in site density in an edge of settlement location which is in itself in accordance with the ADG. The range is acceptable with reference to the advice in the SHMA and ALP policies H DM1 and AH SP1.

PARKING AND HIGHWAYS

NPPF policy TR4 relates to street design, access and parking. Policy T DM1 requires new development ensure ease of movement and prioritise safe pedestrian and cycle access. ANDP policy GA1 promotes cycling and walking whilst GA3 requires sufficient parking provision. Both the Arun Parking Standards SPD and the ADG contain guidance relevant to highway layout and parking.

As per the outline, there is a vehicular access at the eastern end of the site and a pedestrian footpath to Hook Lane at the western end. There are three links to be made to the Public Right of Way (PRoW) running alongside the southern boundary.

According to the Parking Standards SPD, the development requires 196 parking spaces. Visitor spaces are required at 20% which equates to a further 18 spaces. 227 spaces are provided overall which is made up of allocated spaces, 12 detached garages, integral garages, visitor spaces and M4(2) spaces. In some cases, the provision is short. The 4 x 1 bed dwellings are one space short, providing one parking space instead of two. 4 and 5 bed dwellings are half a space short as they include integral garages. The SPD states these are counted as half a space, although have been calculated as a whole space in the total allocated figure.

The Parking SPD requires that layouts include parking spaces suitable for disabled people and this should be consistent with guidance in "Manual for Streets" (which requires that 5% of all spaces are suitable). This scheme provides 7 disabled spaces. This complies with requirements.

The outline application was accompanied by a Travel Plan, and this was secured by the legal agreement (which included its implementation and monitoring). This considers a 10% variation below target parking demand where appropriate travel option provision is provided including travel plans and contributions and is acceptable given the Travel Plan has been secured. The scheme includes cycle storage in accordance with the standards in the SPD. Pedestrian and cycle connections in the layout allow residents to reach local shops/services without needing to use a car.

WSCC Highways provided comments which required amendments to the material choice to ensure it

was accessible for all users such as visibility impaired. Granite setts have been introduced, where required, to clearly delineate the transition into and out of shared surface areas, along with tactile paving. These changes have been added to the plans no objection is raised.

The proposal would not result in harm upon the highway or upon parking in the area and complies with relevant ALP policies and the NPPF.

SURFACE WATER DRAINAGE

NPPF policy F8.1 states development proposals which could affect drainage on or around the development site should incorporate sustainable drainage systems...'. F8.2 (a) states this should be designed in accordance with the National SuDs standards.

ALP policy W DM3 states all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SuDS) as appropriate to the size of development. ANDP policy EH5 requires new development make appropriate provision for accommodating the surface water arising from the development.

This is strictly a separate matter as drainage is covered by conditions on the outline planning permission and will be agreed through the discharge of such conditions.

ADC Drainage Engineers provided advice relating to detail that should be submitted in DOC application, such as updated calculations and further detail on the interception drainage proposed.

Should there be a situation where drainage conditions cannot be agreed in future due to the layout not providing sufficient space then a new reserved matters application would need to be submitted to account for necessary changes. An informative will be added to ensure the applicant is aware of this. On this basis, there is no policy conflict.

BIODIVERSITY NET GAIN

NPPF policy N2.1 (f) states development proposals should minimise impacts on biodiversity and include features which support species such as swifts, bats and hedgehogs.

ALP policy ENV SP1 states ADC will encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment. Where possible it shall promote the creation of new areas for habitats and species. ALP policy ENV DM5 states development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. ANDP policy EH6 requires developments retain hedgerows, incorporate biodiversity in layouts and demonstrate biodiversity net gain.

The outline application was received prior to the introduction of statutory Biodiversity Net Gain (BNG) so there is no requirement for statutory 10% BNG. The Inspector imposed a condition (4) on the outline permission that required a Biodiversity Gain Plan to ensure that there is a net gain in biodiversity within a 30-year period. The same condition required submission of a Reptile Mitigation Strategy, a Biodiversity Enhancement Strategy, and a lighting scheme sensitive to bats.

The proposal complies with the requirements of the outline condition and demonstrates a net gain of 6.40% in habitat units and 15.23% in hedgerow units. The habitat unit gain is below 10% but as the application was submitted before BNG became mandatory and it shows a gain, this is acceptable.

The details provided show the locations of the nesting and roosting features, bee bricks, hedgehog gaps, reptile and log piles, with the number and locations of these acceptable. The brick walls should have hedgehog highways to allow the hedgehogs to forage across the site and this has been incorporated into the enhancement strategy.

Due to the small amount of suitable reptile habitat to be removed, reasonable avoidance measures (RAMs) will ensure no reptiles are harmed during site clearance. This approach was agreed as part of the outline consent and is acceptable.

In addition to the RAMs, the retained boundary features should be protected by Heras fencing which would serve as a visual and physical barrier to protect these features from construction related encroachment and consequent accidental impacts during the construction stage. The proposed reptile mitigation strategy is acceptable and is sufficient to meet the requirements of condition 4 (vii).

The details provided for lighting, ecological features and planting species lists for trees, hedges, native shrub, and meadows are sufficient to meet the requirements of condition 26.

The site lies in the 12km buffer area of the Special Area of Conservation (SAC). Depending on the level of the likely impact, developments within the buffer area may require an appropriate assessment as per the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) and consultation on this with Natural England. The outline appeal decision includes an assessment of the likely impacts on the SAC and stated, 'the development would avoid any potential significant adverse effects on the integrity of the SAC, when considered alone or in combination with other plans or projects'. Therefore, it is not necessary to undertake any further consultation with Natural England on this matter or to undertake an Appropriate Assessment under the Habitats Regulations."

Recent case law from the High Court (2023) determined it may be necessary to apply the Habitat Regulations at each stage of a decision (such as at reserved matters stage as well as at the outline). It is clear from the RM submission that there are no new impacts that had not previously been accounted for (i.e. no new loss of vegetation or habitat). An updated bat emergence survey for 24 Meadow Way was submitted. No bats were recorded emerging, and the building does not support roosting bats. There has been no change in policy relating to the SAC. A further appropriate assessment is unnecessary.

There are three breaks proposed in the hedge to the south boundary which enable pedestrian access to the PRow which the Parish raised concerns about. Updated ecological surveys have been provided following from 2022 and 2024. This confirms the condition of the hedges on site remains largely as previously identified. Previous surveys determined that on site boundary features were those most frequented by bats. Most activity was recorded on the north boundary feature which is retained. The Ecologist confirmed the gaps do not conflict with bats ability to commute and forage.

The proposal complies with relevant policy.

SUMMARY

The previous refusal reason listed a number of items relating to the layout and design that required addressing.

This application has attempted to do so with;

- The removal of the three-storey flatted development.
- An increase in garden depths across the site.
- Improvements to the layout of affordable housing.
- Compliance with ADG relating to interface distances between new dwellings.
- Additional open space, LAP and trim trail.
- Increased separation between new dwellings and the southern boundary.
- Additional tree planting.
- Introduction of character areas.
- Improvements to material choice.

- Increased distances between off site trees and new dwellings to the southwest.
- Compliance with accessible parking provision.

The dismissed appeal in May 2025 noted that individually, some concerns may not result in unacceptable development. However, when taken together with other substantive concerns, it was unacceptable. The majority of the aspects raised previously have been addressed and whilst the layout of the affordable housing is slightly clustered into two smaller groups and the overall provision of POS is short, individually the harm attributed to these is not unacceptable in which a refusal is justified.

Overall, this scheme is acceptable and complies with relevant policies. It is therefore recommended that this application for Reserved Matters is approved.

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 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 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.

COMPLIANCE WITH SECTION 106 DETAILS

The submitted Planning Statement includes a "Statement of Conformity with S106" which sets out that there are no conflicts between the reserved matters submission and the s106 agreement.

CIL DETAILS

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

- Location Plan - LP.01 Rev A
- Coloured Site Layout - CSL.01 Rev B
- Site Layout - SL.01 Rev B
- Levels Strategy Sheet 1 of 2 - B0457-1510 P6
- Levels Strategy Sheet 2 of 2 - B0457-1511 P6
- (Letchworth) Plot 30,31,42,43,46,47,48,49,62,63 Elevation and Floor Plan - HB.1-1.pe Rev A
- (Letchworth) Plot 27,28 Elevation and Floor Plan HB.1-2.pe Rev A
- (Amberly) Plot 86 Elevation and Floor Plan - HT.AMBY-1.pe Rev A
- (Amberly) Plot 64 and 71 Elevation and Floor Plan - HT.AMBY-2.pe Rev A
- (Bakewell) Plot 65,67,68,70,81,83 Elevation and Floor Plan - HT.BAKE.pe Rev A
- (Brue M4(3) Plot 60 and 61 Elevation and Floor Plan - HT.BRUE.pe Rev A
- (Buxton) Plot 66,69,82 Elevation and Floor Plan - HT.BUXT.pe Rev A
- (Hampstead) Plot 10,38,45 Elevation and Floor Plan - HT.HAMPP.pe
- (Henley) Plot 9 and 25 Elevation and Floor Plan - HT.HENL.pe
- (Lead GF) Plot 50,51,79,80 Elevation and Floor Plan - HT.LEAD.pe Rev A
- (Leamington M4(3) Plot 12 and 72 Elevation and Floor Plan - HT.LEAM_Q-m4(3).pe Rev A
- (Leamington M4(2) Plot 5,14,85 Elevation and Floor Plan - HT.LEAM_Q-M4(2).pe Rev A
- (Overton M4(2) Plot 7,20,21,26,40 Elevation and Floor Plan - HT.OVER-M4(2).pe Rev A
- (Oxford Q-M4(2) Plot 2,3,6,11,15,19, 23,29,37,39,88,89 -HT.OXFO_Q.pe Rev A
- (Richmond M4(2) Plot 1,22,24,36,41,44 Elevation and Floor Plan - HT.RICH-M4(2)-1.pe Rev A
- (Richmond M4(2) Plot 8 Elevation and Floor Plan - HT.RICH-M4(2)-2.pe Rev A
- (Spey GF) Plot 58,59,75,76 Elevation and Floor Plan - HY.SPEY-DET.pe Rev A
- (Spey GF) Plot 34,35 Elevation and Floor Plan - HT.SPEY-END.pe Rev A
- (Stour M4(2) Plot 73,74 Elevation and Floor Plan - HT.STOUR-END.pe Rev A
- (Stour M4(2) Plot 52,53 Elevation and Floor Plan - HT.STOUR-MID.pe Rev A
- (Trent M4(2) Plot 55, 57 Elevation and Floor Plan - HT.TRENT-END.pe Rev A
- (Trent M4(2) Plot 56 Elevation and Floor Plan - HT.TRENT-MID.pe Rev A
- (Tyne M4(2) Plot 54 Elevation and Floor Plan - HT.TYNE.pe Rev A
- (Ullswater M4(2) Plot 16,18, 32, 77 Elevation and Floor Plan - HT.ULLS-END.pe Rev A
- (Ullswater M4(2) Plot 17,33,78 Elevation and Floor Plan - HT.ULLS-MID.pe Rev A
- (Warwick) Plot 4, 84,87 Elevation and Floor Plan - HT.WARW-1.pe Rev A
- (Warwick) Plot 13 Elevation and Floor Plan - HT.WARW-2.pe
- Bicycle Store 01 and 02 Elevations and Floor Plan - CS.01.pe Rev A
- Single Garage Elevation and Floor Plan - GAR.01 Rev A
- Twin Garage Elevation and Floor Plan - GAR.02 Rev A
- Dwelling and Boundary Materials Layout - DBML.01 Rev p2
- Parking Allocation Layout - PAL.01 Rev B
- Refuse Collection Layout - RCL.01 Rev B
- EV Charging Solo Freestanding Mount Datasheet
- EV Charing Solo Home Mount Datasheet
- Proposed Equipment Schedule - Street Lighting 1/8/26
- Proposed Lighting Layout - Sheet 1 of 2 Rev 2
- Proposed Lighting Layout - Sheet 2 of 2 Rev 2
- Affordable Housing Layout - AHL.01 Rev B
- Vehicle Tracking Fire Appliance - B0457-1700 P10
- Vehicle Tracking Refuse - B0457-1702 P9
- Vehicle Tracking Private Vehicle - B0457-1704 P8
- Sales Area Plan - SAP.01
- Impermeable Area Plan - B0457-1707 P8
- Detailed Play Area Sheet 1 of 2 - D3555-FAB-00-XX-DR-L-1100

- Detailed Play Area Plan Sheet 2 of 2 - D3555-FAB-00-XX-DR-L-1101 PL01
- Detailed Soft Legend and Schedule - D3555-FAB-00-XX-DR-L-3000
- Detailed Soft Landscape Plan Sheet 1 of 2 - D3555-FAB-00-XX-DR-L-3001
- Detailed Soft Landscape Plan Sheet 2 of 2 - D3555-FAB-00-XX-DR-L-3002 PL00

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D SP1.

- 2 Before any machinery is introduced to the site or construction work takes place, a brief written report (with supporting photographic evidence) is required from the Arboricultural Consultant representing the site owner(s), confirming and demonstrating that all ground protection and protective fencing has been assessed and is 'Fit for Purpose' as required under British Standard 5837:2012 and been erected and positioned as shown on the Tree Protection Plan, dwg. nos. 12083 TPP_02

Reasons: To comply with BS5837:2012 and ensure the retention and maintenance of trees and vegetation which are an important feature of the area, in accordance with Arun Local Plan policy D DM1. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

- 3 All activity at the site is to be carried out in accordance with 'Arboricultural Method Assessment April 2026 12083_AMS.002 April 2026.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then no such works shall commence until a Method Statement, prepared by a suitably qualified arboriculturist, has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall stipulate how this can be achieved without adverse impact on tree roots.

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

- 4 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the 'Biodiversity Enhancement Strategy by The Ecology Partnership Issue 2 dated August 2026' and 'Reptile Mitigation Strategy April 2026'.

Reason: To conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities Act 2006 (Priority Habitats and Species), and Arun Local Plan policy ENV SP1.

- 5 No development above damp proof course (dpc) shall take place until a scheme for protecting the proposed residential accommodation from noise from the nearby Shooting Club has been submitted to and approved by the Local Planning Authority. All such works which form part of the scheme shall be completed before any part of the residential accommodation is occupied.

Reasons: To safeguard the amenity of residents in accordance with Arun Local Plan policy QE DM1.

- 6 Prior to the development above damp proof course (dpc) level, details (including the source/manufacturer and colour) of all materials to be used on the external surfaces of the dwellings, garages and boundary treatments, as identified on the dwelling and boundary

materials layout (Ref.DBML.01 Rev A), including facing bricks, roof tiles and cladding shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved details, and the approved materials shall be retained for the lifetime of the development.

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

- 7 Plots 1, 2, 3, 5, 6, 7, 8, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 29, 32, 33, 36, 37, 39, 40, 41, 44, 52, 53, 55, 56, 57, 73, 74, 77, 78, 85, 88, 89 hereby permitted shall be constructed to meet the optional requirement M4(2) (Accessible and Adaptable Dwellings) of Approved Document M to the Building Regulations 2010 (as amended). These dwellings shall thereafter be retained and maintained in accordance with these standards for the lifetime of the development.

Plots 12, 60, 61, 72 hereby permitted shall be constructed to meet the optional requirement M4(3) A (Wheelchair User Dwellings) of Approved Document M to the Building Regulations 2010 (as amended). These dwellings shall thereafter be retained and maintained in accordance with these standards for the lifetime of the development.

Reasons: To ensure that the development creates accessible and adaptable housing that caters to the changing needs of occupants, supporting an inclusive community in line with Arun Local Plan policies and the National Planning Policy Framework (NPPF).

- 8 All landscaping in accordance with the approved details shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 9 INFORMATIVE: All other conditions on the outline that require approval in writing will require separate applications to be submitted to discharge these conditions.
- 10 Notwithstanding the provisions of Part 1, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) there shall be no extensions constructed under g (i) unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Arun Local Plan policy D DM1.

- 11 Notwithstanding the provisions of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), no buildings or hard standing falling within Class E and F of Part 1 of Schedule 2 of the said order shall be constructed within the root protection area of the trees subject to a Tree Preservation Order (T11, T12, T13) within plots 41, 53 and 54 without the prior grant of specific planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail to

safeguard valuable trees on site in accordance with Arun Local Plan policy ENV DM4.

- 12 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 13 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 14 INFORMATIVE: This permission does not formally discharge any of the drainage conditions imposed on the outline planning permission and separate applications will be required to discharge these. In addition, the applicant should note that this layout has been approved without agreement of WSCC Drainage Engineers and therefore if it subsequently becomes clear that the drainage conditions cannot be agreed due to the layout not providing sufficient space for drainage then a new reserved matters application will need to be submitted. Please also note that any future submission to seek a discharge of the drainage conditions must be accompanied by full details in accordance with the guidance and checklist here <https://www.arun.gov.uk/surfacewater>.
- 15 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This Reserved Matters application applies for an Outline planning application which was approved prior to mandatory BNG taking effect in 2024.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).