

Recommendation Report for Outline Consent

REF NO: A/227/21/OUT

LOCATION: Wilmington
Arundel Road
Angmering
BN16 4ET

PROPOSAL: Outline application with all matters reserved (except access) for the erection of 7 no. residential dwellings, vehicular & pedestrian access, with all matters reserved except for access. This application is a Departure from the Development Plan (Countryside).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. Outline application, with all matters reserved except for access, for the development of 7 new dwellings. An indicative layout has been provided but layout is a reserved matter. The proposed vehicular and pedestrian site access is to be located to the north of the property 'Wilmington' off (west) of Arundel Road.
SITE AREA	0.7 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	10 dph.
TOPOGRAPHY	Predominantly flat.
TREES	Established oak trees on and around the site (some higher value of Category A and B). Adjacent woodland.
BOUNDARY TREATMENT	Frontage onto Arundel Road, timber post and rail and hedging. Sides and rear boundaries - close board timber fence panelling, hedging and trees.
SITE CHARACTERISTICS	Garden land to rear of property 'Wilmington', and field to side/rear.
CHARACTER OF LOCALITY	Semi-rural. Countryside to the north of Angmering village, scattered dwellings along Arundel Road, just south of junction with A27.

REPRESENTATIONS

Angmering Parish Council -
No objection.

8 objection letters were received, summarised as follows;

- Concerns about highways safety issues for proposed site access onto this part of Arundel Road near A27 Hammerpot junction (which is an accident black spot).
- Arundel Road currently congested with traffic making conditions difficult for children getting to the 2 primary schools on Arundel Road. Already new housing being constructed on this road and proposals

will make situation worse.

- More housing in the area will put too much additional pressure on infrastructure (doctors, dentist, school, village facilities) in the village which cannot support more dwellings.
- Increase existing flooding issues.
- Loss of green space, natural woodland.
- Damage to local ecosystem. Deers and bats present in the area. Surrounding fields are home and breeding ground for skylarks. Proposals will result in their loss of habitat.

1 no objection on the grounds that it respects its location.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in Conclusions section of report.

- No objection from WSCC Highways in respect of site access and highways safety.
- Community Infrastructure Levy (CIL) payments will be required which will contribute to costs for local infrastructure.
- Subject to sustainable drainage scheme, proposals will be adequately drained and not result in unacceptable flood risk.
- No objection from the Council's Ecology Officer, subject to planning conditions to accord with the recommendations of the Ecology Mitigation and Enhancement Strategy submitted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Landscape Officer -

No objection, subject to submission for approval of a detailed landscape scheme.

The potential impact of the proposals would blend into the location with the implementation of a robust landscape scheme. The location of this proposed development would not have an impact on street scene because of the access and the existing green infrastructure. A full landscape scheme will need to be submitted for approval, or conditioned as part of any approval.

South Downs National Park Authority -

No objection.

In between the site and the National Park boundary there is the A27, intervening development and areas of woodland which encloses the site. In this respect, any significant visual impact upon the setting of the National Park is unlikely. If the Local Planning Authority are minded to approve the application, the South Downs National Park encourages conditions to achieve a sensitive approach to any external lighting scheme at the Reserved Matters stage. For further general advice, which may be of assistance, in the event planning permission is granted it is recommended at the Reserved Matters stage that the scheme incorporates sufficient native species within the landscape scheme that are consistent with local landscape character and it delivers joined up green infrastructure through the site and its surroundings.

Environmental Health -

No objection.

Recommend planning conditions; land contamination, unsuspected land contamination, Construction Management Plan, Noise Impact Assessment, External Lighting Condition.

WSCC Highways -

No objection.

Site access visibility splays acceptable, records indicate the site access has been operating in a safe manner in its present form, swept path analysis shows vehicles can enter the development and turn around within the site using the turning heads and exit in forward gear. In conclusion, in light of the scale of the development, the form of access is in principle acceptable. Do not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (NPPF), paragraphs 110 -113, 2021, and no transport grounds to resist this proposal. If the Local Planning Authority (LPA) are minded to approve the application, then a condition should be applied requiring no part of the development to be occupied until the vehicular access to serve the development has been constructed in accordance with the approved details.

National Highways -

No objection.

Satisfied that the proposals would not have an unacceptable impact upon the safety, reliability and operation of the Strategic Road Network (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10 and MHCLG NPPF 2021 paragraphs 110-113) in this location and its vicinity.

WSCC Fire & Rescue -

No objection.

Suggest a planning condition for the requirement of an additional fire hydrant. Currently the nearest hydrant to these proposed properties is 240 metres away. The supply of water for firefighting for a domestic premises should be within 175 metres. Evidence will also be required that Fire Service vehicle access meets with the requirements identified in Approved Document B Volume 1 2019 Edition: B5 Section 13, including Table 13.1 and diagram 13.1.

Lead Local Flood Authority (WSCC) -

No objection.

ADC Drainage Engineer -

Holding objection.

However, if LPA recommend approval advise pre-commencement conditions to secure surface water drainage scheme, details about discharge to watercourses, and maintenance and management of surface water drainage scheme.

Southern Water -

No objection.

Standard advisories; a formal application needing to be made by the developer to SW to connect to the public sewer network, if a new on-site drainage and pumping station is proposed then this will have to be designed to a specification of SW, actions to be taken if public sewer is found to cross the site, and impact of works within the highway/access road on public apparatus must be assessed and approved in consultation with SW. Also request an informative that construction of the development shall not commence until details of the means of foul water (and surface water) drainage have been submitted to and approved by the LPA, in consultation with SW.

Ecology Officer -

No objection.

Recommend conditions to secure mitigation measures and enhancements as set out in Ecological Mitigation and Enhancement Strategy (EMES) (Oct 2021) and accompanying Biodiversity Net Gain Site Plan take place. The scheme will need to replace any damaged bat and dormouse boxes for the period of proposed monitoring. Full details on how the habitats and enhancements onsite will be managed during the construction phase and post construction will need to be included within the Construction Environmental Management Plan (CEMP) and Landscape and Management Plan (LEMP) as part of a

reserve matters application.

Natural England -

No objection.

Based on the plans submitted the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Tree Officer -

No objection.

Subject to appropriate final layout, surface water drainage and landscape strategy, scheme will have acceptable impact on trees. Recommend the making of a Tree Preservation Order in respect of (PJC refs.) pedunculate oaks T1, T2, T3, T4, T5, T7, T11, T12, T13, T15, T19 & woodland compartment NE and inclusive of G30 to preserve their place in the landscape.

WSCC Minerals and Waste -

No objection.

The application site is within an area identified for the safeguarding of existing waste operations; however, our mapping records suggest that the operator within this area has since ceased operations. It is likely that we have been consulted in error on the basis that the mapping records are outdated. That said, if the determining authority is aware of any waste operations within the area, then please could this information be relayed to us and the MWPA re-consulted. Subject to the above, the MWPA would offer No Objection to the proposed development.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in Conclusion section of report.

POLICY CONTEXT

Designation applicable to site:

Outside Built-Up Area Boundary

Countryside

Area prone to groundwater flooding

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
LANDM1	LAN DM1 Protection of landscape character
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development

WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
TELDM1	TEL DM1 Telecommunications
INFSP1	INF SP1 Infrastructure provision and implementation

[Angmering Neighbourhood Plan 2014 POLICY EH2](#) Protect the Landscape setting of the South Downs National Park

Angmering Neighbourhood Plan 2014 POLICY EH3 Flood Prevention

Angmering Neighbourhood Plan 2014 POLICY HD1 Built-up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design

Angmering Neighbourhood Plan 2014 POLICY HD7 Housing Density

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 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 policies contained within the Angmering Neighbourhood Plan are relevant in the determination of this planning application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that;

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

The proposal is considered to fail to comply with relevant Development Plan policies in that it would result in new development outside the Built-Up Area Boundary within the Countryside, contrary to policies C SP1 and SP SD2 of the Arun Local Plan and policy HD1 of the Angmering Neighbourhood Plan.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to be weighed in the balance with the Development Plan. This other material consideration is the NPPF's presumption in favour of sustainable development, which is engaged due to the Council's current lack of a 5 year housing land supply.

CONCLUSIONS

KEY ISSUES:

The key issues in the determination of this application are as follows;

- Principle of development.
- Visual amenity and landscape impact.
- Site access and highways impact.

Other matters of consideration include; drainage, land contamination, ecology and trees.

PRINCIPLE OF DEVELOPMENT -

The site is located outside the Built-Up Area Boundary (BUAB), in the designated Countryside. New development should be focussed within the BUAB, according to Arun Local Plan (ALP) policy SP SD2 and policy HD1 of the Angmering Neighbourhood Plan (ANP). New dwellings in the countryside are normally precluded by ALP countryside policy C SP1, and considered unacceptable in principle, unless it meets certain exception tests. The outline proposal for 7 new dwellings in this location in this case does not meet any of the exception tests of policy C SP1 and is in conflict with policies SD SP2 and C SP1 of the ALP and policy HD1 of the ANP, so is unacceptable in principle, according to the Development Plan.

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- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

In this case, given the application relates to the supply of new housing, another material consideration in the determination of this application is the Council's current lack of a 5 year housing land supply (3.3 years) which means the Development Plan's housing policies are considered out of date and the NPPF's para 11 'presumption in favour of sustainable development' is engaged.

Paragraph 8 of the NPPF sets out the three objectives of 'sustainable development'; economic, social and environmental. The proposal is considered to overall represent 'sustainable development' since it would satisfy the objectives in the following ways:

Economic objective - proposals would result in; an increase in Council Tax receipts; potential 'New Homes Bonus' payments from the Government; financial contributions towards local libraries, education establishments, healthcare facilities and play areas via CIL; the creation of new or maintenance of existing construction jobs; and additional spending by new residents on local goods & services.

Social objective - proposals would result in; the supply of 7 new homes to help meet future housing needs.

Environmental objective - proposals are located in a relatively sustainable location with local shops and facilities, bus routes and the train station in Angmering village being accessible by foot or bicycle, and the proposals in principle would not result in significant visual harm to the countryside.

Paragraph 11 of the NPPF states that there is a 'presumption in favour of sustainable development' and that where development policies are out of date (including for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites) planning permission will be granted unless:

(i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

(i) does not apply to this determination as the site does not lie in a protected area/landscape and is not or near a protected heritage asset that would be significantly affected. The part (ii) test, adverse impacts, are considered in detail in the proceeding sections of this report. It is concluded that in this case there would not be any adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits (set out above) and so in the tilted balance the NPPF's presumption outweighs the conflict with the Development Plan and the proposals can be granted planning permission.

VISUAL AMENITY AND LANDSCAPE IMPACT -

Para 174 of the NPPF (2021) states decisions should protect and enhance valued landscapes and recognise the intrinsic character and beauty of the countryside. Para 130 requires that applications for developments (b) are visually attractive as a result of good architecture and (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting. Para 134 states "Development that is not well designed should be refused".

Policy D SP1 of the ALP states development should seek to make efficient use of land but reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including; character, appearance, density, scale, innovation, adaptability, residential amenity impact, trees and crime prevention. New buildings should be harmonious with their surroundings and successfully integrate with the surrounding environment. ALP policy LAN DM1 states that development should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas.

Arun District Council Design Guide SPD (2021) provides detailed design guidance for developments in the District. This includes Section P.01 on Infill Development which provides detailed guidance on Backland Development. It states that backland development schemes should ensure it "Is in harmony with the prevailing character, building pattern and architectural style of the area" and "Protects residential amenity including access to outdoor space, privacy, and freedom from unacceptable levels of noise and overshadowing".

Policy HD4 of the ANP requires that "Developments...by virtue of their materials, which are clearly inharmonious with the immediate surrounding area will generally be refused." Policy HD5 of the ANP requires that "New developments must properly demonstrate how they have considered the impact of the proposed built form on their surroundings." in respect of established plot widths, maximum 2.5 storey height unless otherwise justified, integration of development with character of area and landscape setting and not adversely impact the landscape setting and views in or out of the South Downs National Park. Policy HD6 of the ANP requires that proposals for new development should demonstrate high quality design, reflect local distinctiveness, seek to incorporate local design features evident in buildings in the surrounding area, meet sustainable construction standards, retain important trees and hedgerows and include certain local architectural features. Policy HD7 states that "New residential developments that propose a site density greater than the immediate surrounding area will generally be refused unless clear justification can be provided to support the need for a higher density development and how effectively the design integrates into the surrounding built form or landscape." Policy EH2 also seeks to protect the landscape setting and views of the SDNP.

Whilst detailed design (including layout, scale and external appearance) is a matter to be assessed at Reserved Matters stage, it is appropriate at Outline application stage to assess whether the overall siting, scale and type of development proposed would have an acceptable visual impact in principle in the context of the character of this part of the land north of Angmering village.

The application site consists of a newly formed vehicular access road off Arundel Road running along the north of the property 'Wilmington' and rear garden land and a field to the rear of this house. The location of the proposed 7 dwellings is well-screened from Arundel Road by existing vegetation and tree groupings and the field itself is enclosed to the north and south by dense trees. As shown on the Illustrative Street Scene drawing, the dwellings are proposed to be 2 storeys in height which is reflective of other dwellings in the vicinity.

As such, given the siting of the proposed new dwellings set back from Arundel Road, their 2 storey scale, and the existing vegetative screening in relation to the site, the new dwellings would have limited visibility from Arundel Road and their presence would not have an intrusive harmful visual impact on the street scene. In addition, it is noted that a development of 160 dwellings (approved under A/122/19/OUT) on a strategic allocation is nearing completion on the part adjacent to the application site, and means the 7 new dwellings would be viewed in the context of this new build development too. The proposed development would be visually enclosed and physically separated by woodland from the open countryside and so would not be considered to visually encroach into the open countryside or harm landscape setting.

The plot sizes, building footprints and density would broadly reflect those of properties in the vicinity and the newly built properties on the adjacent strategic allocation site. These details of layout could be secured at reserved matters stage but the proposed quantum and density of development would be acceptable in principle and could be comfortably accommodated with no visual harm to the area.

The Council's Landscape Officer has commented, in respect of landscape impact, as follows:

The proposals would appear to present a scheme of well-spaced dwellings suitable for the size of the

plot. The potential impact of the proposals would blend into the location with the implementation of a robust landscape scheme to support this. The location of this proposed development would not have an impact on street scene in this location because of the access and the existing green infrastructure. A full landscape scheme will need to be submitted for approval, or conditioned as part of any approval. I would recommend no landscape objection to the proposals, subject to the submission for approval of a detailed landscape scheme as above.

The South Downs National Park (SDNP) is around 150m to the north of the application site. The SDNP Officer has commented as follows, in summary:

The National Park boundary lies to the north of the A27 and the site. From a desk based assessment, not aware of any particular footpaths from where elevated public vantage points of the site are possible. Indeed, the submission documentation is silent in regard to any considerations of the setting of the National Park and views unfortunately. Notwithstanding, in between the site and the National Park boundary there is the A27, intervening development and areas of woodland which encloses the site. In this respect, any significant visual impact upon the setting of the National Park is unlikely.

Particular regard should be given to the designation of the National Park as an International Dark Sky Reserve. Its dark night skies and tranquillity are recognised as special qualities of the National Park which need to be conserved and enhanced. Harmful light pollution can affect the setting of the National Park. No details on likely external lighting are apparent in the submission, however, it is appreciated that this is an outline application. If the Local Planning Authority are minded to approve the application, the SDNPA encourages conditions to achieve a sensitive approach to any external lighting scheme at the Reserved Matters stage and would welcome being consulted at that time.

For further general advice, which may be of assistance, in the event planning permission is granted it is recommended at the Reserved Matters stage that the scheme incorporates sufficient native species within the landscape scheme that are consistent with local landscape character and it delivers joined up green infrastructure through the site and its surroundings.

A planning condition can be used to secure details of any external lighting to the development to ensure it would have an acceptable impact on the character of the area, and landscape setting and views in relation to the SDNP.

In conclusion, the principle of locating 7 new two storey dwellings on the application site is acceptable in visual amenity, character and landscape setting terms, subject to details of layout, scale and external appearance (i.e. detailed design and materiality) to be secured at reserved matters stage. As such, the proposals would accord with the NPPF, policies D SP1, D DM1 and LAN DM1 of the Arun Local Plan and policies HD5, HD7 and EH2 of the Angmering Neighbourhood Plan.

RESIDENTIAL AMENITY IMPACT -

Para 130 (f) of the NPPF states development should have a high standard of amenity for existing and future users.

Policy D DM1 of the ALP states new development will have minimal impact to users and occupiers of nearby property and land, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. QE SP1 states the Council requires development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity. Policies QE DM1, QE DM2, QE DM3 and QE DM4 relate to noise, light, air and land pollution and the need for impacts from development to be controlled.

The ADC Design SPD includes detailed guidance on the protection of residential amenity, including setting out the required distances between properties to accord with the 45 and 25 degree tests for daylight/sunlight (Section G.03), required separation distances between habitable rooms to ensure privacy (Section H.04), measures to maintain privacy (Section J.02) and minimisation of impacts of noise and overshadowing (Section J.06).

Given the siting, separation distances, orientation and scale of the new dwellings shown on the indicative Block Plan they should not, for the most part, give rise to significant overshadowing, overbearing or overlooking impacts in respect of each other or the nearest property 'Wilmington'. It is noted that some of the separation distances on the indicative Block Plan fall under the required minimum separation distances as set out in the ADC Design Guide SPD to avoid overlooking and protect privacy. However, the site is large enough to accommodate 7 new dwellings comfortably whilst maintaining the minimum separation distances and can be designed with suitable window types, to ensure adequate privacy levels. This issue can be resolved at reserved matters stage when securing the final layout and external appearance of the development. The matter of scale to ensure no undue overbearing or overshadowing would also be secured at reserved matters stage.

In terms of noise and disturbance to neighbouring properties, the new vehicular access road to the new dwellings would be traversed alongside the northern boundary of the existing property 'Wilmington'. Subject to this being in the detailed design at reserved matters stage or being secured by planning condition as including the installation of an appropriate boundary treatment e.g. acoustic fencing/visual screening and smooth (quiet) road surfacing of the access road this would limit any noise and disturbance from comings and goings to the new dwellings. It is considered possible to achieve an acceptable impact on neighbouring residential amenity in this respect through the use of these measures.

The Council's Environmental Health Officer has commented on the application, and have recommended conditions in respect of a land contamination remediation strategy, unexpected contamination, a Construction Management Plan, noise impact assessment, and an external lighting condition. Subject to these conditions, the proposals would accord with policies QE SP1, QE DM1, QE DM2, QE DM3 and QE DM4 in respect of land, light, noise, and air pollution.

In conclusion, the principle of locating 7 new two storey dwellings on the application site is acceptable in residential amenity terms, subject to details of layout, scale and external appearance to be secured at reserved matters stage. As such, the proposals would accord with the NPPF and policies D DM1 and QE SP1 of the Arun Local Plan.

SITE ACCESS AND HIGHWAYS IMPACT -

Para 110 of the NPPF states in assessing specific applications for development it should be ensured that (b) safe and suitable access to the site can be achieved for all users. Para 111 of the NPPF states 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.

Policy T SP1 of the ALP requires development proposals to provide safe access on to the highway network and to incorporate appropriate levels of parking in line with adopted planning policies. ALP policy T DM1 requires development to make provision for facilities for sustainable modes of transport such as cycling, to meet the parking standards, including cycle storage. The ADC Design SPD (Sections I.01, I.02 and I.03) includes guidance on the provision and design of car parking, electric vehicle bays and charging points, and cycle parking.

Policy T DM1 of the ANP requires that "Proposals for new development shall demonstrate that adequate and satisfactory provision has been made to mitigate the impact of the traffic generated both during development and on completion." Policy HD8 states in respect of parking for new development "The Plan supports the WSCC parking standards and encourages all new development to follow them."

The current application is for outline permission with all matters reserved, except for access. The application proposes to form a new vehicular site access in the location of the existing pedestrian access to the front of 'Wilmington' which would run along the northern boundary of that site toward the plot of land at the rear and proposed new dwellings. A Transport Statement has been submitted with the application.

The Local Highways Authority (WSCC Highways) have raised no objections to the application, and provided comments summarised as follows;

The site is situated along Arundel Road which is subject to a national speed limit of 60mph, although this changes to 30mph a very short distance to the south. The site is currently occupied by a single dwelling 'Wilmington' with associated garden. Vehicular access into this property's grounds is currently taken in the form of a gated driveway which is around 5 metres wide. Pedestrian access into the plot is via a gated access adjacent to the building. The proposed access arrangements are shown on Drawing 2021-6307-001, within the submitted Transport Statement. This includes the existing vehicular access to be closed off and a new vehicular access being taken from the location of the existing pedestrian access. A simple bellmouth priority junction 4.8 metre wide supported by 6.0 corner radii with tactile paving is proposed. This is to facilitate vehicles and pedestrian movements, in line with DMRB CD123 design requirements. A shared surface arrangement is considered appropriate for lightly trafficked access.

Visibility from the site access has been considered in line with the visibility requirements for the adjacent approved development A/122/19/OUT. The Transport Assessment for planning application A/122/19/OUT identifies 85th percentile design speeds of 37mph. Drawing 2021-6307-001 within the TS for this current application demonstrates maximum achievable visibility splays of 82.5m to the south and 107.5m to the north. Visibility splays in both directions are in excess of the required 59 metre as per Manual for Street (MfS) requirements for a 37mph Design Speed.

WSCC's online record for road traffic collisions have been interrogated. This reveals there have been three incidents of 'slight' injury category near to the A27 junction, away from the site. However, there has been no incident recorded near to the existing site access, which indicates the site access has been operating in a safe manner in its present form.

Swept path analysis has been carried out for various vehicles accessing the development, including an estate car, large refuse freighter, fire tender and a large pumping vehicle. The analysis has shown that the vehicles can enter the development and turn around within the site using the turning heads and exit in forward gear.

In conclusion, in light of the scale of the development, the form of access is in principle acceptable. The Local Highway Authority (LHA) does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (NPPF), paragraphs 110 -113, 2021. Therefore, there are no transport grounds to resist this proposal. If the Local Planning Authority (LPA) are minded to approve the application, the a condition should be applied requiring no part of the development to be occupied until the vehicular access to serve the development has been constructed in accordance with the approved details.

The site is located a short distance to the south of the A27, part of the strategic road network (SRN).

National Highways (formally Highways England) have been consulted accordingly. They have raised no objection, confirming that they are satisfied that the proposals would not have an unacceptable impact upon the safety, reliability and operation of the SRN (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10 and MHCLG NPPF 2021 paragraphs 110-113) in this location and its vicinity.

Details of car and cycle parking and Electric Vehicle Charging Point provision, to accord with policies and standards set out above, would be secured at reserved matters stage.

WSCC Fire & Rescue suggest a planning condition for the requirement of an additional fire hydrant. Currently the nearest hydrant to these proposed properties is 240 metres away. The supply of water for firefighting for a domestic premises should be within 175 metres. Evidence will also be required that Fire Service vehicle access meets with the requirements identified in Approved Document B Volume 1 2019 Edition: B5 Section 13, including Table 13.1 and diagram 13.1.

In conclusion, the proposals would result in a suitable and safe site access and would result in an acceptable impact on the safety and operation of the local highways network and nearby A27 (part of the SRN). As such, the proposals would accord with the NPPF, T SP1 of the Arun Local Plan and T DM1 of the Angmering Neighbourhood Plan.

FLOOD RISK AND DRAINAGE IMPACT -

Arun Local Plan policy W DM2 sets out the requirements for development in areas at risk of flooding, including; the need for the sequential test, an FRA, adaptation and mitigation measures, flood warning and evacuation plans and site drainage plans. ALP policy W DM3 states that all development must identify opportunities to incorporate a range of Sustainable Urban Drainage (SUDs) systems. The ADC Design Guide SPD (Section K.04) requires that development incorporate Sustainable Drainage Systems (SUDs) and flood risk mitigation.

Policy EH3 of the Angmering Neighbourhood Plan states that "Angmering is categorised as at a medium to high risk of flooding from rainfall runoff from the land and is also a groundwater emergence zone and for these two criteria have been assigned the highest risk categories". It requires that new development ensure flood risk within the site is mitigated, that it does not increase flooding impact to surrounding areas and properties, and that it should incorporate sustainable urban drainage systems unless it is demonstrated that an alternative drainage system is appropriate.

The site is in the Environment Agency's (EA) Flood Zone 1 (lowest risk of flooding) and the plot is smaller than 1 hectare. As such, a Flood Risk Assessment is not required and the EA were not required to be consulted. As stated in policy EH3 of the ANP the area of Angmering is categorised as medium to high risk of flooding from surface water run off and is identified as a groundwater emergence zone. The Local Lead Flood Authority (WSCC) have been consulted in respect of surface water flood risk. They confirm that due to the scale of the development, they have no comments to make, and that WSCC does not at this time act as the SUDs approval body, this is managed by the Arun District Drainage Engineers.

The ADC Drainage Engineer has provided comments on the application, summarised as follows;

"The application documents include a Drainage Strategy Report. This strategy outlines that infiltration is not proposed due to the anticipated ground conditions. On site infiltration tests must be completed. Furthermore, we require winter groundwater monitoring to be completed even if infiltration is not proposed. This is to ensure that potential effects of floatation are appropriately mitigated in design.

The Drainage Strategy also appears to contradict itself. Within the text, the strategy states that it is proposed to construct a 'seepage trench' into which runoff will be discharged. The strategy appears to be

to allow the trench to fill and then spill overland towards the watercourse. The same feature is shown on the Arboricultural Impact Assessment Tree Protection Plan. This is in contrast to drawing D1991-PL301 which shows surface water being discharged at a restricted rate to a swale which conveys water to the watercourse north of the site boundary.

We would not consider approving a strategy which allows unrestricted flow of surface water to travel overland through third party land to the watercourse. If an overland conveyancy feature like the swale is proposed then the text and Tree Protection Plan need to be adjusted to make this clear. Please consult the Tree Officer regarding the placement of a pipe, swale, or seepage trench within the root protection areas that are shown.

If it is proposed that surface water will be drained to the watercourse then we would also need to see that the applicant has permission from the third party landowner to undertake and permanently install works on their land in order to do so. The applicant will also need to apply for Ordinary Watercourse Land Drainage Consent.

If permission is not granted by the landowner and infiltration is found to not be viable there is a risk that a sustainable drainage solution will not be found.

Therefore I wish to lodge a holding objection to the application. In order to overcome my objection the inconsistency between the documents must be rectified. Evidence of agreement from the third party landowner to a pipe/ditch/swale on their land connecting the surface water drainage system to the north must also be provided. In addition I would need to see a worst case drainage layout, with a discharge rate of 2l/s, which clearly shows how water could be conveyed to the watercourse without incurring on any tree root protection areas, or agreement from our Tree Officer that any necessary incursion may be acceptable.

However, if you are minded to approve the application please apply the following conditions to ensure that the development is adequately drained and does not increase flood risk elsewhere."

Since these comments were received, the applicant has submitted an updated Drainage Strategy (prepared by Bright Plan Civils, dated 13th Dec 2021).

No further comments have been received from the Council's Drainage Engineer in respect of the updated Drainage Strategy. However, given that this can be dealt with by pre-commencement planning conditions, these will be used to secure the information in respect of the surface water drainage scheme, discharge to watercourses, and maintenance and management of the surface water drainage strategy.

In respect of foul water drainage, Southern Water (SW) have provided comments, including standard advisories in respect of; a formal application needing to be made by the developer to SW to connect to the public sewer network, if a new on-site drainage and pumping station is proposed then this will have to be designed to a specification of SW, actions to be taken if public sewer is found to cross the site, and impact of works within the highway/access road on public apparatus must be assessed and approved in consultation with SW. They also request an informative that construction of the development shall not commence until details of the means of foul water (and surface water) drainage have been submitted to and approved by the LPA, in consultation with SW. This will be added as a pre-commencement planning condition.

In conclusion, subject to planning conditions in respect of surface and foul water drainage, the proposals would be adequately drained and not increase flood risk on site or elsewhere, in accordance with the NPPF, policies W DM2 and W DM3 of the Arun Local Plan and policy EH3 of the Angmering Neighbourhood Plan.

LAND CONTAMINATION:

Policy QE DM4 of the Arun Local Plan relates to land contamination.

The applicant has submitted the following assessment: Phase 1 Desk-top Study and Phase 2 Preliminary and Quantitative Ground Contamination Risk Assessment, carried out by Ashdown Site Investigation Limited.

The Council's Environmental Health Officer has confirmed that the Ground Condition reports in particular showed levels of priority pollutant including PAH and Hydrocarbon and risk found within made ground and traces of asbestos, and that they are happy to approve the submitted reports, subject to a remediation strategy being secured by planning condition. They also recommend the unexpected land contamination planning condition be applied. Subject to this, any land contamination will be dealt with appropriately, in accordance with policy QE DM4 of the Arun Local Plan.

ECOLOGY -

In terms of legislation, development will need to avoid impacts on legally protected species, and where this is not possible, mitigation or compensation will be necessary and a Licence from Natural England may be required. Paras 174 and 180 of the NPPF indicates that developments should aim to protect or enhance biodiversity, minimise impacts on it, and provide net gains to biodiversity. Net Biodiversity Gain is an important aspect of the Environment Act and the NPPF. Arun Local Plan policy ENV DM5 states development shall seek to achieve a net gain in biodiversity and protect existing habitats on site.

An Ecological Mitigation and Enhancement Strategy (EMES) and a Biodiversity Net Gain Assessment has been submitted with the application (prepared by CSA Environmental, dated October 2021).

The Council's Ecology Officer has provided comments, summarised as follows;

"Mitigation detailed in Section 4 of the Ecological Mitigation and Enhancement Strategy (EMES) (Oct 2021) is suitable and conditions should be used to ensure this takes place.

The site enhancements detailed in Section 5 of the EMES (Oct 2021) and accompanying BNG site plan fulfil our requirements. A condition should be used to ensure this takes place.

We are pleased to see that the site will continue to monitor for bats and dormice as part of the scheme. However, to ensure this monitoring can take place we require the scheme to replace any damaged bat and dormouse boxes for this period.

Full details on how the habitats and enhancements onsite will be managed during the construction phase and post construction will need to be included within the Construction Environmental Management Plan (CEMP) and Landscape and Management Plan (LEMP) as part of a reserved matters application."

Natural England have confirmed that they have no objection to the proposals, and that based on the plans submitted the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

In conclusion, subject to planning conditions, the proposed development will have an acceptable impact on ecology and will result in a net gain in biodiversity, in accordance with the relevant legislation, NPPF, and policy ENV DM5 of the Arun Local Plan.

TREES -

Arun Local Plan policy ENV DM4 seeks to protect trees with TPOs, identified as Ancient Woodland, in Conservation Areas, or that contribute to local amenity.

Policy HD6 of the Angmering Neighbourhood Plan states " Layouts must retain important trees and hedgerows. The planting of new trees and shrubs of similar species to those already evident in the immediate surroundings shall be encouraged."

The application is accompanied by an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan (prepared by PJC Consultancy, dated 1st October 2021).

The Council's Tree Officer has provided comments, as follows;

"The applicants have employed PJC Consultancy to prepare an Arboricultural Impact Assessment & Method Statement (AIA/MS) along with a Tree Protection Plan for this project. The Tree Survey data is comprehensive and accords with the requirements of BS5837:2012.

Although we are only considering access and the principle of development, it is also useful at this stage to have a layout proposal from which to identify any potential conflicts between landscape and construction.

Established oak trees on and around the site are already important constituents of the local landscape and can also provide visual amenity and mature outlook to any scheme, so must be afforded sufficient room to allow future growth (above and below ground level) without constraint if they are to flourish post-development.

There must be overriding justification for RPA incursion, not a presumption that BS5837:2012 - Trees in relation to Design, Demolition and Construction promotes activity in the RPA. It does not. It presents a range of options to consider, where such incursion is unavoidable or where no reasonable alternative exists. A layout that does not follow these principles should be resisted.

Providing an effective surface water drainage strategy appears to be a challenge for this site. That fundamental element of design ought to be addressed to our satisfaction at earliest opportunity and certainly no later than Reserved Matters stage, so that we may not subsequently be held hostage to flood mitigation measures which could then impact heavily on retained trees/landscape plans. I draw attention to the nominal root protection areas (RPA) of retained trees and their growth potential as obvious constraints to the siting of any SUDS (e.g., attenuation pond, swale) or introduction of subterranean utility apparatus. The provision of appropriate buffer/easement around such features must also take into account that growth potential (roots), to limit the risk of damage occurring during future maintenance of the same from compaction of soil.

In respect of any soft-landscape proposals, I defer to our Leisure and Landscape Officer. Whilst no significant loss of public amenity will arise from planned tree removals, the volume of canopy loss and carbon storage should be mitigated with an ambitious programme of tree replacement. The area is characterised by established oak woodland and species choice should complement that habitat.

The AIA/MS Report promotes a specification for Tree Protection Fencing in paragraph 3.4.2. (p12). It states: 'The specification for tree protection fencing shall be metal welded mesh panels in concrete or rubber feet...(refer to Appendix 7)'. That specification will provide 'fit for purpose' protection at the majority of Construction Exclusion Zones, although I would request a higher specification (around T1 & T2 for example) where retained trees are isolated within the construction area. For clarity, I would expect

to see those mesh panels mounted on a rigid scaffold framework supported by back-stays and vertical poles at appropriate intervals and driven a minimum 600mm into the ground - (as per Figure 2, BS5837:2012, Default specification for protective barrier).

Arboricultural impacts from the proposed access and associated sightline requirements are tolerable and mitigation can be provided for within a detailed landscape plan.

The principle of development as described is achievable without undue detriment to established trees of higher value (Category A and B) and adjacent woodland.

The plot size and configuration appear broadly sympathetic to the established trees (mostly English oak) across the site, although the overall layout and surface water drainage strategy must evolve to allow inviolate RPAs and adequate easement around any Suds features; for those trees to flourish post-development and subterranean apparatus to remain effective throughout their anticipated lifespan.

I recommend approval for this application.

I recommend the making of a Tree Preservation Order in respect of (PJC refs.) pedunculate oaks T1, T2, T3, T4, T5, T7, T11, T12, T13, T15, T19 & woodland compartment NE and inclusive of G30 to preserve their place in the landscape."

In conclusion, subject to reserved matters stage to secure an appropriate final layout and pre-commencement planning conditions to secure an appropriate surface water drainage and landscape strategy, the proposals would have an acceptable impact on trees of high visual amenity, in accordance with the British Standards, Arun Local Plan policy ENV DM4 and policy HD6 of the Angmering Neighbourhood Plan.

SUMMARY -

The proposals would result in new development outside the Built-Up Area Boundary within the designated Countryside, which would be in conflict with policies SD SP2 and C SP1 of the Arun Local Plan and policy HD1 of the Angmering Neighbourhood Plan.

As per Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 (as amended) determination of planning applications must be made in accordance with the Development Plan, unless other material considerations indicate otherwise.

In this case, an other material consideration is the Council's current lack of a 5 year housing land supply which means for applications for the provision of housing (as this is), the NPPF's presumption in favour of sustainable development is engaged. The proposals would represent sustainable development, and as outlined in this report, there would be no significant or demonstrable adverse impacts which would outweigh the benefits of the scheme. Subject to planning conditions, the scheme would have acceptable impacts on visual amenity and landscape character, residential amenity, highways, drainage, land contamination risks, ecology and trees. As such, the proposals benefit from the NPPF's presumption in favour of sustainable development, and the conflict with the Development Plan in terms of its location within the countryside is outweighed by the NPPF's presumption in favour.

In conclusion, the principle of development for 7 new dwellings in this location, and the proposed site access and highways impacts are acceptable. All other matters, including the detailed layout, scale, external appearance, and landscaping of the development scheme will be dealt with at Reserved Matters stage.

The current Outline application is therefore recommended for approval, subject to the following conditions and informatives;

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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (d) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last

of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 In respect of the site access and the number of dwellings only, the development hereby approved shall be carried out in accordance with the following approved plans:

- Site Block Plan (Drawing no. 003 Rev B)
- Illustrative Site Plan (Drawing no. 001 Rev D)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM1, LAN DM1, QE SP1, T SP1 and T DM1 of the Arun Local Plan.

- 4 The details referred to in condition 1 for the residential units shall include a plan identifying a minimum of 30% of residential units to be provided as being to M4(2) Building Regulations standards (or any other successive standard). The development shall be undertaken in accordance with those details and retained as such at all times thereafter.

Reason: To ensure the provision of adaptable dwellings which meet the diverse needs of future occupiers, in accordance with the National Planning Policy Framework and policy D DM1 of the Arun Local Plan.

- 5 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a) An indicative programme for carrying out of the works;
- b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e) The parking of vehicles of site operatives and visitors;
- f) Loading and unloading of plant and materials, including permitted times for deliveries;
- g) Storage of plant and materials used in constructing the development;
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);
- j) Measures to control the emission of dust and dirt during construction;
- k) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: To protect the amenity of local residents in accordance with Policies QE SP1, QE DM1, QE DM2 and QE DM3 of the Arun Local Plan. This planning condition is required to be pre-commencement to ensure an assessment of construction impacts from development and measures to mitigate impacts are secured prior to works commencing.

- 6 No construction / demolition 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 on Sunday or Bank Holidays.

In addition to these hours of working the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specific in this condition.

Reason: To protect the amenity of local residents in accordance with Policies QE SP1 and QE DM1 of the Arun Local Plan.

- 7 Prior to commencement of development, the following documents shall be submitted to and approved in writing by the Local Planning Authority:

1. Based on the Phase 2 Ground Condition Assessment and the additional Site Investigation Scheme and the detailed Phase 1 Risk Assessment, an Options Appraisal and Remediation Strategy giving full details of the remediation measures required and how they are to be undertaken.

2. A Verification Report providing details of the data that will be collected in order to demonstrate that the works set out in (1) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Note: Any changes to these components, (1) to (2) require the express written consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and gas monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification report, and for the reporting of this in writing to the Local Planning Authority.

Reason: To protect the amenity of local and future occupants, in accordance with policy QE DM4 of the Arun Local Plan. This planning condition is required to be pre-commencement to ensure an assessment of land contamination and measures to mitigate impacts are secured prior to works commencing.

- 8 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the

Local Planning Authority.

Reason: To protect the amenity of local and future residents in accordance with Policy QE DM4 of the Arun Local Plan.

- 9 No development shall commence until an acoustic assessment has been undertaken to determine the impact of noise from transport related noise sources. The results of the assessment and details of a scheme of mitigation measures necessary to ensure an appropriate level of aural amenity within habitable rooms and amenity in garden areas shall be submitted and approved in writing by the Local Planning Authority. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan. This planning condition is required to be pre-commencement to ensure an assessment of noise impacts from development and measures to mitigate impacts are secured prior to works commencing.

- 10 No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, fully assessed by a competent individual when operational to ensure no light creep/bleed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area/the environment and wildlife/local residents from light pollution in accordance with policies D SP1, D DM1, LAN DM1, QE SP1, QE DM2 and ENV DM5 of the Arun Local Plan. This planning condition is required to be pre-commencement to ensure an assessment of light impacts from development and measures to mitigate impacts are secured prior to works commencing.

- 11 No part of the development shall be first occupied until the vehicular access serving the development has been constructed in accordance with the details in the approved plans. Once provided, the new access shall be retained in working order at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highways safety, in accordance with the National Planning Policy Framework (2021) and policies T SP1 and T DM1 of the Arun Local Plan.

- 12 Development shall not commence until details of a proposed foul drainage system (including details of its siting, design and subsequent management / maintenance) have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. No dwelling shall be first occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to secure details of the foul drainage system prior to commencing any building works.

- 13 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 shall be first 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 secure details of the surface water drainage system prior to commencing any building works.

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

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

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

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

- 16 The ecological mitigation measures detailed in Section 4 of the Ecological Mitigation and Enhancement Strategy (EMES) prepared by CSA Environmental and dated October 2021 must be implemented in full and in strict accordance with these measures set out in Section 4 of the EMES.

Reason: To ensure that protected species and wildlife is adequately protected, in accordance with the National Planning Policy Framework, the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 17 The biodiversity enhancements detailed in Section 5 of the Ecological Mitigation and Enhancement Strategy (EMES) and the Biodiversity Net Gain Assessment prepared by CSA Environmental and dated October 2021 must be implemented in full.

Reason: To ensure that the development results in a net gain in biodiversity, in accordance with the National Planning Policy Framework, the Environment Act, and policy ENV DM5 of the Arun Local Plan.

- 18 During the monitoring period of the site, any damaged bat or dormouse boxes will need to be replaced in a timely fashion within this monitoring period.

Reason: To ensure that protected species and wildlife is adequately protected, in accordance with the National Planning Policy Framework, the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 19 No development shall take place until a Construction Environmental Management Plan (CEMP) and Landscape and Management Plan (LEMP) providing full details on how the habitats and enhancements onsite will be managed during the construction phase and post construction has been submitted to and approved in writing by the Local Planning Authority. These details shall then be implemented and adhered to in strict accordance with the approved documents.

Reason: To ensure that protected species and wildlife is adequately protected, in accordance with the National Planning Policy Framework, the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 20 Any works to the trees or vegetation clearance on the site shall be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time a suitably qualified ecologist shall survey the site for the presence of birds prior to any works taking place (within 24 hours of any work).

Reason: To protect local wildlife and protected species, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 21 The submission of the reserved matters application (s) relating to layout and/or landscaping, shall include an Arboricultural Impact Assessment (AIA) to include a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan', and an Arboricultural Method Statement (AMS) to include a Tree Protection Plan. The Tree Protection Plan shall comply with the recommendations of BS5837:2012. These documents shall be submitted to and approved in writing prior to commencement of development and the works thereafter undertaken in strict accordance with these approved documents.

Reason: In the interests of visual amenity and the protection of the natural environment, in accordance with the relevant British Standards and policy ENV DM4 of the Arun Local Plan.

- 22 The submission of the reserved matters application (s) relating to landscaping, shall include a full Landscaping Strategy in respect of hard and soft landscaping and shall detail the species choice, position, densities and size at time of planting. This should be plotted in plan and list form and in relation to the trees and vegetation to be retained in the locale. These documents shall be submitted to and approved in writing prior to commencement of development and the works thereafter undertaken in strict accordance with these approved documents.

Reason: In the interests of visual amenity, landscape character and biodiversity, in accordance with policies D DM1, LAN DM1, and ENV DM5 of the Arun Local Plan.

- 23 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning

Authority before any development above damp proof course (DPC) level begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.

- 24 Prior to the occupation of any part of the development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling or commercial premises, the provision of the highest available headline speed of broadband service to that dwelling or commercial premises from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings and commercial premises that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

- 25 1) Prior to the commencement of the development details showing the proposed location of one fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. These approvals shall not be unreasonably withheld or delayed.

2) Prior to the first occupation of any dwelling/unit forming part of the proposed development that they will at their own expense install the fire hydrant (or in a phased programme if a large development) in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting. The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly in very large developments. (BS5588 Part B 5) for further information please contact the Fire and Rescue Service. If a requirement for additional water supply is identified by the Fire and Rescue

Service and is subsequently not supplied, there is an increased risk for the Service to control a potential fire. It is therefore recommended that the hydrant condition is implemented.

Reason: In the interests of amenity and in accordance with policy INF SP1 and TSP1 of the Arun Local Plan 2011-2031 and in accordance with The Fire & Rescue Service Act 2004. This is necessary to be a pre-commencement condition as details of the fire hydrant or stored water supply need to be secured prior to construction works commencing.

- 26 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A statutory nuisance may be caused by smoke and ash from fires or noise from the cutting or chipping of trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.
- 27 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should be substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information, please contact the Environmental Health Department on 01903 737755.
- 28 INFORMATIVE: The applicant is advised to enter into an S278 legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. As part of these works it will also be necessary to apply for a street works license from the Street Works team (street.works@westsussex.gov.uk). The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence the S278 process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- 29 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 event plus 40% on stored volumes/rainfall intensity (allowance for climate change) 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 storm event plus 40% on stored volumes/rainfall intensity. 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 at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.
- 30 INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens. The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.
- 31 INFORMATIVE: 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.
- 32 INFORMATIVE: If connection to the public sewer network is required then a formal application must be made to Southern Water. To make an application visit Southern Water's Get

Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements.

- 33 INFORMATIVE: The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under a NRSWA enquiry in order to protect public apparatus. Please send these enquiries to: Developer.Services@southernwater.co.uk.
- 34 INFORMATIVE: For any works that may affect a Protected Species, it will be necessary to obtain a mitigation licence from Natural England.
- 35 INFORMATIVE: This permission conveys consent under planning legislation only and contravention with other legislation (e.g. protection of wildlife and statutory nuisance etc. should be considered).
- 36 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.