

Recommendation Report for Planning Permission

REF NO: BN/22/20/PL

LOCATION: Land South West of 40 Hill Lane
Barnham
PO22 0BL

PROPOSAL: Removal of existing polytunnels & creation of sand school with new native tree & hedge planting.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The sand school would be used for riding horses. It would be 25m wide and 50m long enclosed by timber post/rail fencing at a height of approximately 1.2m. It is proposed to plant a native tree/hedge mix 40-60cm in height towards the rear boundary.
SITE AREA	2.2 hectares.
TOPOGRAPHY	Predominantly flat with some small rises and falls in the land.
TREES	Hedging and trees on the perimeter.
BOUNDARY TREATMENT	Hedging and trees on the perimeter. Post and rail fencing.
SITE CHARACTERISTICS	Open land subdivided by post/wire fencing into grass paddocks, mainly used for the keeping and grazing of horses. There are structures and buildings, including an agricultural barn (BN/21/93), tractor shed, goat sheds (BN/17/94) and three polytunnels (BN/26/86). Public footways run along the west and south boundaries.
CHARACTER OF LOCALITY	Rural character on a narrow country lane, with agricultural/horticultural fields around and dwellings scattered on the north side of Hill Lane. The area has a rural character.

RELEVANT SITE HISTORY

BN/26/98/	4 polytunnels.	ApproveConditionally 05-01-99
BN/15/97	Extension to agricultural barn	ApproveConditionally 25-07-97
BN/17/94	2 sheds - 1 as shelter for goats and the other for storage	ApproveConditionally 12-10-94

BN/21/93

Portal framed agricultural storage building

ApproveConditionally
17-12-93**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Barnham & Eastergate Parish Council

No objection. Request condition restricting use to private use with no commercial use allowed.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. A condition is to be added regarding commercial use.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Parks and Landscapes

Arboriculturist

Environmental Health

WSCC Strategic Planning

Ecology Advisor

CONSULTATION RESPONSES RECEIVED:

WSCC Highways:

No objection. The applicant proposes to utilise the existing access. Hill Lane is privately maintained. Access to the maintained highway network is at its junction with Church Lane. There are no apparent visibility issues at this junction and police records provide no evidence to suggest that the highway network is operating unsafely or that the proposals would exacerbate existing highway safety concern.

The applicant confirms the sand school is for private use only. Do not anticipate proposals result in material intensification of use of access. Appears sufficient on-site parking and space for turning to allow vehicles to exit the site in forward gear. The proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network.

ADC Drainage Engineer:

No objection, subject to conditions. Site is in Lidsey Treatment Works Catchment Area - surface water drainage design should be carefully considered. Plan shows perforated pipes but no drainage layout or design. Applicant states will be drained by infiltration under the sand school structure. No infiltration testing has been completed to show this is viable. There is a watercourse running along the north boundary. Planting must not have detrimental impact on the Hill Lane ditch and culvert. Recommend conditions to ensure development is adequately drained and does not increase flood risk elsewhere.

ADC Environmental Health Officer:

No objection, subject to condition. Site adjacent to area of potentially contaminated land. Concerns about breaking ground surface and associated health risks. Recommend condition requiring any remediation of the land.

ADC Trees Officer:

Objected to lack of tree protection information. Revised site plan and emails with agent has taken place. No objection, subject to condition approving revised site plan showing Construction Management Plan (single site access for heavy plant to deliver materials and compound for storage of materials). Clarity has been provided around extent of native tree/hedgerow planting scheme. Although not as ambitious as first proposed (no planting on frontage), it has the potential to adequately compensate for the removal of trees around polytunnels if adequate aftercare is applied.

Ecology Advisor:

Objected to the lack of protected species surveys. A Preliminary Ecological Assessment Report has been undertaken. The proposals are acceptable subject to conditions: external lighting scheme to take into account presence of bats, installation of bat/bird boxes, buffer strip and protective fencing around hedgerows during construction, precautionary approach to reptiles and badgers, and site/vegetation clearance works to only take place during certain months to protect wild nesting birds.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted, matters addressed in 'Conclusion' section of report, and planning conditions and informatives to be added accordingly.

POLICY CONTEXT

Designation applicable to site:

Countryside

Lidsey Water Treatment Works Catchment Area

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
SDSP2	SD SP2 Built-up Area Boundary
EQU DM1	EQU DM1 Equine Development
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
QEDM2	QE DM2 Light 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

[Barnham & Eastergate Neighbourhood Plan 2014](#) Recreation facilities

[POLICY CLW3](#)

Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES1	Applications for new development must meet the local drainage requirements
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES10	Trees and hedgerows
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES4	Protection of open views
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES5	Quality of design
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA4	Parking and new development
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H6	Attention to detail

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

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

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

The policies contained within the Barnham & Eastergate Neighbourhood Plan (made 2014) 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."

The proposal complies with relevant Development Plan policies in that, subject to conditions, it would maintain the visual amenity of the area, the residential amenity of the area, and would have an acceptable impact on highways, drainage, land contamination, trees and ecology. The proposal benefits from the exception tests of Policy C SP1 for Countryside development in that it would be (b) for quiet, informal recreation and (f) in accordance with other policies in the Plan which refer to a specific use or

type of development. Policy EQU DM1 (equine development) is relevant in this case, and the proposals would comply with the tests of this policy.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE & EQUINE DEVELOPMENT:

Arun Local Plan (ALP) policy SD SP2 states development should be focussed within Built-Up Area Boundaries (BUABs), subject to consideration of other policies within the Development Plan. ALP Policy C SP1 states that land outside the BUAB will be defined as Countryside and development will only be permitted within the Countryside under very limited circumstances if certain tests are met.

The proposals benefit from the exception tests of Policy C SP1 for Countryside development in that it would be (b) for quiet, informal recreation and (f) in accordance with other policies in the Plan which refer to a specific use or type of development. Policy EQU DM1 is relevant in this case. This states that non residential planning permission will be granted for horse related activities provided that;

(a) It will make use of existing buildings wherever possible and ensure that new buildings and structures are of a high standard of design and satisfactorily blend into the landscape in terms of their siting, design and materials.

The sand school is relatively large (25m x 50m) but the majority of it projects minimally (0.3m) above ground level with timber post and rail fencing at a height of 1.2m. It would appear unenclosed, permeable and open and appearance and the structure/use blends into the landscape/rural setting.

(b) It is well related to the existing bridleway network and the bridle network is sufficient to accommodate the scale of use from the proposed development;

The sand school is for private use only, small scale and there are nearby bridleways.

(c) The associated access and parking is acceptable;

The sand school is for private use only, and main mode of transport would be walking by foot, but there is an existing vehicular access and space on site for parking of vehicles e.g. horse boxes, vets etc.

(d) With reference to the other facilities in the area, the cumulative impact of the development would not have an adverse impact on the character, appearance and amenities of the area, taking account of factors including the likely level of activity to be generated, parking and access requirements and the adequacy of the bridleway network to accommodate additional use arising from the development;

The sand school is for private use only, by the occupant of 40 Hill Lane, and would not generate material increased level of activity or have an adverse impact on character, appearance, amenity, local highway or bridleway.

(e) That there will be no detrimental impact on water quality;

The site is already used for the grazing/exercising of horses. There will be no material increase in number of horses so no impact on water quality. Drainage/flood risk is dealt with below.

(f) Sufficient land (1-1.5 acres per horse) (33) is available for grazing and exercise where necessary to prevent overuse of the land.

The site is already used for the grazing/exercising of horses. There will be no material increase in number of horses. The area to be occupied by the sand school is occupied by polytunnels so there would be an increase in the amount of land available for grazing and exercise.

The proposals would result in development in the countryside. It complies with exception tests of policy C SP1 (b) as it would be for quiet, informal recreation and (f) be in accordance with other policies in the Plan which refer to a specific use or type of development, in this case policy EQU DM1. The development is acceptable in principle in this location.

VISUAL AMENITY:

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, attractiveness, innovation, residential amenity impact, adaptability, density, scale, trees and crime prevention. New buildings should be harmonious with their surroundings and successfully integrate with the surrounding environment. ES5 of the Barnham & Eastergate Neighbourhood Plan (B&ENP) requires that development should be designed to respond to the specific character of the site and local surroundings. ES4 seeks to protect open views across the countryside and open spaces. Arun District Council Design SPD (due for adoption in 2020) provides detailed design guidance for developments in the District.

There are agricultural/horticultural structures on site (agricultural barn, tractor/goat sheds and polytunnels). The sand school is in the area occupied by the polytunnels (with a larger footprint). Whilst it would be a large structure (25m x 50m), the majority would minimally project above ground level by around 0.3m, with timber post/rail fencing at a height of 1.2m, and it would appear unenclosed, permeable and open. Open views across the countryside and this open space would largely be maintained. The sand school appears in the context of existing agricultural development, would be a largely open structure, and its purpose fits in with the rural setting and character of the area.

The proposals maintains the character of the locality and visual amenity of the area, and allow views across the open countryside, in accordance with the NPPF, Local Plan policies D SP1 and D DM1 and Neighbourhood Plan policies ES5 and ES4.

RESIDENTIAL AMENITY:

Policy D DM1 of the Local Plan 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. Policy CLW3 of the B&ENP states that the provision of recreational buildings will be supported so long as the impact on the residential amenity of surrounding residential properties is acceptable. The Arun District Council Design SPD (due to be adopted in 2020) provides detailed design guidance for development, including with regard to matters of amenity. Para 127 (f) of the NPPF states development should have a high standard of amenity for existing and future users.

The sand school is for private use only, for the occupant of 40 Hill Lane to exercise/ride their horses. The land is used for the grazing/exercising of horses. There would be no significant increase in general activity and thus noise and disturbance as a result of the proposals. A condition is to be applied restricting use of the sand school to private use and not permitting commercial use. The structure is of a nature, scale and siting, and separation distance from nearest properties, that it would not result in harmful overshadowing, overbearing or overlooking impacts to neighbouring residents.

The proposals would maintain residential amenity of neighbouring occupants, in accordance the NPPF, Local Plan policies D DM1 and QE SP1 and Neighbourhood Plan policy CLW3.

LIGHT POLLUTION:

QE DM2 of the ALP states that proposals which involve outdoor lighting must be accompanied by an outdoor lighting scheme, and will be considered with regard their impact on: neighbouring uses and the wider landscape (especially having regard to the South Downs International Dark Skies designation), minimising potential glare and spillage, using on-site renewable sources, and being the minimum required for security/working purposes). Light levels can impact nocturnal wildlife such as bats. H6 of the B&ENP refers to the need for lighting schemes to prevent light spillage/glare and face inwards away from open landscapes.

The application does not propose external lighting. If the sand school is to be used in winter it may be that the applicant will wish to install external lighting. This would need to be carefully assessed on its merits in terms of visual impact on the landscape and impacts on neighbouring occupants and wildlife. A condition is to be applied with regard any future proposals for external lighting to ensure it would comply with policy QE DM2 of the Local Plan and policy H6 of the Neighbourhood Plan.

HIGHWAYS:

Regard should be had to para 109 of the NPPF which states: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". Policy T SP1 of the ALP supports development which incorporates appropriate levels of parking in line with WSCC guidance on parking provision. Arun District Council adopted its own Parking Standards SPD (Jan 2020). Policy GA4 of the B&ENP states proposals will be supported where they include the maximum level of off-street parking consistent with the standards under the Local Plan. Para 106 of the NPPF refers to maximum parking standards for residential and non-residential development. Policy T SP1 and T DM1 support the inclusion of sustainable modes of transport.

WSCC Highways raised no objection subject to private use only. The applicant proposes to utilise the existing access with no alterations. Hill Lane is a privately maintained with access to the maintained highway network is at its junction with Church Lane. There are no apparent visibility issues at this junction and police records provide no evidence to suggest the highway network is operating unsafely or that the proposals would exacerbate an existing highway safety concern. The applicant confirmed the sand school will be for private use only, and the main mode of transport would be by foot from the applicants home at 40 Hill Lane. WSCC do not anticipate the proposal result in material intensification of use of the access.

There appears to be sufficient on-site parking/space for turning to allow vehicles to exit in forward gear. Given the main mode of transport would be by foot from the applicants home, and it would be for private use only, the inclusion of car/cycle parking spaces is not necessary. There is space to park and turn for horse boxes etc. if and when required. Walking is a sustainable mode of transport. WSCC Highways conclude the proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, and accords with the NPPF.

The proposals maintains highways safety and operation, would provide sufficient parking and turning facilities on site if required, and the main mode of transport to the site would be sustainable. The proposals would thus accord with the NPPF, policies T SP1 and T DM1 of the Local Plan, and policy GA4 of the Neighbourhood Plan.

LAND CONTAMINATION:

Policy QE DM4 promotes and will permit the use of previously developed land subject to evidence being provided, prior to any development evidence is provided to show that unacceptable risk from contamination will be successfully addressed through remediation.

The site is adjacent to land which is potentially contaminated, and there are concerns about breaking the ground surface and associated health risks. Environmental Health have not objected, subject to a condition requiring any necessary remediation of the land.

DRAINAGE:

ALP 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. These features may include green roofs, permeable driveways, soakaways, water harvesting such as water butts. Policy ES1 of the B&ENP requires that new development should reduce the overall level of flood risk in the area, which includes taking account of the Lidsey Water Treatment Works Catchment Area.

The site is in Flood Zone 1 (low risk of flooding). No FRA or flood mitigation measures are required in this regard. The site is in the Lidsey Water Treatment Catchment Area where surface water drainage needs to be carefully considered. The Council's Drainage Engineer raised no objection subject to drainage conditions. The Site Plan perforated pipes but no drainage layout or design. The applicant stated the area will be drained by infiltration under the sand school structure, however no infiltration testing has been completed to show this is viable. There is a watercourse running on the north boundary. Planting must not have detrimental impact on the Hill Lane ditch and culvert.

Conditions are to be applied to ensure the development is adequately drained and does not increase flood risk elsewhere, in accordance with the NPPF, Local Plan policies W DM2 and W DM3, and Neighbourhood Plan policy ES1.

TREES:

Policy ENV DM4 seeks to protect trees with TPOs, identified as Ancient Woodland, in Conservation Areas, or contributing to local amenity. Policy ES10 of the B&ENP requires that development proposals must maintain trees or hedgerows of good arboricultural or amenity value.

The site perimeter consists of trees/hedgerows. A native tree/hedge mix 40-60cm in height on the south east (rear) boundary is proposed. The proposal for a tree/hedge mix on the front boundary was omitted, due to impacts on the Hill Lane ditch. The applicant confirmed they are not intending to remove any mature native trees from in the wider site (shown by the blue site line boundary). The small willow trees (saplings) in the area where polytunnels are located (shown by the red site line boundary), would be removed. A Construction Management Plan is shown on plans and the site access for heavy plant to deliver materials and a compound for the storage of materials is shown.

The Council's Arboriculturalist confirmed that, subject to the revised site plan showing the CMP being a condition, they do not object. They confirm clarity has been provided around the extent of the native tree/hedgerow planting scheme and although not as ambitious as first proposed it has the potential to adequately compensate for the removal of trees around the polytunnels, if aftercare is applied.

The proposals, subject to condition, would have an acceptable impact on trees and hedgerows, in

accordance with Local Plan policy ENV DM4 and Neighbourhood Plan policy ES10.

ECOLOGY:

ALP policy ENV DM5 states development shall seek to achieve a net gain in biodiversity and protect existing habitats on site. The B&ENP emphasises the importance of the protection and enhancement of local wildlife. Paragraphs 170, 174 and 175 of the NPPF indicates that developments should aim to protect or enhance, minimise impacts, and provide net gains to biodiversity. Net Biodiversity Gain is an important aspect of the Environment Bill and the NPPF. Natural England provide guidance with regard to a range of Net Biodiversity Gain measures. 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.

The Council's Ecology Advisor objected due to the lack of a protected species surveys having been undertaken. A Preliminary Ecological Assessment Report has been submitted. The Ecologist has now confirmed that the proposals are acceptable subject to conditions: external lighting scheme to take into account presence of bats, installation of bat and bird boxes, buffer strip and protective fencing around hedgerows during construction, precautionary approach to reptiles and badgers, and any site/vegetation clearance works to only take place during certain months to protect wild nesting birds.

Subject to conditions, the proposals would have an acceptable impact on ecology and would result in net biodiversity gain, as required by the NPPF, Environment Bill, policy ENV DM5 of the Local Plan and the objectives of the Neighbourhood Plan.

SUMMARY:

The proposal complies with relevant Development Plan policies in that, subject to conditions, it would maintain the visual amenity of the area, the residential amenity of the area, and would have an acceptable impact on highways, drainage, land contamination, trees and ecology. Whilst it would result in development in the Countryside the proposals benefits from the exception tests of Policy C SP1 for Countryside development in that it would be (b) for quiet, informal recreation and (f) in accordance with other policies in the Plan which refer to a specific use or type of development (in this case policy EQU DM1 for equine development).

The application is to be approved, subject to the following conditions:

HUMAN RIGHTS ACT

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

The application is not CIL liable as it is for a non-residential equine related structure/use.

RECOMMENDATION

APPROVE CONDITIONALLY

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location, site, floor plans and elevations (Drawing No. DPA-01 Rev 03)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies EQU DM1, D SP1, D DM1, QE SP1 and ENV DM4 of the Arun Local Plan and policies ES4, ES5, CLW3 and ES10 of the Barnham and Eastergate Neighbourhood Plan.
- 3 The sand school shall be for private use only of the occupants of 40 Hill Lane, Barnham and shall not be used at any time for commercial purposes.

Reason: To protect the residential amenity of neighbouring occupants and to ensure there would not be a severe impact on the operation and safety of the highway network, in accordance with the NPPF, policies EQU DM1, D DM1, QE SP1 and T SP1 of the Arun Local Plan and policies CLW3 and GA4 of the Barnham and Eastergate Neighbourhood Plan.
- 4 No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed and maintained thereafter in accordance with the approved scheme.

Reason: To protect local residents from light pollution, and for the protection of local wildlife including bats, in accordance with policies D DM1, QE SP1, QE DM2 and ENV DM5 of the Arun Local Plan.
- 5 Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A Preliminary Risk Assessment which has identified: all previous (historical) uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.
2. A Site Investigation Scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. Based on the Site Investigation Scheme and the detailed risk assessment (2), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A Verification Report providing details of the data that will be collected in order to demonstrate that the works set out in (3) 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 (4) 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 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 residents and future occupants of the dwelling in accordance with Policy QE DM4 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to ensure the land is remediated from any contamination prior to commencing any building works.

- 6 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. The sand school shall not be used until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

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

drainage system prior to commencing any building works.

- 7 Prior to commencement of development, a buffer strip (of 5m) with protective fencing around the existing hedging must be installed and maintained in situ for the duration of the construction works.

Reason: To protect local wildlife and protected species, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to ensure adequate protection of wildlife and protected species is in place prior to commencing any building works.

- 8 Any gaps to existing hedgerows should be filled in using native hedge species to improve connectivity for local wildlife.

Reason: To enhance the environment for local wildlife and protected species and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 9 A precautionary approach must be undertaken on the site for reptiles, as set out in the Preliminary Ecological Assessment Report submitted (prepared by CC Ecology May 2020). This involves any removal of scrub, grassland or ruderal vegetation to be done sensitively and done with a two phased cut.

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

- 10 As a precaution, any trenches should be covered overnight, or a means of escape made available and any hazardous chemicals need to be suitably stored away so animals (such as badgers) cannot access them.

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

- 11 Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take 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.

- 12 A bat box must be installed on a building or tree onsite facing south/south westerly positioned 3-5m above ground. A bird box must also be installed on a tree within the grounds of the site. Both boxes shall be installed within 3 months of commencement of the permission and retained in perpetuity.

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 13 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.

- 14 **INFORMATIVE:** Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.