

REPORT UPDATE

Application No: AL/3/19/PL

Reason for the Update / Changes

Reason for Update/Changes:

1. Additional consultee responses received as follows:

NATURAL ENGLAND:

Original advice applies to amended scheme .

WSCC INFRASTRUCTURE:

Confirmation provided of requirements for contributions (calculated on the basis of a net increase of 23 dwellings) towards

- Primary education - additional equipment at Eastergate CofE Primary School.
- Secondary education - fixtures, fittings and equipment at phase 1 of a new secondary school for Arun.
- Sixth form - classroom infrastructure at St Phillip Howard Catholic High School Sixth Form.
- Libraries - new Tier 7 Facility serving Barnham/Eastergate/Westergate.
- Fire and Rescue Service - supply and installation of community link smoke detectors to vulnerable persons homes in West Sussex Fire Rescue Services Northern Area serving Aldingbourne.

Contributions would be in addition to those secured under AL/61/13.

ENVIRONMENT OFFICER:

Updated comments 10.06.19. Reptiles - precautionary approach can be undertaken. Great Crested Newts - precautionary approach as set out in Phase One Habitat Survey (Aug 2017) can be undertaken, this should be conditioned. Hedgerows - hedgerows used by protected species will need to be retained and enhanced. Conditions to secure this.

2. Walberton Parish Council have submitted a further representation:

Walberton Parish Council:

- Objects to the application on grounds that the A29, particularly the Fontwell Roundabout cannot cope with more traffic
- The Croft Surgery is oversubscribed
- It is not in the Aldingbourne Neighbourhood Plan

Two additional representations have been submitted as follows:

- application for additional dwellings not sustainable
- will add to potential gridlock on poor road infrastructure (A29 and B2233)
- GP surgery and schools at capacity
- enabling larger development through back door
- access is onto busy road - why add more traffic

- no proposals to enhance public transport
- community infrastructure cannot cope
- funding proposed is insufficient and lacks sustainable community vision
- no demand for additional houses here

3. The applicant has queried the need for some of the pre-commencement conditions as set out and has requested amendments.

Officers Comment:

1. The Heads of Terms set out in the report reflects the consultation response from WSCC Infrastructure. The proposed ecology conditions are consistent with the updated comments from the Environment Officer.
2. The comments from Walberton Parish Council are addressed in the main report. The issues raised in the representations are addressed in the main report.
3. Discussions with the applicant on conditions are ongoing and a verbal update will be provided.

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 Planning Permission

REF NO: AL/3/19/PL

LOCATION: Nyton Nursery
Nyton Road
Westergate
PO20 3UQ

PROPOSAL: Residential development of 68 No. dwellings (net increase of 23 over current consent AL/102/17/RES) including 30% affordable housing (7 units) with associated access, public open space & landscaping.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Residential development of 68 No. dwellings (net increase of 23 over current consent AL/102/17/RES) including 30% affordable housing (7 units) with associated access, public open space & landscaping.
SITE AREA	Approximately 1.81 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	Approximately 37.56dph
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The application site forms part of a larger development previously approved under reference AL/61/13/ and

AL/102/17/RES and as such the redline does not feature any existing boundary treatments.

In terms of the wider development site the eastern boundary of the site is kept by a hedgerow which supplements low level post and wire fencing. Northern boundary kept by various fencing, intermittent hedging and a row of trees to the north-west corner. Southern boundary kept by mature hedging, low level wire fencing in part and fencing. Part of the western boundary is kept by domestic boundary hedging/fencing to the larger residential curtilages within Northfields Lane and the north part by a country lane with open farmland beyond.

SITE CHARACTERISTICS

The application site was previously in agricultural use prior to the approval of AL/61/13/ and AL/102/17/RES which is currently being implemented. The wider development site was also previously used as grazing land with a barn and storage area for farm machinery/equipment centrally located within the wider site.

The south-west corner of the site was previously in horticultural use (prior to development of the site commencing). The horticultural use included greenhouses with growing areas and a residential property which is associated with the nursery. The greenhouses have been demolished.

The north-west corner of the site was also in use for the keeping of horses with stables and associated hard-standing.

The site was originally accessed from Fontwell Avenue, Nyton Road and Northfields Lane. However, the existing approval secures vehicular access via Fontwell Avenue with emergency access and pedestrian access to be provided from Northfields Lane and Nyton Road.

CHARACTER OF LOCALITY

Site is located on the edge of the settlement of Westergate. Residential properties line the southern boundary of the sites, these are a mix of 1 and 2 storey properties of varied designs.

Pig sheds, farmland and scrap yard to the north/north-east of the site with residential properties and Fontwell Racecourse beyond. To the east is the A29 with residential properties beyond.

Northfields Lane runs along the western boundary which provides a significant landscape buffer between the application site and the open arable farmland to the west.

RELEVANT SITE HISTORY

AL/102/17/RES

Application for approval of Reserved Matters following outline application AL/61/13/ for the demolition of existing

ApproveConditionally
24-01-18

glasshouses, bungalow, stables & outbuildings & residential development of 268 dwellings incl 30% affordable housing (incorporating 60 senior living units) with associated access, public open space & landscaping

AL/61/13/ Outline application with some matters reserved for the Refused
demolition of existing glasshouses, residential bungalow, 14-02-14
stables and various outbuildings and residential
development of up to 268 dwellings including 30%
affordable housing (incorporating 60 Senior Living units),
with associated access, public open space and
landscaping. This is a Departure from the Development
Plan.

**Appeal: Allowed+Conditions
23-02-15**

The outline application (AL/61/13) was refused in February 2014 for the following reasons: outside the built up area boundary, lack of S106 undertaking in relation to affordable housing and other infrastructure requirements. Permission was granted on the 23 February 2015 following an appeal with a S106 agreement including on site affordable housing and open space and contributions towards swimming pool, sports hall, artificial pitches, NHS, public art, multi-use games area (MUGA), Highway works, library, education, fire service, footways and cycleways, bus service funding and a Travel Plan.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Barnham & Eastergate Parish Council

Aldingbourne Parish Council:

No comments received.

Eastergate Parish Council:

Objection - 11.02.2019

The Parish objects to this application on the basis that the parishes have already taken more housing than is reasonable and the proposal will increase the pressure on the local infrastructure. The local surgery is over capacity. The Council is concerned at the impact on the Fontwell roundabout of this proposal in addition to existing approved development. The roundabout is currently over capacity at peak times. The Barnham and Eastergate neighbourhood plan will deliver the local plan of where development should take place and is due to be revised in early course. Localism requires that the local view be heard and this application should not be approved until those views are known.

Walberton Parish Council

Objection - 31.01.2019

The Parish Council objects to this application. All Arun villages have made their Neighbourhood Plans which include housing numbers. This addition should not be permitted.

7 No. letters of objection received:

- The design and access statement makes errors in terms of its description of the area and the scale of nearby strategic allocations.

- Arun District Council currently has a 5 year housing land supply and Parishes have not had an opportunity to formalise any further housing site identification towards the non-strategic sites SPD. Therefore, this application is premature and not justified.
- The minor implications in traffic generation from this development should take into consideration the implications on traffic in Fontwell Avenue and the A27.
- The existing 268 unit scheme was granted permission after a prolonged investigation into the problems of infrastructure and facilities currently available. This was considered to be the maximum development which could be accommodated on the site.
- The additional units will add another 100 vehicles and result in gridlock during rush-hour, as well as additional strain on the local school, doctors, water and sewage.
- The additional units will be an additional burden on local facilities and road access.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted and will be considered in the conclusion to this report.

CONSULTATIONS

Ecology Advisor
Engineering Services Manager
Engineers (Drainage)
Arboriculturist
Southern Water Planning
Arboriculturist
Surface Water Drainage Team
Planning and Housing Strategy
Parks and Landscapes
Environment Agency
WSCC Strategic Planning
Network Rail
Highways England
Natural England
NHS Coastal West Sussex CCG
Sussex Police-Community Safety
Economic Regeneration
Environmental Health
Southern Water Planning
Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENT OFFICER

Bats · Following submission of the Updated Bat Survey (August 2017), we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place.

- The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise the potential impacts to any bats using the trees, hedgerows and

buildings by avoiding unnecessary light spills through the use of directional light sources and shielding.

Dormice · Following submission of the Dormouse Mitigation Strategy (September 2017), we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place.

Phase One Habitat Survey · Please can the original phase one habitat survey which was submitted as part of the previous application AL/102/17/RES be uploaded to enable assessment of other protected species who may be on site.

Nesting Birds · Any works to trees or vegetation clearance on site should be undertaken outside of the bird breeding season which takes place between 1st March - 1st October.

Enhancements · Once the original phase one habitat survey has been submitted we will be able to recommend suitable enhancements for the site.

HOUSING STRATEGY & ENABLING · No objection.

NATURAL ENGLAND · No comments to make on this application.

ENGINEERS (DRAINAGE) · no objection to the revised layout and would hope to avoid the requirements for pre-commencement conditions.

· In order to avoid pre-commencement conditions please can the applicant ensure all details previously provided are uploaded to the system.

WSCC HIGHWAYS · No objection to the development is provided subject to conditions (see conditions no. 15, 16, 17 and 18).

HIGHWAYS ENGLAND · No objection.

SOUTHERN WATER · No objection.

· Further to Southern Water meeting with the developer on the 17th May 2019, Southern Water is content with the foul drainage proposals for the above development.

GREENSPACE · The increased dwellings impact on the on-site resources re: open space and play.

· I would request clarification from the developer to confirm the quantity of public open space (POS) being provided within the whole site and that the additional dwellings bring the POS and play offer at least within the minimum requirements for the entire site as a whole.

· I would still require conditions for the submission of a full and detailed planting plan for this re-planned area.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The phase one habitats survey (originally submitted in support of AL/102/17/RES) has now been submitted and is available on the Arun District Council website.

POLICY CONTEXT

Designation applicable to site:

Within the built up area boundary

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVSP1	ENV SP1 Natural Environment
GISP1	GI SP1 Green Infrastructure and Development
HDM1	H DM1 Housing mix
HWBSP1	HWB SP1 Health and Wellbeing
INFSP1	INF SP1 Infrastructure provision and implementation
INFSP2	INF SP2 New Secondary School
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
SKILLSSP1	SKILLS SP1 Employment and Skills
1	
SODM1	SO DM1 Soils
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WSP1	W SP1 Water

[Aldingbourne Neighbourhood Plan 2016 POLICY EH5](#)

Development in Flood risk areas will not be supported unless...

	Surface Water Management
Aldingbourne Neighbourhood Plan 2016 POLICY EH6	Protection of trees and hedgerows
Aldingbourne Neighbourhood Plan 2016 POLICY GA2	Footpath and cycle network
Aldingbourne Neighbourhood Plan 2016 POLICY GA3	Parking and new development
Aldingbourne Neighbourhood Plan 2016 POLICY EH10	Unlit village status
Aldingbourne Neighbourhood Plan 2016 POLICY H1	New housing or altering dwellings
	Quality of Design
Aldingbourne Neighbourhood Plan 2016 POLICY H3	Housing density
Aldingbourne Neighbourhood Plan 2016 POLICY H4	10 or more to include 40% unless unviable

Aldingbourne Neighbourhood Plan 2016 POLICY H8	Affordable Housing Dwellings must have adequate private or shared amenity.
Aldingbourne Neighbourhood Plan 2016 POLICY H9	Outdoor space Items to consider e.g. - bin stores
Aldingbourne Neighbourhood Plan 2016 POLICY H2	Attention to detail Range of house types Housing Mix

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD1	Open Space & Recreation Standards
------	-----------------------------------

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

The Aldingbourne Neighbourhood Plan has also been made and forms part of the development plan in the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with relevant Development Plan policies in that the development will not result in an unacceptably adverse impact upon the character of the locality, landscape or residential amenity of existing or future occupiers. Appropriate mitigation will be secured via the S106 to

address the impact of the proposed development upon infrastructure.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

INTRODUCTION

Following submission of the original proposal (25 additional dwellings beyond those original approved by applications AL/61/13/ and AL/102/17/RES) negotiation has taken place between the applicant and the Local Planning Authority to enhance the proposed scheme. By virtue of the amendments the application has been re-advertised and this period will run until the 27th June 2019. A report update will be prepared for members summarising the additional consultation responses and representation's received. However, given that the number of additional units proposed has reduced from 25 to 23, beyond that original approved under references AL/61/13/ and AL/102/17/RES, it is considered that a recommendation can be made at this time.

PRINCIPLE

The application site is situated within the built up area boundary as defined by policy SD SP2 of the Arun Local Plan (2011-2031). The site benefits from outline permission under reference AL/61/13/ for the construction of up to 268 dwellings including 30% affordable units (incorporating 60 senior living units). The reserved matters application for the 268 unit scheme was approved under reference AL/102/17/RES.

This application seeks to amend the layout for the northern parcel of the site which would see the total number of units for this portion of the site increase from 45 to 68 dwellings (an increase of 23 units). It is considered that the principle of residential development on the site has been established by the original approval (for up to 268 dwellings) and the sites siting within the built up area boundary.

Therefore, the principal of the proposed residential development on the site is acceptable subject to accordance with relevant development plan policies, this will be considered further in the report.

LAYOUT, DESIGN AND APPEARANCE

The proposal will see an additional 23 dwellings accommodated on the northern most parcel of the originally approved development under references AL/61/13/ and AL/102/17/RES. The site the subject of this application measures approximately 1.81ha and the additional 23 dwellings result in a density of approximately 37.56dph. The originally approved reserved matters layout for this portion of the site was at a density of 24.86dph.

Despite this increase in density it is considered that the proposed development has retained the character established for this portion of the site through the amended layout. The previous reserved matters approval identified within the Design & Access Statement that the northernmost portion of the site was 'defined by the generous landscaped belt to the north western flanks of the site. Including grass land and tree planting this space will be overlooked by an informal arrangement of detached homes with a looser building line, set behind a shared surface lane.'

This character was considered key given that the northern and western boundaries face out towards the countryside and this design approach minimised the impact of development upon the established landscape character.

The proposal the subject of this application, by virtue of the additional 23 dwellings, will result in a higher density adjacent to the northern and western boundaries of the site. The original layout for the northern most parcel of the site featured 20 dwellings sited adjacent to the northern and western boundaries of the site with the revised layout featuring 27 dwellings.

However, the dwellings have been designed and sited to retain the previously approved character with the separation distances and spacing between dwellings considered to reflect the principles previously established by the reserved matters application under reference AL/102/17/RES. Therefore, it is considered that the increased in density will not result in an unacceptable impact upon the established character of the northern section of the site, as previously approved, in accordance with policy D DM1(1) of the Arun Local Plan nor will it result in any additional impact upon the landscape character of the locality beyond that which has already been approved. As such, the proposed development accords with policy H3 of the Aldingbourne Neighbourhood Plan.

Certain elements of the revised proposal constitutes an enhancement to the previously approved layout with plots 120, 121, 134, 135 and 136 creating more of a 'community' than the original layout which delivered a single dwelling isolated in this same location with only garages for neighbours. The proposed amendment has also secured a scale of development in keeping with the principles of the previously approved outline and reserved matters application with the dwellings being a maximum of two storeys in height.

A number of the dwellings feature parking forward of the primary elevation (plots 120-121, 134-136, 145-150 and 217-221) this approach would usually result in car parking being overly dominant and detrimental to the character of the development. However, this approach (with the exception of plots 227 and 229 on the western boundary) has only been adopted for those properties located centrally within the residential blocks. Therefore, the car parking will not be overly dominant within the street scene and as such will not have an unacceptably adverse impact upon the character of the development. With plots 227 and 230 planting has been incorporate to mitigate the presence of the parking spaces within the street scene and avoid parking being overly dominant.

The appearance of the dwellings has retained the character of the development as established through the original reserved matters approval under reference AL/102/17/RES as well as retaining the external materials as finishes as already established in the development of the wider site. Therefore, the proposals are considered appropriate and acceptable and are in accordance with policy H1 of the Aldingbourne Neighbourhood Plan.

Policy H9 of the Aldingbourne Neighbourhood Plan concerns 'attention to detail' and identifies a number of elements which should be considered early in the design process and integrated throughout the development. This includes bin stores, cycle stores, lighting, gutters and pipes etc. The development in this case has considered with guttering and pipes, cycle storage and bin collection having been demonstrated in the design and layout of the development. Therefore, the proposals are accord with policy H9 of the Aldingbourne Neighbourhood Plan.

Garages have also been designed to reflect the character of the dwellings they serve and as such this aspect of the proposal is deemed to accord with policy GA3.2 of the Aldingbourne Neighbourhood Plan.

By virtue of the above the proposed layout is acceptable and is in accordance with policy D DM1 of the Arun District Local Plan and relevant policies within the Aldingbourne Neighbourhood Plan.

RESIDENTIAL AMENITY

The proposed layout secures appropriate garden depths to secure adequate private outdoor amenity space to meet the needs of future occupiers. Similarly, adequate separation distances are secured

between the proposed dwellings to avoid any unacceptably adverse overlooking between first floor windows.

Plots 139 and 140 are situated centrally within the central residential block and by virtue of the separation distances has the potential to give rise to unacceptably adverse overlooking of neighbouring properties. However, the properties themselves have been designed to exclude windows from the elevation which are in the closest proximity to neighbouring dwellings. It should be highlighted that the originally approved layout under reference AL/102/17/RES featured dwellings in a similar location which gave rise to the same relationship between properties as that now proposed.

The siting and orientation of dwellings is such that they will not give rise to unacceptably adverse overbearing or overshadowing impacts upon each other or the previously approved residential development.

Each of the dwellings is served by an enclosed rear garden which is considered to be of adequate size to meet the private outdoor amenity space requirements of each of the dwellings hereby proposed. Therefore, the proposal accords with policy H8 of the Aldingbourne Neighbourhood Plan.

As such, the proposals are considered to accord with policy D DM1(3) of the Arun Local Plan.

AFFORDABLE HOUSING & HOUSING MIX

The proposal will see the northern parcel of the site redesigned to accommodate 68 dwellings, an additional 23 dwellings beyond those originally approved under reference AL/102/17/RES. The revised layout will feature the following housing mix:

2 bed - 2 dwellings
3 bed - 37 dwellings
4 bed - 29 dwellings

As this application relates to the re-plan of a portion of a larger development it is necessary to consider the entire development when assessing the impact of the proposals upon the housing mix. Therefore, the entire revised development site (291 dwellings) will provide the following housing mix:

Market Housing (204 units)
1 bed - 0 dwellings (0%)
2 bed - 12 dwellings (5.88%)
3 bed - 93 dwellings (45.59%)
4+ bed - 99 dwellings (48.53%)

Affordable Housing (87 units)
1 bed - 42 dwellings (48.28%)
2 bed - 26 dwellings (29.88%)
3 bed - 19 dwellings (21.84%)
4+ bed - 0 (0%)

Policy H DM1 of the Arun Local Plan identifies that the Council will seek a mix of dwelling types and sizes, to include affordable housing units. The policy goes on to identify that for developments of 11 units or more the Council shall require a balanced mix of market and affordable dwelling sizes including family sized accommodation based on the most up to date Strategic Housing Market Assessment (SHMA) recommendations. The housing mix for the development proposal in this case would fail to accord with Table 29 of the Updated Housing Needs Evidence - Final Report September 2016.

However, the housing mix originally approved under reference AL/102/17/RES also failed to accord with policy H DM1 securing a total of 115 x 4+ bedroom dwellings which equated to 55.29% of the total market housing provision on site. Therefore, whilst the market housing mix proposed is not SHMA compliant it is an improvement beyond that originally allowed by virtue of a higher percentage of smaller dwellings which are preferable and as such the housing mix as proposed is deemed to be acceptable.

Policy H2 of the Aldingbourne Neighbourhood Plan identifies that proposals for new housing must provide a range of house types, sizes and tenures with at least 25% dwellings meeting Lifetime Home Standards, or its equivalent. Policy H2 states that developments will be supported which provide 25% lifetime homes rather than making this a requirement for housing developments. Irrespective of this the site already delivers a 60 unit extra care element which provides for the needs of older residents in the local area.

The proposed application will deliver an additional 7 affordable units beyond those originally secured through AL/61/13/ and AL/102/17/RES. The proposed housing and tenure mix for the entire development is as follows:

Affordable Rented (60 Extra Care units)

1 bed - 42

2 bed - 18

Intermediate Housing (27 shared ownership dwellings)

2 bed - 8

3 bed - 19

Policy AH SP2 of the Arun Local Plan states that 'For all developments of 11 units or more the Council will require a minimum 30% of the total number of units proposed on site to be provided as affordable housing on the same site in the first instance'. Policy H4 of the Aldingbourne Neighbourhood Plan requires proposals for 10 or more new dwellings to include 40% affordable housing unless it can be demonstrated that it would make the scheme unviable.

Section 38(5) of the Planning and Compulsory Purchase Act, 2004 states that "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document". As the Arun Local Plan was adopted by the Council on 18th July 2018, the policy in the Local Plan is the most up to date and as such Policy AH SP2 has been considered in favour of Policy H4 of the Aldingbourne Neighbourhood Plan.

In this case the entire development (291 dwellings) meets the requirements of AH SP2 through the provision of 87 affordable units (30%).

It is also identified that the affordable housing tenure mix should be negotiated from a starting position of 75% affordable rent and 25% shared ownership. In this case the development as a whole will provide 68.96% affordable rented and 31.04% shared ownership. The proposed tenure mix and affordable housing mix has been considered by the Council's Housing Strategy & Enabling Manager who has raised no objection.

It is also a requirement of policy AH SP2 that affordable housing is indistinguishable from market housing with large groupings of single tenure dwellings or property types avoidable. In this case the 7 no. affordable units are proposed in two separate locations and are designed to appear indistinguishable from the market units. Therefore, in light of the above the proposals accord with policy AH SP2 of the Arun Local Plan.

Policy H2 of the Aldingbourne Neighbourhood Plan (ANP) identifies that 'proposals for new houses must deliver a range of house types, sizes and tenures'. It is considered that the proposed housing mix and affordable housing provision accords with the requirements of Policy H2 of the ANP.

HIGHWAYS & PARKING

The application seeks to amend the originally approved layout for the northern parcel of the sites with the block structure and road layout being unchanged. The design of the internal roads, footways and cycleways were considered in the determination of AL/102/17/RES and they were judged to accord with relevant development plan policies.

In this case given that no changes to design or road layout have taken place the proposals will accord with policies T SP1 and T DM1 of the Arun Local Plan as well as GA2 and GA3 of the Aldingbourne Neighbourhood Plan (ANP).

West Sussex County Council (WSCC) as the Local Highway Authority have been consulted on the proposed development and in their consultation response of the 11th March 2019 raised no objection to the proposed development. It was identified in their response that the site would be accessed by the previously approved site access under reference AL/61/13/ and that the additional 25 units (originally proposed) are predicted to generate an additional 13 trips in the AM peak and 15 in the PM peak and given the increased trip generation (128 trips in a 12 hour period) the access as originally approved would continue to operate satisfactorily.

Parking and cycle parking has been considered by WSCC in their consultation response and it was concluded that the total parking provision was in line with the outputs of the WSCC parking demand calculator and the cycle parking would be provided in accordance with the WSCC cycle parking standards. Conditions 3 and 4 have been included to secure adequate car and cycle parking provision to meet the needs of the development as proposed.

Policy GA3.2 of the Aldingbourne Neighbourhood Plan identifies that garages must be large enough to be usable and identifies a recommended minimum of 6.5m x 3m. Whilst, the proposed garages do not meet this recommended minimum they have been considered by WSCC and no objection has been raised with internal dimension of approximately 2.9m x 5.9m. Therefore, the proposed garages are considered usable by virtue of the dimensions proposed and would not conflict with policy GA3.2 of the Aldingbourne Neighbourhood Plan.

WSCC and Arun District Council have been securing contributions from developers towards the realignment of the A29 through the Barnham/Eastergate/Westergate strategic allocation. No contribution towards this was secured from the originally approved 268 dwellings under reference AL/61/13/ by virtue of when the application was determined. However, since the determination of the original outline application for development of the site the Arun Local Plan has allocated a number of strategic sites which generate the need for the realignment of the A29.

The proposed development by virtue of its location will have an impact upon the A29 and as such a financial contribution for the additional 23 units has been secured towards this project in order to mitigate the developments impact.

Proportional contributions from the additional 23 dwellings will also be secured towards public transport, Barnham to Eastergate cycleway and the provision of a community bus service for a period of three years. The details of these contributions are set out below in the Infrastructure section of this report with the draft heads of terms at the end of this report.

Therefore, it is considered that the proposed development subject to condition and S106 contributions would accord with relevant development plan transport policies.

ECOLOGY

Policy ENV DM5 of the Arun Local Plan requires developments, in the first instance, to seek to achieve a net gain in biodiversity and to protect existing habitats on site. Policy EH6 of the Aldingbourne Neighbourhood Plan (ANP) includes requirements to incorporate biodiversity within and around developments and to enhance ecological networks.

The provision of open space, green infrastructure and internal road layout was the subject of consideration in the determination of planning application AL/102/17/RES. It was identified in the determination of this application that a Phase 1 Habitat Survey was submitted in support of the proposals. It was requested that this document was submitted in support of this application and this document has now been submitted and uploaded to the Arun District Council website. Further consultation has been undertaken with the Environment Officer and their additional comments will be provided to members as a report update along with any additional mitigation measures identified.

The application is supported by a Dormouse Mitigation Strategy as the presence of Dormice on adjacent land was established and Dormice are a protected species. Therefore, in accordance with policy ENV DM5 of the Arun Local Plan the development of the site is likely to result in an adverse impact on Dormice and as such a full mitigation strategy was necessary.

The 'Dormouse Mitigation Strategy - September 2017' identifies that removal of vegetation should be supervised by a suitably licenced ecologist (SLE) and undertaken at the appropriate times of year. Short term disturbance would be mitigated by fencing off retained trees and planting compensatory hedgerow areas with Bramble to lessen cat predation and disturbance from residents. It was also identified that external lighting should consist of low level bollards along the hedgerows. In addition to these matters new hedgerow planting along the site boundaries would provide compensatory habitat. In accordance with the comments from the Council's Ecological Advisor a condition has been incorporated as part of the recommendation to secure compliance with the 'Dormouse Mitigation Strategy - September 2017'.

It was identified within the consultation response from Environment Officer that following the submission of the Updated Bat Survey (August 2017) that the mitigation proposed was suitable and that this detail should be secured through the use of condition.

A condition has been included requiring that details of the lighting scheme are submitted for approval by the Local Planning Authority and it is considered this will provide sufficient control to ensure that the lighting scheme accords with the requirements of EH10 of the Aldingbourne Neighbourhood Plan.

The outline approval for the site incorporated conditions requiring the submission of a Construction Environmental Management Plan and Ecological Enhancement Scheme to mitigate the impact of the development upon local ecology. This information was submitted and discharged under reference AL/119/17/DOC following consultation with the Environment Officer. It is considered that the inclusion of a similarly worded condition as part of this approval would be sufficient to mitigate the potential impacts of the development upon local ecology.

Therefore, given the information provided in support of the planning application and the conclusions of the Environment Officer it is considered subject to conditions that the proposed development accords with policy ENV DM5 of the Arun Local Plan and policy EH6 of the ANP.

DRAINAGE

It was identified in the determination of the reserved matters application that the drainage strategy at the

time was acceptable subject to more detailed design and as such conditions were incorporated as part of the reserved matters approval. The conditions imposed on the reserved matters have been subsequently discharged and as such it will be necessary to consider the proposed drainage system to ensure that there is adequate capacity to serve the additional 23 dwellings proposed.

Policy W DM3 identifies that all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS) appropriate to the size of the development. The drainage strategy to serve the revised layout follows the previous principles established by the original approval.

It has been identified by the Council's Drainage Engineers that some of the details provided in support of the application require revision and minor amendments to adequately serve the development. However, it is considered that these details can be adequately secured through the use of appropriately worded conditions. It is considered that the proposed layout of the development provides sufficient space to accommodate drainage features to adequately serve the development. Therefore, the approval of the layout as proposed should not prejudice the future design of the drainage scheme.

The proposed development, subject to the inclusion of suitably worded conditions as proposed below, is deemed to accord with policies W DM3 of the Arun Local Plan and EH5 of the Aldingbourne Neighbourhood Plan.

FOUL DRAINAGE

The foul drainage system to serve the 268 unit development originally approved was the subject of consideration in the determination of the original outline approval and the subsequent reserved matters application.

It was identified in the determination of AL/102/17/RES that appropriate foul drainage capacity can be provided as part of the development in accordance with the development plan at the time of determination. This application seeks to increase the total number of units on site by 23 and consultation has been undertaken with Southern Water concerning this matter.

In their consultation response of the 23rd January 2019 Southern Water identified that the developer was currently in consultation with Southern Water regarding providing a sufficient drainage solution for this development. A subsequent consultation response was provided by Southern Water on the 17th May 2019 advising that Southern Water were content with the foul drainage proposals for the development.

Therefore, in light of the above the proposed development accords with policies W SP1 and W DM1 of the Arun Local Plan.

LANDSCAPE & OPEN SPACE

Policies LAN DM1 and ENV DM4 of the Arun Local Plan consider the protection of landscape character and trees and policy EH6 of the Aldingbourne Neighbourhood Plan considers the protection of trees and hedgerows.

The proposed development does not propose any further felling of existing trees or hedgerows on site. However, it was identified in the consultation response from the Council's Greenspace Team that a condition would be appropriate to secure a full and detailed planting plan for the re-planned area of the site to show how the landscaping proposed will soften the impact of the proposed development.

As identified earlier within the 'Layout' section of this report the additional 23 dwellings are not considered to result in a significant deviation from the previously approved principles for the site under references AL/61/13/ and AL/102/17/RES therefore it is considered that the proposed alteration to the previously approved scheme will not result in unacceptably adverse harm to the established landscape

character.

The development site features a total of approximately 2.13ha of open space provision on site. The Council have adopted an interim position in regards to open space which would require a total onsite provision of approximately 2.049ha of open space to meet the needs of the 291 dwellings proposed. Therefore, the open space provision on site exceeds the requirements for open space provision and as such is in accordance with policy OSR DM1 (2a) of the Arun Local Plan.

The wider site already incorporates a locally equipped area of play (LEAP), neighbourhood equipped area of play (NEAP) and pocket parks which are well located for access by future residents, with the large central green providing a focal point for the wider development site.

Additional financial contributions have also been secured towards playing pitches, multi-use games area (MUGA), Sports Halls, Swimming Pools and 3G Pitches in order to mitigate the impact of the additional 23 dwellings upon existing sport and leisure facilities.

Therefore, the proposed development is deemed to accord with policies LAN DM1, ENV DM4 and OSR DM1 of the Arun Local Plan.

RENEWABLE ENERGY

Policy ECC SP2 of the Local Plan identifies that major development must produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless it can be demonstrated that this is unviable. A condition has been included with this recommendation report requiring the submission of details for approval by the Local Planning Authority as to how this will be achieved on site.

Policy QE DM3 (c) of the Arun Local Plan requires the inclusion of on site electric car charging points to encourage the use of cleaner transports fuels. The sale of new petrol and diesel vehicles will cease from 2040 and in order to mitigate the impact of this upon future residents a condition has been included requiring the provision of electric vehicle charging points to serve each dwelling.

EDUCATION

In the determination of the original outline permission a financial contribution of £554,654 was secured towards primary education provision. At the time of determination for the outline approval (AL/61/13/) no contribution was sought towards secondary or sixth form education. However, it has been confirmed by WSCC that it will be necessary for the impact of the additional units upon education provision to be appropriately mitigated.

Given that a financial contribution has already been secured to mitigate the impact of the previously approved 268 dwellings it will only be necessary to mitigate the additional impact that this re-plan of the northern parcel will have upon education. It has been calculated that the re-plan will result in a population increase of 48.3 which will result in an increase in child product beyond that already considered, mitigated and approved under reference AL/61/13/. The additional child product (ACP) generated by this application has been calculated as follows;

Primary - 4.7334 ACP

Secondary - 3.381 ACP

Sixth Form - 0.7303 ACP

Therefore, having applied the per pupil financial contribution to the additional child product generated by the proposed re-plan the following financial contributions have been identified as necessary to mitigate the impact of development upon existing facilities:

Primary - $4.7334 \times £18,370 = £86,952.56$
Secondary - $3.381 \times £33,538 = £113,391.98$
6th Form - $0.7303 \times £30,019 = £21,922.88$

Subject to these financial contributions being secured via s106 agreement it is considered that the development will have adequately mitigated its impact upon education provision. Full details of the contribution can be found in the heads of terms at the end of the recommendation report.

INFRASTRUCTURE AND S106

In accordance with policy INF SP1 the Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development to meet the needs of occupiers and users and the development.

The original S106 signed in support of outline approval AL/61/13/ secured a total financial contribution of £1,443,733 for the 268 dwelling scheme. The contributions secured for the additional 23 dwellings proposed by this application will total £552,892.

The contributions secured will consist of proportional contributions towards the following:

Primary Education
Secondary Education
Further Education
Library Services
Fire & Rescue
NHS
Public Art
MUGA
Sports Pitches
3G Artificial Pitch
Swimming Pools
Sports Halls
Controlled Crossing
Public Transport
Footpaths and Cycleways
A29 Re-alignment

Therefore, subject to the completion of the S106 agreement the proposed development will provide contributions towards the infrastructure and services needed to support development and meet the needs of future occupiers of the site in accordance with policy INF SP1 of the Arun Local Plan. The full heads of terms can be found at the end of this recommendation report setting out the specific financial contributions to be secured.

The contributions identified as necessary and to be secured as part of the S106 agreement are considered to be necessary, directly related to the development and reasonable in scale and kind. Therefore, the proposed contributions would accord with the Community Infrastructure Levy Regulations.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the proposed conditions and completion of the S106 agreement.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

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

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

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

- Site Location Plan - NNRP-MCB-ZZ-ZZ-DR-Z-0200-D5-P3
- Site Layout Plan - NNRP-MCB-ZZ-ZZ-DR-A-0230-P8
- External Materials and Boundary Treatments Plan - NNRP-MCB-ZZ-ZZ-DR-A-0231-P5
- Surface Materials Plan - NNRP-MCB-ZZ-ZZ-DR-A-0232-P5
- Affordable Tenure Plan - NNRP-MCB-ZZ-ZZ-DR-A-0233-P5
- Parking Strategy Plan - NNRP-MCB-ZZ-ZZ-DR-A-0234-P5
- Refuse Management Plan - NNRP-MCB-ZZ-ZZ-DR-A-0235-P5
- Site Layout Plan (Wider Context) - NNRP-MCB-ZZ-ZZ-DR-A-P2
- Illustrative Streetscenes - NNRP-MCB-ZZ-ZZ-DR-A-0260-P4
- PA34 & PT36 - NNRP-MCB-ZZ-ZZ-DR-A-0105-P2
- PA34 Pair - NNRP-MCB-ZZ-ZZ-DR-A-0106-P2
- PA34 Triple - NNRP-MCB-ZZ-ZZ-DR-A-0107-P1
- PA34 Triple Elevations - NNRP-MCB-ZZ-ZZ-DR-A-0108 -P1

- NA21 - NNRP-MCB-ZZ-ZZ-DR-A-0109-P2
- PT36 - NNRP-MCB-ZZ-ZZ-DR-A-0110-P2
- PT36 - NNRP-MCB-ZZ-ZZ-DR-A-0111-P3
- PT37 - NNRP-MCB-ZZ-ZZ-DR-A-0112-P4
- PT37 - NNRP-MCB-ZZ-ZZ-DR-A-0113-P4
- PT37 - NNRP-MCB-ZZ-ZZ-DR-A-0114-P4
- NA42 - NNRP-MCB-ZZ-ZZ-DR-A-0115-P3
- NA42 Pair - NNRP-MCB-ZZ-ZZ-DR-A-0116-P2
- NA42 Pair Elevations - NNRP-MCB-ZZ-ZZ-DR-A-0117-P2
- NT40 - NNRP-MCB-ZZ-ZZ-DR-A-0118-P3
- NT40 - NNRP-MCB-ZZ-ZZ-DR-A-0119-P3
- NA44 - NNRP-MCB-ZZ-ZZ-DR-A-0120-P3
- NA44 - NNRP-MCB-ZZ-ZZ-DR-A-0121-P1
- NT41 - NNRP-MCB-ZZ-ZZ-DR-A-0122-P2
- NA32 Pair - NNRP-MCB-ZZ-ZZ-DR-A-0123-P1
- NA32 Pair Elevations - NNRP-MCB-ZZ-ZZ-DR-A-0124-P1
- NA32 Triple - NNRP-MCB-ZZ-ZZ-DR-A-0125-P1
- NA32 Triple Elevations - NNRP-MCB-ZZ-ZZ-DR-A-P1
- NT41 (Tile hanging) - NNRP-MCB-ZZ-ZZ-DR-A-0127-P1
- NA42 Elevations - NNRP-MCB-ZZ-ZZ-DR-A-0128-P1
- NA42 (Front Gable) - NNRP-MCB-ZZ-ZZ-DR-A-0129-P1
- NA30 Pair - NNRP-MCB-ZZ-ZZ-DR-A-0130-P2
- NA30 Triple - NNRP-MCB-ZZ-ZZ-DR-A-P2
- NA30 Triple Elevation - NNRP-MCB-ZZ-ZZ-DR-A-0132-P2
- Single Garage - NNRP-MCB-ZZ-ZZ-DR-A-0150-P1
- Single Garage Side Gable - NNRP-MCB-ZZ-ZZ-DR-A-0151-P1
- Double Garage Two Owners - NNRP-MCB-ZZ-ZZ-DR-A-0152-P1
- Substation - NNRP-MCB-ZZ-ZZ-DR-A-0153-P1
- Garage and Car Barn - NNRP-MCB-ZZ-ZZ-DR-A-0154-P1
- External Works Layout Sheet 1 - 5655:40 Rev E
- External Layout Sheet 2 - 5655:41 Rev E

The following plans are approved in so far as they relate to foul drainage only:

- Engineering Layout Sheet 1 - 5655:01 Rev T
- Engineering Layout Sheet 2 - 5655:02 Rev T

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

- 3 No dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure that adequate car parking provision is available on site to serve the needs of the development in accordance with policy T SP1(d) of the Arun Local Plan.

- 4 No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwelling have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of motorised vehicle in accordance with current sustainable transport policies and policy T SP1 of the Arun Local Plan.

- 5 Prior to the occupation of any dwelling hereby approved a Soft Landscaping Plan and

Landscape and Ecology Management Plan (LEMP) shall be submitted and approved by the Local Planning Authority providing details for the on-going management and aftercare of the site once construction is completed.

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

- 6 The implementation and enhancement strategy for bats shall be implemented and maintained in accordance with the details specific within the 'Updated Bat Survey (August 2017), Ecological Enhancement Plan 31/05/2019 and Updated Phase1 Habitat Survey - August 2017.

Reason: This condition is necessary to ensure the protection of bats and supporting habitat in accordance with Policy ENV SP1 and ENV DM5 of the Arun Local Plan.

- 7 Prior to the occupation of any dwelling hereby approved, a scheme for external lighting for that phase shall be submitted and approved in writing by the Local Planning Authority. The scheme shall ensure that the lighting is sensitive to bats by minimising the lighting of the woodland along the northern and western boundaries and shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.

Reason: To control the residential amenities of the local environment in accordance with Policies D DM1 and QE DM2 of the Arun Local Plan.

- 8 The mitigation strategy for dormice has been implemented in accordance with the details specified within the 'Dormouse Mitigation Strategy (September 2017)'.

Reason: This condition is necessary to ensure the protection of reptiles and supporting habitat in accordance with Policy ENV SP1 and ENV DM5 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to protect reptiles and their habitat on site prior to any disturbance.

- 9 The protection, mitigation and enhancement measures set out on the Ecological Enhancement Plan (dated 31/05/2019) and within the Updated PHase 1 Habitat Survey - August 2017 shall be implemented and maintained.

Reason: To ensure the protection of wildlife and supporting habitat in accordance with policy ENV SP1 and ENV DM5 of the Arun Local Plan.

- 10 Development shall not commence for any dwelling hereby approved, until such time as a Construction Management Plan shall be submitted for approval in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period of that phase. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- The anticipated number, frequency and types of vehicles used during construction,
- The method of access and routing of vehicles during construction,
- Full details of the construction compound,
- Soil resources plan,
- Dust mitigation measures,
- Noise reduction measures,
- The parking of vehicles by site operatives and visitors,
- The loading and unloading of plant, materials and waste,
- The storage of plant and materials used in construction of the development,

- The erection and maintenance of security hoarding,
- The provision of effective wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- Details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the safety and amenity issues that need to be addressed.

- 11 During the construction phase no machinery/vehicles or plant shall be operated on the site, no process shall be carried out and no deliveries taken at or dispatched except between the hours of:

8.00 a.m. and 6.00 p.m. on Mondays to Fridays inclusive

9.00 a.m. and 1.00 p.m. on Saturday

Not at any time on Sundays or Public Holidays

Reason: In the interests of amenity in accordance with Policies D DM1 and QE DM1 of the Arun Local Plan.

- 12 No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the storage areas identified in the Construction Management Plan at any time approved by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy D DM1 of the Arun Local Plan.

- 13 Prior to commencement of development for the dwellings hereby approved the applicant shall prepare and submit for approval an Employment and Skills Plan for the construction of each phase of the development. Following approval of the Employment and Skills Plan the developer will implement and promote the objectives of the approved plan.

Reason: In accordance with Policy SKILLS SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to as it relates to the construction phase of development.

- 14 Development shall not commence for any dwelling hereby approved, until such time as a strategy for the provision or facilitation of broadband provision to future occupants of the site in that phase shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling hereby approved, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason: To ensure that the needs of future residents to connect to the internet does not necessarily entail engineering works to an otherwise finished and high quality living environment in accordance with Policy TEL SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the provision of broadband needs to be incorporated into the design for the site.

- 15 Development shall not commence for any dwelling hereby approved, until such time as an Electric Vehicle Charging Strategy will be submitted to and approved by the Local Planning Authority. The Electric Vehicle Charging Strategy shall identify the nature, form and location of electric charging infrastructure to be provided across the development. The electric vehicle strategy shall then be implemented in accordance with the approved details and maintained in perpetuity.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with Policy D DM1 and Policy QE DM3 (c) of the Arun Local Plan and the NPPF. It is considered necessary for this to be a pre-commencement condition to ensure that the requisite charging infrastructure is designed into the housing development and it is implemented.

- 16 At least 10% of the total predicted energy requirements for the development (taking into account energy efficiency measures) will be generated through renewable or low carbon energy generation on site. The Local Planning Authority will consider 'allowable solutions' where it is clearly demonstrated that the provision of on-site renewable or low carbon energy generation is unviable or not feasible and where equivalent energy savings can be demonstrated.

Details and a timetable of how this is to be achieved for the development hereby approved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before development of the dwellings hereby approved commences. The development shall be implemented in accordance with the approved details and timetable and will be retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, in accordance with policy ECC SP2 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the requisite infrastructure is designed into the housing development.

- 17 In the event that contamination is found at any time during the carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All works must stop immediately and an investigation and risk assessment must be undertaken in accordance with the requirements of the local authority contaminated land officer. Where remediation is necessary, remediation scheme must be prepared in accordance with the local authority contaminated land officer guidance and which is subject to approval in writing of the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy QE DM4 of the Arun Local Plan.

- 18 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s. The scheme shall thereafter be maintained in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 19 Development shall not commence for any dwelling hereby approved, other than works of site

survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

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

- 20 Development shall not commence for any dwelling hereby approved, until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

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

- 21 Development shall not commence for any dwelling hereby approved, until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

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

the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

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

- 23 INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.

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

- 25 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.