

Recommendation Report for Planning Permission

REF NO: A/184/21/PL

LOCATION: Land South of Water Lane
Angmering

PROPOSAL: Construction of a weir upstream of the culverted road access to the Land South of Water Lane Development, Angmering as Phase 1 of the Angmering Flood Alleviation Scheme. This application is in CIL Zone 1 & is not CIL Liabie as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This planning application is for the construction of a weir which would form part of Phase 1 of the Angmering Flood Alleviation Scheme (FAS).
SITE AREA	The entire area covered by Phase 1 of the Flood Alleviation Scheme measures 7.2 hectares and relates to the area comprising the the site of the proposed weir and upstream to Ecclesden Farm track. The area of farmland upstream to Ecclesden Farm track which is located in the South Downs National Park would function as a temporary storm water storage area.
TOPOGRAPHY	The site of the proposed weir is gently sloping from north to south with a steeper slope to a dip as it joins Water Lane next to the Black Ditch.
TREES	The site includes a mix of water tolerant trees and hedgerows, but none of any significance affected by the proposed construction of the weir.
BOUNDARY TREATMENT	The site of the proposed weir on Land South of Water Lane is bounded by post and rail fencing and hedgerows and hedgerow trees along the northern, eastern and western boundaries and by open fields to the south.
SITE CHARACTERISTICS	The site of the proposed weir comprises part of the Black Ditch and land approved for the culverted embankment on Land South of Water Lane; and Phase 1 of the Flood Alleviation Scheme includes land in the South Downs National Park comprising the Black Ditch south and east of the A280, together with agricultural land. There are no designated heritage assets within the site. The site is bounded by Avenals Farmhouse (listed farmhouse) and Barn to the west; by open fields to the south, which will be developed for housing as part of the Land South of Water Lane development (A/99/17/OUT, A/109/20/RES and A/179/20/RES); and by Water Lane to the north. To the north

of Water Lane is land that has outline planning permission (A/40/18/OUT) for 525 dwellings and for employment uses. The land within Phase 1 of the Flood Alleviation Scheme extends eastwards beyond the A280 to Ecclesden Farm track.

CHARACTER OF LOCALITY

The area is rural in character with the South Downs National Park to the north beyond the A27. The proposal includes land within the National Park to the east of the A280. Angmering village centre is within 900 metres of the site, and the village centre is accessed from Water Lane. Angmering Conservation Area lies to the south west of the site.

RELEVANT SITE HISTORY

A/99/17/OUT	Outline application with some matters reserved (Access only) for development up to 175 No. residential dwellings, public open space, play areas with associated infrastructure including roads, drainage & landscaping. This application affects the character & appearance of Angmering Conservation Area & the setting of Listed Buildings.	App Cond with S106 12-03-19
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A/109/20/res	Approval of reserved matters following outline consent A/99/17/OUT for 175 No dwellings & associated infrastructure. This application may affect the setting of a listed building, may affect the character & appearance of the Angmering Conservation Area & falls within Strategic Site SD9, CIL Zone 1 (Zero Rated).	ApproveConditionally 04-02-21
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A/179/20/RES	Approval of reserved matters (appearance, layout, scale and landscaping) following outline consent A/99/17/OUT, for a culverted embankment.	ApproveConditionally 05-02-21
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A/110/20/RES	Approval of reserved matters following A/99/17/OUT for the Bridge over the Black Ditch providing access to the approved development. This application may affect the setting of listed buildings, may affect the character & appearance of the Angmering Conservation Area & falls within Strategic Site SD9, CIL Zone 1 (Zero Rated).	Withdrawn 04-12-20
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REPRESENTATIONS

ANGMERING PARISH COUNCIL
Support.

Approval should be given as a matter of urgency. Funds for this and the remainder of the Flood Alleviation Scheme (FAS) should be made available to avoid any further flooding in the village.

6 letters of support on the following grounds:

- Proposal looks good and it should be built as soon as possible.
- Proposal would help households in Water Lane/The Square who have suffered flooding.
- It is expected that further phases will come forward to deliver flood protection.
- Sufficient funding should be made available through S106 and CIL.
- Angmering Village flooded on 20th October 2021; the last major flooding event was 10 years ago.
- The FAS should have been implemented before the mass housebuilding around Angmering.
- Question the EA's response: the existing culverted part of Black Ditch is hydraulically inadequate to convey peak flows; how silt will be removed is irrelevant; half a km of highway culvert is a significant impediment to eel passage.

COMMENTS ON REPRESENTATIONS RECEIVED:

All planning related comments are noted and covered in the Conclusions section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

LOCAL HIGHWAY AUTHORITY:

No objection.

LEAD LOCAL FLOOD AUTHORITY (LLFA):

Support.

The proposal is essential for the overall Flood Alleviation Scheme.

SOUTH DOWNS NATIONAL PARK AUTHORITY:

No objection.

Following the submission of the breeding bird study and confirmation from ADC Ecology that they are satisfied with all of the ecological surveys that have been submitted, there is nothing further the SDNPA can add and raise no objection.

ENVIRONMENT AGENCY:

No objection.

ADC DRAINAGE:

No objection.

NATURAL ENGLAND:

No comments to make on this application.

ADC ECOLOGY:

No objection.

Confirmation has been provided of the unsuitability of the site for Great Crested Newts. A condition is required whereby ecological enhancements proposed in the Breeding Bird Survey and the other surveys and the Landscape and Environmental Management Plan should be implemented.

ADC GREENSPACE:

No objection.

ADC ARCHAEOLOGY:

No objection.

ADC CONSERVATION OFFICER:

The proposed weir is a functional, engineered structure. The site for the weir is located to the immediate south of Water Lane and is in close proximity to two listed buildings: Weavers Cottage and Avenals Farmhouse. The location of the weir to the east of the culverted embankment, along with existing landscape screening would help to ensure that the weir would not impact upon the setting of the heritage assets. The proposal would not cause harm to the significance of the heritage assets or their setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments. You will also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

ADC ARBORICULTURE:

No consultation response was submitted.

COMMENTS ON CONSULTATION RESPONSES:

All planning related comments are noted and covered in the Conclusions section of this report.

The Lead Local Flood Authority has circulated a stakeholder letter to the South Downs National Park Authority, the Environment Agency, Natural England and the LPA regarding the approach being taken with regard to Phase 2 of the Flood Alleviation Scheme seeking further guidance on ecological assessment within the National Park. Phase 2 of the Flood Alleviation Scheme will be the subject of a separate planning application.

POLICY CONTEXT

Designation applicable to site:

The weir would be located within the Angmering North Strategic Allocation in the Arun Local Plan.

The weir would be located within the Built-Up Area Boundary in the Arun Local Plan.

The temporary storm-water storage would be located in the countryside in the South Downs National Park.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
GISP1	GI SP1 Green Infrastructure and Development
HERDM1	HER DM1 Listed Buildings
LANDM1	LAN DM1 Protection of landscape character
HERDM3	HER DM3 Conservation Areas
INFSP1	INF SP1 Infrastructure provision and implementation
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary

CSP1	C SP1 Countryside
HSP2	H SP2 Strategic Site Allocations
HSP2C	H SP2c Inland Arun
WDM2	W DM2 Flood Risk

[Angmering Neighbourhood Plan 2014 POLICY EH3](#) Flood Prevention

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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POLICY COMMENTARY

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

Relevant South Downs National Park Local Plan (2014-2033) policies have been taken account of and are addressed in the Conclusions section of this report. The South Downs Local Plan was adopted on 2nd July 2019.

Relevant Angmering Neighbourhood Plan (NP) policies have been taken account of and are addressed in the Conclusions section of this report. The Angmering NP was made on 11th March 2015 and is therefore over 2 years old and therefore has limited weight.

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."

Section 70(2) of TCPA provides that:-

- (2) In dealing with an application for planning permission the authority shall have regard to:
- (a) the provisions of the development plan, so far as material to the application,
 - a post-examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

The development is considered to comply with relevant Development Plan policies as the location, design, appearance, scale and layout of the weir is acceptable. The proposed weir would be a functional, highly engineered structure which together with the temporary storm water storage area would serve as part of the flood alleviation scheme, reducing incidents of flooding on Water Lane and in the centre of

Angmering.

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 identified by the Environment Agency as falling within Flood Zone 2 (with an area of Flood Zone 3). A Flood Risk Assessment has been submitted which concludes that the flooding in the centre of Angmering is caused by a lack of capacity in the culverted section of the Black Ditch in Water Lane and in the village centre to accommodate the storm run-off from the upstream catchment, which extends up to 25km² into the South Downs. The topography of the land at the head of the Water Lane culvert offers significant storage capacity and the opportunity to restrict the flows on the Black Ditch and attenuate storm water at a number of locations. The overall intention of the Flood Alleviation Scheme would be to create upstream attenuation of storm water flows by holding water back by a weir, reducing the probability of the Water Lane culverts and downstream drainage surcharging; attenuated water would drain at a slower rate once the peak of the storm had passed, significantly reducing flooding in the centre of Angmering.

The red line plan includes land in the South Downs National Park (the Black Ditch south and east of the A280 and farmland which is proposed to be used as a temporary storm-water storage area. As there is no physical development or a change of use of the land proposed within the National Park, a cross boundary planning application is not required. This single planning application submitted to ADC for determination is acceptable.

Phase 1 of the Flood Alleviation Scheme would comprise a weir measuring 11.0m wide by 2.0m high, with a footprint of 32m², with two openings beneath, located just upstream (i.e. east) of the culverted embankment (A/179/20/RES) on which the access road to the Land South of Water Lane residential development (A/99/17/OUT and A/109/20/RES) would cross the Black Ditch. The weir would act as a 'throttling' mechanism and one of the two 1.3m wide openings would control the flow of storm water. Normal flows would pass through one of the two openings in the weir wall, but when storm flows increase beyond a rate of 1.8m³ per second, storm water would be held back behind the weir, creating temporary storm water storage upstream. The backwater effect would extend as far upstream as Ecclesden Farm Track. The Black Ditch floodplain would provide temporary storm water storage following heavy rain; and the approved culverted embankment has been designed to be over-sized to accommodate the storm water flows from upstream. The scale of change would be greatest immediately upstream of the culverted embankment where the extreme storm water surges would effectively result in an increase in flood depth over the baseline of 0.4 metres.

The implementation of Phase 1 of the Angmering FAS would reduce the number of storm water events flooding the centre of Angmering, but more significant storms would exceed the capacity of the weir and would contribute to storm water run-off in the centre of Angmering which would cause flooding. The proposed development of Phase 1 complies with Policy W DM2 of the Local Plan, Policy EH3 of the Angmering Neighbourhood Plan and the NPPF.

The completion of Phase 2 (as part of a subsequent planning application) would additionally attenuate water upstream of Ecclesden Farm track to allow an overall attenuation in the catchment which would significantly reduce flooding in the centre of Angmering. Cumulatively, Phases 1 and 2 of the Angmering FAS would extend from just downstream of the Southern Water Treatment Works nearing the Patching

roundabout on the A27 to the Weavers Hill trash screen at the top of Water Lane.

In response to the Environment Agency's (EA) initial request for further information, other options considered by the EA are set out in Angmering Flood Alleviation Scheme Options Modelling Report dated 4 December 2018. A series of options have been considered by the Lead Local Flood Authority, since the original FRA for the scheme compiled in October 2020 considered flow restrictions on the Black Ditch at 4 further locations in addition to the culverted embankment. The restrictions on flow on the Black Ditch are now focused on only 1 additional location in the area upstream of Ecclesden Farm. Other options have been considered and continue to be considered for flow routes independent of the Black Ditch but the primary focus at this stage is the Black Ditch. Some siltation would occur during extreme storm events; the Lead Local Flood Authority has commissioned WSP to model this and evaluate the most effective means of mitigating this problem; and the mitigation measures should be conditioned. In terms of enhancements, a stepped channel is required proposed for stretches along one or both sides of the Black Ditch, with the base about 0.5m above the channel invert to allow for regular inflows. The invert level of the two openings in the weir are at the same invert level as the main channel allowing based flows, and any eels or lamprey present, would pass through unimpeded. The Environment Agency is raising no objection following the submission and assessment of this further information.

Angmering Advisory Group meeting:

A presentation was given at the Angmering Advisory Group meeting on 22nd September 2021 where there was a discussion about the merits of the scheme and members gave their support for Phase 1 of the Flood Alleviation Scheme (FAS).

ASSESSMENT

An assessment of the proposed weir and the temporary storm water storage basin is set out below.

SCALE

The scale of the proposed weir is relatively small covering 32m² and it would be located immediately upstream of the approved culverted embankment. The main impact of the scheme is upon the hydrology of the Black Ditch. The scale of change to water levels would be greatest upstream of the weir where, following a significant storm event, the increase in flood depth over the baseline would be up to 0.4m. Changes in water levels upstream of the A280 culvert, however, are not predicted to exceed 0.14m over baseline flood levels. The storage is temporary in nature however, and the additional water volumes would drain away to resume normal seasonal levels within a period of 13 hours.

APPEARANCE

The proposed weir would be constructed of pre-cast reinforced concrete and it would have the appearance of a highly engineered flood defence structure (Drawing No. ANG-WSP-XX-ZZ-DR-D-0003 Rev. P01). The weir would be located within an area of established trees and hedges growing within and alongside the Black Ditch. The weir would be adopted and maintained in full working order by West Sussex County Council. The functional appearance of the weir is highly engineered and it is acceptable and it complies with Policy D DM1(1) and Policy D SP1 of the Local Plan and the NPPF.

ACCESS

The weir would be accessed via the road over the Black Ditch which would be constructed on the approved culverted embankment (A/179/20/RES).

LANDSCAPE

The site is partly within the South Downs National Park. The statutory purposes of the National Park are:
1) to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and
2) to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public.

It is a duty of the LPA to assess the application carefully as to whether the proposed weir and the temporary storm-water storage basin would have a significant impact on or harm those statutory purposes. Paragraph 176 of the NPPF (2021) sets out the Duty of Regard for LPAs when dealing with planning applications within or affecting the setting of a National Park: "great weight should be given to conserving landscape and scenic beauty in National Parks which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas and should be given great weight in National Parks".

The impacts of the proposed development upon the landscape of the National Park would be limited and would be temporary in nature comprising storm water storage in the farmland within the National Park. The proposed weir and temporary storm water storage within the floodplain would not adversely impact upon the landscape setting or views into or out of the National Park and the proposal complies with Policy LAN DM1 of the Local Plan, Policy SD11 of the South Downs Local Plan and the National Planning Policy Framework, as storage would only be used during storm events and the weir is only 2.0 metres high and it would be partly screened from view from the north and west by the culverted embankment.

BIODIVERSITY

The SDNPA requested the submission of a Breeding Bird Survey to determine the impact of the scheme on ecology within the red line area inside the National Park; this survey has been submitted and ADC Ecology and the SDNPA are satisfied with the results. The impacts upstream of the proposed weir within the National Park and within the red line area have been considered and documented in the Screening Request. The upstream changes to water levels as a consequence of Phase 1 of the FAS are within the natural variation in flood levels that already occur during winter storms. The assessment of impacts is set out within the Request for the Screen Opinion and concludes: "review of available evidence suggests that there is no significant negative impact from the Angmering FAS on priority habitats or species. This conclusion is borne out by the response from Natural England to the Screening Request which concluded: it does not look like the proposed area is closely connected / impacting upon any designated sites or priority habitats/species (of principle importance under the NERC Act)."

The starting point for the ecological surveys was a Preliminary Ecological Assessment for the Flood Alleviation Scheme undertaken by Mott MacDonald in 2018. This shows the extent of the water vole survey that wholly includes the area for Phase 1 inside the SDNP. During the survey no individuals or evidence of activity (latrines, feeding station and or borrows) was identified. However suitable habitat on site was identified to support these species of which the eastern section of Black Ditch that runs adjacent to the A280 from Patching. The assessment of ecological effects on key species including water voles and great crested newts is documented in the Request for a Screening Opinion submitted by the LLFA in support of this planning application on 20 August 21. This assessment was made on the basis of the baseline information provided in the Mott MacDonald Ecological Assessment, and the modelled changes in water levels that, in the SDNP, are estimated to be between 0.0 and 0.14m for a duration of less than 24 hours. In response to the planning application and specifically, the recommendation of the SDNPA, further ecological consultee advice was sought on the requirement for additional survey work within the SDNP in the context of the predicted water level changes. The response provided by James Blake Associates was that further ecological survey is not required at this time and the SDNPA has withdrawn its objections. ADC Ecology confirmed on 1 November that their previous concerns had been addressed. The LPA is satisfied that no further ecological information is required.

Ecological mitigation measures have been approved as part of A/179/20/RES including the planting of a hedgerow along the north bank of the Black Ditch that would be beneficial for nesting of some species of birds; this enhancement was at the specific request of the Lead Local Flood Authority. Following the granting of planning permission for Phase 1, the intention will be to proceed without further delay with

construction of the Flood Alleviation Scheme using BDW's principal contractor for the development, OHOB Ltd. This would allow the Lead Local Flood Authority to work in partnership with BDW for the minor adjustments to levels required for the FAS; this window of opportunity remains open at present but it is finite.

The Preliminary Ecological Appraisal, Ecological Walkover Survey (March 2020), the Water Vole and Otter Survey (August 2020), the Reptile Survey (May 2020), the Breeding Bird Survey (September 2020) and the Ecological Management and Maintenance Plan (November 2020) which were submitted for the approved residential development on Land South of Water Lane and have been re-submitted with A/184/21/PL. No reptiles were recorded using the artificial refuges during the survey period; and no evidence of otter and water vole was recorded during either site survey. Further protected species surveys are recommended prior to development for reptiles, breeding birds, great crested newts, nesting birds, hedgehogs, dormouse, bats, water vole and otters; and an updated badger check should also be undertaken within 6 months of any ground works/construction activities; and appropriate mitigation measures devised. The main habitats within the site boundary are of relatively low value to biodiversity, the exception being some scrub and of the boundary hedgerows which while species poor provide a connective habitat for different species.

The ecological enhancements proposed in the Ecological Walkover Survey, the Water Vole and Otter Survey, the Reptile Survey, the Landscape and Ecological Management and Maintenance Plan, and the Breeding Bird Survey include the planting of aquatic species in and around the Black Ditch to provide food plants for water voles; strimming of overgrown scrub vegetation on the banks of the Black Ditch to allow growth of aquatic plants; the planting of rough grassland to attract invertebrates and foraging reptiles; scrub and scattered trees should be retained and enhanced to create corridors and shelter/foraging areas for bats, birds, hedgehogs and small mammals; ensure there are sufficient areas of habitat (e.g. logs, stones and rough vegetation at the ditch edge) for amphibians to hibernate; and all clearance activities are undertaken outside of the bird breeding season (March - September inclusive). The proposed ecological enhancements are acceptable and should be conditioned. Consequently, subject to the imposition of a condition for the implementation of the ecological enhancements, the proposed development complies with Policy ENV DM5 of the Local Plan, Policy SD9 and Policy SD17 of the South Downs Local Plan and the National Planning Policy Framework.

HERITAGE ASSETS

The site of the proposed weir is located some distance to the north east of the Angmering Conservation Area. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Listed Buildings Act) says: "In considering whether to grant planning permission 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".

The proposal has sought to minimise the impact of the weir on the significance of Angmering Conservation Area, Avenals Farm (listed farmhouse) and Weavers Cottage through the siting of the weir upstream of the approved culverted embankment. With the landscaping that has been approved under A/109/20/RES for the residential development on Land South of Water Lane, it is thought that, on balance, the landscape screening would help to ensure that the weir would not cause harm to the significance of the heritage assets or the setting of Avenals Farmhouse, Weavers Cottage or Angmering Conservation Area.

The proposed weir is acceptable and complies with Policy HER DM1 and Policy HER DM1 of the Local Plan and Policy SD13 of the South Downs Local Plan in terms of impact on Avenals Farm (listed farmhouse), Weavers Cottage and on Angmering Conservation Area; the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), as it

protects the setting of the Avenals Farm (listed farmhouse), the setting of Weavers Cottage and the setting of Angmering Conservation Area.

RESIDENTIAL AMENITY

The construction phase of the weir would result in noise and dust generation on local residents, but these effects are likely to be short lived and not significant. There would be no safety issues with the proposed development. A condition should be imposed controlling the hours of construction to protect the amenity of local residents. Subject to a condition controlling the hours of construction, the proposed development complies with Policy D DM1(3) of the Local Plan in terms of the impact on neighbouring residential amenity.

SUMMARY

The proposed weir and the temporary storm water storage basin upstream of the weir are acceptable. The proposed weir would constitute a functional, highly engineered structure upstream of the culverted embankment which would serve as part of the wider flood alleviation scheme for Angmering. The proposed development complies with Policy W DM2 of the Local Plan, Policy EH3 of the Angmering Neighbourhood Plan, Policy SD9, Policy SD11, Policy SD13 and Policy SD17 of the South Downs Local Plan and the National Planning Policy Framework as it would reduce the frequency and severity of storm water events flooding the centre of Angmering.

RECOMMENDATION

It is recommended that this application is approved and the following conditions be imposed.

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 and submitted documents:

- Location Plan: Angmering Flood Alleviation Scheme Phase 1.
- Drawing No. ANG-WSP-XX-ZZ-DR-D-0003 Rev. P01 - Flood Alleviation Scheme - Water Lane: Indicative flow control structure Plan & Section.
- Design and Access Statement for Angmering Flood Alleviation Scheme Phase 1, 19th August 2021.
- Flood Risk Assessment for Angmering Flood Alleviation Scheme V1.0, dated 16th October 2020.
- Modelling Technical Note for Angmering Flood Alleviation Scheme, October 2020.
- Supplement for Angmering Flood Alleviation Scheme (Phase 1 Submission), August 2020.
- Angmering Flood Alleviation Scheme: Preliminary Ecological Appraisal, 9th November 2018.
- Ecological Walkover Survey of Land at Water Lane, Angmering, March 2020.
- Water Vole and Otter Survey of Land at Water Lane, Angmering, August 2020.
- Reptile Survey of Land at Water Lane, Angmering, May 2020.
- Landscape and Ecological Management and Maintenance Plan (Ref. JBA 19/283 Rev. C), November 2020.
- Breeding Bird Survey of Land South of Water Lane, Angmering, September 2020, prepared by James Blake Associates Ltd.

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 construction activities shall take place other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no activities taking place on Sunday or Bank Holidays.

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

- 4 Prior to the commencement of construction works a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for approval in writing and will be based on the recommendations within the submitted Ecological Walkover Survey of Land at Water Lane, Angmering, March 2020, the Water Vole and Otter Survey of Land at Water Lane, Angmering, August 2020, the Reptile Survey of Land at Water Lane, Angmering, May 2020, the Landscape and Ecological Management and Maintenance Plan (Ref. JBA 19/283 Rev. C), November 2020 and the Breeding Bird Survey of Land South of Water Lane, Angmering, September 2020. All the approved details shall then be implemented in full and in accordance with the agreed timings and details.

The LEMP shall include but not be restricted to:

- ensure there are sufficient areas for water voles to access the banks/burrows with the installation of hard engineering features/pipework;
- the planting of aquatic species in and around the Black Ditch to provide food plants for water voles;
- the strimming of overgrown scrub vegetation on the banks of the Black Ditch to allow growth

of aquatic plants;

- the planting of rough grassland to attract invertebrates and foraging reptiles;
- scrub and scattered trees should be retained and enhanced to create corridors and shelter/foraging areas for bats, birds, hedgehogs and small mammals;
- ensure there are sufficient areas of habitat (e.g. logs, stones and rough vegetation at the edge of the Black Ditch) for amphibians to hibernate;
- all clearance activities are undertaken outside of the bird breeding season (March - September inclusive).

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national guidance and Policy ENV DM4, Policy ENV DM5 and Policy ENV SP1 of the Arun Local Plan and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to protect wildlife and habitats on site prior to any disturbance.

5 INFORMATIVE: The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it is a tidal main river) and you do not already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing psowestsussex@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and the Environment Agency advise you to consult with them at the earliest opportunity.

6 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.