

Recommendation Report for Planning Permission

REF NO: AL/79/18/PL

LOCATION: A The Paddock
34 Northfields Lane
Aldingbourne
PO20 3UH

PROPOSAL: 1 No. bungalow with 3 bedrooms in the roof (replacing permitted application AL/79/17/CLE). This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION It is proposed to replace the existing single storey former mobile home with a chalet bungalow comprising of lounge, dining room, kitchen, utility room, toilet & breakfast room downstairs with three bedrooms & 2 bathrooms above. The new dwelling has broadly the same footprint as the existing and with a height to the ridge of 6.7m. The roof will have three small (2.1m wide) dormers to the rear (south) and a further dormer of the same size to the front. Garden and parking area to be unchanged. Materials to consist of brick and blockwork.

SITE AREA 0.830 hectares

RESIDENTIAL DEVELOPMENT DENSITY (NET) 1.2 dwellings per hectare.

TOPOGRAPHY Predominantly flat.

TREES None affected by the proposed development.

BOUNDARY TREATMENT No change to existing boundaries.

SITE CHARACTERISTICS The site is located in the northern part of this existing gypsy/traveller site which comprises of 6 units of residential accommodation, 5 of which either were previously or are currently mobile homes (the other 1 a converted stable building), and some other non-domestic buildings. The site currently comprises of a former mobile home with predominantly cream rough rendered walls (but with one wall timber clad) and a tiled low pitched roof. There are brick skirts partly obscured on the northern side by decking. The existing accommodation comprises of a living room, kitchen, bathroom, lounge and 4 bedrooms. There is garden to the west which wraps around to the north with a large area of hardstanding beyond.

CHARACTER OF LOCALITY The wider gypsy/traveller site is flat and entirely enclosed by either 3m high Leylandii hedging or 2m high fencing. This is a rural location with some housing along Level Mare Lane and towards the southern end of Northfields Lane. The eastern side of Northfields Lane is predominantly in occupation by

gypsies or travellers.

RELEVANT SITE HISTORY

AL/79/17/CLE	Application for Certificate of Lawfulness for an Existing Use - Use of building as a dwellinghouse	Approve 07-12-17
AL/4/12/	Single storey extension	ApproveConditionally 20-03-12
AL/94/11/	Use of land as a private gypsy and traveller caravan site consisting of 4 no. mobile homes (2 of which have extensions) and associated works - Resubmission of AL/32/11 - This application is a Departure from the Development Plan	ApproveConditionally 05-01-12
AL/67/10/	Change of use of land to a private gypsy and traveller caravan site consisting of 3 no. mobile homes (2 of which have extensions), and associated works - This application is a departure from the development plan	ApproveConditionally 19-08-10
AL/23/08/	Use of land as a private gypsy caravan site for a single family group.	ApproveConditionally 11-06-08

This particular dwelling was originally granted temporary planning permission as a mobile home under ref AL/23/08/ alongside two other mobile homes, a touring caravan, retention of existing converted stables as an amenity/utility building and for the conversion of the other stables for similar purposes. At this time, the dwelling was located in the south western part of the site (current location of unit G). This permission was renewed by application AL/67/10 with the dwelling still shown in the south western part.

Application AL/94/11 then allowed unit A to be relocated onto the northern part of the site (where it is currently located). The submitted plans showed that the footprint was the same as originally approved (i.e. not yet extended).

Application AL/4/12 allowed unit A to be extended on its eastern and northern side. The extensions would have a height of 4 metres, width of 6 metres and depth of 8.3 metres. This resulted in the dwelling having an 'L' shaped footprint with a gable on the north elevation. The footprint increased from 55m² to 105m². At some point in time, the dwelling was also extended, without planning permission, on its southern side.

A certificate of lawfulness application was granted (ref AL/79/17/CLE) in December 2017 and confirmed that unit A was no longer a mobile home and indeed a dwellinghouse.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

No comments received.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - raise no objection subject to car and cycle parking conditions. Comment as follows:

- The site will utilise the existing access onto Northfields Lane which is also maintained as Public Right of Way (PROW) number 315. It is conceivable that the PROW will be affected by an increase in vehicular traffic either before or after the development is completed. Developers/landowners should ensure that public use of the PROW takes precedence over private vehicular traffic. It is a criminal offence to damage the surface of a PROW and the consent of the County Council must be sought for the route to be resurfaced even if the surface is to be improved. The applicant would be liable for any damage to the surface arising from his exercise of private access rights;
- Visibility at the junction with Level Mare Lane appears sufficient for the anticipated road speeds. An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury accidents within the vicinity of the junction. Therefore there is no evidence to suggest that the junction is operating unsafely or that a replacement dwelling would exacerbate an existing safety concern;
- The application form indicates that three parking spaces will be provided on site although the site plan does not demonstrate parking layout. Each parking space should meet minimum specifications of 2.4 x 4.8m as set out in Manual for Streets (MfS). Details of parking can be secured via condition.
- The proposed plans indicate that cycle parking will be provided on site in order to encourage sustainable transport.
- In conclusion, the LHA does not consider that the proposal for a replacement dwelling would have a 'severe' impact on the operation of the Highway network, therefore is not contrary to the NPPF (paragraph 109), and that there are no transport grounds to resist the proposal.

ADC DRAINAGE ENGINEERS - state that the site is within a surface water flood risk zone and that adequate measures should be provided to ensure that flood risk is not increased as a result of the development. Request that standard condition ENGD2A is imposed and that soakaways be investigated for surface water disposal.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
Safeguarded Mineral Area (Sharp Sand & Gravel); and
Special Control of Adverts Area.

DEVELOPMENT PLAN POLICES

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
HSP1	HSP1 Housing allocation the housing requirement
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
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
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

<u>Aldingbourne Neighbourhood Plan 2016 POLICY H1</u>	New housing or altering dwellings
	Quality of Design
Aldingbourne Neighbourhood Plan 2016 POLICY H3	Housing density
Aldingbourne Neighbourhood Plan 2016 POLICY H8	Dwellings must have adequate private or shared amenity.
	Outdoor space
Aldingbourne Neighbourhood Plan 2016 POLICY H9	Items to consider e.g. - bin stores
	Attention to detail
Aldingbourne Neighbourhood Plan 2016 POLICY EH1	Resist development outside
Aldingbourne Neighbourhood Plan 2016 POLICY EH2	Support adjacent to biodiversity corridors only if demonstrate no harm.
	Green infrastructure and Ecosystem services
Aldingbourne Neighbourhood Plan 2016 POLICY EH5	Development in Flood risk areas will not be supported unless...
	Surface Water Management

Aldingbourne Neighbourhood Plan 2016 POLICY EH10	Unlit village status
Aldingbourne Neighbourhood Plan 2016 POLICY GA1	Promoting Sustainable movement
Aldingbourne Neighbourhood Plan 2016 POLICY GA3	Parking and new development

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.

The relevant policies of the Aldingbourne Neighbourhood Development Plan have been considered within this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to be in conflict with the relevant development plan policies in that it concerns development within the countryside outside of the nearest settlement boundary. However, there is not considered to be any conflict in respect of design/character, residential amenity, space standards, biodiversity, mineral safeguarding or highway safety.

OTHER MATERIAL CONSIDERATIONS

It is considered that there is an important material consideration in this case, namely that the site already has the benefit of a permission for a dwellinghouse and that there is already a dwellinghouse on the site.

CONCLUSIONS

PRINCIPLE:

The site is located outside of the built-up area boundary as set out within both the Aldingbourne Neighbourhood Development Plan (ANDP) and the Arun Local Plan (ALP). ANDP policy EH1 "Built Up Area Boundary" is relevant and 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.

Policy C SP1 of the ALP states that development will only be permitted in the countryside where it is in accordance with other policies in the Plan which refer to a specific use or type of development. There are no policies in the ALP which support proposals for replacement dwellings in the countryside.

However, it is not considered appropriate to refuse the application on grounds of principle as the site already has the benefit of a permission for a dwellinghouse and there is already a dwellinghouse on the site. There will be no change in the number of dwellings on the site as a result of this approval.

PROTECTION OF MINERAL RESOURCES:

The West Sussex Joint Minerals Local Plan was adopted on 20 July 2018. It sets out mineral protection zones and the site falls within a protected area for sharp sand and gravel. Accordingly, it is necessary to consider the proposal against policy M9 "Safeguarding Minerals". This states that:

"Proposals for non-mineral development within the Minerals Safeguarded Areas (as shown on maps in Appendix E) will not be permitted unless:

- (i) Mineral sterilisation will not occur; or
- (ii) it is appropriate and practicable to extract the mineral prior to the development taking place, having regards to the other policies in this Plan; or
- (iii) the overriding need for the development outweighs the safeguarding of the mineral and it has been demonstrated that prior extraction is not practicable or environmentally feasible."

The application submission contains no justification in respect of the above policy. However, it should be noted that there is already a dwelling on the site and as such there is no realistic chance of this site being mined for minerals and as such it is not considered that there is any conflict with this policy.

BIODIVERSITY:

The site lies adjacent to a biodiversity corridor as designated by the ANDP. Policy EH2 states that: "New development within, or immediately adjacent to the Biodiversity Corridors identified on Maps A1 and A2 will only be supported where it can be clearly demonstrated that development proposals will not give rise to any significant harm to the integrity or function of the Biodiversity Corridors."

The proposal provides no justification in respect of this policy. However, again it is considered that regard should be had to fact that there is already a dwelling on the site. Furthermore the new dwelling, although containing an additional floor of accommodation has the same footprint and a lower number of bedrooms. It is therefore unlikely that there will be any material difference in the occupation of the site and as such there will be no greater harm to the biodiversity corridor. It is therefore not considered that there is any conflict with policy EH2.

HIGHWAY SAFETY & PARKING :

Arun Local Plan policy T SP1 seeks to ensure that 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 highway safety, it states that:

"The Council will support transport and development which: Explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, it states that:

"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.

Paragraph 108 of the NPPF states that: "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 also be had to paragraph 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."

It is not considered that the site is in sustainable location and as such the occupiers of the dwelling are likely to be reliant on the private car to access facilities, shops and services. However this is an existing situation for the residential occupiers and therefore, there is no conflict with policy T DM1.

WSCC Highways have commented on this application. In summary, they raise no objection and consider that the existing access is acceptable and there are no highway safety reasons to object to the proposal. They note that the parking provision is not clearly shown on the plans. However, there is clearly sufficient existing hardstanding on the site to accommodate three parking spaces and the precise details can be agreed by planning condition.

It is therefore considered that the proposal is in accordance with the relevant development plan policies and in respect of the guidance within the NPPF.

DESIGN & CHARACTER:

Policy D DM1 of the Arun Local Plan requires that the Council have regard to certain aspects when considering development proposals including:

(1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";

(2) Appearance/attractiveness - "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area";

(13) Density - "The density of new housing will make 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. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity"; and

(14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement."

Furthermore, policy D SP1 "Design" states that:

"All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development. With major developments or allocated sites in the Development Plan, in addition to a Design and Access Statement, a context appraisal, context plan and analysis of the site will also be required."

ANDP policy H1 states that "Proposals for new housing or extending or altering existing dwellings should be of a high quality design that reflects the local character and reinforces local distinctiveness. Proposals must demonstrate how they meet the policies set out in the Plan." In addition, policy H3 states that "the density of new development shall be appropriate to its location by virtue of size, siting and relationship to existing properties."

The proposal is to replace the existing bungalow with a chalet bungalow. There is no change to the site density and the new dwelling will have a very similar footprint to the existing. The main change is in respect of the height. However, this is not considered to be excessive or out of character (noting that there are existing houses to the north, fronting Level Mare Lane, which are two storeys in height). It is not clear exactly what the proposed materials will be but these can be agreed by planning condition. It would be appropriate if the materials were similar to the existing although the introduction of brick would also be acceptable.

It is therefore considered that the proposal is in accordance with Arun Local Plan policies D DM1 & D SP1 and with ANDP policies H1 & H3.

RESIDENTIAL AMENITY:

Arun Local Plan policy D DM1 requires the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance." Arun Local Plan policy QE SP1 states that: "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".

Regard should also be had to para 127 of the NPPF which states that: "Planning policies and decisions should ensure that developments: (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

The new dwelling will be in the same position as the existing and although the proposal introduces a new first floor, there is to be only one centrally sited north facing dormer window and this will be at least 25m

to the closest of the Level Mare Lane dwellings to the north. This is a more than sufficient distance to maintain the privacy of existing residential occupiers.

The three new rear dormers all serve bedrooms and these will look south towards and over the next adjoining plot. These therefore have the potential to result in harm to the amenities of the adjoining occupier. However, regard is had to the fact that both of these dwellings are in the control of the applicant and that both current occupiers are gypsy/traveller families living in a close knit community. If this were to change in the future then any new occupiers of the mobile home to the south would be aware of the potential overlooking before occupying the property. On this basis, it is not considered that there is any harmful conflict with Arun Local Plan policies D DM1 and QE SP1.

SPACE STANDARDS:

Arun Local Plan policy D DM2 states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance".

It is therefore necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) in order to determine whether the building is suitable for residential use. The requirement for a two storey, 3 bedroom, 6 person dwelling is 102m² but the proposed dwelling far exceeds this standard (the ground floor alone is around 145m²).

Arun Local Plan policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to replace policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until such time as this Design Guide is published, there is no policy within the ALP regarding private gardens sizes. However, it is noted that paragraph 127 of the NPPF states that: "Planning policies and decisions should ensure that developments: (f) create places with a high standard of amenity for existing and future users;"

The proposed house has existing private gardens to the west and north and this situation will remain the same. It is therefore considered that the scheme provides a good standard of amenity for future occupiers.

It is therefore considered that the proposal complies with Arun Local Plan policies D DM1 & D DM2 and the guidance on amenity within the NPPF.

SUMMARY:

It is considered that this proposed dwelling is acceptable having regard to local character, residential amenity, highway safety, space standards, safeguarding of minerals and biodiversity. It is not considered that the conflict with the Local Plan in respect of development in the countryside can be sustained due to the fact that the proposal seeks to replace an existing dwelling. It is therefore recommended that this application be approved subject to the conditions below.

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

- 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 (1:1250);
- Proposed Site Plan drawing 4 of 4;
- Proposed Floor Plans drawing 1 of 4;
- Proposed Elevations drawing 2 of 4; and
- Proposed Sections drawing 3 of 4.

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

- 3 Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so

agreed shall be maintained in good working order in perpetuity.

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

- 4 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of this rural area in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

- 5 Before the buildings hereby permitted are occupied a dustbin enclosure shall be provided as part of the development in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the siting and design thereof. The approved bin store shall thereafter be permanently retained in good working condition.

Reason: To safeguard the appearance of the property and the amenities of the area in accordance with policies D DM1 of the Arun Local Plan.

- 6 The new dwelling shall not be first occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan.

- 7 No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

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

- 8 No part of the development shall be first occupied until covered and secure cycle parking spaces for the new dwelling have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. The cycle spaces shall thereafter be permanently retained in good working condition.

Reason: To provide alternative travel options to the use of the car in accordance with policies T SP1 and T DM1 of the Arun Local Plan.

- 9 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed unless planning permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjacent occupiers and maintain adequate amenity space in accordance with policy D DM1 of the Arun Local Plan.

- 10 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.
- 11 INFORMATIVE: Drainage Engineers advise that 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 BRE 365, 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 30% 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 are available on our website <https://www.arun.gov.uk/surfacewater> and are also available on request.
- 12 INFORMATIVE: The site will utilise the existing access onto Northfields Lane which is also maintained as Public Right of Way (PROW) number 315. It is conceivable that the PROW will be affected by an increase in vehicular traffic either before or after the development is completed. Developers/landowners should ensure that public use of the PROW takes precedence over private vehicular traffic. It is a criminal offence to damage the surface of a PROW and the consent of the County Council must be sought for the route to be resurfaced even if the surface is to be improved. The applicant would be liable for any damage to the surface arising from his exercise of private access rights;