

Recommendation Report for Planning Permission

REF NO: AL/70/19/PL

LOCATION: Nyton Farm Cottage / The Gables
Nyton Road
Westergate
PO20 3UL

PROPOSAL: Change of use from dwelling house Nyton Farm Cottage (C3 dwelling house) and two self contained flats within Nyton Gable to residential care home (C2 residential institutions) to provide 9 No. bedrooms, kitchen & dining & new rear sun lounge. This application affects the setting of listed buildings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Change of use from the existing dwelling house Nyton Farm Cottage and two self-contained flats within Nyton Gable into a residential care home to provide 9 No. bedrooms, kitchen, dining and new rear sun lounge with internal modifications in order to provide accommodation specifically designed for residents with Dementia. There will be a ramped access into the main lobby of the home which will provide access to each room and the lift and minimal changes to the external facade; a new entrance door on the front elevation. The conservatory to the rear would be replaced with an L-shaped sun lounge, extending an existing two storey projection at the ground floor level by 3.85m to the west and 2.5m to the north and would be characterized by a flat roof with lantern.
SITE AREA	485 sq.metres
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the development.
BOUNDARY TREATMENT	Boundary treatments are mixed given the size of the site; - Part 1.8m high, part 1m high timber fencing to the rear/side garden boundaries of the three terraced cottages; - 2.5-3m high flint wall to the northern boundary of the garden where the Dementia unit will be sited; - 2.5-3m high flint wall to the southern boundary with Nyton Road; and - 3m high flint wall to the western boundary with Nyton Grange Cottage.
SITE CHARACTERISTICS	The site comprises a detached two and a half storey, Grade 2 Listed care home which has previously been extended at ground floor on the north western side and projecting towards the rear (west). There are large gardens to the front (east) and rear (west) and the rear gardens extend northwards at the rear of three terraced two and half storey cottages (Nyton

Farm Cottage, Nyton Gable & Wyncote). Two of the three cottages are in the ownership of the applicant (Wyncote is separately owned).

There are other small buildings/built features in the site including a pitched roof double garage in the front parking area, an empty swimming pool in the rear gardens and a timber lodge style office building on the northern side of the house.

CHARACTER OF LOCALITY

The area is considered to be rural as it is located outside of the edge of the nearest settlement; a small village Westergate is roughly half a mile away from Nyton House. The village contains various local amenities. The site lies in a cluster of residential & agricultural buildings and there are further residential properties to the southeast. Knighton Grange Cottage to the west is a part single, part two storey thatched cottage; identified as a Grade II listed building. The buildings to the north of the site form part of Nyton Farm and those visible from in the site are storage barns.

Access to the site is via the B2233 (Nyton Road),

RELEVANT SITE HISTORY

AL/58/75	Conversion Of Remaining Part Of Stable Building To Form A Two Storey Houses And A Ground Floor Flat	ApproveConditionally 06-08-75
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Noted.

The recent application reference number AL/42/19/PL for the construction of a 10 No. bedroom dementia unit with attached covered walkway in the grounds of Nyton House Care Home alongside of the western boundary in an opposite site of Nyton Farm Cottage has been refused by Sub-committee.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

No comments.

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
Southern Water Planning
WSCC Strategic Planning
Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer comments:

It is important to note that two other applications have recently been submitted on land under the same ownership as this site. It would therefore appear that the intention is to undertake a comprehensive planned set of works in this location. It is unfortunate then, that the plans have not been considered as part of a larger programme of works (and submitted as one application). However, I provide my comments on this particular application.

Whilst a design and access statement has been provided, a heritage statement or some form of heritage assessment has not been in accordance with the requirements of paragraph 189 of the NPPF. This is unfortunate, considering the number of heritage assets in close proximity to the building that is the subject of this application. The building itself, a former element of the Nyton House estate, is of note. In the absence of this useful information I provide the following comments:

The proposal essentially relates to a building within the grounds of Nyton House. Nyton House is a large, attractive country house, with pleasant gardens and attractive walling, which has been listed as Grade II. It is a large property fronted by a late C17 facade, with the inside of the North-West wing of the house originally dating back to at least C16 or earlier. It features two storeys and an attic; it is constructed from red bricks, with a tiled roof. Sash windows exist with a large bay of three windows at the south end of the east front. It is considered to be an exemplary country estate, exhibiting pond and wider farm buildings. The use of the building as a care home has influenced how the rooms are used, but the layout is such that the rooms can still be understood to some extent. The building which is subject to this application used to form part of the Nyton house estate. It has subsequently been subdivided up into a number of residential units. The building retains some characteristics of an estate building. One of the properties is to remain as a stand alone residential unit.

Heritage Assets

There also a number of other Listed buildings in fairly close proximity to the application site, these include:

- Knighton Grange Cottage has been identified as a Grade II listed building. The cottage is a timber-framed building with some timbering exposed in the west wall with painted rubble and flint infilling, but re-fronted with flints and brick. The cottage consists of a thatched roof with casement windows over two storeys. The cottage is of historic and aesthetic (fortuitous) significance.
- Nyton Lodge is an 18th century two storey grade II listed building which has been faced with flints and brick dressings and quoins, all of which have now been painted. There is a tiled roof and casement windows with two modern bays on the ground floor.
- Rush Cottage a grade II listed building dating back to the 16th century, the property is timber-framed with painted brick infilling, on the south end a portion has been added in painted brick. The building is over two storeys with a thatched roof and casement windows.
- Rose Cottage is a 17th century, or earlier Grade II listed timber-framed cottage with the timbering exposed in one place on the first floor of the west wall but otherwise refaced with brick and painted. The cottage has a tiled roof and casement windows over, and is two storeys.
- Mouse Hall is a 16th century Grade II listed two storey timber-framed building with painted brick infilling and thatched roof, casement windows.
- Hop Garden Cottage (Westergate Street) is a Grade II listed 18th century Cottage with early 20th century extensions. The elevation comprises of flint and red brick dressings, and there is a hipped thatched roof with end brick stacks, and eyebrow dormers. There is a central C19 porch with hipped tile roof provides the entrance.

Due to their age, method of construction and appearance, all of these assets are considered to be of historical significance.

Proposal

The proposal relates to a change of use from dwelling house to residential care home in order to provide 9 No. bedrooms, kitchen, dining room and new rear sun lounge. As a result, it also requests that internal alterations are undertaken. Further to this permission is sought for a single storey extension (and the removal of a modern conservatory structure). The concept of the change of use from residential to a residential care home will not harm the character of the building or the significance of the neighbouring assets. The proposed works to the interior of the building will have an impact upon its existing layout. However, it is suggested that the existing interior spaces will have already been affected as part of the previous conversion from out building to a residential use. As a consequence, the current proposal will not result in further harm to the building.

The building has been extended through the introduction of a modern, prefabricated conservatory structure. The design and use of this structure do not relate well to the building itself, and its removal is supported. The proposal to introduce a larger extension in a design more akin to its existing appearance is an enhancement. The success of such a scheme would be dependent upon the use of materials and the proposed joinery. Details of which could be provided to the LPA by way of condition.

Conclusion

The application is considered to not cause harm to the significance of the heritage assets or their setting. As a consequence, it should be determined in accordance with then relevant policies within the Development Plan, along with these comments; the contents of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) will also need to be taken into account.

Southern Water comments:

It is possible that a sewer now deemed to be public could be crossing the development site.

Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Due to surface water inundation issues in the Lidsey Catchment the applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development". Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavorable conditions.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent.

Engineers Comments Regarding Surface Water Drainage:

The application is within the Lidsey Catchment. No objection, subject to the condition PCENGD2 accompanying informative.

Environmental Health comments:

I refer to the above planning application and whilst I have no objections to the proposal I would request that if the proposed kitchen / dining room is to be used for hot food provision on a commercial basis suggested condition 'Installation of Grease Traps in New Commercial Hot Food Premises' should be included.

WSCC: No objection, subject to conditions.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. No objections, subject to conditions.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
 Special Control of Adverts;
 Class B Road;
 Listed Building Grade II;
 Lidsey Treatment Catchment Area;
 WSCC Mineral Consultation Area (Sharp Sand and Gravel);
 Archaeological Notification Area; and
 No Public Sewer.

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
ECCDM1	ECC DM1 Renewable Energy
ECCSP2	ECC SP2 Energy and climate change mitigation
HDM2	H DM2 Independent living and care homes
HERDM1	HER DM1 Listed Buildings
HERDM6	HER DM6 Sites of Archaeological Interest
HERSP1	HER SP1 The Historic Environment
TDM1	T DM1 Sustainable Travel and Public Rights of Way
QESP1	QE SP1 Quality of the Environment
WDM3	W DM3 Sustainable Urban Drainage Systems
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WMDM1	WM DM1 Waste Management

<u>Aldingbourne Neighbourhood Plan 2016 POLICY EE1</u>	Supporting existing employment and retail
Aldingbourne Neighbourhood Plan 2016 POLICY EH1	Resist development outside
Aldingbourne Neighbourhood Plan 2016 POLICY GA1	Promoting Sustainable movement
Aldingbourne Neighbourhood Plan 2016 POLICY	Parking and new development

GA3

Aldingbourne Neighbourhood Plan 2016 POLICY
H9

Items to consider e.g. - bin stores

Attention to detail

Aldingbourne Neighbourhood Plan 2016 POLICY
LC1

Support independent living

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

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

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.

Aldington has a "made" Neighbourhood Plan and the relevant policies are EE1,EH1, GA1,GA3, H9 and LC1.

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 Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE:

The site is outside of the built-up area boundary as set out in both the Aldingbourne Neighbourhood Development Plan (ANDP) and the Arun Local Plan (ALP).

ALP policy C SP1 states that development will be permitted in the countryside where it accords with other policies in the Plan which refer to a specific use or type of development.

ANDP policy EH1 "Built Up Area Boundary" states that proposals for development outside of 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 and policy LC1 affirms that proposals for new, converted and extended independent living and care homes will be supported provided that the design and scale of development are in keeping with the character of the location and that the impact on the amenity of surrounding residential properties is acceptable.

ALP policy H DM2 states that extended independent living and care homes will be permitted where applications can demonstrate that the following criteria are adhered to and where the proposal is consistent with all other Local Plan policies:

- (a) The scheme is located within the Built Up Area Boundary if it is a new facility;
- (b) The scheme shall be easily accessible either by foot or public transport, to community and social facilities e.g. shops, post offices, healthcare, community facilities;
- (c) The design of the scheme shall be such that it can be easily adapted to the varying needs of the users of the scheme;
- (d) The design and scale of the scheme shall be appropriate to the local context;
- (e) Amenity space shall be provided; and
- (f) Overall, the scheme should be located where it would support and encourage the continuation of a healthy, active lifestyle.

Paragraph 83 of the National Planning Policy Framework (NPPF) states that planning decisions should enable the sustainable growth & expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings.

Proposed development is for a change of use from the existing two self-contained flats (C3) to residential institutions (D2) for residents with Dementia and would not require significant external changes as such its design and scale would be appropriate to the local context and amenity space would be provided and would be located where it would support and encourage the continuation of a healthy and active lifestyle. Therefore it is considered that the proposal is acceptable in principle having regard to ALP policies C SP1 & H DM2 and ANDP policies EH1 & LC1.

HERITAGE ASSETS:

Nyton Farm Cottage is situated within the setting of a Grade II Listed Building, Nyton House and relates to it.

Relevant Local Plan policies are HER SP1 (The Historic Environment) and HER DM1 (Listed Buildings). HER SP1 states that listed buildings and their settings will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. Also that development likely to prejudice their setting will be refused and that any proposals for development will be required to comply with all other relevant policies. HER DM1 requires that proposals protect and, where possible, enhance the setting of Listed Buildings.

It is necessary to consider policy guidance in the National Planning Policy Framework (NPPF) which sets out several steps when considering impact on heritage assets. Para 189 requires applicants to describe

the significance of heritage assets affected, including any contribution made by their setting. Para 190 requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that may be affected by a proposal. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (as set out in paras 193-196).

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that when considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Heritage Statement has not been submitted (the requirements of paragraph 189 of the NPPF), and conservation officer in his comments emphasized that 'this is unfortunate', considering the number of heritage assets in close proximity to the building that is the subject of this application, however in the absence of this he assessed proposal and concluded that the proposed is considered to not cause harm to the significance of the heritage assets or their setting.

CHARACTER & DESIGN:

Policy D DM1 of the Arun Local Plan requires that the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. In terms of density, D DM1 requires that 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. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

ANDP relevant policy H9 requires that certain 'add-on' items (e.g. gutters, satellite dishes, meter boxes) be included in the design of new houses. The proposal does not show such features however, it is not considered that non-compliance with this policy should be considered to be sufficiently harmful so as to warrant a refusal. In addition, as noted elsewhere, policy LC1 requires that the design and scale of care home development is in keeping with the character of the location.

Para 127 of the NPPF states that "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)." In addition, paragraphs 122, 130 and 131 are all relevant.

Para 122 states that planning decisions should support development that makes efficient use of land but that the desirability of maintaining an area's prevailing character and setting should be taken into account. Para 130 states that planning permission should be refused for development that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Para 131 states that great weight should be given to innovation, high standards of design and sustainability measures so long as they fit in with the overall form and layout of their surroundings.

The proposal is for change of use of an existing building with small alterations to the front including the access ramp and a new door and a rear single storey extension which would replace a modern,

prefabricated conservatory structure.

The Conservation Officer states that the current proposal will not result in further harm to the building and the proposed a larger extension would be in a design more akin to the existing appearance of the host property.

Overall, it is considered that the proposal complies with ALP policies D DM1, D SP1, with ANDP policies H9 & LC1 and with the guidance on design in the NPPF.

RESIDENTIAL AMENITY:

Policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. Policy D DM4 requires that extensions/alterations: sympathetically do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Regard should be had to para 127 of the NPPF which states that developments should provide a high standard of residential amenity for existing and future users. Policy QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity". In addition, as noted elsewhere, ANDP policy LC1 requires that the design and scale of care home development is in keeping with the character of the location and that the impact on the amenity of surrounding residential properties is acceptable.

There would be no additional windows at the first floor level. Some internal changes are proposed, changing the layout of the exiting building at the first floor level as well, however the window facing to the north was previously serving to habitable room (living room would be replaced with a bedroom.)

A single storey extension would project from the western elevation of two storey rear projection by 2.5m and would be 2.7m high with flat roof and set in from the shared boundary by 0.35m. Given the scale of the proposed extension and existing boundary treatment it is considered that the proposed development would have a minimal impact to users and occupiers of nearby separately owned dwelling to the north (Wyncote). The change of use from residential would more likely result in a slightly different pattern of life style, however two existing self contained flats in Nyton Gable in the vicinity of Wyncote have been already used as a care home facilities as such the proposal would unlikely result in an unacceptable noise and disturbance.

For the above reasons, it is considered that the proposal is in accordance with ALP policies D DM1 & QE SP1 and with ANDP policy LC1.

ACCESS and PARKING

Policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of parking, it states: "The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking". In addition, policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes and also seek to contribute to the improvement of such routes & facilities.

ANDP Policy GA1 seeks to promote sustainable (non-car) forms of transport. It requires new development to be located in places accessible to public and community transport. ANDP policy GA3 requires that parking be provided in accordance with the standards adopted at the time.

Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or

specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The parking spaces provided for Nyton Farm Cottage are shown in 'Parking Plan' outside of red edged area. However, as submitted Design and Access Statement affirms, the development will be a 'stand alone facility as part of Nyton House Residential Home'. A condition will be attached to insure that they will retained at all times for their designated purpose..

Access to the site is taken form the existing historic access onto the B2233 Nyton Road and is wide enough to accommodate two passing cars and visibility is good. The renovation of the building will involve some construction traffic however the site is large enough to accommodate it without disruption to the highway. WSCC Highways have assessed the proposal and consider that parking provision meets the required standards and that there are no current safety issues with the existing access such that it is suitable for the level of increased traffic movements. They therefore raise no objections.

The proposal site is not far from the edge of the built up area boundary and there are bus stops and a shop within 600m of the site. The proposal accords with policies T DM1 & T SP1 of the ALP and with the guidance on highway safety within the NPPF.

SUMMARY:

There is in principle no conflict with development plan policies in respect of the proposed change of use of Nyton Farm Cottage into a stand alone facility as part of Nyton House Residential Home and therefore it is considered that the proposal complies with all normal development control criteria concerning, design, heritage, highway safety/parking, character and residential amenity. It is recommended that the application be approved subject to the following conditions.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership,

pregnancy and maternity, race, religion or belief, sex or sexual orientation).

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

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

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:
 DRW 100 Rev A 'Site and Location Plan'
 DRW 103 Rev F 'Ground Floor Plan & Elevations as Proposed'
 DRW 104 Rev C 'First Floor Plan & 3D Views as Proposed'
 DRW 105 'Parking Plan'

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 development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of setting of the Listed Building by endeavouring to achieve a building of visual quality in accordance with policy D DM1, HER DM1 and HER SP1 of the Arun Local Plan.

- 4 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

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

- 5 The drainage serving the kitchen at the proposed residential care home shall, prior to first use, be fitted with a grease trap / separator of a proportionate capacity to effectively contain grease residue arising from the estimated numbers of hot meals served and waste water flow rate. The design and installation of this grease trap / separator shall be in compliance with BS EN

1825-1:2004 and BS EN 1825- 2:2002 (Current Status: 'Under Review') or other effective means of grease removal and be retained in perpetuity.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan 2011 - 2031.

- 6 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose; Nyton Farm Cottage.

Reason: To provide car-parking space for the use and in accordance with policy T SP1 of the Arun Local Plan.

- 7 No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall included details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access in accordance with policy D DM1 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

- 8 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.

- 9 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on (01903) 737555

- 10 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. 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>.

- 11 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning

(Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.