REPORT UPDATE

Application No: BN/38/24/PL

Reason for the Update / Changes

Reason for Update/Changes:

One additional letter of representation.
- Concerns regarding the trees proximity to plot 3,4 and 5 and their overshadowing impact.

Within the space standards it notes a 4 bed, to confirm there are no 4 beds and this should read 3 bed.

The report notes that the visitor parking is one space short of requirements. This is an error and it does provide 4 spaces which is 20% in compliance with ADC parking standards.

The applicant has agreed to WSCC education contributions.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Planning Permission

REF NO: BN/38/24/PL

LOCATION: Land to the rear of The Croft Surgery
Barnham Road
Eastergate
PO20 3RP

PROPOSAL: Construction of 21 No. dwellings, access, landscaping and associated works. This application is in CIL Zone 2 and is CIL Liable as new dwellings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks permission for 21 dwellings comprising 2 x 1 bed dwellings, 7 x 2 bed dwellings, 12 x 3 bed dwellings, with car and cycle parking, access, landscaping and associated works. All the dwellings are bungalows. 6 units would comprise affordable housing.

The majority of units have an attached garage or car port, and all have allocated parking. There are also visitor spaces.

The dwellings are arranged around the central road which runs through the site and allows the open space to be central to the site. The materials vary and will consist of a mixture of brick, flint and weatherboarding with tiled roofs.

	The access will connect with the new access to the Croft Surgery which joins with Barnham Road. A new footpath will be constructed for connectivity to the north of the site.
SITE AREA	1.15ha
RESIDENTIAL DEVELOPMENT DENSITY	18 dwellings per hectare.
TOPOGRAPHY	Predominantly flat with some earth banks approximately 1.5m high to the northern and eastern boundary.
TREES	A number of trees are to the southwest of the site with majority of trees located along the north, east and western boundaries. Trees proposed for removal are Category U and C trees with the exception of 1 Category B tree.
BOUNDARY TREATMENT	The northern and eastern boundaries are lined with trees and low level planting with a former orchard beyond. The southern boundary abuts rear gardens on Collins Close and the new medical facility. To the west, the boundary adjoins rear gardens of properties on Fontwell Avenue.
SITE CHARACTERISTICS	The site is a former daffodil nursery although this use ceased around 20 years ago and now forms an open area of grassland.
CHARACTER OF LOCALITY	The site is rural but lies adjacent to residential development to the south and west. Cherry Tree Drive to the south comprises detached bungalows. Collins Close to the west comprises detached two storey dwellings. A new medical surgery is under construction to the south. A strategic housing allocation borders the site to the east.

RELEVANT SITE HISTORY

EG/4/19/PL	Change of use of land to recreational space associated with medical centre.	ApproveConditionally 04-04-19
BN/62/21/PL	Medical centre with pharmacy retail unit & other ancillary uses together with access onto Barnham Road, associated car parking and other hard and soft landscaping works. This site is in CIL zone 2 (Zero Rated) as other development.	ApproveConditionally 24-09-21
EG/71/14/OUT	Outline application for the erection of 60 residential dwellings with new vehicular access, open space & other ancillary works	App Cond with S106 03-02-15

BN/62/21/PL was approved for a medical facility to the south of the site. The proposed development utilises the same access.

EG/4/19/PL was approved for a change of use of the land to recreational space, which was to be utilised in association with the replacement medical centre. This was not implemented and expired in 2022.

EG/71/14/OUT was approved for 60 dwellings which adjoined the boundary of the site, although the allocation encompassed the whole site.

REPRESENTATIONS

Barnham Parish Council object to the following reasons:
- It is not allocated in the Neighbourhood Plan.
- Concern over Barnham Catchment Sewage System ability to cope.
- Lidsey WasteWater Treatment Works is at capacity.
- Enhancement of wastewater facilities should be completed prior to commencement.
- Concerns the development would contravene the dark night skies policy.
- Concerns the location would have a negative impact upon bats.
- Insufficient surveys to determine species on site.
- Concerns regarding safety over the increased traffic on the access road shared with the Croft Surgery.

10 letters of objection from 5 occupiers.
- Inappropriate access which will result in traffic day and night.
- Additional strain on services such as drainage.
- Deer and other wildlife are present on the site.
- No secondary school places.
- Major loss of natural habitat.
- Additional housing will exacerbate pressure on local services.
- Plot 3-5 are unsuitable due to boundary trees.
- Departure from the original sensory walk application.
- The density is not in keeping with the plot.

1 letter of no objection.
- No principle objection subject that trees on Blue Haze property are untouched.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in the conclusion.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC LEAD LOCAL FLOOD AUTHORITY- No objection subject to three drainage conditions.

WSCC MINERALS AND WASTE - No objection.

NATIONAL HIGHWAYS - No objection.

WSCC HIGHWAYS - No objection subject to conditions relating to access, cycle, EV, car parking and a construction management plan.

WSCC FIRE AND RESCUE - No objection subject to a condition relating to a fire hydrant.

ADC ENVIRONMENTAL HEALTH - No objection subject to conditions relating to a construction management plan, unexpected contamination, hours of work and air quality.

ADC LANDSCAPE - No objection.

ADC ECOLOGY - No objection subject to conditions to ensure mitigation and enhancement measures are secured along with biodiversity net gain.

SOUTHERN WATER - No objection subject to a standard foul drainage condition.

WSCC EDUCATION - Object as there is insufficient secondary school provision. If the application is to be approved, it should be subject to a school transport contribution using the standard formula.

NATURAL ENGLAND - No objection.

SOUTH DOWNS NATIONAL PARK AUTHORITY - No comment.

ADC HOUSING OFFICER - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The recommended conditions/informatives are included, where appropriate. Contributions for school transport will form part of the legal agreement to address WSCC objections.

POLICY CONTEXT

Designation applicable to site:
Built- Up Area Boundary (BUAB)
Current/Future Flood Zone 1
High Groundwater Flood Risk.
CIL Zone 2
Mineral Safeguarding Area
Singleton and Cocking Tunnels (SAC)

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

AHSP2	AH SP2 Affordable Housing
HWBSP1	HWB SP1 Health and Wellbeing
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HDM1	H DM1 Housing mix
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment

SDSP2	SD SP2 Built-up Area Boundary
SODM1	SO DM1 Soils
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WMDM1	WM DM1 Waste Management

Joint Minerals Local Plan 2018:

Joint West Sussex M9 Safeguarding Minerals

West Sussex Waste Local Plan 2014:

West Sussex Waste W2 Safeguarding Waste Management Sites

Barnham & Eastergate Neighbourhood Plan 2019 POLICY H8 — Settlement boundary

Barnham & Eastergate Neighbourhood Plan 2019 POLICY ES10 — Trees and Hedgerows

Barnham & Eastergate Neighbourhood Plan 2019 POLICY ES14 — Development on Agricultural Land

Barnham & Eastergate Neighbourhood Plan 2019 POLICY ES15 — Green Infrastructure and Ecosystem Services

Barnham & Eastergate Neighbourhood Plan 2019 POLICY ES16 — Dark night skies

Barnham & Eastergate Neighbourhood Plan 2019 POLICY ES17 — Singleton and Cocking Tunnels SAC

Barnham & Eastergate Neighbourhood Plan 2019 POLICY ES1b — Reducing Flood Risk

Barnham & Eastergate Neighbourhood Plan 2019 POLICY ES1c — Sewage

Barnham & Eastergate Neighbourhood Plan 2019 POLICY ES5 — Quality of design

Barnham & Eastergate Neighbourhood Plan 2019 POLICY GA4 — Parking and new development

Barnham & Eastergate Neighbourhood Plan 2019 POLICY H2 — Windfall sites

PLANNING POLICY GUIDANCE:

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, 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.

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 it it is located within the built-up area boundary and would result in a development of an appropriate scale and appearance which is not harmful to the character & appearance of the area, nor harm the amenities of existing/future residents, road network or biodiversity.

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 liable for Biodiversity Net Gain (BNG) and the following is a summary of the key points:
- BNG will be provided on site.
- 10.12% net gain for habitats.
- 269.53% for linear habitats. (hedgerows)

CONCLUSIONS

PRINCIPLE
The site is located within the Built-Up Area Boundary (BUAB), as defined by policy SD SP2 of the Arun Local Plan (ALP) and policy H8 of the updated Barnham and Eastergate Neighbourhood Development Plan 2019-31 (BENDP2), where the principle of residential development is supported.

The site previously formed part of an allocation for at least 60 homes under policy H1 of the original Barnham and Eastergate Neighbourhood Development Plan 2014-29 (BENDP). The site was removed from the list of housing allocations following the grant of outline permission for 60 dwellings on the

eastern part of the site (EG/71/14/OUT), whereupon it was defined as a deliverable site as part of the BENDP2. The permission was never implemented and expired. As the site was not included as a housing allocation to the more recent BENDP2, the site is no longer recognised as an allocated site.

Policy H2 of the BENDP2 allows for windfall sites where these are in the BUAB and subject to other criteria. The proposal complies with this policy.

It is a sustainable site, within the BUAB and the principle of development is supported, subject to consideration against other policies within the Development Plan. Notwithstanding this, it is acknowledged that the Council cannot demonstrate a 5-year housing land supply and weight would be afforded to the fact that the development would make a meaningful contribution to the Council's identified housing need.

DESIGN, VISUAL AMENITY AND LANDSCAPING
Para 135 of the NPPF details design requirements for new developments. ALP policy D DM1 considers aspects of form and design quality. Policy D SP1 of the ALP requires that development proposals make efficient use of land but reflect the characteristics of the site and local area.

Policy ES5 of the BENDP2 refers to design quality and reflects the context and type of landscape where development is located.

The Arun Design Guide (ADG) provides detailed guidance that will help raise design standards. Section P refers to infill development and states that the scheme should emulate the established pattern of building height, scale, plot width, boundary treatment. Consideration must also be given to effects on the existing character and appearance of the streetscape and how this may be enhanced or preserved.

The site is proposed for 21 bungalows. These consist of predominately detached and semi-detached properties, with 3 terraced properties to the north-west and south-west corner. The dwellings are set back from the site entrance although the flank elevation of Plot 1 is visible when entering the site however this is set back approximately 16m which allows open views into the site, with green space and tree planting to both sides of the road. The public open space (POS) is located centrally and forms one of the predominant views when entering the site. The location of the POS allows for a focal point and positive outlook for the majority of the dwellings on site. The design and scale of the dwellings are in keeping with those in the locality. The properties along Fontwell Avenue to the west vary in design and size, with those along Collins Close being more uniform in terms of their scale and materials, as is the case on Cherry Tree Drive further to the south, which is characterised by rows of detached bungalows of an almost identical design. The scale proposed is consistent with existing properties within the vicinity.

Materials differ throughout the street scene, with a combination of brick, cladding and flint facades with both red and grey roof tiles. Those plots most central (8,9,20 and 21) and adjoining the POS feature flint walls. Designs incorporate architectural features including brick detailing panels and brick quoins to ensure variation and interest whilst ensuring the wider design appears cohesive. White UPVC windows and soffits are proposed, and a condition will be included for a full schedule of materials to be submitted. The dwellings are all set back from the highway retaining 2m open frontages. Parking is set back from the street scene, incorporated via garages and car ports which are to the sides of the dwellings. This ensures parking does not dominate the street and allows the development to maintain open frontages with limited hard standing.

The ADG suggests a density for village locations of 15-25 dwellings per hectare for detached/semi-detached houses. The density for this development would be 18dph. This would accord with the guidance and the built form is therefore comparable with the adjoining development and does not appear cramped or as an overdeveloped. This layout responds well to the prevailing character of the area.

The affordable housing is slightly clustered in two areas of the site although they are well separated from each other. The proposal would accord with principles set out in the ADG which requires new infill development to 'respond to the surrounding pattern of buildings in terms of block sizes and patterns of plot division in order to create a natural extension to the existing development'.

With regards to landscaping, the Parks and Landscaping officer provided no objection. Extensive planting is proposed. There will a mix of fencing with traditional timber fence, post and rail and knee and rail to ensure separation between residential and open spaces. These are appropriate in design and would not result in the appearance of excessive enclosure throughout the site.

The development would respond positively to the character of the area, provide a density, design and materials palette which would sit well within its context, and result in a scheme which is in accordance with ALP policies D SP1, D DM1, AH SP2, Policy ES5 of the BENDP, the ADG and the NPPF.

RESIDENTIAL AMENITY
Policy QE SP1 of the Arun Local Plan requires all development to contribute positively to the quality of the environment and ensure that development does not have a significantly negative impact upon residential amenity. Policy D DM1(3) indicates planning permission will only be granted where it has minimal impact on the users or occupiers of nearby land. ALP policy D DM1 requires there be minimal impact to users and occupiers of nearby property and land. ALP policy QE SP1 requires development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity.

The council's Design Guide sets out the following guidance on interface distances between houses:

- Back-to-Back: min. 21m between habitable rooms of properties or to existing buildings.
- Back/Front to Side: min. 14m between habitable rooms and side gable of adjacent property.
- Front to Front: min. 16m between habitable rooms of properties facing each other.
- Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping.

Plot 10 and 11 separation distances are slightly short of the 21m required and retain approximately 19.5m. As a result of the angle between plot 11 and Lacre to the rear and with the properties being single storey, this would not result in significant overlooking. These do comply with the back to boundary distances. Plots 13 and 14 are slightly short of the guidance for front to side distances. This should be 14m and it measures around 10m. With planting along the boundary and the windows serving an en-suite, views would not be significant and would predominately be over the road which separates the properties. Plots 18-19 and 20-21 are short of the front-to-front separation which requires 16m. There is 13.5m separation although with the road extending across the dwellings, the harm would not be significant as a result of the minor shortfall. All other plots comply with guidance.

With the development forming bungalows, there will be no first floor overlooking to properties at the rear on Fontwell Avenue. The garden of 'Fairlands' runs along the full boundary to the north. With the development at single storey level, it will not result in adverse overbearing, overlooking or overshadowing upon this property. The medical centre to the south is two storeys in height although is set back from the boundary with parking around the perimeter of the site and would not result in harm to the future occupiers of the development.

The development would not result in adverse harm upon neighbouring residential amenity in accordance with D DM1 and D SP1 of the Arun Local Plan and the ADG.

SPACE STANDARDS

Policy D DM2 of the Arun Local Plan states that the planning authority will require internal spaces to be of an appropriate size and that the Nationally Described Space Standards apply.

The 1 bed units have a floor area of 61sqm which exceed the 50sqm requirement. The 2 bed units range from 61-97sqm, again meeting or exceeding the requirement of 61sqm. The 4 bed units have a floor area between 106 -124sqm exceeding the 95sqm standard. The dwellings all meet or exceed the required standards and accord with D DM2 of the Arun Local Plan.

Policy H.04 of the ADG advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It states rear gardens should have a minimum depth of 10.5m and buildings should be set back by 2m from the plot boundary to mark defensible space. All residential gardens are at least 10.5m deep. All front gardens meet the requirements except for plots 10-13 which front onto a shared surface in front of their parking. The design provides a suitable internal and external living space in compliance with D DM2 of the Arun Local Plan and the ADG.

PUBLIC OPEN SPACE
ALP policy OSR DM1 requires housing developments provide sufficient public open space, playing pitch provision and indoor sport & leisure provision with reference to the councils Open Space SPD. Policy HWB SP1 seeks to ensure development is designed to maximise the impact it can make to promoting healthy communities and reducing health inequalities.

The Councils' SPD "Open Space, Playing Pitches, Indoor and Built Sports Facilities" (January 2020) sets out a requirement for 1478sqm of Public Open Space (POS) and a separate play provision of an onsite, unequipped natural play Local Area for Play (LAP) for 254sqm. The application proposes 1553sqm which exceeds requirements. A LAP is provided for and is located centrally in the open space and meets size standards at 254sqm. The proposal is not required to provide an equipped area of play however a bench is situated to the boundary for views across the space to the north east. The proposal complies with relevant policies.

MARKET AND AFFORDABLE HOUSING MIX/TENURE
ALP policy H DM1 provides for 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 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).
The scheme provides the following housing mix:

- 2 x 1 bed
- 7 x 2 bed
- 12 x 3 bed units.

The proposal provides a mix of market housing which accords with the need identified in the SHMA. The proposed mix is therefore acceptable.

Developments over 11 residential units require a minimum provision of 30% affordable housing on site as per ALP policy AH SP2. The policy states affordable housing should be visually indistinguishable from market housing with large groupings of single tenure dwellings or property types avoided. Affordable housing units shall be permitted in small clusters throughout development schemes. The policy also sets out a target mix for affordable housing.

6 affordable units are proposed, and the mix will comprise 2 x 1 bed, 3 x 2 bed, 1 x 3 bed. The Councils policy requires a tenure split of 67% rented, 25% First Homes and 8% intermediate. The overall number of units and tenure split which would consist of 2 first homes and 4 rented and is acceptable.

The Councils Affordable Housing Officer has no objection to the provision and the application complies with policy AH SP2 and delivers 30 % affordable dwellings.

HOMES FOR OLDER PEOPLE
ADC policy on the provision of housing accommodation to provide for an ageing generation ("Accommodation for Older People and People with Disabilities", 2020). This has some weight as a material planning consideration. It is supported by references in ALP Policies D DM1 & D DM2.

This requires at least 30% are designed to the M4(2) standard. The proposal exceeds this requirement with 17 units proposed to meet the M4(2) standard. These are spread out across the site. None are required to be M4(3) wheelchair accessible due to the total number of dwellings proposed. The scheme complies with policy.

PARKING/HIGHWAYS
Regard should be had to para 115 of the NPPF which states that 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 the West Sussex County Council guidance on parking provision. Arun has its own adopted Parking Standards SPD

Policy GA4 of the BENDP2 states that development proposals will be supported only if they include the maximum level of off-street parking consistent with the most current standards.

There is no access to the site directly from Barnham Road and a new access will be constructed extending from the approved access arrangement for the relocated Croft Surgery which is under construction. The road will be shared with the surgery and extend north through the site. The road will not be flanked with pavements and instead will form an un-adopted, shared space. There will be a footway measuring 2m in width to the south-west which will connect with that at the medical centre. Following discussions with WSCC Highways amendments were made to extend the path to join with the perimeter of the POS which provides connections to plot 7-9 and 1-6. WSCC have no objection.

The nearest bus stop is around 37m south on Barnham Road. Barnham Railway Station is approximately a 20-minute walk. This can also be accessed via a 4-minute bus journey. For dwellings of this type and this location (Parking Behaviour Zone 2), the Council's Parking Standards require 2 spaces per dwellings for 2-3 bed dwellings. In terms of cycle parking, 1 cycle space is required for each 1 and 2 bed house and 2 spaces for each 3+ bed house, to be provided on-site. Cycle storage should be undercover, secure, and easily accessible to occupants.

All the dwellings have at least 2 parking spaces and all are provided with secure and covered cycle storage. 6 units will have 2 dedicated on street parking spaces. For plots 1,2,6,7,13-19 parking will be provided in the form of a car port of 5m x 3m with tandem parking and with cycle stores to the rear, outside of the mentioned dimensions. For plots 8,9,20 and 21, garages will be provided in the form of 6m x 3m internally. The plans demonstrate cycle parking within and will not be counted towards a space. 2 additional spaces are provided on site for these plots to comply with requirements.

Electric vehicle charging points should be provided at a rate of 1 charging point per house with a garage or parking space, as per the Council's Parking Standards. Each dwelling has its own dedicated charging point. Visitor parking will be required at a ratio of 20% of the total number of residential units. 3 visitor spaces are provided and 1 disabled space as per requirement in the Manual for Streets which recommends 5% disabled parking. The proposal is one space short of the provision for visitor parking

although is not deemed to result in adverse harm upon parking in the area, nor upon the highway and complies with relevant policy.

The transport statement details that refuse and fire vehicles are able to enter and exit the site in a forward gear as per the Manual for Streets.

The proposal is compliant with development plan policies and guidance on highway safety in the NPPF.

FLOOD RISK
ALP policy W DM2 refers to the sequential and exceptions tests, need for a Flood Risk Assessment (FRA) and mitigation. Policy ECC SP1 states development must be located & appropriately designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding.

Paragraph 173 of the NPPF states local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

Policy ES1b of the BENDP2 states development on undeveloped land must demonstrate that surface water runoff will be returned to re-development greenfield criteria.

Policy ES1c refers that sewage infrastructure cannot be released into or infiltrated by surface water.

Due to the site being greater than 1 ha, a FRA has been submitted and this assesses the flood risk as low to negligible. The site is in Flood Zone 1 and is not at risk of flooding from rivers or seas. The only risk to adjacent land is from a minor element of surface water flooding to the southeastern corner. However, open space surrounds this so there will be no risk to human occupation. WSCC Drainage have reviewed the FRA and raise no objections.

EA mapping suggests the site has low likelihood of groundwater. Details were provided which demonstrated that exploratory winter ground monitoring took place in October and February. This found that groundwater was not encountered within any trial pits or boreholes (up to a depth of 2.45m). This data, alongside that of the EA mapping indicates that the site is not likely to result in a risk of groundwater flooding.

The details provided are sufficient to demonstrate that the development of the site will not increase flood risk elsewhere and that, subject to conditions in accordance with relevant policies.

FOUL DRAINAGE
The site lies in the Lidsey Wastewater Treatment Catchment Area. ALP policy W DM1 states all development must demonstrate that adequate drainage capacity exists or can be provided as part of the development. In addition, applications must be accompanied by a Drainage Impact Assessment (DIA) that takes account of both the individual and cumulative impact upon foul water disposal, flood storage capacity and surface water drainage or flood flows within the Lidsey area.

The submitted Foul Drainage Statement states:

- There is no existing foul drainage on the site, however, is part of a wider development where foul drainage can be discharged.
- The proposed development will be connected to the recently installed foul water system within the access road on the adjacent development, utilising a gravity connection. This ultimately discharges into the main public sewers.

Southern Water raise no objection. The applicant has provided confirmation from Southern Water that the site has adequate capacity to accommodate a foul flow of 0.19l/s for the development. It notes no surface water flows (existing or proposed) should be accommodated within the existing sewerage system unless agreed by condition.

A condition will be imposed to secure the details of these proposals which will ensure compliance with the policies.

ECOLOGY AND BIODIVERSITY
ALP policy ENV DM5 states development shall seek to achieve a net gain in biodiversity. Policy ES15 of the BENDP2 states that development must assess the impact upon biodiversity corridors. Policy ES17 of the NP states that proposals for the development of sites which are located within 12km of Singleton and Cocking Tunnels Special Area of Conservation (SAC) must evaluate whether there is potential for an adverse effect to arise to qualifying species associated with the SAC due to loss of suitable foraging habitat and/or the severance of commuting flight lines.

The site falls in the Singleton and Cocking Tunnels SAC consultation zone, which is identified for supporting maternity colonies of Barbastelle bats. The conservation objectives of the SAC include avoiding the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species. As per the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the Local Planning Authority (acting as the Competent Authority) is required to undertake an Appropriate Assessment (AA) in order to conclude that the development works would not result in 'likely significant effects' on the foraging of bats deriving from the Singleton and Cocking Tunnels SAC. This was sent to Natural England who had no concerns. All trees on site were examined for evidence of roosting bats although none were found. In the context of surrounding orchard and countryside, the eastern boundary is likely to provide a suitable commuting bat route for surrounding habitats. The site would not result in harm upon bats with no habitat loss to take place to surrounding boundaries.

The application is accompanied by an Ecological Appraisal. The document proposes mitigation and enhancement measures which include appropriate root protection areas, creation of a 4m deep ecological buffer along to the eastern boundary and planting of a double hedgerow to the western boundary to protect adjacent habitats. External fences will have 2 hedgehog holes to enable movement and two swift boxes installed on each dwelling, along with bat boxes to retained trees. The measures identified will ensure habitat loss is mitigated and a measurable gain is delivered.

The submitted biodiversity net gain (BNG) assessment states that new a total net gain of 10.12% and 269% for hedgerows units will be achieved. This application is required to deliver statutory net gain and therefore this is acceptable. The Councils Ecologist has no objection and recommends a number of conditions.

Ecological impacts are assessed as being acceptable subject to conditions to securing mitigation and the application accords with policy ENV SP1 of the ALP and policies ES15 and ES17 of the BENDP2.

TREES
ALP policy D DM1 requires developments to incorporate new tree planting and to improve on character through landscaping. Policy ENV DM4 states TPO protected trees, those in ancient woodland, in a Conservation Area or trees that contribute to local amenity should not be damaged or felled unless the development meets the certain criteria including that the benefits outweigh the loss of trees or woodland.

Policy ES10 of the NP states 'Development proposals that result in the loss of or adverse impacts on

trees or hedgerows of arboricultural, amenity or historic value should demonstrate that the benefits clearly outweigh the harm or loss.'

The application is accompanied by an Arboricultural Impact Assessment and Method Statement with a Protection Plan. There are no protected trees on the site, although an off-sit TPO tree (TPO/EG/1/17) is located to the south on the access road to The Croft Surgery site. The applicant should be aware of the potential vulnerability in this area of the access road, should heavy machinery be accessing the site.

The site has numerous trees with large groups present along each boundary to the north, east and west. There are a number of trees which will be removed to facilitate the development; however, these consist of a group of category U trees, 1 category C tree and 1 category B tree. Existing trees along the boundaries will be retained. The trees proposed for removal are reasonable and would not result in undue detriment to the visual amenity of the area.

The Tree Officer has concerns regarding two off site trees that may result in a negative effect for occupiers of plot 3-5 and plot 12 by way of shading although does not recommend them to become subject of a TPO. The harm is also not sufficient to justify an objection to the scheme.

Appropriate root protection measures will be installed to ensure retained trees are not damaged during construction and the proposal will not result in adverse harm on trees subject to conditions.

The proposal would not result in adverse harm upon the tree on site, in compliance with ENV DM4 of the ALP and policy ES10 of the BENDP2.

MINERALS/WASTE
The site lies within the Sharp Sand and Gravel Mineral consultation area as defined by the West Sussex Joint Minerals Local Plan (2018). Policy M9 (b) of this document states that proposals for non-mineral development within the Minerals Safeguarded Areas will not be permitted unless: (i) Mineral sterilisation will not occur; or (ii) it is appropriate and practicable to extract the mineral prior to the development taking place, or (iii) the overriding need for the development outweighs the safeguarding of the mineral and it has been demonstrated that prior extraction is not practicable or environmentally feasible.

A Mineral Safeguarding Report has been submitted and states that whilst sterilisation of the mineral would occur, prior extraction would not be economically practical due to the small size of the site (1.15ha), the low quality of the mineral and potential impacts extraction would have upon the amenity of neighbouring residences. The Minerals and Waste Planning Authority (MWPA) are satisfied with the findings and note that whilst a loss is regrettable, the extraction of significant volumes would not be anticipated given the size of the site. It is also noted that an opportunist approach to mineral extraction be considered if areas of higher quality material are encountered during excavation.

The overriding need for housing would outweigh the safeguarded mineral and as a result of the size of the site and the presence of existing residential and medical development adjacent, there is no conflict with the policy. The site is located within a defined 500m buffer of a safeguarded scrap vehicle waste site defined by the West Sussex Waste Local Plan (2014). An application to redevelop the scrap site is undetermined. As per Policy W2 the development should demonstrate that it does not prevent/prejudice the continued operation of this site.

The Croft site is over 150m east of the safeguarded site and is separated from it by the A29, which is the major source of noise in the area. It is unlikely that the continued operation of the SRC Recycling site will prove to be a major source of noise at the host site. The dwellings are on the opposite side of Fontwell Avenue and the impact would be less than that experienced by residential dwellings which are closer to the site. The site would not be adversely affected by the existing facility, nor result in adverse effects

itself on the facility.

The MWPA has no objection to the site and there is no conflict with policies.

LOSS OF AGRICULTURAL LAND
ALP policy SO DM1 states unless land is allocated, then the use of Grades 1, 2 and 3a (Best & Most Versatile Land or BMV) of the ALC for development not associated with agriculture, horticulture or forestry will not be permitted unless the need for the development outweighs the need to protect such land in the long term.

Policy ES14 of the BENDP2 is relevant and states that development should safeguard the best and most fertile agricultural and horticultural land from development.

Whilst the site is not used for agriculture, as per Defra's Provisional Agricultural Land Classification mapping, the site is indicated to be Grade 1 agricultural land, therefore potentially the best and most versatile agricultural land. The more detailed "Post 1988 Agricultural Land Classification (England)" layer does not have any data to further support a specific grading. The site does not have detailed soil analysis however data has been obtained from 5 nearby sites which have detailed analysis. All the nearby sites have similar soil types to that on the proposed development site and as such consider the site falls within the same classification which is Grade 2 and 3a.

The site has not been used for agricultural purposes for approximately 20 years and there is no prospect of the site being used in the future for agricultural use as it is a small area of land surrounded by development of non-agricultural uses. It is also isolated from other agricultural sites. A Soil Resources Plan has been submitted and provides sufficient measures to ensure that the physical soil properties are maintained throughout construction and reinstated following works to the site. The soils have been under grass for around 20 years and are well suited for garden land and open spaces.

The contribution of 21 dwellings would have a minor to moderate impact on the supply of housing. It is material that the site is not used for agriculture, is not physically connected with adjacent countryside and the only access is between dwellings is unlikely to be suitable for agricultural vehicles.

The development would result in the loss of land which has potential to be grade 2 and 3a agricultural land but this is acceptable due to the arguments presented above. As such, there is no conflict with policy.

LIGHTING
ALP policy QE DM2 states outdoor lighting should not have adverse impact on neighbouring uses or the wider landscape, particularly with regard to the South Downs International Dark Sky Reserve designation. Light levels should be the minimum required for security and working purposes.

Policy ES16 of the BENDP2 states development that detracts from the unlit environment will not be supported.

The Ecological Appraisal states that lighting will be limited to motion activated to avoid disturbance upon biodiversity. No details of the lighting have been provided and a condition will be imposed to secure the precise details of lighting and there is no conflict with the policies.

CLIMATE CHANGE
ALP policies ECC SP1 and SP2 requires all new residential and commercial development be energy efficient, designed to adapt to impacts arising from climate change, and incorporate decentralised, renewable, & low carbon energy supply systems. The application provides an energy and sustainability

statement which proposes the following:

- Air source heat pumps for each dwelling.
- 2 solar panels per dwelling.
- Low energy lighting.
- Restricted water consumption.
- Enhanced building fabric.
- Electric vehicle charge points.

These elements provide an expected energy generation of 21% which exceeds 10% requirements. Conditions will be imposed to secure details which will ensure compliance with the policies.

WASTE COLLECTION:
ALP policy WM DM1 requires that kerbside collection be possible for new developments. The layout demonstrates that a refuse vehicle can enter and exit the site in a forward gear and does not have to reverse more than 12m within the development as per the Manual for Streets.

The plan demonstrates bin storage for all dwellings to the rear garden with each property having an external access gate. As such, there is no conflict with this policy.

OTHER CONSIDERATIONS - CIL
The Council adopted its CIL Charging Schedule on 01 April 2020. Applications will be subject to CIL payments where they fall in a charging zone detailed in the adopted Charging Schedule. In this instance, the site falls within CIL Charging 2. The 2024 charging rate would be £79.86m2.

ALP policy INF SP1 requires development proposals provide or contribute towards the infrastructure & services needed to support development to meet the needs of future occupiers and existing community.

Due to the current secondary school capacity issues in the district, WSCC have requested a secondary school transport contribution. These requirements all meet the CIL tests (Regulation 122 of the Community Infrastructure Levy Regulations 2010, as amended). Officers are awaiting confirmation from the applicant to this.

SUMMARY AND RECOMMENDATION
The site is located in the BUAB, where the principle of residential development is supported. The site also forms part of a site previously allocated for housing within the BENDP and is well-related to existing development. The Council cannot currently demonstrate a 5-year housing land supply and some planning weight should be afforded to the fact that the development would make a meaningful contribution to identified housing need.

In this case the proposed development would be in accordance with the development plan when taken as a whole and is acceptable with regard to design, amenity, highways, open space, flooding, biodiversity, trees and all other impacts. Paragraph 11(c) states that development proposals that accord with an up-to-date development plan should be approved without delay.

The recommendation is that the Planning Committee delegate the decision to the Group Head of Planning, in consultation with the Chairman or Vice Chairman, with authority to:

Grant permission subject to the conditions and informatives as set out in the report (including in respect of any changes by way of a report update or additional conditions voted for inclusion by the Committee), and subject to the satisfactory completion of a section 106 Agreement, the terms of which are substantially in accordance with those set out in this report (as may be amended by report update), with

any minor amendments authorised by the Group Head of Planning.

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.

SECTION 106 DETAILS

This decision will be subject to a s106 legal agreement to secure the following obligations:

AFFORDABLE HOUSING:

6 Affordable dwellings consisting of 4 affordable rented (2 x 1 bed, 2 x 2 bed), 2 First Homes (1 x 2 bed,1 x 3 bed).

EDUCATION
A financial contribution in accordance with the standard formula to the County Council towards secondary school transport of £63,440.

CIL DETAILS

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

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby approved shall be carried out in accordance with the following approved plans and documents:

* Location Plan - 0001 Rev P04
* Proposed Block Plan - 0005 Rev P10
* Proposed Site Plan - 0006 Rev P13
* Proposed Site Plan (wider site) - 0009 Rev P04
* Proposed Street Scenes - 0050 Rev P04
* Proposed Affordable Unit Plan - 0008 Rev P05
* Plot 1 and 2 Proposed Ground Floor Plan Type D - 2B4P - 0010 Rev P07
* Plot 1 and 2 Proposed Roof Plan Type D - 2B4P - 0011 Rev P06
* Plot 1 and 2 Proposed North and South Elevation Plan Type D -2B4P - 0012 Rev P07
* Plot 1 and 2 Proposed East and West Elevation Plan Type D -2B4P - 0013 Rev P07
* Plot 3 and 5 Proposed Ground Floor Plan Type C and A - 2B3P & 1B2P - 0014 Rev P06
* Plot 3 and 5 Proposed Roof Plan Type C and A - 2B3P & 1B2P - 0015 Rev P06
* Plot 3 and 5 Proposed North and South Elevation Plan Type C and A - 2B3P & 1B2P - 0017 Rev P06
* Plot 3 and 5 Proposed East and West Elevation Plan Type C and A - 2B3P & 1B2P - 0016 Rev P06
* Plot 6 and 7 Proposed Ground Floor Plan Type E - 2B4P - 0018 Rev P07
* Plot 6 and 7 Proposed Roof Plan Type E - 2B4P - 0019 Rev P06
* Plot 6 and 7 Proposed East and West Elevation Plan Type E - 2B4P - 0020 Rev P07
* Plot 6 and 7 Proposed North and South Elevation Plan Type E - 2B4P - 0021 Rev P07
* Plot 8 Proposed Ground and Roof Plan Type G - 3B5P - 0022 Rev P06
* Plot 8 Proposed Elevation Plan Type G - 3B5P - 0023 RevP07
* Plot 9 Proposed Ground and Roof Plan Type G - 3B5P - 0024 Rev P06
* Plot 9 Proposed Elevation Plan Type G - 3B5P - 0025 Rev P07
* Plot 10-12 Proposed Ground Floor Plan Type C, A, & B -3B4P,1B2P,2B3P - 0026 Rev P06
* Plot 10-12 Proposed Roof Plan Type C, A, & B -3B4P,1B2P,2B3P - 0027 Rev P05
* Plot 10-12 Proposed East and West Elevation Plan Type C, A, & B -3B4P,1B2P,2B3P - 0028 Rev P07
* Plot 10-12 Proposed North and South Elevation Plan Type C, A, & B -3B4P,1B2P,2B3P - 0029 Rev P06
* Plot 13 Proposed Ground and Roof Plan Type F - 3B5P - 0030 Rev P07
* Plot 13 Proposed Elevation Plan Type F - 3B5P - 0031 Rev P06
* Plot 14 Proposed Ground and Roof Plan Type F.1 - 3B5P - 0032 Rev P06
* Plot 14 Proposed Elevation Plan Type F.1 - 3B5P - 0033 Rev P06
* Plot 15 Proposed Ground and Roof Plan Type F - 3B5P - 0034 Rev P06
* Plot 15 Proposed Elevations Roof Plan Type F - 3B5P - 0035 Rev P06
* Plot 16 Proposed Ground and Roof Plan Type F.1 - 3B5P - 0036 Rev P06
* Plot 16 Proposed Elevation Roof Plan Type F.1 - 3B5P - 0037 Rev P06
* Plot 17 Proposed Ground and Roof Plan Type F - 3B5P - 0038 Rev P06
* Plot 17 Proposed Elevation Roof Plan Type F - 3B5P - 0039 Rev P06
* Plot 18 Proposed Ground and Roof Plan Type F.1 - 3B5P - 0040 Rev P06
* Plot 18 Proposed Elevation Plan Type F.1 - 3B5P - 0041 Rev P06
* Plot 19 Proposed Ground and Roof Plan Type F - 3B5P - 0042 Rev P06
* Plot 19 Proposed Elevation Plan Type F - 3B5P - 0043 Rev P06
* Plot 20 Proposed Ground and Roof Plan Type H - 3B6P - 0044 P07

* Plot 20 Proposed Elevation Roof Plan Type H - 3B6P - 0045 Rev P07
* Plot 21 Proposed Ground and Roof Plan Type H - 3B6P - 0046 Rev P06
* Plot 21 Proposed Elevation Plan Type H - 3B6P - 0047 Rev P07
* Landscape General Arrangement - 2506-TFC-XX-00-DR-L-1002 P02
* Landscape General Arrangement - 2506-TFC-XX-00-DR-L-1001 P06
* C2870_101_P2_Proposed Drainage Strategy Design Sheet 1, prepared by CGS Civils, Rev P2, 24.05.24
* C2870_102_P2_Proposed Drainage Strategy Design Sheet 2, prepared by CGS Civils, Rev P2, 24.05.24
* C2870_201_P2_Proposed Contributing Area, prepared by CGS Civils, Rev P2, 24.05.24
* C2870_301_ P2_Exceedance Flows, prepared by CGS Civils, Rev P2, 24.05.24
* C2870_401_Proposed Indicative Site Levels Sheet 1, prepared by CGS Civils, Rev P - 24.05.24
* C2870_402_Proposed Indicative Site Levels Sheet 2, prepared by CGS Civils, Rev P - 24.05.24
* C2870_501_Proposed Construction Details, prepared by CGS Civils, Rev P - 13.02.24
* C2870_P1_Appendicies_Drainage Report_FW Report, prepared by CGS Civils, Rev P1 - 19.03.23
* C2870_P1_Croft Surgery, Eastergate_FRA pdf prepared by CGS Civils, Rev P1 - 19.03.23
* C2870_P1_Maintenance Schedule
* C2870_P1_Drainage Report_FW Report
* C2870_P3__SW_Drainage Report_Appendic A_B prepared by CGS Civils, Rev P1 - 19.03.23
* C2870_P3_SW_Drainage Report_Appendic D_E prepared by CGS Civils, Rev P1 - 19.03.23
* C2870_P3_SW_Drainage Report_Appendix C prepared by CGS Civils, Rev P1 - 19.03.23
* Energy and Sustainability Statement - Rev B 19/3/24
* Soil Resources Plan - Feb 2024
* Retention & Protection Plan, dwg. 2579-02-P1.
* Arboricultural Impact Assessment & Method Statement, 2579 Rev-01, 12 March 2024.
* Preliminary Ecological Appraisal - April 2023
* Ecological Impact Assessment - March 2024

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

3 No development/demolition/levels changes (apart from any survey works required by other conditions) shall take place and no heavy plant shall be introduced to the site, unless and until written confirmation (supported by photographic evidence) is provided by the Arboricultural Expert representing the site owner(s) that all protective fencing has been positioned as shown on the Retention & Protection Plan, dwg. 2579-02-P1.

Reasons: To comply with BS5837:2012 and ensure the retention of trees which are an important feature of the area, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

4 No development shall take place, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with National Highways, WSCC Highways, the council's Environmental Health Officer and Ecologist as appropriate). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. This shall require the applicant and contractors to minimise disturbance during demolition and construction and will include (but not be limited to) details of the following information for approval:

1.The anticipated, number, frequency, types, and timing of vehicles used during construction (construction vehicles should avoid the strategic road network during the peak hours of 0800-0900 and 1700-1800 where practicable).
2. The preferred road routing for all construction traffic associated with the development.
3. Provision of wheel washing facilities (details of their operation & location) and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders).
4. A scheme for recycling/disposing of waste resulting from demolition and construction works (i.e., no burning permitted).
5. Details of areas for the loading, unloading, parking, and turning of vehicles associated with the construction of the development.
6. Details of areas to be used for the storage of plant and materials associated with the development.
7. Details of the temporary construction site enclosure to be used throughout the course of construction (including access gates, decorative displays & facilities for public viewing, where appropriate).
8. Contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details).
9. Details of the arrangements for public engagement/consultation both prior to and continued liaison during the construction works.
10. Details of any temporary traffic management that may be required to facilitate the development including chapter 8 traffic signage.
11. 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).

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work on Sunday or Bank/Public Holidays.

Reason: In the interests of the safety/amenity of nearby residents and occupiers of any nearby noise sensitive premises, the safety and general amenities of the area, and in the interests of highway safety in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the NPPF. This is required to be a pre-commencement condition because it is necessary to have the construction site set-up agreed prior to access by construction staff.

5 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before

development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Reason: In the interests of demonstrating and maintaining Biodiversity Net Gain measures in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

6 The approved new Biodiversity Net Gain scheme shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants agreed as part of the scheme which, within a period of thirty (30) years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of demonstrating and maintaining Biodiversity Net Gain measures in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

7 No development above damp-proof course (DPC) level shall take place unless and until details of the proposed location of the required fire hydrants have been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

Prior to the first occupation of any dwelling forming part of the proposed development, the applicant/developer shall at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved locations 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 hydrants 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.

Reason: In the interests of amenity and in accordance with policy INF SP1 and T SP1 of the Arun Local Plan and in accordance with The Fire & Rescue Service Act 2004.

8 Prior to first use of the development construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement, (prepared by cgs civils, dated June 2024,Rev.P.3) and remaining in perpetuity for

the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with the NPPF and Arun Local Plan policies W DM2 and W DM3. 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.

9 The development hereby approved shall not be brought into use until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first use of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
1. A timetable for its implementation.
2. Details of SuDS features and connecting drainage structures and maintenance requirement for each aspect.
3. Details of SuDS features and connecting drainage structures and maintenance requirement for each aspect.
4.. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policy W DM2 Flood Risk in Arun Local Plan.

10 Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policy W DM2 Flood Risk in Arun Local Plan.

11 The approved details of the landscaping and Local Area of Play (LAP) as shown on 'Landscape and General Arrangement L-1002' and 'Landscape and General Arrangement L-1011' shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with Arun Local Plan policy D DM1.

12 All activity at the site is to be carried out in strict accordance with the Arboricultural Impact Assessment & Method Statement, 2579 Rev-01, 12 March 2024.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reason: To comply with BS5837:2012 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area in accordance with Arun Local Plan policies ENV DM4 and D DM1.

13 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 ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

14 No dwelling shall be first occupied until the car parking serving the dwellings has been constructed in accordance with the approved site plan (0006 Rev P13). Once provided the spaces shall thereafter be retained at all times for their designated purpose.

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

15 Prior to occupation of any of the approved dwellings, the applicant or developer shall provide the dwellings with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires that where a dwelling has a driveway or garage then one of those parking spaces shall be provided with a charging point, with ducting then being provided to all other spaces, where appropriate, to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.

16 No dwelling shall be first occupied until covered and secure cycle parking spaces have been

provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The spaces so provided shall be retained in perpetuity.

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

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Arun Local Plan policies D DM1.

18 Prior to the occupation of any part of the development, the applicant or developer shall ensure that infrastructure is implemented to allow for the provision of the highest available headline speed of broadband provision to future occupants of all of the development from a site-wide network provided as part of the initial highway works and in the construction of frontage thresholds to buildings 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.

19 If the approved development has not commenced prior to April 2025, further supplementary ecological surveys for Reptiles shall be undertaken to inform the preparation and implementation of corresponding phases of ecological measures. The supplementary surveys shall be of an appropriate type for the above habitats and/or species and survey methods shall follow national good practice guidelines.

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

20 Details of the proposed biodiversity green roofs shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level unless otherwise agreed in writing, the biodiversity roofs shall conform to the following:

1. Intensive green roof or vegetation over the structure with a substrate minimum settled depth of 150mm, or
2. Extensive green roof with substrate of minimum settled depth of 80mm (or 60mm beneath a vegetation blanket) - meeting the requirements of GRO Code 2014,
3. Laid out in accordance with roof plans; hereby approved; and
4. Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on minimum 75% wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used by people in the case of essential maintenance or repair or escape in case of emergency.

The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reasons:
To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies GI SP1, ENV SP1 and ENV DM5.

21 Prior to any part of the new development being first brought in use/occupied, a bat friendly Lighting Plan shall be submitted to and approved in writing by the Local Planning Authority.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white with a clear view, no UV, a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

Reason: To allow the Local Planning Authority 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 Natural Environment and Rural Communities Act 2006 (Priority habitats & species) and Arun Local Plan policy ENV DM5.

22 Details of bat tubes, bricks or boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level.

No less than 6 bat tubes, bricks or boxes shall be provided, and the details shall include the exact location, specification, and design of the habitats. The bat tubes, bricks or boxes shall be installed with the development prior to the first occupation/use of the buildings to which they form part or the first use of the space in which they are contained.

The bat tubes, bricks or boxes shall be installed strictly in accordance with the details so approved and shall be permanently maintained in good working condition thereafter.

Reason: To ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies GI SP1, ENV SP1 and ENV DM5.

23 Details of integral nesting bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level.

No less than 12 swift nesting bricks shall be provided, and the details shall include the exact location, specification, and design of the bricks. The bricks shall be installed within the development prior to the first occupation/use of the buildings to which they form part or the first use of the space in which they are contained. The number of boxes required is as follows:

The nesting bricks shall be installed strictly in accordance with the details so approved and shall be permanently maintained in good working condition as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies GI SP1, ENV SP1 and ENV DM5.

24 Details of bee bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level.

Details shall include the exact location, specification, and design of the habitats. Bee bricks shall be installed with the development prior to the first occupation/use of the buildings to which they form part or the first use of the space in which they are contained.

The bee bricks shall be installed strictly in accordance with the details so approved and shall be permanently maintained in good working condition as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies GI SP1, ENV SP1 and ENV DM5.

25 Notwithstanding the provisions of Part 1, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) there shall be no rear extensions constructed in the curtilages of plots 8,9,20,21. No extensions under A (g) constructed within the curtilages of plots 1-7,10-19 and there shall be no alterations to any of the approved car ports within the site plots 1,2,6,7, 13-19 unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun Local Plan.

26 Notwithstanding the provisions of Parts 1 & 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting this Order) no dormer/roof extensions to the dwellings as approved shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate interface standards and in the interests of visual amenity in accordance with Arun Local Plan policies D DM1 and QE SP1.

27 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.

28 INFORMATIVE: Following approval of details showing the proposed location of all fire hydrant(s) or stored water supply (in accordance with West Sussex Fire and Rescue Service's Guidance Notes) and prior to the first occupation of any dwelling or unit forming part of the proposed new development you are advised to contact West Sussex Fire and Rescue Service (WSFRS) make them aware of all the fire hydrants for the site and their locations. They can then be operated and tested, their location marked up locally and plotted on the water management system and mapping. This information is then available to all fire crews attending the site, essential for locating the nearest fire hydrants available in the vicinity of a fire without delay.

Without this information WSFRS would not be aware of any fire hydrants available on the site and lead to valuable time being spent looking for a water supply to keep the fire appliance supplied with water. Without a supply of water people's lives and properties could be put at undue risk in the event of a fire. Fire hydrant information is to be sent to either the Planning

Officer or directly to the Water and Access Department, WSFRS on the details given below: Frs.waterandaccess@westsussex.gov.uk

29 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

30 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

31 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, should such works be required. 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.

32 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents via https://beta.southernwater.co.uk/infrastructurecharges.

33 INFORMATIVE: This decision will be subject to a s106 legal agreement to secure the following obligations:

AFFORDABLE HOUSING:

6 Affordable dwellings consisting of 4 affordable rented (2 x 1 bed, 2 x 2 bed), 2 First Homes (1 x 2 bed ,1 x 3 bed).

EDUCATION
A financial contribution in accordance with the standard formula to the County Council towards secondary school transport.