Recommendation Report for

REF NO: A/36/24/S73

LOCATION: Land off Arundel Road
Angmering
BE16 4ET

PROPOSAL: Variation of condition 1 following the grant of A/282/22/RES relating to approved plans.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks to vary condition 1 of A/282/22/RES which requires the development to be carried out in accordance with the approved plans. The amendments are fully detailed on pages 8 to 15 of the supporting Planning Statement. The amendments are predominantly focussed within the Village Edge character area identified within the approved Design Code with the only exception being a re-distribution of the M4(2) compliant dwellings (see below). The applicant considers many of the changes to be non-material in nature but has nonetheless included them with the material amendments. Broadly, the changes are as follows:

- Re-numbering of certain plots
- On-plot shifts to facilitate construction.
- House type 'swaps' to those already approved under the reserved matters approval.
- On-plot minor parking re-adjustments (no changes proposed to parking provision).fbut which
- Garden access and distance changes to facilitate construction.
- Increased landscaping.
- One additional visitor parking space.
- Amendments to the footprint, floorplans, and elevations of all 3 apartment blocks.
- The affordable tenure apartment blocks will now be next to each other.
- Reconfiguration of parking arrangements for the apartment blocks.
- Alteration to the road layout serving plots 36-39 & 46 to meet fire safety requirements (creation of a cul-de-sac serving 38 & 39).
- Two extra M4(2) units and a re-distribution amongst the market & affordable tenures and amongst house and flat types.
- Changes to the market mix with +1 one-bed, -4 two-bed, +1 three-bed and +2 four-bed; and

	- One extra affordable 2 bed (shared ownership) dwelling and one less market dwelling.
SITE AREA	8.58 hectares (of which approximately 2.1 ha are the sports pitches).
RESIDENTIAL DEVELOPMENT DENSITY (NET)	24.7 dwellings per hectare excluding the area of the sports pitches.
TOPOGRAPHY	Predominantly flat, with land rising to the north.
TREES	Two oak trees (T8 and T9) situated on the western boundary of the site are subject to a Tree Preservation Order (TPO/A/2/19) but they are not affected as they are shown to border the sports pitch. There are number of other existing trees in the area of this application which will be removed but these have not been determined as being worthy of protection. These comprise 14 trees (8 x T3 Common Ash/Crack Willow, T16 Common Ash, T17 Common Ash, 3 x T18 Common Ash, T19 Apple & T20 Western Red Cedar) and 5 tree groups (G5 Common Ash/Common Hawthorn, G6 Sycamore/Common Hawthorn/Common Dogwood, G11 Common Hawthorn/Common Ash, G12 Common Ash/Goat Willow/Butterfly Bush & G13 Elm/Common Ash).
BOUNDARY TREATMENT	The boundary treatment for the site varies and includes post and rail fencing, hedgerows and trees of various heights.
SITE CHARACTERISTICS	The site is a mix of a large agricultural field, existing commercial development at New Farm Nursery, a residential dwelling (New Place Bungalow) and a small area of scrub woodland.
CHARACTER OF LOCALITY	The site lies in predominantly rural area which is characterised by a linear form of existing and approved residential development along the road frontage with Arundel Road however to the south, beyond the sports pitches, the character is different with residential development extending westwards away from the road. The development site is bounded to the south by playing fields, sports pitches including a cricket pitch, a pavilion, and a multi-use games area (MUGA) at Palmer Road Recreation Ground. Open agricultural fields adjoin the site to the west. The site is bounded to the north by Steyne Wood and to the northwest by Decoy Spring and ponds; and to the east by houses fronting onto Arundel Road, and a plot of land with planning permission (A/131/16/OUT) for 9 houses which also fronts onto Arundel Road. To the northeast of Arundel Road is the woodland of Poling Furzefields. The site adjoins residential dwellings to the North and East. Wilmington on the north side is two storeys and side on to the site. On the eastern side lies 1-9 Starling View, including one and two storey dwellings which back onto the site; and 68/68b Arundel Road, all two storeys and again backing onto the site.

RELEVANT SITE HISTORY

A/109/23/PL	Removal of Condition No. 40 - phasing plan following grant of A/207/21/PL (which was the subject of a Section 106 agreement and variation of A/122/19/OUT).	ApproveConditionally 30-11-23
A/58/23/RES	Approval of reserved matters following A/122/19/OUT and varied by A/207/21/PL pertaining to the layout, scale, appearance and landscaping for a commercial building of 15,000 sqft (1,393 sqm) that can be used for either Class E(g)(i) (formerly Class B1) and or Class B2, with associated landscaping and parking.	Refused 12-07-23
A/110/23/NMA	Non material amendment imposed under A/207/21/PL relating to condition 38-rewording of condition from prior to commencement to prior to occupation.	Approve 25-05-23
A/282/22/RES	Approval of reserved matters following A/122/19/OUT and varied by A/207/21/PL pertaining to the layout, scale, appearance and landscaping for 160 No dwellings with associated public open space, landscaping, parking, ecological mitigation and earthworks. This application is a Departure from the Development Plan and is in CIL Zone 3 and is CIL Liable as new dwellings.	ApproveConditionally 20-04-23
A/235/21/DOC	Approval of details reserved by condition imposed under A/207/21/PL relating to condition 5-design code master plan.	DOC Approved 14-01-22
A/207/21/PL	Variation of condition following grant of A/122/19/OUT relating to Conditions Nos 4 - approved plans and 16 - vehicular access.	App Cond with S106 23-11-21
A/122/19/OUT	Outline application with some matters reserved for the erection of up to 160 dwellings with public open space, landscaping and sustainable drainage systems (SuDs), vehicular access point from Arundel Road; together with up to 1,393 square metres (15,000 square feet) of B1/B2 units with associated parking provision and vehicular access point from Arundel Road and land made available	App Cond with S106 17-03-20

for expansion of current sports pitch provision (following the demolition of existing commercial units and one bungalow) (re-submission following A/36/18/OUT). This application is a Departure from the Development Plan.

Outline planning permission with some matters reserved was granted under reference A/122/19/OUT (and subsequently varied by A/207/21/PL) for the erection of up to 160 dwellings and up to 1,393 sqm of B1/B2 industrial units.

A/235/21/DOC granted permission for a design code masterplan relating to condition 5 of A/207/21/PL. This provides further detail on character areas, street hierarchy, building typologies, key buildings, the approach to car parking, structural planting, street furniture, lighting, and treatment of the public realm.

A/282/22/RES concerns the reserved matters for 160 residential dwellings on the other areas of the outline site. Meanwhile, A/58/23/RES was submitted for the commercial part of the site and showed a proposed location to the adjacent Sports Hub. It was refused in July 2023 for the following reason:

"The proposed scheme fails to properly show the future road connection to the adjacent Sports Hub land and so does not ensure that the site integrates with surrounding land and fails to achieve a high standard of layout and design in conflict with Arun Local Plan policy D DM1, the Arun Design Guide and the NPPF."

REPRESENTATIONS

Angmering Parish Council state no objection.

Three objections raising the following concerns:

- Loss of agricultural land.
- Impact of additional Traffic.
- Increased surface water flooding.
- Inadequate local infrastructure.
- Impact on wildlife.
- Increased air pollution; and
- Impact on house values of adjacent properties.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted but none relate to the specific amendments proposed by this application and it is not possible to determine planning applications in respect of the impact on house prices.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - raises concerns with the fact that the layout has been tracked for a 9.62m long refuse vehicle whereas ADC use a 12m long vehicle. Identifies six places in the layout where this may cause a problem.

ADC AFFORDABLE HOUSING - states the variations includes some changes in the location of the affordable housing, in particular, the positioning of two blocks of apartments. Advise this is an acceptable variation that locates the two blocks adjacent to one another that is plots 143-151 and 152-160 for management purposes.

ADC LANDSCAPE OFFICER - objects due to the proposed planting around the periphery of the sports pitch land which may conflict with the use of this.

ADC ECOLOGIST - states no concerns.

COMMENTS ON CONSULTATION RESPONSES:

The application does not propose any amendments regarding the landscaping around the sports pitch land and so this issue cannot now be re-visited. Refuse tracking is considered in the conclusions.

POLICY CONTEXT

Designations applicable to site:

Outside the Built-up Area Boundary.
Area of Advert Special Control,
Current/Future Flood Zone 1.
Some instances of medium to high surface water flood risk on the western boundary.
Medium risk of groundwater flooding.
TPO/A/2/19.
Adjacent to PRoW 2176.
Within 500m of a WSCC Waste Site; and
CIL Zone 3.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

AHSP2	AH SP2 Affordable Housing
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitagation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HDM1	H DM1 Housing mix
LANDM1	LAN DM1 Protection of landscape character
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
WDM3	W DM3 Sustainable Urban Drainage Systems

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 HD3 Housing Mix
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
Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments
Angmering Neighbourhood Plan 2014 POLICY HD9 Phasing of Residential Development

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD12	Open Space,Playing Pitches & Indoor& Built Sports Facilities
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031 (ALP), 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. The relevant policies of the Angmering Neighbourhood Development Plan (ANDP) are referred to in this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

Whilst there are some minor policy conflicts in respect of housing mix, overall, the proposal is in accordance with relevant development plan policies in that it results in a development of an appropriate scale, layout and appearance which is not harmful to the character & appearance of the area, the amenities of existing/future residents or the existing road network.

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.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is not liable for statutory Biodiversity Net Gain (BNG) as the original planning permission was granted prior to 12 February 2024.

CONCLUSIONS

PRINCIPLE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site benefits from the equivalent of a full planning permission by way of A/122/19/OUT (as amended by A/207/21/PL) and A/282/22/RES. This Section 73 (S73) application seeks to make several changes, which primarily relate to issues concerning character, highways, housing mix, and affordable housing. There are no changes to the access arrangements and only minor changes to the layout. It is positive that the application increases landscaping, affordable housing provision and parking provision (albeit by only one extra space).

The policies of the Arun Local Plan (ALP) and the Angmering Neighbourhood Development Plan (ANDP) remain in force now as at the time of the original decision. Due to the nature of the changes, it is only relevant to re-assess the impact on character/design/layout, the ability of large vehicles to negotiate the layout, housing mix and affordable housing.

COMPLIANCE WITH THE OUTLINE:

It has been established by case law that applications for the approval of reserved matters (RM) must be within the ambit of the outline planning permission and must be in accordance with the conditions annexed to the outline planning permission. Whilst this is a S73 application, it does seek to amend the reserved matters and certain conditions imposed by the outline set parameters for the nature and form of the RM submission and these are analysed below (with reference to the conditions on A/207/21/PL).

When determining whether reserved matters fall within the ambit of an outline planning permission the courts have allowed a little freedom of interpretation with the usual test being whether any changes make a material difference to the essence of what was approved.

Condition 4 states that development shall be carried out in accordance with the approved plans which govern the access arrangements. The proposal remains in accordance with these plans.

Condition 5 required that a Design Code Masterplan be approved prior to submission of the Reserved Matters and that the development then be prepared and carried out in accordance with the approved Design Code. This was approved by application ref A/235/21/DOC prior to the submission of the RM and application A/282/22/RES was then determined to be in part accordance with the Design Code.

Condition 6 requires that the reserved matters submission include details of the landscape treatment along the northern boundary of the site with Steyne Wood to deter unauthorised access by motorcycles and vehicles to the Wood. The RM responded to this requirement with plans showing an earthwork bund and new buffer planting along the northern edge. This will deter access into the adjacent land by

motorised vehicles. This S73 application makes no changes to this aspect of the RM.

Condition 19 requires that garages measure a minimum of 6 metres x 3 metres internally. The submitted garage and house floorplans demonstrate this has been achieved.

Condition 34 requires that a minimum of 10% of all dwellings on the entire site (so 16) are designed and constructed to the Building Regulations M4(2) standard (suitable for older persons) and in addition, six dwellings are designed and constructed to the M4(3) wheelchair accessible standard. This S73 application continues to achieve this requirement.

LAYOUT, APPEARANCE AND SCALE:

ALP policies D DM1 and D SP1 are relevant in respect of design and character. In addition, policy AH SP2 seeks to ensure that affordable housing is visually indistinguishable from market housing and that layouts avoid large clusters of affordable housing. ANDP policies HD5, HD6 and HD7 relate to built form, housing layout, design, and density. The National Design Guide (NDG) is a material consideration in the determination of this application, as is the Arun Design Guide (ADG). The RM scheme was prepared in accordance with the approved Design Code, which itself has been prepared and assessed against the requirements of the NDG and the ADG.

The proposed amendments to the layout, individual houses and the apartment buildings will not materially affect the overall appearance of the development and will not result in any conflicts with the approved Design Code or the terms of the Outline permission. The apartment buildings are changing slightly in terms of their footprint and elevations, but they are not significantly different in form than before and there is no change to their scale.

On the approved RM scheme, there was no affordable housing shown north of the main street or at the very western end of the site, but the provision was spread throughout the rest of the site and was interspersed with market housing. Two of the three apartment buildings were to be comprised solely of affordable dwellings but were to be spread out with a market tenured block between them. This distribution of affordable housing was accepted on the RM scheme.

The changes proposed by the S73 result in no material change to the overall distribution of affordable housing across the site but do result in an increased clustering of affordable flatted accommodation as these two blocks will now be situated adjacent to each other. The applicant states this is necessary to minimise the risk of conflicts between affordable and market tenured occupiers. This adversely affects the quality of the approved scheme and increases the concentration of affordable housing in one cluster. However, it is material that the Council's Affordable Housing manager raises no objections with this proposal and on this basis, it would be difficult to sustain an objection on this issue.

HOUSING MIX:

ALP policy H DM1 requires a mix of housing to meet local needs and requires all housing development to provide a mix of dwelling types and sizes to address this need and demand. The policy acknowledges that the final mix will be negotiated on a site-by-site basis, having regard to the most up to date Strategic Housing Market Assessment (SHMA). ANDP policy HD3 requires that proposals should demonstrate how the applicant has sought to meet local needs and proposals should provide for a mix of housing sizes and the delivery of more small and fewer large dwellings is encouraged.

Paragraph 63 of the "Updated Housing Needs Evidence" (September 2016) stated the evidence highlights a direction towards the provision of 2 and 3 bed units for market units and smaller affordable units. Table 29 identifies a suggested broad mix of market housing by size for the District:

- 1-bed dwellings: 5-10% of all dwellings.
- 2-bed dwellings: 40-45% of all dwelling.
- 3-bed dwellings: 35-40% of all dwellings; and
- 4+ bed dwellings: 10-15% of all dwellings.

Separate ratios are given for affordable rented and intermediate/starter homes however this element of the mix is governed by the s106 legal agreement. The following mix is proposed for the market dwellings on the site:

1 Bed: 1 (1%)
2 Bed: 28 (25%)
3 Bed: 38 (34%)
4 & 5 Bed: 44 (39%)
(total: 112)

This does not accord with the above suggested mix but is not materially different to the mix that was accepted on the RM scheme (as set out below):

1 Bed: 0 (0%)
2 Bed: 33 (29%)
3 Bed: 37 (33%)
4 & 5 Bed: 42 (38%)

It is also material that H DM1 allows for the mix to be negotiated on a site-by-site basis and this does not need to be in complete accordance with the latest SHMA. Furthermore, as H DM1 is the more recent policy, where there is conflict with the ANDP, this can be resolved in favour of compliance with the ALP. The proposal can therefore be judged to be in accordance with ALP policy H DM1.

HOUSING FOR OLDER PEOPLE:

ANDP policy HD3 requires that at least 25% of all dwellings should meet Lifetime Home Standards or its equivalent. Lifetime Homes no longer exist and have been replaced by parts M4(2) and M4(3) of the Building Regulations. The policy requirement for this scheme would be 40 homes.

Arun has an agreed internal policy on the provision of housing accommodation to provide for an ageing generation ("Accommodation for Older People and People with Disabilities", 2020). This is not adopted policy or a supplementary planning document but is considered to have some weight as a material planning consideration and is supported by references in ALP policies D DM1 & D DM2. This sets out a requirement for 80 homes meeting Building Regulations standard M4(2), 6 homes meeting disabled suitable M4(3) standard and also provision of some bungalows.

The scheme proposes that 31 homes will be built to the M4(2) Building Regulations standard and 6 to the M4(3) disabled suitable standard. This is in conflict with the policies set out above however, it is material that a condition was imposed on the outline permission which set a requirement that a minimum of 10% of all of the dwellings on the entire site (so 16) be designed and constructed to the Building Regulations M4(2) standard (suitable for older persons) and in addition, six dwellings are designed and constructed to the M4(3) wheelchair accessible standard. The proposal exceeds the minimum requested by the condition and this weighs in favour of the scheme despite the policy conflicts. It is also positive that the proposal is now for two extra M4(2) units than as agreed under the RM scheme.

On previously refused applications concerning the site, it was highlighted that the M4(2) and M4(3)

provision was entirely within the affordable housing tenure. This would mean that those persons needing such accommodation but not being eligible for affordable housing would not be able to live on the site. This weighed against the previous submissions. On the RM scheme, the developer amended the provision so that 9 of the M4(2) plots were houses in the market tenure and that a further 9 were flats in the market tenure. The remaining 11 M4(2) homes were to be flats in the affordable tenure whilst all of the M4(3) were affordable flats. This was determined to be an appropriate response to the previous concerns.

The applicant has now revisited the distribution of the M4(2) units with 19 Houses & 2 flats in the affordable tenure and 10 houses in the market tenure. This has changed the balance of the provision towards a focus on the affordable tenure. However, it is noted that the council's policy note simply states that "The provision of these units should both be in the open market and affordable sectors" and the proposed scheme accords with this. Therefore, it would not be sustainable to object on this basis.

VEHICLE TRACKING:

ALP policy T SP1 states schemes should accommodate the efficient delivery of goods and supplies. The NPPF which is a material consideration states at para 116 that "... applications for development should: d) allow for the efficient delivery of goods, and access by service and emergency vehicles". ALP policy D DM1 requires that development comply with the ADG which states "All development should include access routes suitable for emergency vehicles, including fire engines. These routes should be easy to maintain, and applicants may be required to provide appropriate management arrangements."

This application proposes a change to the road layout in the vicinity of plots 36-39 & 46. Previously, there was a road down the eastern side of the sports pitches that ended at plot 48 and then a road to the south of this that ended at the sports pitch land, and which served plots 38-42. This part of the layout has now been amended to facilitate better fire access so that plots 36 & 37 are served by the road running alongside the sports pitches and the road to the south of this now ends at plots 38 & 39. It should be noted that plot numbers have also been changed throughout the scheme hence the differences in plots between the approved and proposed schemes.

WSCC Highways initially raised some concerns with this arrangement concerning the ability of refuse and fire vehicles to turn adjacent to plots 37 & 46. They also noted that the whole layout had been tracked for a 9.62m long refuse vehicle whereas Arun DC had advised they use a maximum 12m long refuse vehicle. It had also been tracked for an 8.68m fire tender whereas WSCC Fire utilise a 9.89m long vehicle when an access ladder is required. The applicant responded by making some minor changes to the layout but did not amend the whole scheme to account for the length of the respective vehicles.

WSCC Highways now raise no concerns regarding Fire vehicle access but have identified 6 places within the layout (including where the road layout is being altered) where a 12m-long refuse vehicle might have difficulties turning. This is an important issue as it may not be possible for the new estate to be served by ADC refuse vehicles. However, the Council's waste contractor, Biffa, have advised that they no longer use a 12m vehicle and the current maximum is now 9.09m long. This eliminates the concern with refuse vehicle tracking.

CONDITIONS

As this is a Section 73 application, any new permission sits alongside and separate to the original permission, which remains intact and unamended. It has been established by the Supreme Court decision in Lambeth LBC v SSHCLG (2019) that whilst the conditions in the original permission cannot be taken to be implied in the new permission if they are omitted from it, they nevertheless continue to have effect (except to the extent that the S73 permission has varied them). Nevertheless, it is still good

practice, to repeat in the S73 permission all the unamended conditions from the earlier permission, as well as those that have been amended.

It is not necessary to reimpose any conditions requiring the submission of details that have already been discharged (nos. 3, 4, 5 & 6). However, these will be retained in an amended form to make reference to the details approved by the relevant discharge of conditions application. No new conditions have been added.

SUMMARY

Notwithstanding the stated concern in respect of affordable housing distribution, the scheme as amended will not result in any demonstrable harm to local character, the natural environment, highway safety, flooding, or residential amenity. As per the NPPF, para 11(c), development proposals that accord with an up-to-date development plan should be approved without delay. It is therefore recommended that this S73 planning application be granted subject to the following updated conditions.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

CIL DETAILS

This application is not CIL liable as the original permission was not liable and no new floorspace is being created.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby approved shall be carried out in accordance with the following

approved plans and documents:

- 30598A_01 Site Location Plan Rev P1.
- 30598A_02 Existing Site Layout Plan Rev P1.
- 30598A_03 Existing Site Section AA - CC Rev P1.
- 30598A_04 Existing Site Section DD - FF Rev P1.
- 30598D_10 Proposed Site Layout Plan Rev P2.
- 30598D_11 Proposed Coloured Site Layout Plan Rev P3.
- 30598D_12 Proposed Parking Strategy Plan Rev P3.
- 30598D_13 Proposed Tenure Plan Rev P2.
- 30598D_14 Proposed Refuse Strategy Plan Rev P2.
- 30598D_15 Proposed Fire Strategy Plan Rev P2.
- 30598D_16 Proposed Primary Material Plan Rev P2.
- 30598D_17 Proposed Boundary Treatment Plan Rev P2.
- 30598D_18 Proposed Heights Plan Rev P2.
- 30598D_19 Proposed Interface Distance Plan Rev P2.
- 30598D_20 Proposed Distribution Plan Rev P2.
- 30598D_50 Proposed Street Elevations AA Rev P1.
- 30598D_51 Proposed Street Elevations BB Rev P1.
- 30598D_52 Proposed Street Elevations CC Rev P1.
- 30598D_53 Proposed Street Elevations DD & EE Rev P1.
- 30598D_54 Proposed Street Elevations FF Rev P2.
- 30598D_210 Harrogate Lifestyle Rev P1.
- 30598D_305 Hampstead Rev P1.
- 30598A_310 Harrogate Lifestyle Rev P2.
- 30598D_311 Harrogate I Rev P1.
- 30598D_312 Harrogate II Rev P1.
- 30598D_315 Henley Rev P1.
- 30598D_320 Leamington Lifestyle I Rev P1.
- 30598D_321 Leamington Lifestyle II Rev P1.
- 30598D_325 Leadsham Rev P1.
- 30598D_330 Letchworth Rev P1.
- 30598D_335 Marlow I Rev P1.
- 30598D_336 Marlow II Rev P1.
- 30598D_345 Oxford Lifestyle Rev P1.
- 30598D_350 Richmond Rev P1.
- 30598D_355 Shaftesbury I Rev P1.
- 30598D_356 Shaftesbury II Rev P1.
- 30598D_360 Stratford Lifestyle I Rev P1.
- 30598D_361 Stratford Lifestyle II Rev P1.
- 30598D_362 Stratford Lifestyle I Rev P1.
- 30598D_365 Warwick I Rev P1.
- 30598D_366 Warwick II Rev P1.
- 30598D_367 Warwick III Rev P1.
- 30598D_402 Maisonette + Tavy Rev P1.
- 30598D_403 Maisonette + Tavy Rev P1.
- 30598D_404 Tavy Semi Rev P1.
- 30598D_405 Tavy Terrace of 3 Rev P1.
- 30598D_410 Dart Semi Rev P1.
- 30598D_412 Dart Terrace of 4 Rev P1.
- 30598D_413 Dart Semi Rev P1.
- 30598D_414 Dart Terrace Rev P1.

- 30598D_415 Tweed Semi Rev P1.
- 30598D_500 Apartment Block A Plans Rev P3.
- 30598D_501 Apartment Block A Elevations Rev P3.
- 30598D_510 Apartment Block B Plans Rev P3.
- 30598D_511 Apartment Block B Elevations Rev P3.
- 30598D_520 Apartment Block C Plans Rev P3.
- 30598D_521 Apartment Block C Elevations Rev P1.
- 30598D_532 Double Garage 1 Floor Plans & Elevations
- 30598/D_531 Single Garage Floor Plans & Elevations Rev P1
- 30598D_533 Proposed Floor Plans & Elevations Double Garage 2 Plots 37 & 46.
- 30598D_535 Cycle and Bin Stores Floor Plan, Elevations, Roof Plan Rev P1.
- Design Code Compliance Statement (February 2024).
- Landscape Strategy 130 Rev J.
- Hard Landscape 230 D (but not in respect of the play provision shown).
- Planting Plan Public Open Space 530 Rev B.
- Soft Landscape Plan 1 of 7 541 Rev D
- Soft Landscape Plan 2 of 7 542 Rev D
- Soft Landscape Plan 3 of 7 543 Rev D
- Soft Landscape Plan 4 of 7 544 Rev D
- Soft Landscape Plan 5 of 7 545 Rev D
- Soft Landscape Plan 6 of 7 546 Rev D
- Soft Landscape Plan 7 of 7 547 Rev D
- Tree Removal & Protection Plan 723 Rev B.
- Highway Geometry and Visibility Splays C86473 JNP 66 XX DR T 7109 Rev P08.
- Refuse Vehicle Swept Path Analysis C86473 JNP 66 XX DR T 7110 Rev C03.
- Fire Tender Swept Path Analysis C86473 JNP 66 XX DR T 7111 Rev C02.
- Refuse Vehicle Swept Path Analysis C86473 JNP 66 XX DR T 7112 Rev C02.
- Refuse Vehicle Swept Path Analysis C86473 JNP 66 XX DR T 7113 Rev C04.
- Refuse Vehicle Swept Path Analysis C86473 JNP 66 XX DR T 7114 Rev C03.
- Fire Tender Swept Path Analysis C86473 JNP 66 XX DR T 7115 Rev C03.
- Fire Tender Swept Path Analysis C86473 JNP 66 XX DR T 7116 Rev C01.
- Phase 2 Ecology Survey Report ECO01659 (March 2023).
- Ecology Mitigation and Enhancement Plan ECO01659 Rev 09 (January 2024).
- Housing Mix Report (prepared by Stantec); and
- Arboricultural Impact Assessment (4th April 2023).

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

2 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Phase 2 Survey Report (RPS, March 2023, Ecological Mitigation and Enhancement Strategy (RPS, Rev A, March 2023), the "Ecology Constraints Plan and Report" (RPS, 02 Rev 05), and in particular the Figure 1 Ecological Mitigation and Enhancement Plan (within the March 23 Strategy); as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species, in accordance with Arun Local Plan policy ENV DM5 and to allow the LPA to discharge its duties under the

Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

3 All works conducted on the site shall be in accordance with the Natural England licence dated 22/08/23 (as agreed through the discharge application A/205/23/DOC) which authorises actions concerning Hazel Dormouse capture/transportation and subsequent on-site habitat change. This licence is valid for the period 22/08/23 to 31/12/30.

Reason: To conserve protected species, in accordance with Arun Local Plan policy ENV DM5 and to allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

4 The development shall proceed in full accordance with the 'statement of detail' and associated materials approved through application ref A/113/23/DOC on 23/06/23 and these details shall be permanently retained.

Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with policy D DM1 of the Arun Local Plan.

5 The development shall proceed in full accordance with the public play provision scheme as approved through application ref A/139/23/DOC on 11/08/23 and these details shall be permanently retained. The public play provision shall be implemented in accordance with the approved details prior to occupation of the 80th dwelling and permanently retained thereafter.

Reason: To ensure that play provision is in place for future residents in accordance with policies OSR DM1 and HWB SP1 of the Arun Local Plan.

6 The development shall proceed in full accordance with the boundary treatments approved through application ref A/113/23/DOC on 23/06/23 and no dwellings shall be occupied until such boundary treatments associated with them have been erected.

Reason: In the interests of amenity and of wildlife in accordance with policies D DM1 and ENV DM5 of the Arun Local Plan.

7 No dwelling shall be first occupied until the car parking spaces, garage spaces, roads, footways and turning facilities serving the respective dwellings have been constructed in accordance with the approved site plan. Once provided, the parking spaces shall not be used for any purpose other than for the parking of vehicles and the garages shall not be used for any purpose other than the parking of vehicles and for domestic storage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of ensuring sufficient vehicle parking and highway safety within the development in accordance with policy T SP1 of the Arun Local Plan.

8 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following:

a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management.
d) Appropriate management options for achieving aims and objectives.
e) Prescriptions for management actions.

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
g) Details of the body or organisation responsible for implementation of the plan; and
h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In accordance with Arun Local Plan policy ENV DM5 and to allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

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

10 INFORMATIVE: The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

11 INFORMATIVE: The applicant is advised that any proposed structures on, under, above or adjacent to any roads, watercourses etc, are required to be subject to the Technical Approval process as specified within BD 2/12 of the Design Manual for Roads and Bridges. The applicant should contact the WSCC Structures Team to commence this process. The applicant should note that the failure to obtain technical approval may prevent the future adoption of the structure as part of the public highway or otherwise and as a consequence may incur additional works to bring the works up to a suitable standard.

12 INFORMATIVE: The submitted plans show tree planting close to water distribution mains. Southern Water has restrictions on proposed tree planting adjacent to sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water mains and sewers" and the Sewerage Sector Guidance with regards to any landscaping proposals and Southern Water restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

13 INFORMATIVE: The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

14 INFORMATIVE: The applicant is required to enter into a Section 59 Agreement under the 1980 Highways Act to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process. Note this is only required if HGV traffic exceeds 20 movements per working day.

15 INFORMATIVE: The applicant is required to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works if they affect the existing public highway. The applicant should contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

16 INFORMATIVE: The applicant is required to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant should to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

17 INFORMATIVE: In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police received in relation to application A/282/22/RES (dated 23/01/23) as available on the Councils website.

18 INFORMATIVE: This permission does not formally discharge any of the conditions that require the submission of details for approval in writing as imposed on the outline planning permission and separate applications will be required. Please also note that this layout has been approved without agreement of the council's drainage engineers and therefore if it subsequently becomes clear that the drainage conditions cannot be agreed due to the layout not providing sufficient space for drainage then a new reserved matters application will need to be submitted as the Local Planning Authority will not be able to agree such changes through the Non-Material Amendment process. Please also note that any future submission to seek a discharge of the drainage conditions must be accompanied by full details in accordance with the guidance and checklist here https://www.arun.gov.uk/surfacewater.