

Recommendation Report for Outline Consent

REF NO: AL/39/22/OUT

LOCATION: Land to South of Dukes Road
Fontwell
Arundel
BN18 0SP

PROPOSAL: Outline application with some matters reserved (appearance, landscape and scale) for the erection 9 No. residential dwellings. This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks outline consent for 9 dwellings with some matters reserved (appearance, landscape, and scale). The application proposes a new access from Dukes Road.
TOPOGRAPHY	Predominantly flat.
TREES	There will be no direct tree loss required by the re-development of this site. Although a 25m section of hedgerow will need to be removed to facilitate the new access point.
BOUNDARY TREATMENT	The site has hedgerows with sporadic trees along all boundaries.
SITE CHARACTERISTICS	The site comprises horse grazing land. The site is generally flat at around 0.86ha. It is bordered to all sides by hedging in amongst which are trees.
CHARACTER OF LOCALITY	Semi-rural location to the north of the A27. There are residential plots to the northwest extending along Dukes Road. To the rear at Littleheath Road there are larger properties.
	The South Downs National Park is situated north and Slindon Woods, 90m east.
	The character of the area is mixed with large, detached dwellings in spacious plots and some semi- detached and chalet properties.

RELEVANT SITE HISTORY

PAA/49/21/	Erection of 9 dwellings with associated access, parking and landscaping.	Refuse Pre App 18-06-21
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None.

REPRESENTATIONS

Aldingbourne Parish Council provided an objection

- Overdevelopment.
- Impact on the Dark Skies Character of the area (EH10).
- Due to the single track this is an unsustainable location.
- Further advice is required on the ecological surveys in relation to bats and proximity to the Cocking Tunnel (EH12).
- It is outside the BUAB (EH1) and is not supported.
- Insufficient information on the traffic access and note ADC have requested further information.

29 letters of objection received from nearby 26 occupiers

- It would be detrimental to the rural environment.
- It would mean a rise in traffic.
- The plans are out of character.
- The hardstanding may result in an increase in flooding.
- There is minimal public transport available.
- Habitats would be destroyed.
- It would result in construction noise.
- There is inadequate services to deal with new houses.
- Overdevelopment.
- The road is frequently used by walkers, cyclists and horse riders.
- The development will impact dark skies character area.
- It is not part of the BUAB and should remain a rural location.
- It will affect nearby Slindon Park.
- The road is not maintained to keep with the additional cars that will use it.
- The road has no pavements.
- Lack of consideration for service such as sewers, internet, electricity supply.
- An additional entrance point detracts from the rural character.
- The site is within the setting of the South Downs National Park.
- The site is not identified in the ALP for good reason.
- There is excessive development in Fontwell.
- Unacceptable loss of privacy.
- The row of modern houses does not reflect the area.
- Previous applications have been refused on the site.
- There would be nowhere for contractors to park.
- It would 50% of the volume of houses present in Dukes Road.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS

This application is supported by a Transport Statement. WSCC in its role as Local Highway Authority (LHA) requests more information from the applicant, subject to the below comments. The Transport Statement provided a vehicular visibility plan, with splays of 2.4m x 43m achievable in both directions for

both proposed accesses. Whilst this would be acceptable for a 30mph speed restriction, Dukes Road is subject to national speed limit. The LHA recognises the rural and narrow nature of the highway in this location; however, the LHA requests the applicant undertakes a seven-day speed survey to ascertain the 85th percentile speeds in this location. Appropriate visibility splays can then be demonstrated in accordance with this data.

The Transport Statement states servicing/emergency vehicles will utilise the new access road to serve the development. The LHA requests the applicant to demonstrate via swept path tracking that service vehicles, such as a refuse vehicle/fire appliance, can safely access and egress the site on to and from Dukes Road.

SOUTH DOWNS NATIONAL PARK AUTHORITY

The site is on the southern side of Dukes Road, which runs adjacent to the boundary of the South Downs National Park and it is considered this development would fall within the setting of the National Park.

The access to the site would see the implementation of a secondary route alongside Dukes Road with two entrances points for the 9 dwellings. This would not be in keeping with the rural nature of Dukes Road and add a level of urbanisation in a rural area. There are concerns about the amount of hardstanding due to the access arrangement and visual impact upon the surrounding rural character.

The use of hedging along Dukes Road is welcome as this would be in keeping with similar boundary treatments. It is advised that all boundary and public domain planting is native.

The Preliminary Ecological Appraisal concludes the development has the potential to have negative impacts on bats, dormice and the South Downs National Park Dark Night Skies Reserve status, which should be addressed.

No objection is raised to the proposed scheme, subject to addressing the considerations above.

ADC DRAINAGE

The applicant supplied a drainage strategy and flood risk assessment. Within it they propose to drain surface water from the site via soakaways in the rear gardens of each property and permeable paving in the access road and driveways. A high level drainage strategy has been produced, this is based on assumed infiltration rates. No site specific groundwater monitoring or infiltration testing has been undertaken at this stage. Both will be required to support the detailed design to ensure flooding is not increased on site or offsite as a result of the proposed development.

The site is in the outer groundwater protection zone (2) and the EA will need to be consulted on the detailed design if infiltration is proposed. Irrespective of EA comments It is expected that infiltration should be kept as shallow as possible in this zone.

The geology of the site is likely to make infiltration the most suitable way of draining the site and I do not foresee infiltration not being viable, therefore I am happy for the detailed design to be handled via condition if you are minded to approve the application. In the unlikely event that infiltration is not viable then there are no obvious ways of draining this site other than the foul sewer. The applicant should be aware that we vigorously oppose any proposed connection of surface water to the foul sewer, particularly within the Lidsey Treatment Catchment which this site is located within. If infiltration is not viable, discharging the suggested conditions will be challenging.

There is an area in the south western corner of the site which is susceptible to surface water flooding. There should be no alterations to the levels of the site in this area as this could increase flood risk on neighbouring property.

If you are minded to approve the application please apply the surface water condition and its management and maintenance to ensure that the development is adequately drained and does not increase flood risk elsewhere.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Outside built up area boundary
Lidsey Treatment Catchment
Area of Special Advert Control
Singleton and Cocking Tunnels SAC
WSCC Mineral Consultation 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
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development

Aldingbourne Neighbourhood Plan 2019-31 Policy EH1

	Built up area boundary
Aldingbourne Neighbourhood Plan 2019-31 Policy GA1	Promoting sustainable movement
Aldingbourne Neighbourhood Plan 2019-31 Policy EH12	Protection of bat habitats
Aldingbourne Neighbourhood Plan 2019-31 Policy GA3	Parking and new developments
Aldingbourne Neighbourhood Plan 2019-31 Policy H3	Housing Density
Aldingbourne Neighbourhood Plan 2019-31 Policy H6	Windfall Sites
Aldingbourne Neighbourhood Plan 2019-31 Policy H8	Outdoor space
Aldingbourne Neighbourhood Plan 2019-31 Policy H9	Attention to detail

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
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.

The revised Aldingbourne Neighbourhood Development Plan was made on 14/07/21 and its policies are referred to in this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is not considered to comply with relevant Development Plan policies in that it would result in new development outside the Built-Up Area Boundary within the Countryside, contrary to policies C SP1 and SP SD2 of the Arun Local Plan and policy EH1 and H6 of the Aldingbourne Neighbourhood Plan. Further there is insufficient information regarding bats.

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

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The site is outside the built-up area boundary where development is generally unacceptable. Local Plan

Policy C SP1 seeks to protect the character and amenity of the countryside and sets out a limited range of developments which may be permitted in the countryside including essential facilities for the purpose of agriculture and forestry, quiet informal recreation, or green infrastructure. The objectives of the policy are broadly consistent with the policies relating to the countryside in the NPPF.

Paragraph 174 (b) of NPPF states planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

Aldingbourne has a 'made' Neighbourhood Plan 2 with Policies EH1, H3, H6, H8, H9, EH12, GA3 and GA1 relevant to the determination of the application. Policy EH1 stresses proposals for development outside the built-up area boundary, that do not accord with development plan policies in respect of the countryside, will be resisted unless it is for essential utility infrastructure, where the benefits outweigh any harm, and it can be demonstrated that no reasonable alternative sites are available. As such, the proposal conflicts with this.

The Council is unable to demonstrate a 5-year housing land supply; the authority can demonstrate a 2.42 year housing land supply as set out in the Arun District Council most recent Interim Housing Statement.

Based on the AMR, the policies most important for the determination in the ALP (C SP1) have reduced weight as Arun cannot demonstrate an adequate supply of housing land. The revised ANDP has recently been made (14/07/21) and does have greater weight but due to the HLS being below 3 years does not benefit from the weight given to recently made plans from para 14 of the NPPF and so the presumption in favour of sustainable development would be unaffected by the Neighbourhood Plan.

The NPPF is an important material consideration in determining applications. Paragraph 11 of the Framework confirms the presumption in favour of sustainable development and advocates in section d) that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites) granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

It is necessary to consider whether the proposal would be sustainable development for which there is a presumption in favour. The Framework in paragraph 8 identifies three dimensions to sustainable development - economic, social, and environmental and advocates that gains in each dimension should be sought jointly and simultaneously to achieve sustainable development.

The development of 9 dwellings would generate some economic/financial benefits during the construction phase and the occupants of the dwelling would provide support, albeit limited, for businesses in the local village/town. The proposal will provide small support to the local community by providing new dwellings to help meet future needs, achieving the social aspect.

There are no close services surrounding the site, but there are limited local facilities at a nearby service station at Fontwell. While these have the appearance of being aimed at passing traffic on the A27, they could have the potential to support some day to day needs of nearby residents. The services would be a lengthy walk from the site on an unlit road with no footway and would require crossing the A27. It is highly likely that the future occupants of the dwelling would be largely dependent on the use of a private vehicle. The location and range of services is such that the proposal would increase travel demand.

Considering the above, the site, remote from services and facilities is not a sustainable location and

would not satisfy the NPPF's definition of sustainable development.

DESIGN AND VISUAL AMENITY

ALP D DM1 requires housing makes efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires the scale of development keep within the general confines of the overall character of a locality.

The application is an outline although seeks agreement on the layout whilst detailed design including external appearance and scale is a matter to be assessed at reserved matters stage.

The development will feature 5 detached properties and 2 sets of semi-detached properties. These are set back from the road, with around 14-18m retained to the principal elevation of the dwellings. The site consists of a newly formed vehicular access road off Dukes Road, additional to one that exists. This will result in a loss of hedging along this elevation, although it will be replaced elsewhere on site. All other boundaries will be retained and the retention (and future enhancement) of the boundary vegetation will help to screen the new development from public viewpoints. Nonetheless, there would be views available from Dukes Road.

As shown on the Illustrative Street Scene drawing, the dwellings are to be two storeys in height which is reflective of other dwellings in the vicinity. Nearby properties closest to the site consist predominately of chalet bungalows however there is a row of semi-detached properties towards the western end of the road. With nearby dwellings varied in appearance, the design proposed is appropriate for the area. The proposal would however introduce several dwellings into an area that is largely rural in character.

The layout demonstrates that the site will retain adequate separation between each property and to all its boundaries. The siting is consistent with neighbouring dwellings and does not extend forward of the established development line. It appears to provide acceptable density having regard to the mix and size of dwellings shown and the presence of garages, parking, and good-sized gardens.

The Design Guide states the density should be appropriate to the location, balancing the need for efficient use of land with a design that responds to and enhances the existing character. Section G of the suggests a density of 5-15 for detached/semi-detached houses and 15-20 for terraced houses in rural locations. The layout would comply with this.

Given the siting of the proposed new dwellings set back from Dukes Road, their 2-storey scale, and the existing vegetative screening in relation to the site, their presence would have an acceptable visual impact in principle in the context of the character of this part of the land east of Dukes Road.

The development of 9 new two storey dwellings on the site is acceptable in terms of its layout upon the visual amenity of the area subject to details of scale and external appearance (i.e., detailed design and materiality) to be secured at reserved matters stage. As such, the proposals would accord with the NPPF, policies D SP1 and D DM1 of the Arun Local Plan and H3 of the ALNP.

RESIDENTIAL AMENITY:

ALP policy D DM1 requires there be minimal impact to users and occupiers of nearby property and land. ALP policy QE SP1 requires development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity. The Arun Design Guide sets out guidance on garden depths and interface distances between houses.

Despite this being an outline application, it is appropriate to assess whether the layout would give rise to any harm to existing residential properties.

Cedar House and Long Meadow are the neighbours located to the northwest and southeast of the site. There is separation retained between these in such that the dwellings do not appear to result in adverse overbearing or overshadowing impacts.

There is a substantial garden to the rear of the site which belongs to 'White Mill House' which the dwellings may overlook because of there being a first floor. However, the dwellings each feature reasonable sized gardens which results in an acceptable level of separation and because of the size of the neighbouring garden which runs along the rear of the site, this is unlikely to result in a significant impact.

The Arun Design Guide sets out guidance on garden depths and 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 of properties facing each other; and
- Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping.

The proposals indicated on the indicative layout plan demonstrate a reserved matters application could achieve general conformity with these requirements.

Subject to a more detailed consideration of privacy issues at the reserved matters stage, there is no conflict with ALP policies D DM1 or QE SP1.

INTERNAL & EXTERNAL SPACE STANDARDS

As per ALP policy D DM2, it is necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the buildings will be suitable for residential use.

The Arun Design Guide sets out standards for garden sizes as follows:

- Private Rear Garden: min. 10.5m depth.
- Private Front Garden: min. 2m depth.

The proposals indicated on the layout plan demonstrate sufficient amenity space is provided and a reserved matters application could achieve general conformity with these requirements.

HIGHWAYS

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network, contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking. Policy T DM1 requires new development be in easy access of established non-car transport modes/routes.

The application is for outline permission with some matters reserved, except for access and layout. There is an existing access located toward the south-eastern end of the site which will be modified to serve the development, and an additional cross-over formed to the northwest.

WSCC Highways provided comments requesting additional information to display sufficient visibility splays and to demonstrate via swept path tracking that service vehicles, such as a refuse vehicle/fire appliance, can safely access and egress the site on to and from Dukes Road. This was requested although not received in time for determination.

The indicative plan shows 2-3 parking spaces per property. Compliance with the Arun Parking Standards SPD and the relevant ALNP policies on parking will be considered at the reserved matters stage.

At this point, with additional information requested it cannot be determined that the site would provide suitable and safe site access and currently does not comply with T SP1 of the Arun Local Plan.

SOUTH DOWNS NATIONAL PARK AND DARK SKIES

The site is not in the South Downs National Park however, the site is on the southern side of Dukes Road, which runs adjacent to the boundary of the park and as such it is considered this development would fall within the setting of the National Park. Therefore, Paragraph 176 of the NPPF is relevant and great weight should be given to conserving and enhancing landscape and scenic beauty of the National Park and that the development should be sensitively located and designed to void or minimise the adverse impacts of the designated areas.

The SDNP Officer has commented as follows, in summary:

The proposed access to the site would see the implementation of a secondary route alongside Dukes Road with two entrances points for the 9 dwellings. This would not be in keeping with the rural nature of Dukes Road and adds a level of urbanisation in such a rural area. There are concerns about the amount of hardstanding due to the proposed access arrangement and visual impact upon the surrounding rural character. The use of hedging along Dukes Road is welcome as this would be in keeping with similar boundary treatments.

The development has the potential to have negative impacts on bats, dormice, and the South Downs National Park Dark Night Skies Reserve status, which should be addressed. There would be a likely increase to external lighting within the site. Dark night skies are a consideration regarding the setting of the National Park and therefore the external lighting proposals should take guidance from the Dark Night Skies Technical Advice Note. It is recommended that further ecosystem services enhancements could be achieved by the development, and this should be explored further. No objection is raised to the proposed scheme, subject to addressing the considerations above which can be dealt with during the reserved matters stage.

TREES

ALP policy ENV DM4 requires TPO protected trees, Ancient Woodland, those in a Conservation Area or trees that contribute to local amenity are not damaged or felled unless the development meets the certain criteria including that the benefits outweigh the loss of trees or woodland.

There will be no direct tree loss required by the development of this site as demonstrated in the Arboricultural Impact Assessment and Method Statement. Although a 25m section of hedgerow will need to be removed to facilitate the two new access points. There is a mature oak tree to the south which should be ensured is protected from development as it is noted as having a moderate potential for bats. The Councils Tree Officer has not provided comment.

Landscaping will be considered at a future reserved matters stage and the Council would require that replacement hedging is provided to compensate for that lost on a 2:1 basis. This could be specified by a condition and as such there is no conflict with the relevant policy and EH6 of the ALNP.

BIODIVERSITY

ALP policy ENV DM5 states development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. Policy EH12 requires assessment of proposals on foraging habitat and

commuting flight lines qualifying bat species in the 12km buffer of the Singleton and Cocking Tunnels Special Area of Conservation (SAC).

The application is accompanied by an Ecological Impact Assessment (EIA). This states the site contains priority hedgerow habitats along the north and south boundaries, although most of the site comprises tightly grazed well-drained neutral grassland, which is deemed to be of low significance.

The application proposes biodiversity net gain which can be demonstrated through new landscaping and new wildlife habitats (e.g., nesting boxes) which includes hedgerow and scrub replaced at a ratio of 2:1m², creating at least 25 metres of new hedgerow to replace the 12.3m that are being lost. An undeveloped area is shown on the plans to the south of the site which could be used for ecological enhancements to be shown at reserved matters stage.

In view of the location of the site in the SAC, the Council has undertaken an assessment of the impacts on the qualifying bat populations. There will be a loss of hedging totalling 12.3 metres for access. This does have the potential to have negative impacts on bats, dormice, and the South Downs National Park dark skies reserve status. A single very mature oak tree was identified along the southern boundary, which is thought to have moderate bat roosting potential. Natural England have not made any comments.

The Council's ecologist has not provided any comment, however as detailed within the PEA (April, 2022) there is potential for bats to be onsite. In the absence of detailed bat surveys it has not been demonstrated that the development will not result in harm upon the Singleton and Cocking Tunnels SAC and it is in conflict with ENV DM5 of the ALP or EH12 2019 of the ALNP.

CLIMATE CHANGE

ALP policy ECC SP2 requires all new residential and commercial development be energy efficient and incorporate decentralised, renewable, and low carbon energy supply systems. ECC SP1 requires new development be designed to adapt to impacts arising from climate change.

The application suggests the dwellings will, where appropriate, be built with sustainable building construction techniques. A condition would need to be imposed to ensure that the policy requirements are incorporated into the reserved matters application and the final build. This would ensure no conflict with the relevant policy.

SUMMARY

This application has been assessed against the policies contained within the Development Plan having regard to the principle of development, design and visual amenity, internal space standards, residential amenity, highways, transport and parking, and the Council's current 5-year Housing Land Supply position.

In this case, the conclusions of the report are that the proposal because of its location, outside of the built-up area boundary will result in harm to the character of this rural location and therefore the proposed development would fail the environmental role of sustainability and being unsustainable, the presumption in favour is not triggered in this case with the benefits of the development not outweighing the harm..

Therefore, the development is contrary to policies C SP1 of the Arun Local Plan (ALP) 2011 - 2031 of the ADLP and policy EH1 & H6 of the ANDP which seek to protect the countryside and in the absence of sufficient highway information, it has also not been demonstrated the proposal would not result in harm upon the highway in conflict with T SP1 of the Arun Local Plan.

Therefore, planning permission should be refused.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

RECOMMENDATION

REFUSE

- 1 The site lies outside the built up area boundary as defined in the Arun Local Plan 2011 - 2031 and Aldingbourne Neighbourhood Development Plan and would represent a significant encroachment of built form into the countryside to the detriment of the character of the area. The proposal would be contrary to paragraph 8 of the National Planning Policy Framework, C SP1 of the Arun Local Plan 2011 - 2031 and EH1 and H6 of the Aldingbourne Neighbourhood Development Plan.
- 2 In the absence of detailed bat surveys it has not been demonstrated that the development will not result in harm upon the Singleton and Cocking Tunnels SAC in conflict with ENV DM5 of the Arun Local Plan and EH12 (2019) of the Aldingbourne Neighbourhood Plan.
- 3 In the absence of sufficient highway information it has not been demonstrated that the proposal would not result in harm upon the highway in conflict with T SP1 of the Arun Local Plan.
- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised

development.